



BROMLEY CIVIC CENTRE, STOCKWELL CLOSE, BROMLEY BRI 3UH

TELEPHONE: 020 8464 3333

CONTACT: Rosalind Upperton
Rosalind.Upperton@bromley.gov.uk

THE LONDON BOROUGH
www.bromley.gov.uk

DIRECT LINE: 020 8313 4745

FAX: 020 8290 0608

DATE: 4 August 2015

To: Members of the
PLANS SUB-COMMITTEE NO. 3

Councillor Katy Boughey (Chairman)
Councillor Douglas Auld (Vice-Chairman)
Councillors Kevin Brooks, Alan Collins, Nicky Dykes, William Huntington-Thresher,
Charles Joel, Alexa Michael and Stephen Wells

A meeting of the Plans Sub-Committee No. 3 will be held at Bromley Civic Centre on
THURSDAY 13 AUGUST 2015 AT 7.00 PM

MARK BOWEN
Director of Corporate Services

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

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

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

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

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

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

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

A G E N D A

- 1 **APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS**
- 2 **DECLARATIONS OF INTEREST**
- 3 **CONFIRMATION OF MINUTES OF MEETING HELD ON 18 JUNE 2015**
(Pages 1 - 10)
- 4 **PLANNING APPLICATIONS**

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

Report No.	Ward	Page No.	Application Number and Address
4.1	Clock House	11 - 20	(15/01691/FULL1) - Stewart Fleming School, Witham Road, Penge, SE20 7YB
4.2	Clock House	21 - 54	(15/02597/FULL!) - Stewart Fleming School, Witham Road, Penge, SE20 7YB

SECTION 2 (Applications meriting special consideration)

Report No.	Ward	Page No.	Application Number and Address
4.3	Chelsfield and Pratts Bottom	55 - 64	(15/00864/FULL1) - Cookham Farm, Skeet Hill Lane, Orpington, BR5 4HB
4.4	Chelsfield and Pratts Bottom Conservation Area	65 - 78	(15/01024/FULL2) - Lilly's Farm, Chelsfield Lane, Orpington, BR6 7RP
4.5	Copers Cope Conservation Area	79 - 92	(15/01219/FULL1) - South Park Court, Park Road, Beckenham, BR3 1PH
4.6	Chelsfield and Pratts Bottom	93 - 104	(15/01516/FULL1) - Fairtrough Farm, Fairtrough Road, Orpington, BR6 7NY
4.7	Hayes and Coney Hall	105 - 112	(15/01717/FULL6) - 16 Cherry Walk, Hayes Bromley, BR2 7LT
4.8	Bickley		(15/01953/FULL1) - 104 Nightingale Lane, Bromley, BR1 2SE (REPORT TO FOLLOW)

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

Report No.	Ward	Page No.	Application Number and Address
4.9	Bickley	113 - 118	(15/01574/FULL2) - 15 Lewes Road, Bromley, Kent, BR1 2RN
4.10	Darwin	119 - 124	(15/01905/FULL6) - 7 Grice Avenue, Biggin Hill, TN16 3EW

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

Report No.	Ward	Page No.	Application Number and Address
4.11	Chislehurst Conservation Area	125 - 130	(15/01879/OUT) - 27 Heathfield, Chislehurst, BR7 6AF

5 CONTRAVENTIONS AND OTHER ISSUES

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

6 TREE PRESERVATION ORDERS

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

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PLANS SUB-COMMITTEE NO. 3

Minutes of the meeting held at 7.00 pm on 18 June 2015

Present:

Councillor Katy Boughey (Chairman)
Councillor Douglas Auld (Vice-Chairman)
Councillors Kevin Brooks, Nicky Dykes,
William Huntington-Thresher, Charles Joel, Alexa Michael and
Angela Page

Also Present:

Councillors Samaris Huntington-Thresher, Russell Mellor,
Peter Morgan and Catherine Rideout

1 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

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

2 DECLARATIONS OF INTEREST

There were no declarations of interest reported.

3 CONFIRMATION OF MINUTES OF MEETING HELD ON 16 APRIL 2015

RESOLVED that the Minutes of the meeting held on 16 April 2015 be confirmed.

4 PLANNING APPLICATIONS

SECTION 2

(Applications meriting special consideration)

4.1 PLAISTOW AND SUNDRIDGE

(14/03125/FULL2) - 1 Edward Road Bromley.

Description of application – Change of use from house in multiple occupation (HMO)(used by 6 unrelated persons) to a day Nursery (Class D1) for a maximum number of 36 children with associated car parking spaces, refuse storage, cycle parking and 2m high front boundary wall and railings.

Oral representations in objection to the application were received. Oral representations from Ward Member, Councillor Peter Morgan, in objection to the application were received at the meeting. It was reported that further objections to the application had been received.

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

1. The proposed change of use would result in an unacceptable loss of self-contained residential accommodation which cannot be overcome by provision of staff accommodation on site contrary to the provisions of Policy H1 of the Unitary Development Plan and Policy 3.14 of the London Plan.
2. The proposed development, including the acoustic fence, would be detrimental to the residential amenities of the neighbouring properties, in particular no. 3 Edward Road, and would give rise to a loss of visual amenity and an unacceptable degree of noise and disturbance which the occupiers of these neighbouring properties would expect to enjoy, thus contrary to Policy BE1 of the Unitary Development Plan and Policy 7.15 of the London Plan.
3. The proposal would lack adequate on-site car parking resulting in increased stress on existing on-street parking in the area and leading to concerns regarding highway safety, Furthermore the applicant has failed to demonstrate that adequate cycle parking could be accommodated on the site. Consequently the proposal is contrary to Policies T2, T3 and T18 of the Unitary Development Plan and Policy 6.3 of the London Plan.

**4.2
BROMLEY COMMON AND
KESTON**

(15/00802/FULL1) - Potters Farm, Turpington Lane, Bromley.

Description of application – Demolition of existing buildings at Potters Farm and Sea Cadets Magpie Hall Lane and erection of two part two/three storey blocks comprising a total of 39 flats (25x1 bed and 14x2 bed), reprovision of Sea Cadets facility with residential parking for 34 cars, cycle storage and landscaping.

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

The Chief Planner's representative referred Members to correspondence that had been circulated to them

between officers and the agent in respect of the approach taken to Green Belt policy and also to an appeal case submitted by the applicant.

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.

4.3 COPERS COPE

15/01044/FULL1) - Tudor Manor, Beckenham Place Park, Beckenham.

Description of application – Demolition of existing dwelling and construction of 3 four bedroom two storey detached dwellinghouses with integral garages

Oral representations in support of the application were received. Oral representations from Ward Member, Councillor Russell Mellor, in objection to the application were received at the meeting. It was reported that further objections to the application had been received.

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

4.4 BICKLEY CONSERVATION AREA

(15/01173/DEMCON) - 107 Plaistow Lane, Bromley.

Description of application - Demolition of dwelling (Consultation under Part 31 of the Town and Country Planning (General Permitted Development) Order 1995/as amended).

Oral representations 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. It was reported that further objections to the application had been received together with comments from Councillor Nicholas Bennett JP, Design and Heritage Champion, in objection to the application.

The Chief Planner's representative advised Members to consider only the proposed method of demolition of the site and its restoration and whether this was acceptable.

Members having considered the report, objections and representations, **RESOLVED that PRIOR APPROVAL REQUIRED be GRANTED** as recommended, subject to two informatives set out in

the report of the Chief Planner. **IT WAS FURTHER RESOLVED** that a formal letter be sent to the Applicant with the Decision Notice setting out Members' aspirations for the site.

**4.5
CRYSTAL PALACE**

(15/01267/FULL6) - 59 Anerley Park, Penge.

Description of application – Single storey side/rear extension with roof lights and elevational alterations including juliet balcony.

Oral representations in objection to and in support of the application were received at the meeting. It was reported that the application should have appeared under Section 3 of the agenda and that a letter of support had been received.

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

**4.6
WEST WICKHAM**

(15/01327/FULL6) - 1 The Crescent, West Wickham.

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

Oral representations in support of the application were received at the meeting. It was reported that the application had been amended by documents received on 11 June 2015.

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

(Councillor Douglas Auld wished his vote for 'refusal' to be recorded.)

**4.7
CHELSFIELD AND PRATTS
BOTTOM**

(15/01533/ELUD) - Woodhill Farm, Norsted Lane, Orpington.

Description of application - Use of Site A for the parking of two lorries in connection with a haulage business, and two buildings on-site used for ancillary storage purposes, and use of building on Site B as a repair workshop ancillary to Site A with external storage and parking of two lorries again ancillary to Site A.

CERTIFICATE OF LAWFULNESS FOR AN

EXISTING USE.

Oral representations in objection to the application were received. Oral representations from Ward Member, Councillor Samaris Huntington-Thresher, in objection to the application were received at the meeting. It was reported that further objections to the application had been received.

Members having considered the report, objections and representations, **RESOLVED that the application BE DEFERRED**, without prejudice to any future consideration, to enable consultations to take place with the applicant's agent regarding modification of the description of the use to accord with the report and, in particular, to make clear that the certified use did not include a haulage use or haulage yard.

SECTION 3

(Applications recommended for permission, approval or consent)

4.8 BICKLEY

(15/01049/FULL1) - St Georges School, Tylney Road, Bromley.

Description of application – Part one/two storey extension comprising 3 classrooms and studio to enable expansion of school from one and a half form entry to two form entry, single storey extensions to provide enlarged Year 1 classroom and toilet facilities and provision of canopies, decking, replacement steps and landscaping.

Oral representations in support of the application were received at the meeting. It was reported that this application should have appeared under Section 1 of the agenda.

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

4.9 WEST WICKHAM

(15/01088/FULL6) - 11 Boleyn Gardens, West Wickham.

Description of application – First floor side extension (amendment to permitted application 14/03116/FULL6 to include alterations to roof and bay window)
RETROSPECTIVE APPLICATION.

Comments from a Neighbour in objection to the

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

**4.10
BICKLEY**

(15/01265/FULL1) - 5 Wells Road, Bickley.

Description of application – Demolition of existing dwelling and erection of detached two storey 5 bedroom dwelling with accommodation in roof and integral garage.

Oral representations in objection to the application were received. Oral representations from Ward Member, Councillor Catherine Rideout, in objection to the application were received at the meeting. It was reported that a further objection to the application had been received.

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

**4.11
PETTS WOOD AND KNOLL**

(15/01312/FULL1) - 6 Ladywood Avenue, Petts Wood.

Description of application – Demolition of 6 Ladywood Avenue (former Friends Meeting House) and construction of 2 no. two storey detached five bedroom dwellings with new vehicular access and associated parking and landscaping.

THIS REPORT WAS WITHDRAWN BY THE CHIEF PLANNER.

**4.12
CRAY VALLEY WEST**

(15/01431/FULL6) - 197 Leasons Hill, Orpington.

Description of application – Two storey side/rear extension.

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 4

(Applications recommended for refusal or disapproval of details)

**4.13
CHELSFIELD AND PRATTS
BOTTOM**

(15/00864/FULL1) - Cookham Farm, Skeet Hill Lane, Orpington.

Description of application – Demolition of existing dwelling garage, barn and outbuildings and erection of detached two storey 4 bedroom dwelling with first floor terrace and solar panels on roof.

Oral representations in support of the application were received at the meeting. Comments from Ward Member, Councillor Lydia Buttinger, in support of the application were 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 for the application to come back to a future Plans Sub-Committee on Section 2 of the agenda and also to establish the residential curtilage within the site and the slab levels of the proposed new dwelling.

**4.14
CRAY VALLEY EAST**

(15/01911/TELCOM) - Land Opposite 27-33 Chelsfield Road, Orpington.

Description of application – Proposed replacement telecommunications installation upgrade and associated works. CONSULTATION BY CTIL, TELEFONICA UK LTD AND VODAFONE LTD REGARDING THE NEED FOR PRIOR APPROVAL OF SITING AND APPEARANCE.

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 an objection from St Philomena's Primary School.

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

SUPPLEMENTARY AGENDA

4.15 CHELSFIELD AND PRATTS BOTTOM

(15/00101/FULL1) Bow Wood, Stonehouse Road, Orpington.

Description of application – Proposed new dwelling.

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

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

URGENT SUPPLEMENTARY AGENDA

8.1 WEST WICKHAM

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

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

THIS REPORT WAS DESPATCHED AS A SUPPLEMENTARY ITEM WITH GROUNDS OF URGENCY BUT WAS WITHDRAWN BY THE CHIEF PLANNER PRIOR TO THE MEETING.

The Chairman moved that Item 8.2 not included in the published agenda, be considered as a matter of urgency on the following grounds:-
“Members will recall that this matter was reported to the sister Committee and therefore this Committee would be the appropriate forum.”

8.2 COPERS COPE

(15/01235/FULL1) - 9 St Clare Court, Foxgrove Avenue, Beckenham

Description of application – Conversion of basement storage to two bedroom self-contained flat.

Oral representations in objection to the application were received. Oral representations from Ward Member, Councillor Russell Mellor, in objection to the application were received at the meeting.

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

1. The proposed windows within the bedrooms of the proposed basement flat do not provide a reasonable view or outlook and the kitchen and bathroom do not provide adequate means of natural light or ventilation which would be harmful to the amenities of the user of the habitable room contrary to policy BE1 and H11 of the Unitary Development Plan and the Mayors Housing Supplementary Planning Guidance.
2. The proposed windows within the bedrooms of the proposed basement flat do not provide a reasonable view or outlook and the kitchen and bathroom do not provide adequate means of natural light or ventilation which would be harmful to the amenities of the user of the habitable room contrary to Policies BE1 and H11 of the Unitary Development Plan and the Mayors Housing Supplementary Planning Guidance.
3. The proposal would lack adequate on-site car parking resulting in increased stress on existing on-street parking in the area and leading to concerns regarding highway safety, Furthermore the applicant has failed to demonstrate that adequate cycle parking could be accommodated on the site. Consequently the proposal is contrary to Policies T2, T3 and T18 of the Unitary Development Plan and Policy 6.3 of the London Plan.

The Meeting ended at 9.23 pm

Chairman

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

Application No : 15/01691/FULL1

Ward:
Clock House

Address : Stewart Fleming School Witham Road
Penge London SE20 7YB

OS Grid Ref: E: 535124 N: 168969

Applicant : Mr Lee Mason-Ellis

Objections : YES

Description of Development:

Temporary two storey, four classroom modular block with entrance lobby, toilets, stoves and associated external works including ramp and steps

Key designations:

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

Proposal

Temporary planning permission is sought for the erection of a two storey classroom building to be used whilst refurbishment work is undertaken on the existing school site and to facilitate future expansion plans. The building will be located within the existing playground to the south-east of the site at the junction of Witham Road and Felmingham Road. The classrooms are sought for a period of two years ending in August 2017.

The building is two storeys in height and will feature four 59sq.m classrooms and toilets, lobby and storerooms on each level. Access is provided primarily by a ramped access to the north-west elevation which faces into the school site, with two ground floor exits/entrances to the ground floor classrooms.

This proposal does not encompass any increase of pupil or staff numbers and the proposed classrooms are sought for decant purposes only.

The applicant has stated, in support of the application, that the temporary decant accommodation proposed to facilitate the potential for future expansion works will be integral to local policy and statutory responsibilities and will be required to meet the demand in 2015/16 for primary places.

Location

The site is located to the northern edge of Witham Road and forms the junction with Felmingham Road to the north-eastern boundary. To the south-west of the site are the rear of the properties facing onto Sheringham Road whilst to the north-west

of the site (the rear) are the properties of Suffield Road which adjoins perpendicular the site. Footpaths are present to the rear of the properties at Sheringham Road and Suffield Road and run for the entirety of the boundary with No.27 Suffield Road and No.32 Felmingham Road.

The area is characterised by two storey terraced dwellings forming a tight urban grain typical of the wider locality. As such the school, with its recreation area set to the front and occupying the land forming the junction with Witham Road and Felmingham Road, represents a break in this urban form and positively contributes to the spatial standards of the area with Beckenham Crematorium and South Norwood Country Park to the south being severed by the east to west railway line behind the properties of the southern edge of Witham Road.

The school itself comprises a linear one and two storey block set close to the north-western boundary. The site is set below street level with steps down to the playground from the access with Witham Road. Servicing is typically from the access to Suffield Road.

Consultations

Comments from Local Residents

A total of 107 nearby owners/occupiers were notified of the application and 25 representations were received, of which 23 are in objection, and which can be summarised as follows:

- o Double parking with high levels of congestion are longstanding safety concerns
- o Damage to cars from parents' cars
- o Shortage of parking in the area
- o Against expansion
- o Health risks from building work
- o The application should be considered as part of the wider expansion proposal
- o We oppose these plans until such time as full plans for the school can be considered
- o No objections to the temporary block, but to the ultimate expansion
- o The building is like a grey elephant
- o You cannot guarantee that it will be temporary

[Officer's comment - a large proportion of comments received relate to the future expansion of the school and associated development following public consultation events by the applicant. The current application does not propose any expansion of the school roll or any works to the main school.]

The Felmingham Road Residents Association (FRRA) have commented that the current application should only be considered as part of the larger project being planned. Concern is also raised that a number of residents within Felmingham Road have not received notification letters and that the 21 day period should be extended until these have been sent.

[Officer's comment - the Council's records show that the residents stated as not being notified - Nos. 17, 24a, 31, 31 and 41 - were sent notification letters regarding the proposal although it is not possible to confirm receipt. However, it is also noted that the occupants of these properties are signatories to the FRRA's letter and as such their comments have been taken into account as summarised above.]

Comments from Consultees

Highways: No objections are raised as the proposal does not seek an increase in pupil or staff numbers, conditions relating to maintenance of the car parking as shown and the provision of cycle storage are suggested.

Crime: No conditions are sought for this application, advice as to the security of temporary buildings has been given and this has been relayed to the applicant.

Drainage: The Council's drainage advisor raises no objection subject to a condition relating to surface water drainage.

Thames Water: Raise no objections.

Environmental Health: No objections are raised.

Planning Considerations

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
- C1 Community Facilities
- C7 Educational and Pre-School Facilities
- H9 Side Space
- 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
- T17 Servicing of Premises
- T18 Road Safety

Supplementary Planning Guidance 1: General Design Principles

The application falls to be determined in accordance with the following policies of the London Plan 2015:

3.16 Protection and Enhancement of Social Infrastructure

- 3.18 Education Facilities
- 5.1 Climate Change Mitigation
- 5.2 Minimising Carbon Dioxide Emissions
- 5.3 Sustainable Design and Construction
- 5.7 Renewable Energy
- 5.10 Urban Greening
- 5.11 Green Roofs and Development Site Environs
- 5.13 Sustainable Drainage
- 6.3 Assessing Effects of Development on Transport Capacity
- 6.8 Coaches
- 6.9 Cycling
- 6.10 Walking
- 6.13 Parking
- 7.1 Lifetime Neighbourhoods
- 7.2 An Inclusive Environment
- 7.3 Designing Out Crime
- 7.4 Local Character
- 7.5 Public Realm
- 7.6 Architecture

In addition to:

Accessible London: achieving an inclusive environment
 The Mayor's Transport Strategy
 Mayor's Climate Change Mitigation and Energy Strategy
 Sustainable Design and Construction Supplementary Planning Guidance

The National Planning Policy Framework is also a material consideration, with which the above policies are considered to be in accordance. Sections 4 'Promoting sustainable transport'; 7 'Requiring good design'; 8

The National Planning Policy Guidance (NPPG)

Planning History

99/00138 Planning permission granted 15th April 1999 for a single storey extension to provide 4 classrooms and office and toilet accommodation and formation of pedestrian access

02/01830 Planning permission granted 15th August 2002 for single storey extensions to form store room and cloak room.

10/01722 Planning permission granted 13th December 2010 for a bicycle store, 2 timber storage sheds, 2 play area enclosures with artificial grass surface, new pedestrian ramp with handrail and balustrade and gate access and free standing canopy to pre-school classroom.

12/01057 Demolition of existing kitchen annexe building and cloakroom and erection of new single storey infill building to accommodate new kitchen annexe and toilets.

Conclusions

Design and the impact upon the character of the area

Policy BE1 requires that new development is of a high standard of design and layout. It should be imaginative and attractive to look at, should complement the scale, form, layout and materials of adjacent buildings and areas and should respect the amenity of the occupiers of neighbouring buildings.

The NPPF emphasises good design as both a key aspect of sustainable development and being indivisible from good planning and your attention is drawn to paragraph 58 in this regard. 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.

The classrooms are required until August 2017 and as such the classrooms will not result in a long-term impact upon the character of the area. The two storey nature of the development will have a degree of impact upon the streetscene, however the utilisation of a two storey solution mitigates the impact upon the playground and therefore the playspace available to the children attending the school. Due to the short term nature of the building it is considered that the short-term harm to the streetscene is outweighed by the benefit of the design approach to the playground provision and that any harm that does result will be for a relatively short period.

Education and Community Facilities

Policies C1, C2, C7 and C8 relate to the provision and extension of educational facilities and the requirements that these additional facilities bring about the beneficial and efficient use by the community. Policy 3.18 of the London Plan supports the provision and expansion of education facilities.

Whilst the proposed development is cited as facilitating future expansion plans for the school as a whole, no expansion is proposed as part of this planning application and as such the proposal falls to be considered against the suitability of the structures for their intended purpose and their impact upon the existing provision on the site. The four classrooms are of a good size and would afford a suitable temporary teaching space, with toilet facilities and storage also provided. It is not considered that the proposal would adversely impact the existing education provision.

Highways

Policies T1, T2, T3, T6, T17 and T18 relate to the Council's requirements in terms of parking, transport assessments, highway safety in addition to London Plan Policies under section 6 including Policies 6.8 (Coaches), 6.9 (Cycling), 6.10 (Walking) 6.13 (Parking).

The majority of the site to the north and east is within PTAL level 3 with the west of the site to the west within PTAL level 2 which places the site at the lower end of transport accessibility with a limited number of bus stops in the vicinity.

The scheme does not involve any increase in pupil or staff numbers. The access and egress arrangements for cars and people will remain the same and there will be no change in car or cycle parking provision. The proposed temporary classrooms will be accommodated on site and as such it is not considered there will be any unacceptable impacts in this regard.

Concerns have been raised with regard to parking provision at the site and in the area generally and it is considered reasonable to ensure that the existing parking arrangements are maintained for the duration of the temporary period of the development. However, given that there will be no increase in pupils or staff as a result of this proposal it is not considered necessary or reasonable to require the provision of cycle storage facilities over and beyond that currently provided.

Conclusion

Given the temporary nature of the building, the impacts of the development are limited in both their scale and period. As a result the erection and occupation of this building for the intended uses is considered acceptable for the time periods requested.

With regard to the temporary nature of the application, a condition is suggested requiring the removal of the building by the end of August 2017 and the restoration of the occupied area to its former condition. Should such removal and reinstatement not take place on or before this date the Council has recourse to enforcement action to secure this. Additionally, such a condition is considered necessary and reasonable given the acceptability of the impact of the development upon the character of the area and the streetscene on the basis of its short-term and limited duration.

Background papers referred to during production of this report comprise all correspondence on the file ref(s) 15/01691 set out in the Planning History section above, excluding exempt information.

RECOMMENDATION: PERMISSION Subject to the following conditions:

- 1 The temporary classroom building hereby permitted shall be removed from the site and the permitted use shall cease on or before 31st August 2017 and the site shall be reinstated to its previous condition and use within 3 months of the removal of the buildings.

Reason: Section 91, Town and Country Planning Act 1990 and in the interests of the character of the area and the visual amenities of local residents as well as the adequate provision of playspace for current and future pupils of the school in accordance with Policies BE1 and C7 of the Unitary Development Plan and Policy 3.18 of the London Plan.

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

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

- 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 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.

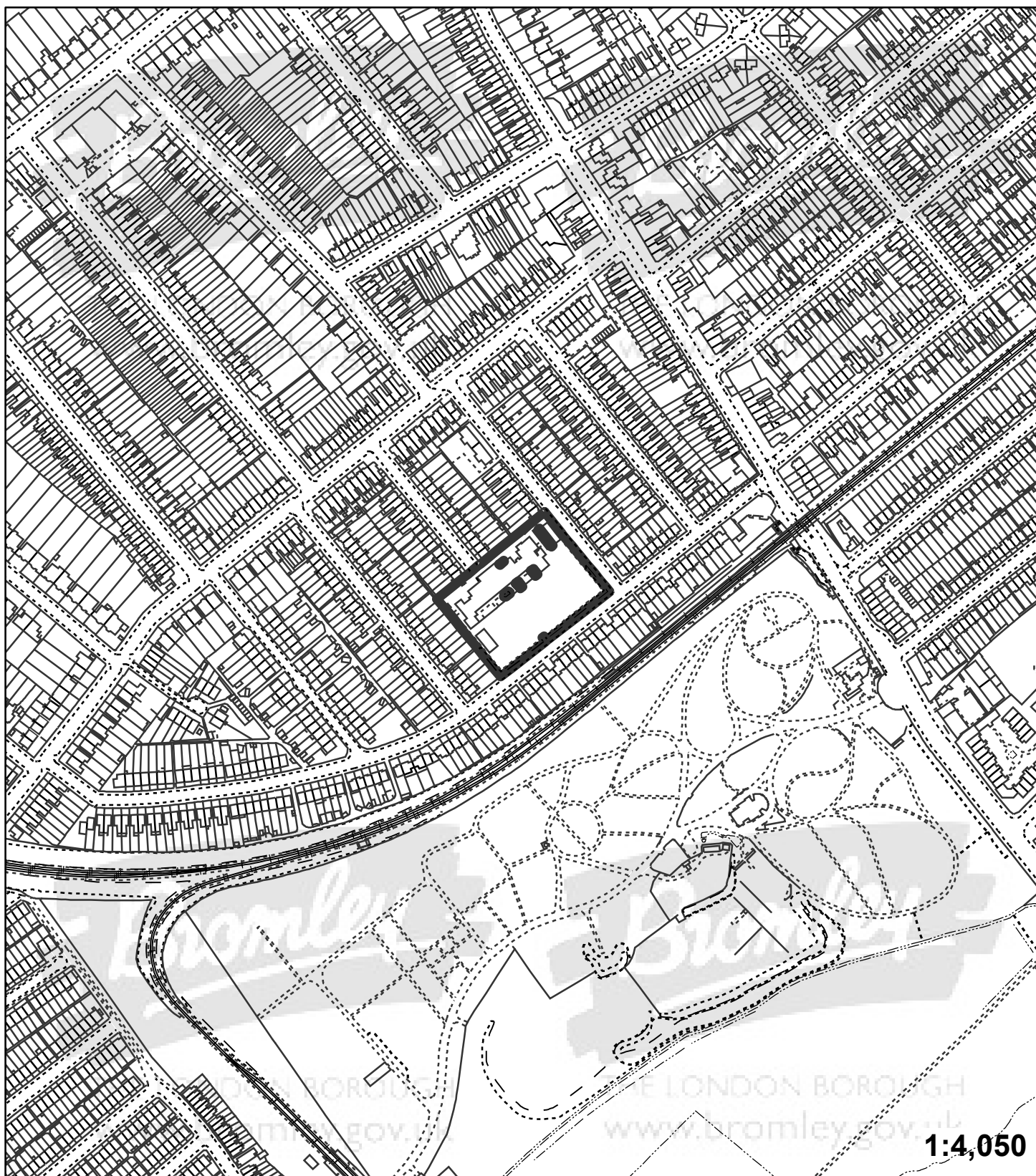
Reason: To ensure satisfactory means of surface water drainage and to accord with Policy 5.12 of the London Plan

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Application:15/01691/FULL1

Address: Stewart Fleming School Witham Road Penge London SE20 7YB

Proposal: Temporary two storey, four classroom modular block with entrance lobby, toilets, stoves and associated external works including ramp and steps



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

Application No : 15/02597/FULL1

Ward:
Clock House

Address : Stewart Fleming School Witham Road
Penge London SE20 7YB

OS Grid Ref: E: 535124 N: 168969

Applicant : Pioneer Academy

Objections : YES

Description of Development:

Part demolition to rear and demolition of single storey front element and erection of two storey building to northern elevation with roof level amenity area, two storey front extension with enclosed roof level games area, landscaping and expansion from 2FE to 3FE

Key designations:

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

Proposal

Proposal

This application seeks permission for reorganisation and expansion of the school facilities through demolition of existing classrooms, hall, kitchen and WCs and construction of new classrooms, specialist teaching spaces, 2 new large halls, kitchen, staff and WC facilities. The proposal comprises:

- Erection of a part 1/part 2 storey extension along the northern boundary. The extension has been designed with a pitched roof to 3 sides concealing a roof level amenity space
- Erection of a ground floor extension with a roof top Multi Use Games Area (MUGA) along the western boundary
- Increase in school capacity from 2FE to 3FE (additional 203 pupils and 22 staff - 427 pupils and 75 staff in total)
- A new service access will be provided on Felmingham Road (with deliveries via an on street collection point).
- The main visitor entrance on Felmingham Road will remain.
- New additional pedestrian access point will be created from Witham Road
- Erection of cycle shelter to provide 20 new cycle parking spaces (40 in total)
- No existing parking onsite and none proposed

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

Air Quality Assessment (prepared by agb Environmental)

This report assesses the air quality impacts associated with the construction and operation of the proposal. The report suggests that the construction phase will have the potential to create dust it will therefore be necessary to implement mitigation measures to minimise dust emissions. The operational impacts are not considered to be significant.

Arboricultural Impact Assessment (prepared by agb Environmental)

This report sets out details of the tree survey undertaken. The results of the survey are that there are 11 trees and 1 hedge of moderate quality within the school grounds, 6 trees which are dead and should be removed irrespective of the development, 3 trees need to be removed as a direct consequence of the development and suggest that there no trees of high quality or value within the grounds. The site is not within a conservation area and none of the trees are protected. The proposed landscaping strategy includes replacement trees.

The report sets out details of the how tree woks will be undertaken and how retained trees will be protected during the development.

Community Engagement Report (prepared by CgMs)

This repots confirms that public engagement was undertaken by the applicant prior to submission of the application comprising:-

- Letter drop to properties surrounding the site, parents and councillors
- An exhibition was held at the school and an opportunity for feedback provided

A total of 53 residents responded to the public consultation as well as responses from residents. The responses are summarised in the document.

Design and Access Statement (prepared by Bailey Partnership)

This documents sets out an analysis of the site constraints, details of the proposal in respect of form, mass and appearance and access arrangements. The report confirms that the school expansion is required to meet local demand and need for school places as the existing school is operating at full capacity.

Daylight and Sunlight Assessment and Additional Statement (prepared by GIA Consultants)

The assessment has been prepared in accordance with BRE Guidance 'Site Layout and Planning for Daylight and Sunlight - A Guide to Good Practice' by a suitably qualified consultant. The assessment looks at daylight and sunlight impact on rooms as well as overshadowing of gardens for the following properties:-

- 29 to 47 Felmingham Road (odd numbers only)
- 27 - 47 Sheringham Road (odd numbers only)
- 25 - 28 Suffield Road

The report concludes that there is unlikely to be any noticeable loss of daylight or sunlight to the majority of properties assessed. Save for the 3 properties discussed below all other dwellings would still meet BRE Guidelines once the proposed development has been undertaken.

The following properties would be affected by the proposed development to an extent falling below BRE guidelines:

26 Suffield Road

Front and rear gardens have been assessed in order to establish whether the amenity spaces will still receive adequate sunlight throughout the year (50% of the area should receive 2 hours of sunlight on 21st March).

The report concludes that the front garden will fall below BRE Guidelines as only 45% of the garden will receive 2 hours of sunlight on 21st March. The rear garden will continue to meet guidelines with 99% of the garden meeting BRE levels.

Consequently the report concludes that the impact on this property is minor adverse.

27 Suffield Road

There are 9 windows serving 8 rooms within this dwelling.

One ground floor window will see a moderate reduction in daylight as a result of the proposal falling below BRE Guidelines. However, the room is served by a second window which would still meet BRE Guidelines. Consequently the room will receive no alteration in daylight distribution.

In respect of sunlight 4 windows would be affected by the proposal experiencing alterations below the recommended guidelines. However, one of the ground floor windows already falls below the recommended guidelines; two of the ground floor windows appear to serve a kitchen thus having a lower requirement for sunlight than other habitable rooms such as living rooms and the first floor window which serves a bedroom already falls below guidelines. Furthermore bedroom windows are also not considered to require the same level of sunlight as living rooms. The report notes that 3 of the 4 windows face east. BRE Guidelines acknowledge that windows that face east or west are less likely to receive adequate levels of sunlight.

Overall the report concludes that the impact of the proposal, on this property is moderate adverse in significance.

28 Suffield Road

Front and rear amenity spaces were tested. The front garden will be affected by the proposal and will fall below BRE Guidelines (81% before the development dropping to 18.23% with the development in place). However, the rear garden will continue to meet guidelines with 93% of the garden receiving 2 hours of sunlight. Consequently the report concludes the impact would be minor adverse.

Energy Assessment (prepared by Tsengi Building Simulation)

The report has been prepared in accordance with London Plan Policy 5.2. A full assessment of all renewable technologies has been undertaken. It is proposed to utilise Photo Voltaic Panels (116 sqm) with a 35% reduction in carbon emissions.

Flood Risk Assessment (prepared by agb Environmental)

The report states that the site is within Flood Zone 1. The report sets out the details of existing foul, surface and roof level drainage across the site. It is proposed to discharge additional foul and surface water run-off into the existing system. The report concludes that it is not considered necessary to incorporate flood risk mitigation.

Geo-Environmental Site Assessment (prepared by REC)

This report concludes that due to the industrial history of the site a detailed Phase II Intrusive ground investigation should be undertaken.

Noise Impact Assessment (prepared by Red Twin Limited)

The assessment considers the impact of the new extension and raised play decks/amenity space. The report comprises an assessment of the existing noise climate, together with the predicted impact of using the proposed additional facilities. The report suggests that noise emissions from the outdoor play areas would not affect properties on Suffield Road to the north of the site but there would be a minor impact on properties in Witham and Sheringham Road. The most significant impact would occur during school break times. The report concludes that subject to design mitigation roof top play spaces are unlikely to result in the same sorts of noisy behaviour as those experienced in the playground and that noise levels would remain within acceptable limits.

In response to initial comments made by the Council's Environmental Health Officer Red Twin Limited provided further details about the proposed acoustic screening for the MUGA.

Planning Statement (prepared by CgMs)

This document sets out an analysis of the site and surrounding area and an assessment of the proposal against development plan policies.

Transport Assessment and Additional technical Note (prepared by Paul mews Associates)

The TA comprises a site assessment audit, baseline traffic surveys and accident data, an assessment of traffic generation and impact, parking and servicing proposals and construction logistics. The report confirms that the school currently operates with 427 pupils and 53 staff which will increase to 630 pupils and 75 staff. A new service access will be provided on Felmingham Road. The main visitor entrance on Felminham Road will remain and a new additional pedestrian access point will be created from Witham Road.

The school will update the current travel plan to take account of the proposal.

The TA concludes that any traffic generated from the proposal would not result in conditions prejudicial to the free flowing traffic on the adjoining road network. The increase in traffic generation could be adequately accommodated and the lack of onsite parking is acceptable.

In response to initial comments raised by the Council's Highways Officer an additional technical note was submitted. The technical note confirms that the

school will expand from 2 form entry to 3 form entry which will result in an additional 203 pupils and additional 22 staff. Of the additional staff and pupils 59 pupils and 11 staff are expected to access the site by car, 4 pupils will access the site by car sharing. The technical note provides further clarification in respect of parking beat surveys undertaken in the morning and afternoon and proposed mitigation in the travel plan.

The technical note confirms that the school does not have any existing car parking facilities and it is not possible to provide any onsite parking.

Location

The site is located to the northern edge of Witham Road and forms the junction with Felmingham Road to the north-eastern boundary. To the south-west of the site are the rear of the properties facing onto Sheringham Road whilst to the north-west of the site (the rear) are the properties of Suffield Road which adjoins perpendicular the site. Footpaths are present to the rear of the properties at Sheringham Road and Suffield Road and run for the entirety of the boundary with No.27 Suffield Road and No.32 Felmingham Road.

The area is characterised by two storey terraced dwellings forming a tight urban grain typical of the wider locality. As such the school, with its recreation area set to the front and occupying the land forming the junction with Witham Road and Felmingham Road, represents a break in this urban form and positively contributes to the spatial standards of the area with Beckenham Crematorium and South Norwood Country Park to the south being severed by the east to west railway line behind the properties of the southern edge of Witham Road.

The school itself comprises a linear one and two storey block set close to the north-western boundary as well as a detached single storey classroom block. The site is set below street level with steps down to the playground from the access with Witham Road. Servicing is typically from the access to Suffield Road.

Consultations

Comments from Local Residents and Amenity Societies

This application was advertised in the local press, site notices were erected and letters sent to nearby properties.

At the time of writing 30 letters of objection had been received. The following issues have been raised in respect of objections:

- o Traffic is already congested in this area, the proposal will make this worse
- o More parents will park in surrounding streets
- o The rooftop play area will result in loss of view and noise nuisance
- o The transport assessment contains inaccurate information more than 31% of pupils and 50% of staff drive to the school
- o As a successful school this school will attract pupils from outside of the area
- o Parents do not park considerably
- o The design would be out of character with the area
- o The proposal will result in a loss of light

- o If the MUGA is used at the weekends and evenings this will exacerbate noise and traffic issues
- o There will be an increase in traffic related accidents
- o There is no playing field on this site, the proposal will use up even more playground space
- o The proposal is disproportionate in scale
- o There are other schools in the borough which could be extended
- o The police have been involved in traffic issues in the surrounding streets
- o There will be an increase in overlooking and loss of privacy
- o House prices will drop if this proposal goes ahead
- o This school is already over populated which is a health and safety issue
- o There will be issues of noise and dust during construction
- o What compensation will there be for residents if this goes ahead
- o The proposal will give rise to security issues for neighbours
- o There will be an increase in litter
- o Any floodlights will harm neighbours
- o The MUGA should not be used after 18:00
- o The proposal will result in the demolition of the boundary wall at No.31 Sheringham Road - what will happen to the boundary_
- o Pupils will be affected by cramming them into this site
- o More traffic calming measures are needed

The applicant was asked to comment on the issue raised with respect to the demolition of the boundary wall at No. 31 Sheringham Road. They commented as follows:

"The boundary wall at this point is the school's wall and this is required to be removed once the building is demolished as it would not be structurally safe to leave it in place, particularly given its height.

Either side of the wall in question the boundary consists of metal fencing. The intention is to resecure the boundary with the same metal fencing which secures the school boundary to the rear of the Sheringham Road properties and provide additional timber fencing to the Sheringham Road properties face of the boundary, as can be found along the whole length of this boundary elsewhere. The boundary will therefore be continuous and matching between the school and Sheringham Road properties. The additional timber fencing will add a visual barrier in addition to the physical barrier. The existing metal fencing is approximately 1.6m high and the proposed boundary treatment would not seek to alter this. The trees close to the boundary will remain and new landscaping treatments have been proposed which will further soften the boundary between Sheringham Road and the proposed extension. A Party Wall Surveyor will be appointed to manage all boundary matters.

During construction the property in question will at all times be secure. Access will be required to demolish the wall and install the new boundary treatment and again this will be agreed through a Party Wall Surveyor. The main contractor will ensure that all neighbouring properties are secure through the use of temporary hoardings both to keep the properties and the contractor's site secure.

There will not be any overlooking of any properties on Sheringham Road due to the height of roof deck barriers from any of the roof decks and games area. The use of frosted glass high level windows restricted to opening only 100mm (this allows some degree of ventilation to the rooms but provides safety and security as well as preventing overlooking) will ensure that windows facing neighbouring properties do not cause overlooking"

At the time of writing no letters of support had been received.

Additional comments received will be reported to the committee.

Comments from Consultees

Thames Water: No objection, informatives recommended

Drainage: Reviewing the submitted FRA carried out by agb Environmental Ltd with report Reference No. p2339.6.1 dated 11/06/2015 I note that the applicant is committed to provide storage to mimic the existing pre-development regime, I do not agree with this approach and require surface water run-off rates and volumes from development to be managed in accordance with the London Plan which sets higher standards than the NPPF for the control of surface water run-off, Policy 5.13. A condition is recommended.

Highways (summary - full comments incorporated into the analysis below): Concerns were raised with the original Transport Assessment and lack of onsite parking provision. In response to initial concerns raised a further technical note was submitted. The proposal is considered to be acceptable from a highways perspective subject to recommended conditions.

Environmental Health: Noise: The conclusion of the report is that at certain times of day (break times) in two of the four assessed locations there would be a minor or moderate negative impact from noise. In one location there would be no change and in one an improvement in noise climate. Overall the noise levels are expected to increase and the change would be noticeable to affected residents. When averaged over 16 hours the changes are small but the proposal does potentially result in moderate negative impact for some residents at specific times of day, several times a day, during the school term. The results of the assessment have an inherent uncertainty owing to the difficulty in modelling this type of noise source.

Whilst there is a potential small detrimental impact in some locations clearly there are also other benefits with this application. It may be considered more of a Planning matter whether the potential detriment justifies the benefit. In purely noise terms there could be some detriment to local amenity although overall noise levels would remain reasonable.

Acoustic screens have been designed around the roof top amenity spaces to limit adverse noise impact. Additional details of the screens have been provided. The details are considered to be acceptable and conditions are recommended to ensure that they are implemented and retained. The MUGA should only be used Monday - Friday 08:00- 18:00.

Contamination: The Phase 1 report finds further site investigation is necessary therefore attach standard condition K09.

Air Quality: A Construction Logistics Plan should be submitted. A condition is recommended.

Tree Officer: The quality of the existing tree stock appears to be generally poor. I concur with the recommendations in the arboricultural report and agree that tree losses are acceptable. In respect of landscaping, the majority of existing trees located along Witham Road and Felmingham Road frontages are shown retained within the scheme. In terms of screening, the planting plan shows advanced nursery stock tree planting concentrating along the sites southwest boundary. These are likely to help disrupt views and soften the bulk of the building as seen from this elevation. Tree planting to the sites northern boundary is not likely to be possible due the distance separation between the new building line and adjoining residential properties. Landscape intervention is extended into the existing areas to the front of the building, however I would also suggest a review of existing tree cover along the road frontages in view of introducing supplementary tree planting.

Education Services: No comments received

Planning Considerations

Planning Considerations

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

T2 Assessment of Transport Effects
T3 Parking
T6 Pedestrians
T7 Cyclists
T15 Traffic Management
T18 Road Safety
BE1 Design of New Development
C1 Community Facilities
C7 Educational and Pre School Facilities
NE7 Development and Trees

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

Policy 6.5 Education
Policy 6.6 Education Facilities
Policy 7.1 Parking
Policy 7.2 Relieving congestion
Policy 7.3 Access to services for all

In strategic terms the most relevant London Plan policies are:

Policy 3.18 Education Facilities
Policy 5.1 Climate Change Mitigation
Policy 5.2 Minimising Carbon Dioxide Emissions
Policy 5.3 Sustainable Design and Construction
Policy 5.5 Decentralised Energy Networks
Policy 5.6 Decentralised Energy in Development Proposals
Policy 5.7 Renewable Energy
Policy 5.11 Green Roofs and Development Site Environs
Policy 5.12 Flood Risk Management
Policy 5.13 Sustainable Drainage
Policy 6.3 Assessing effects of development on transport capacity
Policy 6.9 Cycling
Policy 6.10 Walking
Policy 6.11 Smoothing Traffic Flow and Tackling Congestion
Policy 6.13 Parking
Policy 7.1 Lifetime Neighbourhoods
Policy 7.2 An Inclusive Environment
Policy 7.4 Local Character
Policy 7.6 Architecture
Policy 7.8 Heritage Assets and Archaeology
Policy 7.14 Air Quality
Policy 7.15 Reducing and Managing Noise, Improving and Enhancing the Acoustic Environment and promoting Appropriate Soundscapes
Policy 7.19 Biodiversity and Access to Nature
Policy 7.21 Trees and Woodland

The National Planning Policy Framework 2012 (NPPF) is relevant, particularly paragraphs 72 (education) and 211 - 216 (status of adopted and emerging policies).

Planning History

The school first opened in 1939 and has been subject to numerous planning applications. The following are the most relevant:

99/00138 Planning permission granted 15th April 1999 for a single storey extension to provide 4 classrooms and office and toilet accommodation and formation of pedestrian access

02/01830 Planning permission granted 15th August 2002 for single storey extensions to form store room and cloak room.

10/01722 Planning permission granted 13th December 2010 for a bicycle store, 2 timber storage sheds, 2 play area enclosures with artificial grass surface, new pedestrian ramp with handrail and balustrade and gate access and free standing canopy to pre-school classroom.

12/01057 Demolition of existing kitchen annexe building and cloakroom and erection of new single storey infill building to accommodate new kitchen annexe and toilets.

15/01691 Temporary two storey, four classroom modular block with entrance lobby, toilets, stoves and associated external works including ramps and steps. Pending consideration.

Conclusions

Conclusions

The main issues to be considered are:

- o Principle and Educational Need
- o Temporary accommodation
- o Design
- o Landscaping and impact on trees and ecology
- o Highways impact
- o Impact on neighbouring amenity
- o Sustainability

Principle and Education Need

The school is currently a 2FE operating at full capacity; an extension is required to enable the school to meet local need.

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

The NPPF, para 72 states that

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

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

In this regard pre application meetings were held outlining the planning issues affecting the site.

The NPPF was preceded in Aug 2011 by a joint ministerial statement on planning and education from Eric Pickles and Michael Gove. It was not replaced by the NPPF and therefore remains a material consideration. It is strongly worded to ensure that the answer to proposals for the development of state-funded schools should be, wherever possible, "yes".

London Plan Policy 3.18 encourages new and expanding school facilities particularly those which address the current predicted shortage of primary school places. Sections C&D are amended in the newly adopted March 2015 version to include new references to the projected shortage of secondary school places and the contribution of Free Schools and Additionally Section D indicates that, proposals for new schools, should be given positive consideration and should only be refused where there are demonstrable negative local impacts which substantially outweigh the desirability of establishing a new school and which cannot be addressed through the appropriate use of planning conditions or obligations.

UDP Policy C7 supports applications for new or extensions to existing schools provided they are located so as to maximise access by means other than the car.

As set out above there is planning policy support at local, regional and national level for the provision of education facilities within the current development plan. There is a clear commitment to extending/intensifying existing sites where possible. The proposal accords with the aims and objectives of national and local policy in this respect.

In addition it is appropriate to consider emerging policies. Draft Policy 6.5 of the emerging Local Plan defines existing school sites as 'Education Land.' Policies 6.5 and 6.6 of the Draft Local Plan support the delivery of education facilities unless there are demonstrably negative impacts which substantially outweigh the need for additional education provision, which cannot be addressed through planning conditions or obligations. In the first instance opportunities should be taken to maximise the use of existing Education Land. Paragraph 216 of the NPPF enables due weight to be given to emerging policies depending on their degree of consistency with the policies in the Framework. In this instance it is considered that there is significant compliance with existing policies and so greater weight can be given to the emerging policies. As a recently adopted policy, considerable weight can be given to the London Plan Policy 3.18.

Local Plan Allocations Consultation (Autumn 2015)

In September 2015 the Council will be consulting on allocations to address the objectives of the emerging Local Plan. The proposed allocations have been reported to Development Control and Executive (13th and 15th July) are therefore in the public domain. The requirements for additional forms of primary education are outlined and, in addition to extensions to many existing schools the consultation involves 5 new primary schools. These proposals reflect those identified in the "Review of Primary School Development Plan" (Jan 2015), which, as indicated below, includes the expansion of Stewart Fleming Primary from 2 to 3 FE.

In addition to the importance placed on the need to meet the provision of school places by planning policies, it is necessary to consider the assessment of local provision of school places.

Stewart Fleming is a 2 form entry school (60 reception children) located within Education Planning Area 1 on a tight urban site. Last September, the school took a "bulge class" (an additional reception class producing an intake of 90 children).

Need for Primary School Places

For education place planning purposes the Borough is divided into 9 Education Planning Areas and in recent years the School Places Working Party has met annually and reports the "Review of Primary School Development Plan" to the Education PDS and Portfolio Holder. This review sets out the pressure for places and proposals to address the need.

The need for primary school places in Bromley is identified in the "Review of Primary School Development Plan", produced by the "School Places Working Group" and approved by the Education Portfolio Holder Jan 2015.

With reference to Planning Area 1 the School Places Working Group advised that

- the area remains one of the most volatile area in terms of rising demand for places. The numbers of 4 year olds in this area remains about 2FE above the total number of available places.
- bulge classes were added at James Dixon and Stewart Fleming to meet the Sept 2014 demand, and were fully subscribed
- a new free school opening in Crystal Palace should provide some additional capacity here as well as in neighbouring boroughs, depending upon its ultimate location

The report recommended that the projected school roll for Education Planning Area 1 in 2015 and thereafter (with rolls indicated as levelling off around this new high) could be addressed through the permanent expansion to 3 FE of both Stewart Fleming and James Dixon and the opening of the Crystal Palace Free School (although the potentially limited contribution of the Crystal Palace Free School to meeting Bromley's need should be noted).

In summary local, regional and national policies lend strong support proposals to meet education need and planning permission should be granted "unless there are demonstrably negative local impacts which substantially outweigh the need for additional education provision, which cannot be addressed through planning conditions or obligations." There is significant pressure for additional primary school places, particularly in Planning Area 1 and consequently when weighing up relevant planning considerations significant weight should be given to the fact that there is a demonstrable need to expand this school and the proposal would comply with development plan policies in this respect.

Temporary Accommodation

Temporary planning permission is sought under a separate application (15/01691) for the erection of a two storey classroom building to be used whilst refurbishment work is undertaken on the existing school site and to facilitate future expansion plans. The temporary building will be located within the existing playground to the south-east of the site at the junction of Witham Road and Felmingham Road. The classrooms are sought for a period of two years ending in August 2017.

The building is two storeys in height and will feature four 59sq.m classrooms and toilets, lobby and storerooms on each level. Access is provided primarily by a ramped access to the north-west elevation which faces into the school site, with two ground floor exits/entrances to the ground floor classrooms.

This temporary proposal does not encompass any increase of pupil or staff numbers and the proposed classrooms are sought for decant purposes only. The temporary decant accommodation proposed to facilitate the future expansion works which are subject of this application will be integral to local policy and statutory responsibilities and will be required to meet the demand in 2015/16 for primary places.

Landscaping and Trees

Policy NE7 requires proposals for new development to take particular account of existing trees on the site and on adjoining land. Policy BE1 requires new development to include attractive landscaping which takes account of the proposed use and surrounding context. Landscaping is an important design consideration in respect of visual and residential amenity.

A detailed landscaping proposal has been submitted. The proposal comprises:-

- o 2m high timber fencing on the western boundary, 1.8m fencing on the northern boundary, 1.0m high railings on the western boundary and 1.6m high railings on the southern boundary
- o Retained trees along the south, east and west boundaries
- o 31 new trees and soft planting along the east and west boundaries and within the playground
- o A mix of hard surfaces within the school grounds
- o Inclusion of a pond, 3 bird boxes and 3 bat boxes

Existing and proposed levels have been shown on the landscape plans. The proposal would not result in any change in levels across the site.

The landscaping proposal reflects the use of the site, the need for hard surfacing for pupils and soft landscape to improve the relationship with properties along Sheringham Road. The landscape strategy and replacement tree planting is largely considered to be appropriate and fit for purpose. However, the Council's Tree Officer is of the view that additional tree planting could be introduced to the southern boundary and therefore a condition is recommended.

Ecology

Planning Authorities are required to assess the impact of a development proposal upon ecology, biodiversity and protected species. The presence of protected species is a material planning consideration. English Nature has issued Standing Advice to local planning authorities to assist with the determination of planning applications in this respect as they have scaled back their ability to comment on individual applications. English Nature also act as the Licensing Authority in the event that following the issue of planning permission a license is required to undertake works which will affect protected species.

This application was supported by a Habitat Survey which confirms that some of the mature trees on site could have the potential to support nesting birds and stag beetle beetles. Mitigation is suggested in the form of the creation of beetle loggeries and bird boxes as part of the detailed landscaping submission and a condition to control works during the breeding season.

In this instance it is considered that appropriate surveys have been undertaken to enable the local planning authority to determine the application. The assessment undertaken by the applicant sets out the measures that would be required to protect any species that may be present on site. It is considered appropriate to secure suggested measures through the use of conditions.

Design

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

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

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

The proposal comprises two main elements, a part one/part two storey extension on the northern part of the school building, this element would have a roof top amenity space and a ground floor extension with roof top MUGA on the western edge of the school site. The proposed extensions have been sited along the boundaries to maximise the limited space within the site and to respect existing built form on the site. Existing extensions/building will be demolished to accommodate the proposal.

It is acknowledged that this is a constrained site in a densely populated setting. Existing school buildings are located close to rear gardens and space within the site is limited. The amount of new development has been set by strict funding

criteria and requirements set out in legislation which seeks to control space standards for schools. Given the constraints of the site it has been necessary to utilise rooftop amenity facilities to meet required standards. The location of the extensions is considered to be logical and appropriate given the constrained nature of the site and is considered to be acceptable subject to detailed design measures to prevent harm to neighbouring properties.

Western Extension

The proposed western extension has been designed as a recessed ground floor extension with roof top MUGA that would oversail the ground floor. The ground floor element would be constructed of bricks to match the existing building with dark grey fenestration. The proposed MUGA would comprise 4m high concrete posts supporting 3m high fencing. The fencing on the south and west sides would be clad with Trespa Panels in 3 shades of green adding a contemporary appearance to the development. A solid dark grey backing board would be installed behind the Trespa Panels to provide an acoustic screen and prevent overlooking into the gardens of properties in Sheringham Road. The Trespa Panels are lowered to 1.2m high along the western edge to enable views of the MUGA from the playground. The northern edge of the MUGA would comprise a brick wall. The proposed MUGA would represent an increase in the mass and scale to the western boundary and the rear gardens of the properties of Nos.25-47 Sheringham Road as well as an increased level of built form within the street scene given the proximity to the boundary with Witham Road. However, it is considered that the extension can be accommodated in this location without giving rise to unacceptable harm to neighbouring properties and the design of the extension would result in a high quality contemporary addition.

Northern Extension

The proposed two storey extension would be constructed of brick to match the existing building with profiled sandblasted glass within the stairwells and across the upper level of the hall spaces to help break up the mass of the block. The extension would have a pitched roof on the north, east and west sides which would conceal the roof top amenity space and running track. On the southern edge glass balustrading will provide views of the amenity space from the playground. The northern elevation has been broken up by utilising a range of recesses rather than a continuous façade. The extension would step down to single storey with roof top amenity space on the western edge. It is proposed to erect a 2m high sandblasted glass screen on the west elevation of the lower roof deck to protect residential amenity. Profiled zinc sheeting with matching zinc rainwater goods and dark grey fenestration will be utilised to complement the brick pallet.

The limited availability of space and the competing pressure for teaching space and outdoor recreational space has resulted in an innovative approach to the development, which increases the amount of play space and amenity space available. It has been necessary to design in appropriate acoustic and privacy screening in order to demonstrate that there would not be significant impact on the noise levels. As discussed below this has been achieved.

Overall the design approach for both elements of the extension is considered to be fit for purpose and subject to conditions to control detailed execution will result in a good quality development.

Impact on highways and parking

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

London Plan and UDP Policies encourage sustainable transport modes whilst recognising the need for appropriate parking provision. Policies T1, T2, T3, T6 and T18 relate to the Council's requirements in terms of parking, transport assessments, highway safety in addition to London Plan Policies under section 6 including Policies 6.8 (Coaches), 6.9 (Cycling), 6.10 (Walking) 6.13 (Parking).

The applicant has submitted a Transport Assessment (TA) which sets out details of the highway, traffic and parking implications of the scheme. The Council's Highways Officer raised concerns with the transport assessment as originally submitted in respect of clarity over parking beat surveys undertaken and lack of onsite parking provision. In response to the concerns raised the applicant submitted a Technical Note providing more detail in respect of parking beat surveys and the proposed travel plan. The applicant re-confirmed that it is not possible to provide any onsite parking.

The school fronts onto Witham Road and is bounded by Felmingham Road, Sheringham Road, and Suffield Road. The school's main pedestrian entrance is from Felmingham Road, with another gated pedestrian entrance is located on Witham Road. The site is located in an area with low PTAL rate of 2.

The school currently has 427 pupils and 53 staff. The proposal will see the school's capacity increased to a 3FE throughout, which means there will be three classes of 30 pupils per year group. Therefore the school's capacity will increase to 630 pupils from reception to years 6. The number of school staff is expected to increase to 75 staff. This translates to 203 additional pupils and 22 extra staff members.

The site does not provide off-street parking for its staff. The main service vehicle entrance is at the north of the site and is accessed from Suffield road. The school also has a vehicle access on Felmingham Road for emergency vehicles only. The site access arrangements will change, with a new service access provided on Felmingham Road. The main visitor entrance accessed from Felmingham Road

will remain, and there will be an additional pedestrian access point on Witham Road.

There will be no off-street car parking provided under the proposal, which is regrettable. However, the existing school operates with no onsite parking, this application must be considered on the basis of the additional pupils and staff only and cannot be used to rectify the fact that the school currently operates with no parking provision. Notwithstanding this the applicant has been asked if it is possible to provide any onsite parking facilities but due to the constrained nature of the site it is not possible.

Traffic surveys have been undertaken - data was collected from Monday 2nd to Sunday 8th February 2015 during normal school term time and during a period when all of The school was fully operational. The results indicate that Witham Road carries an average total of 968 northbound vehicles and 1091 southbound vehicle movements on a typical weekday. The recorded peak periods occur from 0800-0900 with a total of 219 two-way vehicle movements, and from 1700-1800 with a total of 195 two-way vehicle movements on a typical weekday.

In respect of baseline traffic data, the most recent iteration of the schools Travel Plan is from September 2013. The survey indicates that the pupil main mode of travel survey are as follows:

163 (42%) pupils travel to school on-foot.

In terms of drop off

111 (29%) pupils get dropped off alone by car,

9 (2%) pupils car share,

16 (4%) students cycle,

4 (1%) pupils travel by train,

29 (7%) pupils travel by bus,

4 (1%) pupils travel by tram

52 (13%) pupils travel by scooter.

Bromley Council provided the following travel survey data for staff (carried out in September 2013)

50% (21) of the school staff travel to work by car,

38% (16) walk,

5% (2) travel via rail,

5% (2) travel by bus

2% (1) cycle to work.

In respect of traffic generation impact, the proposal will see the school capacity increased from 2FE to 3FE. Using the travel mode split the projected increase in modal trips generated by the additional 203 pupils and 22 staff arising from the development proposal as follows: an additional 85 pupil trips on foot, inbound in the morning peak period and outbound in the afternoon peak period. The proposal is expected to generate an additional 59 car and further 4 car share set downs both in the morning and in the afternoon peak periods.

Of the 22 additional members of staff, eight are projected to walk to the site under the proposal and 11 are predicted to drive alone.

On-street parking surveys were undertaken using the Lambeth Methodology in order to assess the impact of the proposal on the surrounding road network. The parking survey area is split into individual street and sections of street comprising of the following:

Road	Kerb side inventory			
	Unrestricted		Disabled	
	Meters	Spaces	Meters	Spaces
Ashleigh Road	65	13	-	-
Elmers End Road (A214)	-	-	-	-
Flemingham Road	260	52	10	2
MacKenzie Road	45	9	-	-
Marlow Road	215	43	-	-
Piquet Road	155	31	.	.
Samos Road	65	13	-	-
Sheringham Road	305	61	-	-
Suffield Road	185	37	5	1
Tremaine Road	60	12	-	-
Warwick Road	190	38	-	-
Witham Road	360	72	-	-
Total	1905	381	15	3

Parking surveys were carried out on Wednesday 28th January 2015 in 15 to 20minute 'beats' between the hours of 0730 - 0915 and 1445 - 1615; hence capturing peak school traffic times.

Additional information was submitted in the technical note - The results of the surveys undertaken by the applicant demonstrate that at 0840-0855 in the morning peak there were a total of 97 free car parking spaces in the roads adjoining the site. However in respect of the two roads where the main access points are located between 8:40am and 8:55am, there was 1 parking space available on Felmingham Road and on 3 spaces on Witham Road.

Similarly in the afternoon peak there were 97 free parking spaces between 1515-1530; again on the two main access point's road between 15:15 and 15:30 1 space was available on Felmingham Road and on 2 spaces on Witham Road.

A new pedestrian access will be provided at the south-west corner of the site. The new south-west pedestrian access will be located close to the new Reception and Year one block. The results of the surveys undertaken demonstrate that Warwick Road, Sheringham Road and Ashleigh Road, located close to the new pedestrian access, both have capacity to accommodate additional drop-off demand generated by the proposed development.

The provision of the new pedestrian access to the south-west of the site is expected to change the pattern of vehicle trips to the site for pupil drop-offs and pick-ups. The location of the new pedestrian entrance will encourage parents to park in areas currently being underutilised, such as Warwick Road, Sheringham Road and Ashleigh Road; thus spreading peak period drop-offs and pick-ups to a wider area and reducing congestion at the main entrances.

It is expected that the proposed development, through the provision of revised and new pedestrian accesses, the location of pupil drop-offs and pick-ups will be altered; contributing to reducing congestion through increasing the areas where pupil drop-offs and pick-up occur.

Residents have raised concerns as the roads during the morning dropping off and afternoon picking up can be heavily congested. Notwithstanding this, the Councils Highways Officer is of the opinion that the surveys undertaken by the applicant confirm that traffic generated by the school can be accommodated on the local road network.

It is however likely there will be some congestion on Felmingham Road and Witham Road, this is due to parents wanting to drive as close as possible to the school entrance (during the morning drop off) sometimes double parking and creating congestion, despite available parking within walking distance of the school. Whilst this is acknowledged the Councils Highways Officer does not raise an objection to the proposal on these grounds.

It is proposed to update the school travel plan and a condition is recommended to this effect.

The NPPF makes it clear that proposals should only be refused on highways grounds where traffic impacts are severe. Third party comments regarding traffic congestion and parking issues experienced in surrounding streets have been duly considered. However, on balance it is not considered that there are sufficient grounds for refusing the application from a highways perspective.

Impact on neighbouring amenity

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

At present there are single storey buildings located close to the north and west boundaries of the site. These buildings will be demolished as part of the proposal. The existing school buildings already have windows facing onto neighbouring properties and gardens at a close proximity to the north, east and west. It is proposed to erect extensions on the north and west edges of the site at a slightly more generous distance from the boundaries than the existing single storey structures although it is recognised that the extensions will be erected closer to the boundaries than existing permanent buildings and will introduce a new relationship at first floor level.

A distance of 5m would be retained between the extensions on the northern part of the school facing the flank elevations of Nos.27 and 28 Suffield Road. A distance of 5-7m would be retained between the proposed western extension and the boundary with Nos. 27-47 Sheringham Road. It is recognised that the extensions would be located in fairly close proximity to the shared boundaries with residential dwellings. However, the existing buildings on site are already located close to shared boundaries and this site is constrained in terms of space available for additional accommodation and external amenity space. The resultant relationship is not unusual with schools located in densely populated residential areas such as this.

It is important to note that there are no windows in the flank elevations of Nos. 28 and 27 Suffield Road or 32 Felmingham Road although the school buildings face directly onto the rear gardens of these properties.

The western extension with roof top amenity space and MUGA would introduce a new relationship to the adjacent properties in Sheringham Road.

The extensions have been designed to minimise the impact on neighbouring properties as much as possible. The landscaping proposals incorporate planting along the western boundary which will help to protect privacy at ground floor level for occupiers of Sheringham Road. Whilst it is not possible to introduce tree planting along the northern boundary due to the limited space available the existing brick wall along the boundary will help to alleviate issues of overlooking/loss of privacy at ground floor level.

At first floor level a combination of high level windows, sandblasted regilt glazing and obscure panels will be used within the fenestration to minimise any direct overlooking or loss of privacy onto neighbouring properties to the north and west. Such details are shown on the plans submitted with the application and will limit any direct overlooking and loss of privacy from the upper floors of the school. It is not considered that the proposal would give rise to unacceptable loss of privacy or overlooking issues.

Acoustic screens have been specified for the roof top amenity spaces and MUGA comprising a 2.3m high Obscure glass barrier installed to the Western edge of the lower roof deck. A 1.8m high Obscure glass barrier installed to the Eastern edge of the lower roof deck. The barriers will be constructed from laminated glass with a density in excess of 10Kg/m² with no gaps present. The glass panels will be fixed to a structural support or frame and sealed with an appropriate acoustic sealant or gasket where necessary to avoid gaps.

For the MUGA a 3m high solid barrier made from trespa panels would be installed on the Western perimeter. The panels will be installed with overlapping joints and fully sealed to avoid gaps. The barrier will have a density of at least 10Kg/m². The barrier will be sealed at the base of the MUGA with a suitable compressible strip. A 1.5m high solid barrier will be installed behind the trespa panels along the Southern and Eastern edges. The barrier will be of at least 10 Kg/m² with overlapping joints and sealed at the base with a suitable compressible strip. A

1.2m high double weld mesh fence installed around the entire internal perimeter of the MUGA to reduce impact noise.

The acoustic screens are considered to be essential to prevent significant harm arising in respect of noise and overlooking/loss of privacy. Therefore a detailed condition to control implementation of the screens is recommended below.

Whilst the development will introduce additional built form close to the neighbouring boundaries it is not considered that it would be of scale that would be overbearing when viewed from neighbouring properties and gardens. The bulk and mass has been reduced through the use of setbacks and an innovative approach to the architectural treatment which will help to reduce the negative impact of the development when viewed from neighbouring properties.

Concerns have been raised in respect of the impact on house prices but this is not a planning consideration.

The application was supported by a Daylight/Sunlight Assessment as discussed above. The report concludes that there will be a minor impact on three properties (26, 27 and 28 Suffield Road). Officers accept that using the BRE Guidance the impact on daylight and sunlight would be minor but the applicant was asked to try and further reduce any harm in this respect if possible. In response to this request they submitted the following additional statement:

"The design team have worked alongside the London Borough of Bromley planning team through a pre-app process prior to submission of the application. During this process the mass of the proposal was examined and resulted in the design team making significant alterations to reduce this. At first floor level the proposed building line was pulled around 2m further away from the boundary and resulted in the loss of 1st floor access between classrooms either side of the hall spaces. A pitched roof with the eaves dropped as low as possible over stairwells was introduced in place of vertical parapets previously proposed. This resulted in a reduction in size of roof deck which the school saw as a critical requirement to provide external space on an otherwise constrained site.

These changes were developed into the proposal brought forward and submitted. The design team have examined whether further design changes could be made to reduce the mass to see if the GIA report could be produced with no minor items. However, this would require the proposal being cut back by approximately 5m at first floor level. This is not achievable if the school is to expand to 3FE and would require a redistribution of spaces elsewhere on the site which given the compact nature of the site this would result in the potential loss of outside space and is not considered feasible.

The proposal has been designed to meet BB103 requirements for minimum space standards in schools and any reduction in floor area would be detrimental to the standard of educational facilities, fall below the minimum guidance for classroom areas and restrict the ability of the school to expand to 3FE which is required by the local authority to meet the rising demand for pupil places in the area.

As there are no primary amenity spaces to neighbouring properties which fall below BRE guidance for hours in sun (overshadowing) and no rooms within neighbouring properties which fall below the levels of daylight (NSL) within the BRE guidance, the design team believe that the proposal has been designed with the mass reduced and cut back as much as possible to respect the neighbouring properties and as GIA concludes "performs very well in terms of daylight, sunlight and overshadowing".

Officers conclude with the applicant's assessment that the level of harm that may arise in this respect is minor and on balance do not consider that any harm that could arise would be significant enough to warrant refusal of this application. It is important to recognise that the properties in question already fall below recommended BRE guidelines. On balance the impact on daylight/sunlight is considered to be acceptable.

It is important to note that the application does not include any flood lighting for the MUGA . It is not considered appropriate to allow the MUGA to be used outside of normal daytime hours. Therefore it is appropriate to attach a condition preventing use of the MUGA after 18:00 on any day. If flood lighting is sought in the future this would require a separate planning permission which would be assessed on its own merits and may not be granted.

It is recognized that the proposal will result in a significant increase in pupils and teachers using the site. This will give rise to an increase in activity and noise as a result of drop offs, pick-ups and day to day operation. The increase in people using this site and the activities associated with the operation of the school will be noticeable from neighbouring properties, which cannot be avoided. However, it is not considered that this increase would give rise to unacceptable disturbance that would result in significant harm to neighbouring amenity, given the design mitigation, the fact that the noise and activity will be largely limited to daytime and having regard to the existing and long established use of the site for educational purposes.

It is recognised that during implementation of the planning permission there could be an increase in noise and disturbance from construction related activity including vehicular traffic. Operational traffic has been discussed above and the impact has been deemed to be acceptable. Construction related noise and activity cannot be avoided when implementing a development of this nature and scale. This is a relatively short term impact that can be managed as much as practically possible through measures such as a Construction Management Plan (CMP) and control of construction hours. Construction related disturbance would be short term and it is not considered appropriate or reasonable to raise an objection to the proposal on the grounds of harm to neighbouring amenity from construction related activity.

Concerns regarding dust pollution have been duly considered and can be addressed through the use of conditions recommend below.

The concerns raised by neighbours in respect of the impact on their amenity by way of overlooking, loss of privacy, noise and disturbance have been duly considered in the balanced assessment of this application.

Taking all of the above into account it is considered that whilst there will be additional activity relating from the intensification of this school site and this will have an effect in terms of both traffic and noise generated from use of the external amenity and sports facilities; and the proposal will have an impact in terms of daylight/sunlight to 3 properties, on balance the level of harm that may arise would not be so significant as to warrant refusal of this application. There will be a noticeable impact on amenity but on balance the wider public benefits of the proposal are considered to outweigh the harm that could arise with sufficient mitigation in place.

Sustainability

The NPPF requires Local Planning Authorities to adopt proactive strategies to mitigate and adapt to climate change. London Plan and Draft Local Plan Policies advocate the need for sustainable development. All new development should address climate change and reduce carbon emissions. For major development proposals there are a number of London Plan requirements in respect of energy assessments, reduction of carbon emissions, sustainable design and construction, decentralised and renewable energy. Major developments are expected to prepare an energy strategy based upon the Mayors energy hierarchy adopting lean, clean, green principles.

The applicants Energy Strategy has been prepared in accordance with London Plan Policy. It is proposed to meet the 35% carbon reduction by a combination of energy efficiency measures and roof-mounted PV panels. This is an appropriate approach for school extensions.

Other Considerations

Drainage, air quality and land contamination has been addressed by way of submission of technical reports which have been scrutinised by relevant consultees. Appropriate conditions are recommended in most respects.

Planning Obligations

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

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

Paragraph 122 of the Community Infrastructure Levy Regulations (April 2010) puts the above three tests on a statutory basis. From 5th April 2015, the Council will

need to link Education, Health and similar proposals to specific projects in the Borough.

In this instance, given the nature and scale of the development no obligations are considered to be necessary.

Environmental Impact Assessment

The proposal would be classified as an Urban Development Project within the Town and Country Planning (Environmental Impact Assessment) (Amendment) Regulations 2015. The Regulations set a threshold for Schedule 2 development (requiring EIA Screening) of sites which are more than 1 hectare. This site has a site area of 00.78 ha and therefore falls below the threshold for EIA Screening.

Summary

The proposed development of the site raises issues associated with intensifying educational use of the site and the acceptability of the development in terms of its nature and scale, impact on the local environment and surrounding area. This report has considered those matters in the light of adopted and emerging development plan policies and other material considerations including third party representations.

As discussed in this report the redevelopment of this site in the nature proposed is considered to be a suitable form of development. The proposal would provide additional education facilities for the borough on an existing education site which meets the aims and objectives of national, regional and local policy.

It is considered that the transport impacts arising would not be severe and could be adequately mitigated through the use of a travel plan.

Whilst there could be an impact on amenity by way of additional activity, noise and a minor change in daylight/sunlight conditions for 3 properties subject to appropriate mitigation it is not considered that the level of harm that could arise would be significant enough to warrant refusal of this application.

Officers consider that on balance, with the recommended mitigation and planning conditions in place the benefits of the proposal would outweigh any harm that may arise. Consequently it is considered that the proposal is acceptable subject to recommended conditions.

Background papers referred to during the production of this report comprise all correspondence on file ref 15/02597, excluding exempt information.

RECOMMENDATION: PERMISSION Subject to the following conditions:

Subject to the following conditions:

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

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

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

Plan Nos. 26052/101; 26052/102; 26052/103; 26052/104; 26052/105; 26052/106; 26052/108; 26052/107; 26052/109; 26052_110; 26052_112; 26052_113; Design and Access Statement, Daylight and Sunlight Report, Transport Assessment, Energy Assessment, Phase 1 Ecological Habitat Survey Report, Noise Impact Assessment, Planning Statement and Flood Risk Assessment submitted 15 June 2015;

Plan No. 26052/111 Rev A; Outline landscape Design Proposals - Stage C - Rev A submitted 21 July 2015;

IA-384-LD-P01; IA-384-LP-P01, IA-384-LP-P01, Traffic Consultants Technical Note submitted 22 July 2015;

Arboricultural Impact Assessment submitted 23 July 2015 and Daylight and Sunlight Addendum submitted 24 July 2015

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

- 3** Prior to the commencement of development hereby approved a demolition and construction noise and dust management plan shall be submitted to the Local Planning Authority for approval prior to the works commencing. Once approved the plan shall be implemented in full for the duration of works.

Reason: In order to protect residential amenity and to comply with Policy BE1 of the Unitary Development Plan

- 4** 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

5 (i) No demolition shall take place nor works to trees by way of felling or pruning until a survey has been carried out to ascertain the extent to which there is potential for roosting bats or nesting birds within the buildings, trees and hedgerows on site. If any potential is identified, details shall be submitted to and approved in writing by the local planning authority of the timing of the works and any necessary mitigation measures.

(ii) The works shall be carried out in full accordance with the approved timing and mitigation measures.

(iii) If any potential for roosting bats or nesting birds is identified works to trees and hedgerows shall only be undertaken between the months of

November to February inclusive thus avoiding the potential to harm protected species.

Reason: In order to comply with Policy NE3 of the Unitary Development Plan and in order to safeguard the interests and well-being of bats and birds on the site which are specifically protected by the Wildlife and Countryside Act 1981 (as amended)

6 (i) Notwithstanding the details set out within the Flood Risk Assessment submitted with this application the development hereby approved 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.

(ii) The development shall be implemented in full accordance with the details approved under Part (i) prior to any part of the extensions hereby approved being brought into use.

Reason: To reduce the impact of flooding both to and from the proposed development and third parties in accordance with Policies 5.12 Flood Risk Management and 5.13 Sustainable Drainage of the London Plan (2015)

7 (i) Prior to commencement of development a revised landscaping strategy that reflects the details hereby approved together with additional tree planting on the southern boundary of the site and the inclusion of stag beetle loggeries shall be submitted to and approved in writing by the local planning authority.

(ii) The development shall be undertaken in full accordance with the approved landscaping strategy and all landscaping shall be implemented in full with all planting, seeding or turfing carried out in the first planting and seeding seasons following the completion of the new buildings hereby approved. Any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species.

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

8 (i) Construction works shall not begin until a Construction Logistics and Management Plan to manage all construction related vehicle movements to and from the site, identifying efficiency and sustainability measures to be undertaken during site construction of the development, measures of how construction traffic can access the site safely, how potential traffic conflict can be minimised, the route of construction traffic for arriving and

leaving the site and hours of operation has been submitted to approved in writing by the Local Planning Authority.

(ii) The development shall not be carried out otherwise than in accordance with the approved Construction Logistics and Management Plan or any approved amendments thereto as may be agreed in writing by the Local Planning Authority.

Reason: To minimise the effect of the development on local air quality within an Air Quality Management Area and in the interests of reducing traffic and protecting amenity in line with Policies T5, T6, T7, T15, T16, T18 and BE1 of the UDP and Policy 7.14 of the London Plan.

- 9 The roof top Multi Use Games Area (MUGA), amenity space and running track hereby approved shall not be brought into use until all balustrading, boundary treatments and acoustic screens have been erected in full compliance with the details hereby approved and such features shall be retained and maintained in perpetuity.

For the avoidance of doubt the acoustic screens shall comprise:

Lower play deck

A 2.3m high Obscure glass barrier installed to the Western edge of the lower roof deck. A 1.8m high Obscure glass barrier installed to the Eastern edge of the lower roof deck. The barriers will be constructed from laminated glass with a density in excess of 10Kg/m² with no gaps present. The glass panels will be fixed to a structural support or frame and sealed with an appropriate acoustic sealant or gasket where necessary to avoid gaps.

MUGA

A 3m high solid barrier made from trespa panels or similar shall be installed on the Western perimeter. The external panels will be installed with 30mm gaps that are overlapped on the inside face with panels to provide a solid wall and fully sealed to avoid gaps. The barrier will have a density of at least 10Kg/m². The barrier will be sealed at the base of the MUGA with a suitable compressible strip.

A 1.5m high solid barrier will be installed behind the trespa panels along the Southern and Eastern edges. The barrier will be of at least 10 Kg/m² with overlapping joints and sealed at the base with a suitable compressible strip.

A 1.2m high double weld mesh fence installed around the entire internal perimeter of the MUGA to reduce impact noise.

A 1.5m high solid barrier will be installed behind the trespa panels along the Southern and Eastern edges. The barrier will be of at least 10 Kg/m² with overlapping joints and sealed at the base with a suitable compressible strip.

A 1.2m high double weld mesh fence will be installed around the entire internal perimeter of the MUGA to reduce impact noise.

Reason: In order to protect residential amenity and to comply with Policy BE1 of the Unitary Development Plan

10 The development hereby approved shall be carried out in strict accordance with the materials as set out within the Design and Access Statement submitted and approved as part of this application. Namely Blue Engineering Bricks with Charcoal Coloured Mortar; London Stock Bricks; Reglit Profiled Glass Panels (Opaque, Clear and Coloured); Dark Grey Polyester Powder Coated Aluminium Fenestration (RAL 7022); Dark Grey Polyester Powder Coated Aluminium Curtain Walling (RAL 7022); Dark Grey Polyester Powder Coated Aluminium Parapet Trims (RAL 7022); Zinc Standing Seam Roof and Rainwater Goods; PPC Aluminium Louvres (RAL 7022) and Green Trespa Panels.

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.

11 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

12 Before any part of the new buildings hereby approved are first brought into use, bicycle parking shall be provided at the site in accordance with details hereby approved and shall be permanently retained thereafter.

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

13 (i) Prior to any part of the new buildings hereby approved being brought into use a scheme for any external lighting that is to be installed at the site (which for the avoidance of doubt shall not include any flood lighting for the MUGA or roof top amenity spaces which will be subject to a separate planning application), including measures to prevent light spillage shall be submitted to and approved in writing by the local planning authority.

(ii) Any such external lighting as approved under part (i) shall be installed in accordance with the approved drawings and such directional hoods shall be retained permanently.

(iii) The applicant should demonstrate that the proposed lighting is the minimum needed for security and working purposes and that the proposals minimise pollution from glare and spillage.

Reason: In order that the local planning authority may be satisfied that the lighting is installed and maintained in a manner which will minimise possible light pollution to the night sky and neighbouring properties and to comply with Policy BE1 of the UDP.

14 (i) Before any of the new school buildings hereby approved are first bought into use a Travel Plan shall be submitted to and approved in writing by the Local Planning Authority

(ii) The Travel Plan should include measures to promote and encourage the use of alternative modes of transport to the car and shall also include a timetable for the implementation of the proposed measures and details of the mechanisms for implementation and for annual monitoring and updating. The Travel Plan shall be implemented in accordance with the agreed timescale and details.

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

15 (i) The development hereby approved shall include the provision of a minimum of 116 sqm of Photovoltaic Panels on the roof of the school buildings in addition to the implementation of all measures set out in the Energy Strategy hereby approved, in order to ensure that the school will achieve a minimum of 35% reduction in CO₂ below ADL2013.

(ii) Within 3 months of the first occupation of the new school buildings hereby approved evidence shall be submitted to the local planning authority to demonstrate that the photovoltaic panels have been installed.

Reason: In order to ensure that the development can achieve the CO₂ reduction identified in the application submission and will meet the aims and objectives of London Plan Policy 5.2 and UDP Policy BE1 in respect of sustainable design and construction.

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

Reason: In order to protect residential amenity and to comply with Policy BE1 of the Unitary Development Plan

17 The Multi Use Games Area (MUGA) and roof top amenity spaces hereby approved shall only be used between the hours of 08:00 - 18:00 Monday to Friday inclusive.

Reason: In the interests of protecting neighbouring residential properties from activities that could result in excessive noise and disturbance outside of normal school hours and in accordance with Policy BE1 of the UDP (2006).

18 The development hereby approved shall be undertaken in accordance with the proposed ground and finished floor levels as shown on Plan Nos. IA-384-LP-P01 and 26052/111 hereby approved.

Reason: In the interests of controlling the height of the development and protecting visual and residential amenity in accordance with Policy BE1 of the UDP (2006).

19 The development hereby approved does not include the provision of any floodlighting for the roof top amenity spaces or Multi Use Games Area. 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 floodlighting shall be provided within the curtilage of the school without the prior approval in writing of the Local Planning Authority.

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

You are further informed that :

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

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

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

- 2 Surface Water Drainage - With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. The applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0800 009 3921.

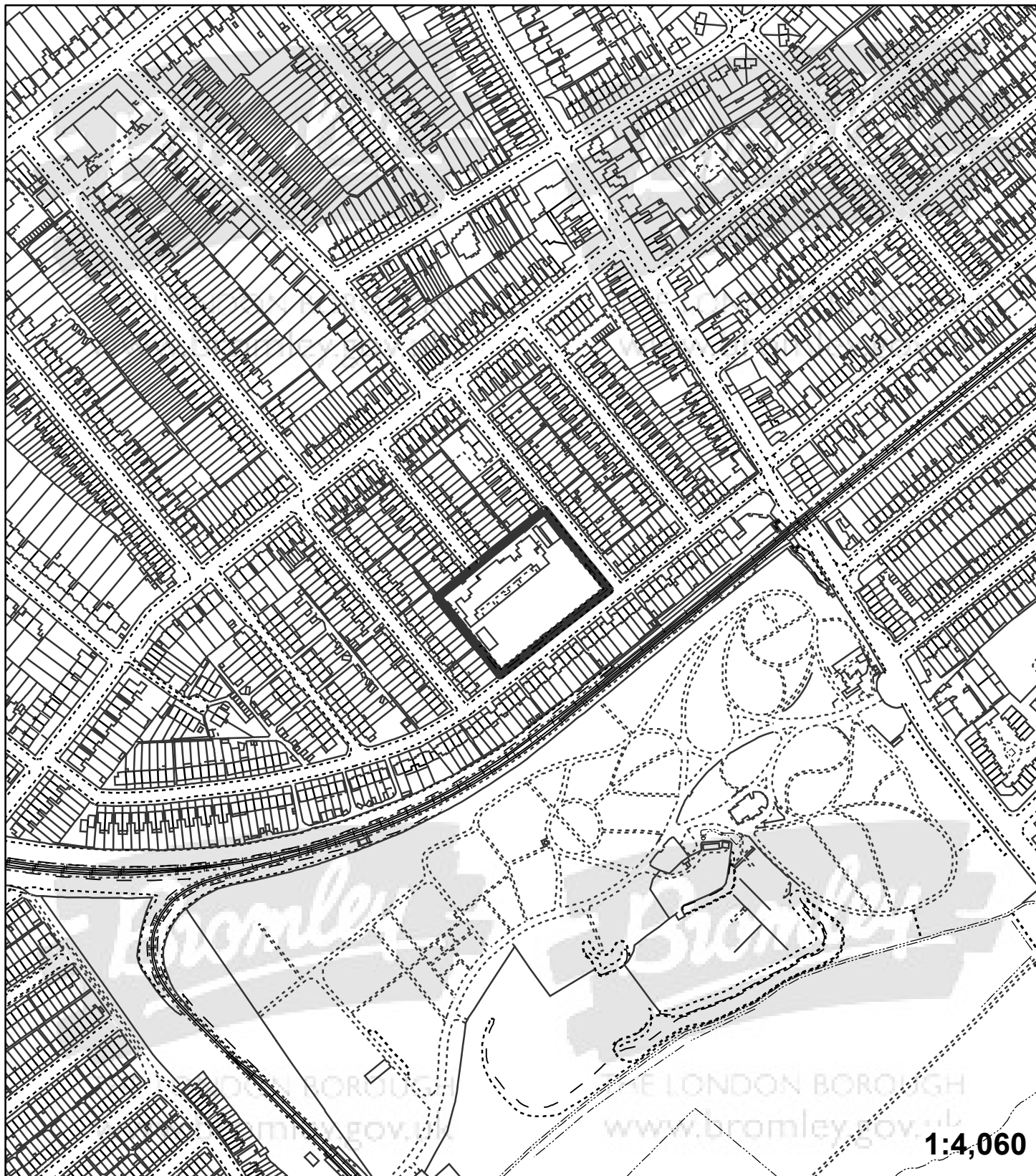
- 3 Where a developer proposes to discharge groundwater into a public sewer, a groundwater discharge permit will be required. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Groundwater permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 8507 4890 or by emailing wwqriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991.

- 4 The applicant is advised that the LLFA would expect a drainage proposal to meet the following criteria: - To demonstrate that opportunities to implement sustainable drainage techniques at the site have been maximised. - Surface water from the site should reflect greenfield run-off rate for the area of the site, typically 2 to 8l/s/ha. - The surface water attenuation system must be able to accommodate any storm event up to the critical duration 1 in 100 plus climate change storm event for the site without the flow balancing system being bypassed. Sufficient information must be provided to demonstrate that the critical duration has been used. - Management plan for future maintenance of all SUDS.

Application:15/02597/FULL1

Address: Stewart Fleming School Witham Road Penge London SE20 7YB

Proposal: Part demolition to rear and demolition of single storey front element and erection of two storey building to northern elevation with roof level amenity area, two storey front extension with enclosed roof level games area, landscaping and expansion from 2FE to 3FE



"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 : 15/00864/FULL1

Ward:
Chelsfield And Pratts
Bottom

Address : Cookham Farm Skeet Hill Lane
Orpington BR5 4HB

OS Grid Ref: E: 548838 N: 165519

Applicant : Ms Sally Campbell

Objections : YES

Description of Development:

Demolition of existing dwelling garage, barn and outbuildings and erection of detached two storey 4 bedroom dwelling with first floor terrace and solar panels on roof.

Key designations:

Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
Green Belt
London City Airport Safeguarding
Smoke Control SCA 26

Proposal

This application was deferred from the committee on 18th June in order to seek a plan showing the proposed residential curtilage of the new property, and clarification of the proposed slab levels of the new building in relation to the site levels. Members also requested that the application be put back to committee on List 2 for special consideration rather than on List 4 for refusal.

A plan has now been submitted which shows the residential curtilage extending approximately 70m in width and 50m in depth, and includes the majority of the existing outbuildings apart from the furthest barn planned to be removed, and the remains of the glasshouses to the south. The residential curtilage would be slightly deeper than that sought under Certificate of Lawfulness ref.12/03653 which was dismissed on appeal in September 2012. The agent states that this area has been used for domestic purposes since 2011, and that the Inspector acknowledged its current status in his appeal decision.

The plan also shows a section through the new dwelling in comparison with the retained barn and the existing farmhouse which is to be demolished. The agent points out that the new building would be significantly lower than the existing building, and that virtually the whole of the lower ground floor has been designed to sit back into the existing bank. In the agent's view, the openness of the countryside would be enhanced by the reduction in height, particularly as the built footprint of

the site would be reduced by about 50sq.m., and the number of buildings reduced from 6 to 4.

Further information in support of the proposals has also been submitted by the applicant, and is available on file for Members' information.

I repeat the earlier report, suitably updated.

It is proposed to demolish the existing farmhouse, a detached garage, a barn, a concrete pig sty building and a timber shed, and construct a replacement two storey dwelling further to the south, whilst retaining an existing workshop building in the northern part of the site, and an open barn to the west of the proposed new dwelling.

The existing dwelling has a floorspace of 120.8sq.m., whilst the floorspace of the existing garage, barn, shed and pig sty totals 145.2sq.m. Therefore, the total floorspace of buildings to be removed under this proposal would be 266sq.m.

The proposed two storey dwelling would have a floorspace of 280sq.m. with a footprint of 159sq.m., and would be located approximately 13m to the south of the existing dwelling, and 9m to the east of the existing open barn which is to remain. It would be of a contemporary L-shaped design, and would be set lower into the sloping site resulting in upper and lower ground floor levels requiring the construction of concrete retaining walls. The dwelling would have a flat roof with solar panels and a green roof system planted with wild meadow flowers and grasses. An upper floor terrace would be provided to the southern and eastern elevations overlooking open fields.

The application is accompanied by a Design and Access Statement, a Sustainability Statement, and a structural survey of the condition of the existing farmhouse which concludes that remedial work is required in the form of underpinning the building, which is not considered by the applicant to be economically viable.

Location

This site is located on the southern side of Skeet Hill Lane, and lies within the Green Belt. It occupies an area of 0.7ha., and incorporates a farmhouse, a garage, a workshop building and a number of barns and outbuildings. The site slopes down towards the south and east.

Consultations

A letter of objection has been received from Feathercot to the east of Cookham Farm on Skeet Hill Lane, and the concerns raised are summarised as follows:

* inappropriate development in the Green Belt due to size, siting and appearance, with no very special circumstances put forward to outweigh harm to the Green Belt

- * contrary to the NPPF which states that replacement buildings in the Green Belt should not be materially larger than the existing building
- * the size and position of the dwelling is substantially more obtrusive and detracts from the openness of the immediate setting
- * the design of the dwelling is out of character with those in the surrounding area, and does not represent an outstanding or innovative design to justify inappropriate development in the Green Belt
- * significant excavation and engineering works would be detrimental to the Green Belt
- * the former agricultural buildings should not be included in the floorspace calculations as a recent appeal decision did not accept that they were ancillary or incidental to the main dwelling
- * inadequate and inaccurate figures given for the buildings to be demolished
- * the floorspace for the new dwelling does not include the extensive balconies and veranda
- * the barn to be removed is an unlawful structure which was erected less than 4 years ago, and its floorspace should not be taken into account
- * a recent Lawful Development Certificate to establish the residential curtilage was dismissed on appeal, and the current proposals include an even larger curtilage than that dismissed
- * the large amount of glazed areas would result in excessive light pollution
- * no ecological or bat surveys have been submitted
- * a new dwelling was recently refused at Cookham Hill Farm 200m to the west.

The occupiers of Woodlands, which lies on the opposite side of Skeet Hill Lane, have confirmed that they support the application.

Comments from Consultees

The Council's Highway Engineer raises no objections to the proposed replacement dwelling as it would use the existing vehicular access onto Skeet Hill Lane, and would not result in an unacceptable increase in trips to and from the site.

No objections are raised from an environmental health or drainage point of view, subject to safeguarding conditions.

Planning Considerations

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

BE1 Design of New Development
 H7 Housing Density and Design
 G1 The Green Belt
 G5 Replacement Dwellings in the Green Belt
 T3 Parking

The National Planning Policy Framework is also relevant.

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

Planning History

A number of Certificates of Lawfulness have been submitted for extensions to the existing house, an outbuilding for a gym and games room, and the use of an existing outbuilding as a workshop, home office and living accommodation ancillary to the main dwelling. A further Certificate was submitted for the establishment of the residential curtilage. They are summarised as follows:

Ref.12/02411 for a two storey rear extension, a single storey side extension and a porch to the principal elevation was refused on the following grounds:

"The proposed side and rear extensions do not constitute development within the curtilage of a dwellinghouse and are not development permitted under Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995, (as amended)."

Ref.12/02418 for the erection of a single storey outbuilding for use as a gym and games room within the residential curtilage for purposes incidental to the enjoyment of the main dwelling was refused on the following grounds:

"The proposed outbuilding is located outside of the residential curtilage of the dwellinghouse and its size and proposed use go beyond that expected for an ancillary building and it is therefore not development permitted under Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995, (as amended)."

Ref.12/02419 for the proposed use of an existing outbuilding to the eastern boundary as a workshop, home office, bedroom, bathroom and storage ancillary to the main dwelling was refused on the following grounds:

"The outbuilding is located outside of the residential curtilage of the dwellinghouse and does not constitute a use ancillary to the main dwelling."

Ref.12/03653 for the use of the land as a residential curtilage and the use of outbuildings within that curtilage as being ancillary to the existing dwelling was refused on the following grounds:

"The residential curtilage identified has not subsisted, on the balance of probabilities, for more than ten years continuously and as such is not considered to be lawful and as such the outbuildings contained therein do not constitute a use ancillary to the main dwelling."

The subsequent appeal was dismissed in March 2014, wherein the Inspector found that although it appeared that the appeal site and all the buildings within it comprised at that time the residential curtilage of the dwellinghouse, there was insufficient evidence to establish that the residential curtilage was lawful as it had not been demonstrated that the land and buildings benefitted from a lawful use for purposes incidental to the enjoyment of the dwellinghouse during the previous 10

years. For this reason, the Inspector was unable to define the lawful residential curtilage of Cookham Farm.

Conclusions

The main issues in this case are whether the proposals comprise inappropriate development in the Green Belt, particularly with regard to the lack of an established residential curtilage, 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.

In the recent appeal decision, the Inspector was unable to define the lawful residential curtilage of Cookham Farm with any reasonable certainty due to the limited evidence provided, and the current situation therefore is that outside the footprint of the dwelling itself, the land and outbuildings do not have lawful curtilage status. The proposal is to provide a replacement dwelling on land which is at least 13m away from the existing dwelling and does not form part of a lawfully established residential curtilage to Cookham Farm, and would therefore constitute inappropriate development in the Green Belt for that reason. A plan showing the proposed residential curtilage has now been put forward by the applicant, and is similar to (but slightly deeper than) that which was dismissed on appeal.

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 120.8sq.m., whilst the new dwelling would have a floor area of 280sq.m., resulting in an increase in floor area of 159.2sq.m., which equates to a 132% increase. This constitutes a material net increase in floor area compared with the existing dwelling, and would therefore be considered inappropriate development in the Green Belt. The applicant has put forward the special circumstances that 4 outbuildings would be removed (a garage, barn, shed and pig sty), however, none of these lie within 5m of the dwellinghouse, and it has not been established that any of these buildings have lawful curtilage status. Furthermore, the barn to be removed lies outside the area that is currently sought as residential curtilage, and is outside the area previously sought as the residential curtilage of the existing dwelling under ref.12/03653.

With regard to the impact on the character and appearance of the surrounding area, the proposed dwelling would encroach further south into a part of the site which is currently more open and rural in appearance, and although it has been designed to address the sloping land levels, it would appear more prominent on the site than the existing smaller scale dwelling which is set closer to the road and further away from the open part of the site. Significant excavation works would be required, and the proposals are therefore considered to have a detrimental impact on the visual amenities and open and rural character of the Green Belt.

With regard to the impact on residential amenity, the replacement dwelling would be located a significant distance away from neighbouring properties, and the proposals are not, therefore, considered to result in any undue loss of light, privacy or prospect to adjoining residents.

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

RECOMMENDATION: APPLICATION BE REFUSED

The reasons for refusal are:

1. The proposed replacement dwelling, by reason of its size, bulk and location outside an established residential curtilage, constitutes inappropriate development within the Green Belt which would be harmful to its openness and character. No very special circumstances have been demonstrated to warrant the setting aside of normal policy requirements, and the proposal is therefore contrary to Policy G5 of the Unitary Development Plan and the National Planning Policy Framework 2012.
2. The proposed dwelling, by reason of its size, bulk and siting, would appear overprominent on the site, and would have a detrimental impact on the visual amenities and open and rural character of the Green Belt, thereby contrary to Policies BE1, H7 and G5 of the Unitary Development Plan.

You are further informed that :

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

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

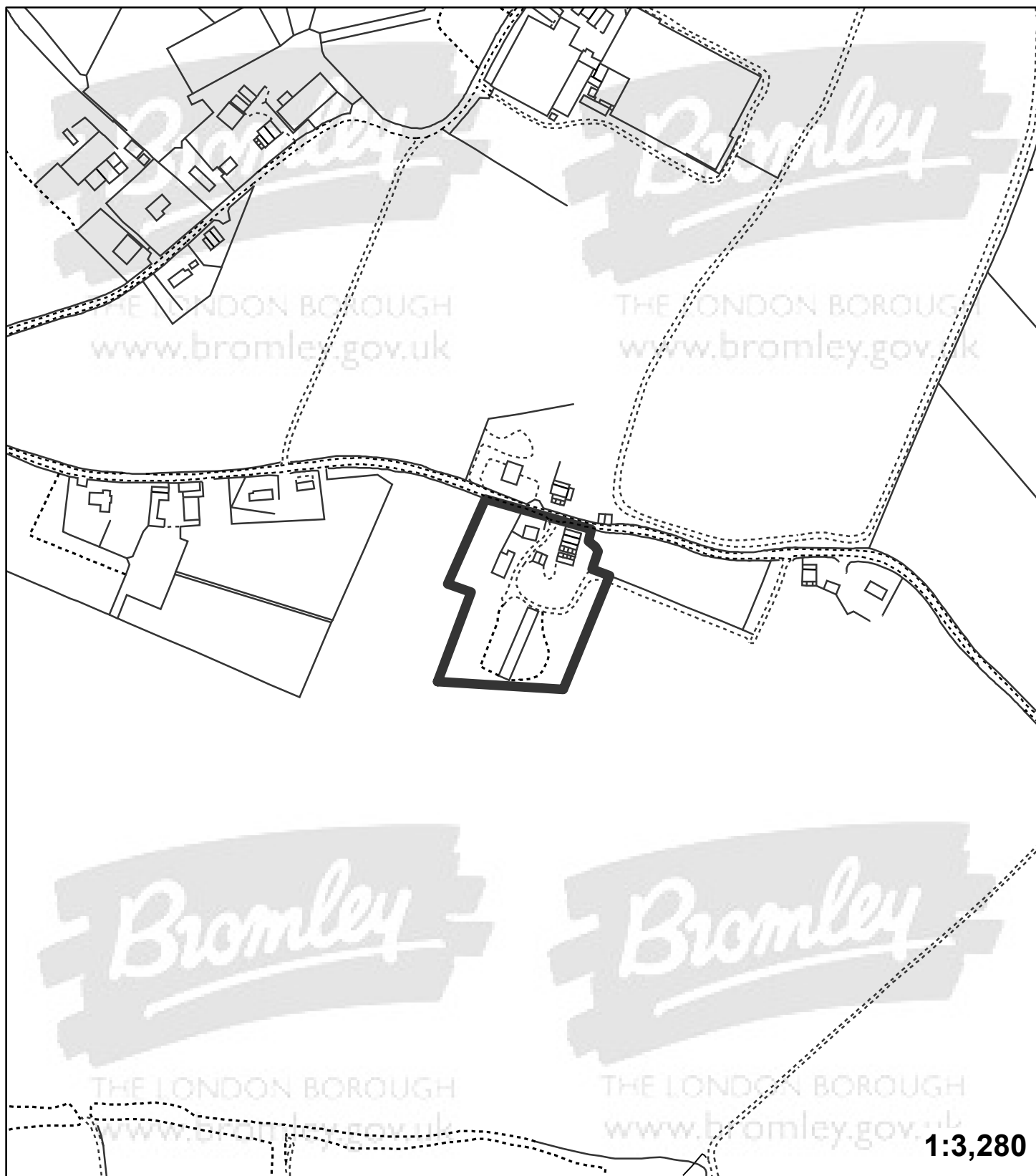
Further information about Community Infrastructure Levy can be found on attached information note and the Bromley website www.bromley.gov.uk/CIL

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Application:15/00864/FULL1

Address: Cookham Farm Skeet Hill Lane Orpington BR5 4HB

Proposal: Demolition of existing dwelling garage, barn and outbuildings and erection of detached two storey 4 bedroom dwelling with first floor terrace and solar panels on roof.



"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 : 15/01024/FULL2

Ward:
Chelsfield And Pratts
Bottom

Address : Lilly's Farm Chelsfield Lane Orpington
BR6 7RP

OS Grid Ref: E: 548176 N: 164335

Applicant : Mr T Pitham

Objections : YES

Description of Development:

Change of use and demolition of existing commercial buildings and erection of 3 x four-bedroom houses, garage for plot 3, associated access road and parking.

Key designations:

Conservation Area: Chelsfield
Areas of Archeological Significance
Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
Green Belt
London City Airport Safeguarding
Local Distributor Roads

Proposal

The proposal entails the demolition of all existing (commercial) buildings on the site, and the erection of three detached residential dwellings with associated access road and parking.

The dwellings comprise 2 x four bed detached houses, both single storey in height and incorporating an integral double garage both of which will be situated toward the centre of the site around the location of the retail area (Plots 1 & 2). In addition, a detached two-storey four bedroom dwelling will be situated to the NE corner of the site which will benefit from an associated detached double garage block (Plot 3). The proposed houses will utilise tile hanging and weather boarding on their external elevations, akin somewhat to a "barn style".

The application is accompanied by a Planning, Heritage, Design and Access Statement. Amongst other things, this states that there will be an overall reduction in floor area of 286.4sq m and an overall reduction in the area of hardstanding of 895.3sq m (taking into account an allowance for patios). This also includes an Assessment of Very Special Circumstances in respect of the proposal.

Location

The site is located within Chelsfield village within the Chelsfield Village Conservation Area. The village forms a rural settlement entirely within the Green Belt.

The site is currently occupied by single storey and warehouse style commercial buildings used primarily for a Koi Carp business and associated storage. A significant amount of hardstanding, including a large car parking area to the front, surrounds the buildings. There are some ponds and polytunnels located to the rear of the site. The site lies within the Green Belt. Other land outside the application site but forming part of land in the same ownership extends to a further area of approximately 2.25 hectares.

The site is bounded to the north by open Green Belt land. To the west is a large detached residential property known as Lilly's. To the east of the site lies Rosewood Farm a residential property which has two large detached outbuildings to the rear, understood to be used for purposes ancillary to the residential use. To the south is Chelsfield Lane and the current vehicular and pedestrian access to the site joins Chelsfield Lane close to its junction with Warren Road.

Comments from Local Residents

Nearby owners/occupiers were notified of the application and representations were received, both in support and in opposition to the proposal.

Objecting:

- size of proposed houses is more akin to those at Chelsfield Park and not Chelsfield Village
- existing footprint of 1422sq m stated in the application is an increase of 37% over the footprint of permanent buildings of 1037.44% shown on earlier Council plans included in the 2011 application. This increase has been achieved by stealth.
- refused applications to extend buildings on site have been carried out anyway using temporary constructions
- encroachment beyond existing footprint
- inadequate marketing
- proposal will set undesirable precedent
- remaining land will have poor accessibility for maintenance
- legal restriction should be placed upon further development of land within the site
- contrary to a claimed 20.1% reduction in footprint, the current application footprint represents an increase of 9.46%
- grant of planning permission should be conditional upon restoration of pond to support local ecology. Species placed in pond should be specified.
- long-term concerns about long-term upkeep of site
- proposal will encroach on urban open space

- development will encompass existing car park, impinging on open urban fringe and open character of the area
- site is not in residential use therefore a change in use is still applicable
- no special circumstances to support change of use and agricultural land and horticultural practice should be protected
- excessive advertised cost of site has not been reduced
- proposed buildings not in keeping with existing buildings and are much taller
- loss of privacy and outlook
- loss of a significant parking facility which would result in additional on-street parking

Supporting:

- sympathetically designed proposal will enhance the village
- proposal will not adversely impact on the Green Belt
- proposal will put an end to use of site by illegal businesses
- visual improvement
- improvement in traffic conditions
- opportunity to clean up the site
- existing business of the site is not financially viable

Comments from Consultees

The Advisory Panel for Conservation Areas has objected to the proposal on the grounds of overdevelopment, and that the proposal would be unsympathetic to the Conservation Area.

Historic England (formerly English Heritage) is seeking an archaeological assessment report.

The 'Designing Out Crime Officer' has recommended various measures to mitigate the risk of crime.

No objection has been raised by Thames Water.

No technical Highways objections have been raised in principle to the proposal.

Planning Considerations

The application falls to be considered with regard to the following UDP policies:

- H1 Housing
- H7 Housing density and design
- T3 Parking
- T11 New accesses
- BE1 Design
- BE3 Buildings in rural areas
- BE11 Conservation areas

BE12 Demolition in conservation areas
BE14 Trees in conservation areas
BE16 Archaeology
NE7 Development and trees
G1 The Green Belt
EMP5 Development outside business areas

The Supplementary Guidance for the Chelsfield Village Conservation Area states that:

“The Council will expect all proposals for new development to conform to the general character of the area, especially with regard to materials used and the height and scale of construction. It is anticipated that all improvement work will respect the character of the buildings and the village as a whole, and alter them as little as possible. Change of use will be acceptable only where, in the opinion of the Council, they have no detrimental effect on the character of the area”.

It continues:

“Chelsfield is located within the Green Belt, and opportunities for new development on infill sites will be extremely restricted. There are some significant areas of open land around the village that make a positive contribution to the character and the setting of the conservation area. The siting of new development will be considered with great care, and will not be permitted where detriment to the character of the conservation area would result. Increases in development density and height or the development of additional houses between existing frontages could damage the character of the area; therefore proposals of this nature will be strongly resisted”

The National Planning Policy Framework and London Plan also constitute important policy considerations. The above UDP policies are considered to be consistent with the objectives of the NPPF.

London Plan Policy 3.4 Optimising Housing Potential
London Plan Policy 3.5 Quality and Design of Housing Developments
The Mayor's Housing Supplementary Planning Guidance (SPG) November 2012

Planning History

The site has an extensive planning history related to the current commercial use. There have been attempts to secure planning permission for residential development at the site before. Under reference 83/02578 permission was refused by the Council for an outline proposal for a detached bungalow and garage as the site was located in the Green Belt, an Area of Great Landscape Value and the Cray Valley Area of Special Character and no very special circumstances had been provided to warrant an exception to the policies for such areas.

A further attempt was made in 1984 under reference 84/02587 for full planning permission for a detached three bedroom house with garage. This was refused for similar reasons as the 1983 proposal, and dismissed at appeal, as the case for an agricultural dwelling had not been suitably demonstrated and the residential development was inappropriate.

The existing storage building to the NE corner of the site was originally constructed under an agricultural notification but was never used for agricultural purposes. This was the subject of an appeal decision dated 24.06.1992, following an enforcement notice issued by the Council. The Planning Inspector considered that the non-agricultural uses of the building were inappropriate in the Green Belt and harmful to the Conservation Area. The building itself has remained in place.

In 2003 application 03/01398 was also refused for outline permission for a detached dwelling on the basis that the proposal was inappropriate development and no very special circumstances had been demonstrated, and that the proposal would harm the Area of Special Landscape Character within which the site was then located.

Under ref. 11/03108 planning permission was refused in respect of the existing commercial buildings and the erection of 4 x four bed, 1 x five bed and 1 x six bed detached residential dwellings with associated vehicular access and parking, and formation of community car parking area and village pond. This was refused for the following reasons: (1) that the proposal constituted inappropriate development in the Green Belt and no very special circumstances had been demonstrated to warrant the setting aside of normal policy considerations; (2) the proposal by reason of its density, size and siting would result in unacceptable visual impact and harm to the openness of the Green Belt; (3) the proposal would, by reason of its density, size and siting, fail to preserve or enhance the character and appearance of the Chelsfield Village Conservation Area.

2012 application: 12/02558

Under this scheme (which was accompanied by a corresponding application for Conservation Area Consent for the demolition of the existing buildings, ref. 12/02559), an application involving the demolition of existing commercial buildings and the erection of 5 x 4 bed residential dwellings with associated vehicular access and parking, and formation of community car parking area was refused, in August 2012. The application submission included an explanation about the current business, and its needs to relocate to a more accessible location in order to remain viable. The application was refused on the following grounds:

- 1. “The proposal constitutes inappropriate development in the Green Belt and no very special circumstances have been demonstrated to warrant the setting aside of normal policy considerations, contrary to Policy G1 of the Unitary Development Plan and the National Planning Policy Framework 2012.”**
- 2. “The proposed development by reason of its density, size and siting would result in unacceptable visual impact and harm to the**

openness of the Green Belt, therefore contrary to Policy G1 of the Unitary Development Plan and the National Planning Policy Framework 2012.”

3. “The proposed development would, by reason of its density, size and siting, fail to preserve or enhance the character and appearance of the Chelsfield Village Conservation Area, contrary to Policies BE1, BE3 and BE11 of the Unitary Development Plan and the Chelsfield Village Conservation Area Supplementary Planning Guidance.”

A subsequent appeal was dismissed in September 2013. Key findings of the Appeal Decision are listed as follows:

“However, whilst material [the reduction in the gross internal floor area and volume of built]... is not, in my view, on its own conclusive in terms of considering whether the development would have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development. The existing built development is focused towards the rear of the site, but in comparison, the proposed scheme would extend and spread largely two-storey built development across a much greater extent of the site. There would be some gain in openness towards the very rear of the site, with the removal of the single storey warehouse commercial building, and replacement with the rear garden to the house on Plot 5... Across the main part of the site, and notwithstanding the reduction in the area of hardstanding used for car parking, I consider that there would be a significant increase in both the overall spread and massing of mainly two storey built development in the layout and form of the houses proposed, together with their driveways and ancillary development. The proposed village car park on the very front part of the site, bounding onto Chelsfield Road, would introduce a more formal hard surfaced layout compared with the existing position.”

(Para 7)

The Inspector concluded (in Para 9) that, overall, the proposal would have a materially greater impact on the openness of the Green Belt and the purpose of including land in it than the existing development. This would constitute inappropriate development in terms of the NPPF.

In regard to the Chelsfield Village Conservation Area, the Inspector commented that:

“Although of utilitarian appearance, the existing commercial buildings are set back within the site and have a very limited impact on the character and appearance of the Conservation Area. The proposed development would not encroach on open countryside but it would, in my view, present a more intensive and urban form of development across much of the appeal site given the spacing and massing of the

five large detached houses. I consider that this would detract from the more open and sporadic form of development which is characteristic of this part of the village.” (Para 12)

The Inspector welcomed the introduction of a landscaped area with a village pond along part of the Chelsfield Lane frontage, but considered that this benefit would be reduced by the area of hard standing for a new village car park which would be situated toward the front of the site. Overall, the Inspector did not consider that the development would preserve the character and appearance of the Chelsfield Village Conservation Area.

The Inspector did not raise a specific objection in respect of the loss of the business site, although she noted that whilst “references in some of the representations [allude] to the busy nature of the site and large commercial vehicles entering the site, there is no direct evidence... to indicate that the existing commercial activities have a harmful effect on the living conditions of adjoining residents.” She therefore afforded this matter “very limited weight in support of the proposal.”

Conclusions

The primary issues to be considered in the determination of this application are whether the proposal is appropriate development in the Green Belt and, if not, whether very special circumstances have been demonstrated to warrant the setting aside of the normal presumption against inappropriate development within the Green Belt; and, secondly, the impact of the proposal on the character and appearance of the Chelsfield Village Conservation Area, which should be preserved or enhanced. The above Appeal Decision also represents an important material consideration in the determination of this revised proposal.

The National Planning Policy Framework 2012 (NPPF) allows some “limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.”

In terms of the question of whether the site represents previously developed land, it is noted that the site has been occupied by agricultural buildings and therefore it does not fall within the NPPF definition of previously developed land. Whilst this was previously not considered to be the case by the Council, following a reassessment it is considered that as a matter of fact and degree the site does not fall within the defined criteria of previously developed land. Accordingly, the proposed development of the site for housing represents inappropriate development in the Green Belt and very special circumstances will be required to be demonstrated to justify the proposed development.

Paragraph 87 of the NPPF states that “as with previous Green Belt policy, inappropriate development is by definition harmful to the Green Belt and should not be approved, except in very special circumstances”. Paragraph 89 states that “a

local planning authority should regard the construction of new buildings as inappropriate in the Green Belt” The NPPF lists a number of exceptions and those of relevance.

The applicant does present very special circumstances (as part of an Assessment of Very Special Circumstances relating to the proposal) which are as follows:

- overall reduction in footprint and volume and overall amount of built development amounting to no resultant harm to the openness of the Green Belt;
- development relocated closer to frontage and further from the part of the site abutting the rear so achieving a reduction in the impact of the development on the openness of the Green Belt;
- removal of commercial use and associated activity to the benefit of surrounding neighbours (there having been no interest from other commercial users);
- new housing
- enhanced landscaping
- significant landscape enhancement and an upgrading generally of the visual amenity of the area

The applicant has provided floorspace and volume figures and considers that these show that the proposal represents an overall reduction in the footprint and volume of built development comprising buildings and hardstanding.

Despite their utilitarian appearance, the majority of the existing buildings are single storey and set well back into the site, resulting in little visual impact. The larger barn / warehouse style building to the NE corner of the site still maintains a relatively low profile due to its colour and location within the site, despite being taller than the other buildings. Several of the buildings have flat roofs and are timber clad.

In comparison to the 2012 application, the overall number of units has been reduced from five to three, whilst two of the units (Nos. 1 and 2) will form bungalows rather than two-storey houses. The unit at Plot 3 will incorporate a similar footprint as the existing store, and will include accommodation over two storeys. There has been a corresponding change in the siting of the proposed houses, meaning that the units at Plots 1 and 2 maintain a less clustered footprint than the four units previously proposed around the central portion of the site. In addition, the visitors’ parking and reinstatement of the “village pond” previously proposed has been excluded from this scheme.

In assessing the 2012 scheme the Inspector recognised the consequent reduction in floor area and volume that would arise from this proposal, but considered that the spread and massing of buildings across a greater extent of the site would have a materially greater impact on the openness of the Green Belt. The Inspector noted that there would be some gain in openness towards the very rear of the site, with the removal of the single storey warehouse commercial building, and replacement with the rear garden to the house on Plot 5. The Inspector also considered that the scheme would detract from the character and appearance of the Conservation Area, suggesting that it would “present a more intensive and urban form of development across much of the appeal site” and that “this would detract from the

more open and sporadic form of development which is characteristic of this part of the village.” The Inspector considered that the existing commercial buildings exerted a “very limited impact on the character and appearance of the Conservation Area.”

Having regard to the changes which have been undertaken following the previous application, it is recognised that these do some way to address the concerns cited by both the Council and Inspector. In particular, the provision of two houses of single-storey form in lieu of four two-storey detached houses toward the central portion of the site will result in a less intensive and urban form of development and, pictorially, the ‘front’ dwelling at Plot 1 will maintain similarities to the existing shop building the presently fronts the site, although it will project a lot further forward than the existing shop. However, on a broad perspective, the design and layout of the two houses proposed at Plot 1 and 2 are considered acceptable in principle.

With regard to the dwelling proposed at Plot 3, this will maintain a similar footprint as the existing store, although some of the surrounding land will benefit from soft landscaping. As reflected above, the existing building still maintains a relatively low profile due to its colour and location within the site, despite being taller than the other buildings, and it is not considered that this building essentially detracts from the character and appearance of the Conservation Area. The proposed dwelling will effectively replace the dwelling proposed at Plot 5 within the 2012 application, but the revised siting will mean that the openness at the very rear of the site will now be lost. In contrast to the proposed houses at Plots 1 and 2 this building will incorporate two storeys of accommodation and a significantly smaller useable rear garden area. The SE elevation will measure approximately 29m in length and the central projection will result in a maximum building depth of 13m, resulting in a substantial building mass, rather over-sized and disproportionate in appearance, and rather less akin to traditional barn conversion which might be expected in a rural location. This building is therefore considered unacceptable in terms of its scale, form and layout, and it is considered that this will impact unduly on the character and appearance of the Conservation Area. Whilst this will building will, in effect, replace the existing store, both the NPPF and local planning policy encourage good design, and this proposal will fail to preserve or enhance the CA, contrary to Policies BE1, BE3 and BE11 of the UDP.

Whilst the changes made following the 2012 are recognised, cumulatively it is considered that there will remain an unacceptable visual impact and harm to the openness of the Green Belt. It is considered that the overall spread of the buildings within the site remains somewhat excessive, particularly on account of the significant forward projection of the dwelling at Plot 1 and the overall scale and massing of the dwelling at Plot 3. The dwellings will all attract individual residential paraphernalia and car parking spread across the site.

Although a finely balanced matter, because of its layout and design, it is considered that this proposal will result in a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development. For this reason and due to its location on land not previously developed as defined in the NPPF, it is considered to be inappropriate

development in the Green Belt and very special circumstances would need to be demonstrated to overcome the 'in principle' harm caused.

Whilst six very special circumstances have been presented in support of this application, none of these – either in their own right, or collectively –are considered sufficiently compelling or far-reaching enough to outweigh the harm caused to the Green Belt and to justify such inappropriate development in the Green Belt. In particular, it is considered that the harm resulting from the proposed building at Plot 3 will outweigh a number of the improvements achieved elsewhere in the site following the previous application.

Overall the harm caused by this proposal to the Green Belt is considered to outweigh any benefits, and none of the circumstances put forward, in particular the argument that this proposal will improve the openness of the site and the need for the existing business to relocate, are considered to be very special.

The detailed quote set out above from the Council's Supplementary Planning Guidance for the Chelsfield Village Conservation Area sets out the Council's requirements for new development within the village area. It is clear that the proposed dwellings, despite the reduction in floorspace and the figures provided will result in a more prominent form of development when compared to the existing buildings, being further forward on the site.

Consideration must also be given to any impact upon the amenities of adjoining residential properties. There is a good separation from the buildings to adjacent properties and there would not appear to be any potential for loss of amenity from the proposal.

On balance, the proposed residential redevelopment of this site will result in harm to the character and appearance of the Chelsfield Village Conservation Area, and represent inappropriate and harmful development within the Green Belt, in view of its siting and design, and none of the benefits or very special circumstances outweigh the harm that this will cause.

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

RECOMMENDATION: APPLICATION BE REFUSED

The reasons for refusal are:

- 1. The proposed development would, by reason of its size and siting would fail to preserve or enhance the character and appearance of the Chelsfield Village Conservation Area, contrary to Policies BE1, BE3 and BE11 of the Unitary Development Plan, the Chelsfield Village Conservation Area Supplementary Planning Guidance, and the National Planning Policy Framework 2012.**

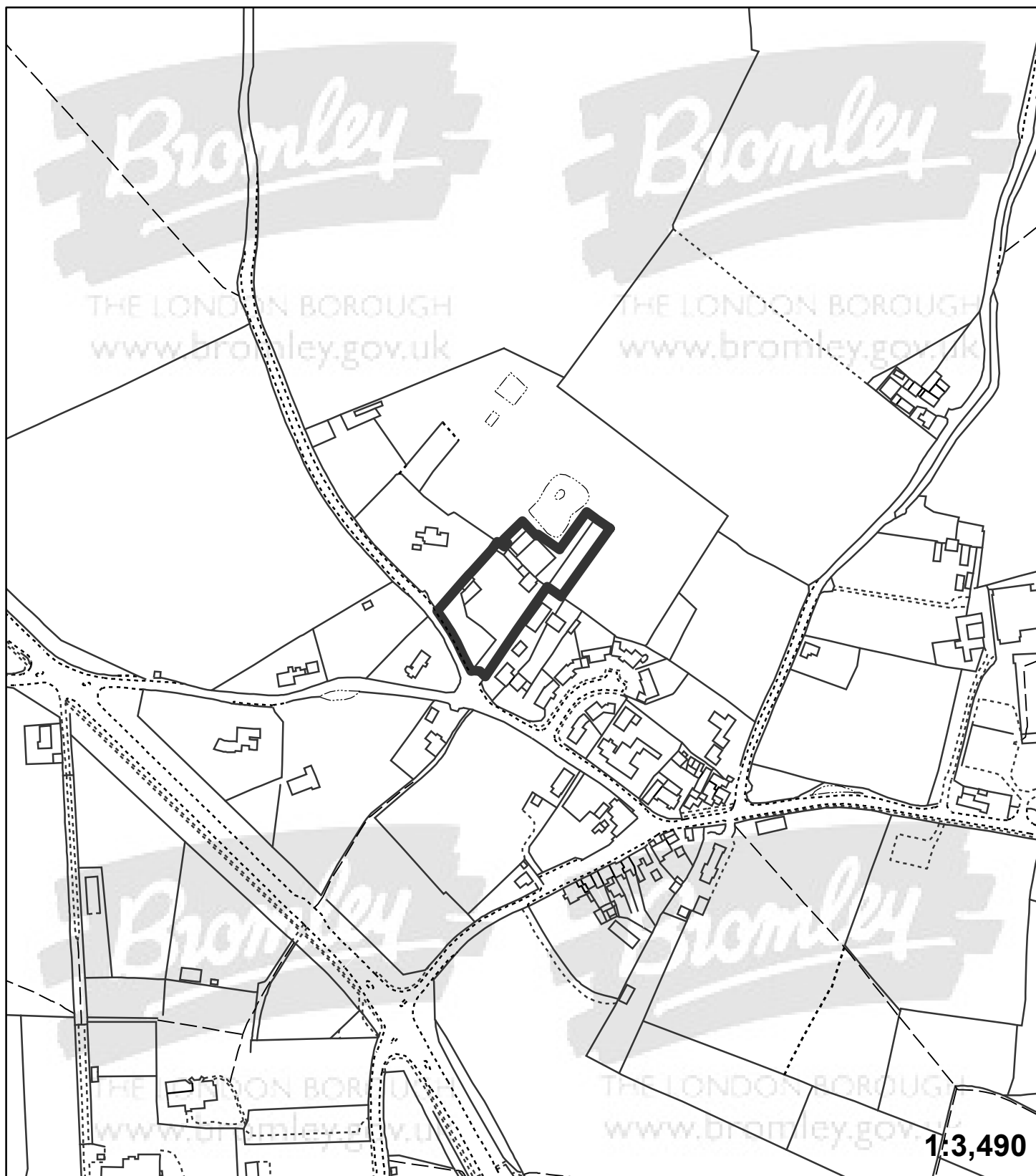
2. **The proposed development constitutes inappropriate development and by reason of its size siting and would result in unacceptable visual impact and harm to the openness of the Green Belt, therefore contrary to Policy G1 of the Unitary Development Plan and the National Planning Policy Framework 2012.**

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Application:15/01024/FULL2

Address: Lilly's Farm Chelsfield Lane Orpington BR6 7RP

Proposal: Change of use and demolition of existing commercial buildings and erection of 3 x four-bedroom houses, garage for plot 3, associated access road and parking.



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

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SECTION '2' – Applications meriting special consideration

Application No : 15/01219/FULL1

Ward:
Copers Cope

Address : South Park Court Park Road
Beckenham BR3 1PH

OS Grid Ref: E: 537441 N: 170043

Applicant : Mr V and Mrs V Patel

Objections : YES

Description of Development:

Construction of roof extension to create one 2 bedroom flat, lift plant enclosure, internal alteration to staircase, cycle store provision and parking space

Key designations:

Conservation Area: Southend Road
Areas of Archaeological Significance
Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
Local Cycle Network
Local Cycle Network
London City Airport Safeguarding
London City Airport Safeguarding Birds
London Distributor Roads
Open Space Deficiency
Smoke Control SCA 12

Proposal

Full planning permission is sought for the construction of hipped roof extension with six dormer windows to form one 2 bedroom flat, with lift plant enclosure, internal alteration to provide an access staircase and external cycle store provision. One parking space is also proposed.

Location

South Park Court is a block of flats comprising three wings and is located to the junction of Southend Road to the eastern boundary and Park Road to the northern boundary. Each wing is four storeys in height and are formed to create a central courtyard that is open to the west. To the western boundary are garage blocks associated with the flats. The building comprises 32 flats, constructed around 1930 of brown brick and standing in landscaped grounds. Grade II listed buildings exist to the south and to the northeast. The principal garden areas to South Park Court front Park Road and Southend Road, with parking and utility areas sited away from the public realm on the western side of the building

The site is within the Southend Road Conservation Area. To the southern and western boundaries are further blocks of flats, namely Minshull Place to the west and Parkwood and Vivian Court to the south. To the southern boundary fronting onto Southend Road is 3a Southend Road, a statutory listed building with No.3, also listed, further to the south to Copers Cope Road.

Consultations

Comments from Local Residents

90 nearby owners/occupiers were notified of the application and 44 representations were received which can be summarised as follows:

- The development in no way adheres to the current appearance and character of South Park Court
- Does not match in height, scale, appearance or function
- Reduce visual quality of the building and the conservation area
- Space is already at a premium and this will add extra pressure
- Will create unwelcome access and security issues
- This will set a precedent for further works resulting in damage to the character and appearance of the surrounding area
- Not in proportion to the existing inhabited roof structures on Blocks 1 and 2
- Parking will become even more limited
- Disruption will be caused from building works
- Overshadowing of other properties
- This will result in an overdevelopment of the site
- The Southend Road Conservation Area is an important part of Beckenham and should be preserved
- Over intensive use of Block 3

Comments from Consultees

From a conservation perspective the proposed roof would match other hipped roofs to the block and would not be out of character or result in harm to the conservation area.

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

Highways have raised no objection subject to conditions following the receipt of a revised site plan on 2nd July providing one dedicated parking space for the proposed development in addition to the cycle storage.

Planning Considerations

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

BE1 Design of New Development

- BE11 Conservation Areas
- H1 Housing Supply
- H7 Housing Density and Design
- T1 Transport Demand
- T2 Assessment of Transport Effects
- T3 Parking
- T6 Pedestrians
- T7 Cyclists
- T16 Traffic Management and Sensitive Environments
- T18 Road Safety

In addition to:

- Supplementary Planning Guidance 1: General Design Principles
- Supplementary Planning Guidance 2: Residential Design Guidance
- Supplementary Planning Guidance: Southend Road Conservation Area

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

- 2.6 Outer London: Vision and Strategy
- 2.7 Outer London Economy
- 2.8 Outer London: Transport
- 3.3 Increasing housing supply
- 3.4 Optimising housing potential
- 3.5 Quality and design of housing developments
- 3.8 Housing choice
- 5.1 Climate change mitigation
- 5.2 Minimising carbon dioxide emissions
- 5.3 Sustainable Design and Construction.
- 5.4 Retrofitting
- 5.7 Renewable Energy
- 5.12 Flood Risk Management
- 5.13 Sustainable Drainage
- 5.15 Water use and supplies
- 5.17 Waste Capacity
- 6.9 Cycling
- 6.13 Parking
- 7.2 An Inclusive Environment.
- 7.3 Designing out crime
- 7.4 Local character
- 7.6 Architecture
- 7.8 Heritage Assets and Archaeology
- 8.3 Community Infrastructure Levy

Housing: Supplementary Planning Guidance.

The National Planning Policy Framework (NPPF) is a material consideration, in particular Sections 6 (Delivering a wide choice of high quality homes), 7 (Requiring

good design) and 12 (Conserving and enhancing the historic environment) in addition to the National Planning Policy Guidance (NPPG).

Planning History

12/03449/FULL1 Planning permission refused 12th February 2013 for the part conversion of the southern garage block with alterations to its roof including increase in roof height, insertion of front, side and rear dormer window extensions to provide accommodation in roofspace; single storey side/rear extension, to create two 2-bedroom flats. External staircase; elevational alterations; associated landscaping, provision of recycling and bins stores and bicycle store.

This decision was later upheld at appeal on the grounds that the form of the two storey development and mansard roof, dormers and external staircase the scheme would represent an incongruous form of development that would be out of keeping with and harmful to the character and appearance of the surrounding area. The Inspector concluded, however, that the scheme would not have been harmful to living conditions of existing residents, there was no suggestion that the quality of the living accommodation for future occupants would be unsatisfactory, and it was concluded there would not be harm to parking provision or highway safety.

13/03347/FULL1 Planning permission refused 19th December 2013 for a revised version of the above refused application consisting of the part conversion of southern garage block to create one 2 bedroom unit, including erection of a single storey side and rear extension hard and soft landscaping provision of refuse and cycle store.

This decision was subsequently overturned at appeal, the resulting extended building being considered by the Inspector to sit comfortably within the Southend Road Conservation Area and the impression of a subordinate, unassuming building to the flats and the wider area would remain. Costs were awarded against the Council on the matter of not having due regard to the previous appeal concerning the refusal on grounds of residential amenity, quality of accommodation and highways matters

14/00045/FULL1 Planning permission granted 25th April 2014 for the conversion of basement boiler house to form additional bedroom for flat 10 and enlargement of existing lightwell

Conclusions

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

- The design of the scheme and the impact upon adjoining properties
- The quality of living conditions for future occupiers
- Highways and traffic issues
- Impact upon the Conservation Area

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

Design and Impact on Adjoining Properties

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.

Policy BE1 requires that new development is of a high standard of design and layout. It should be imaginative and attractive to look at, should complement the scale, form, layout and materials of adjacent buildings and areas and should respect the amenity of the occupiers of neighbouring buildings.

Policy 3.5 the London Plan require that all new housing should be built to Lifetime Homes standards. The Mayor's Housing SPG expands upon the design standards and requirements within Policy 3.5 and sets out the required accommodation sizes and guidance on matters such as aspect, daylight and amenity space. Policy 3.4 seeks to optimise housing potential in various locations as set out by the density matrix within Table 3.2.

London Plan Policy 7.6 states that architecture should make a positive contribution to a coherent public realm, streetscape and wider cityscape and should incorporate the highest quality materials and design appropriate to its context. New buildings should reference the scale, mass and detail of the built form around them without necessarily replicating it, making a positive contribution to the landscape and relate well to the form, proportion, scale and character of streets and existing open space and other townscape and topographical features. Development should not have a negative impact upon neighbouring sensitive land uses.

The roof extension would have a length of 26.4m and be set well within the existing flat roof area, providing a distance of 3.8m to the western edge and 4.3m to the eastern edge with this separation increasing as a result of the hipped nature of the roof; a 0.3m gap is generated to the northern and southern edges, however this is similar to the existing northern and eastern existing roof elements. Whilst the existing northern and eastern hipped roofs are smaller in length by some 10m, the building itself is not uniform with each wing being of a different dimension and the

southern block in question being notably longer. It is considered that the footprint of the roof extension is suited to the overall proportions of the southern block and allows for a good level of separation from each of the eastern and western edges.

The height of the roof is stated as being 0.275m higher than the adjoining roof to the eastern block and given the height of the building and the hipped roof design it is not considered that such a discrepancy would be readily apparent from street level, with the back edge of Southend Road being some 25m to the east and mature vegetation being present to the southern and northern boundaries effectively rendering the extension openly visible from a gap in the vegetation to Southend Road of some 25m from a relatively acute angle. Visibility of the extension from the south would again be partly obscured at street level by mature trees from Parkwood which acts as a service road to those flats. From Park Road only the western edge of the extension would be immediately viewable from a distance in excess of 50m.

Several dormers are included to the northern roof slope facing into the courtyard and as such it is not considered that this creates any particular impact to the public realm given the extremely limited sightlines available. Each of the other hipped roofs feature single dormers onto the courtyard and whilst the proposal features more than this they would not be contrary to the existing roof design and their number is not considered to result in harm to the overall character of the building.

Amenity

Objections have been received regarding the impact of the construction of the proposal upon the residents of the site, in particular the southern block. However, many of these issues are outside of the planning system and fall within areas governed by Health and Safety, Environmental Health and Building Regulations. A Construction Management Plan is suggested as a condition.

The nearest building, 23 Parkwood, is 13m to the south as is the rear garden of 3a Southend Road, the northern elevation of 15-22 Parkwood is some 33m to the south. As such the additional rooflights to the southern roof slope are not considered to result in any further impact upon overlooking to adjoining residents above that already afforded to the upper windows of the existing flats to the southern block.

With regard to overshadowing, the existing block results in a degree of overshadowing the north and the courtyard for part of the day as does the eastern block which benefits from a hipped roof. It is not considered that the addition of a roof of this size and hipped design will result in any significant alteration to the existing situation and would not cause a further degree of harm to residents or the use of the courtyard to a degree to warrant refusal of the application.

Density

Density itself is only one measure and the density of development should take particular account of local character in the context of the principles underlying Policy 3.4 rather than being based only on the density matrix itself.

Representations have also been made with reference to overdevelopment of the site. South Park Court has a size of 0.45 hectares and is set within an urban location as per the definition contained within the London Plan and Table 3.2 with a PTAL of 3. The existing 2 bedroom flats comprise approximately four habitable rooms each giving a density of 71 units per hectare (u/ha) and some 284 habitable rooms per hectare (hr/ha) with an expected density range for such a location of 45-120 u/ha and 200-450 hr/ha. As such the existing development is at the lower end of the range for such a location on this size plot. The additional development permitted on appeal and proposed within this application results in the following:

units	u/ha	approx.. hr/ha
32 (existing)	71	284
33 (existing + proposal)	73	292
34 (existing +appeal + proposal)	75	300

The character of the local area features a mixture of medium and large houses with a number of flat conversions together with a substantial number of flatted developments, of which the application site is one. The site would continue to be towards the lower end of the ranges with the addition of the proposal and the addition of one two bedroom flat is not considered to result in an overdevelopment of the site either with regard to the London Plan or its context.

As such the design of the extension, its impact upon residential amenity and outlook and the resultant density of the site is considered acceptable under Policy BE1 and H7, Polices 3.4, 3.5 and 7.6 of the London Plan and the NPPF.

Standard of Accommodation

Policy 3.5 of the London Plan 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 with baseline standards for housing developments set out in the Mayor's Housing SPG.

The flat is predominantly dual aspect with both the main bedroom and the living area benefitting from this. Table 3.3 of the London requires a gross internal area (GIA) of 61sq. for a 2 bed 3 person flat and 70sq.m for a 2 bed 4 person flat. The GIA of the proposal is some 73sq.m and so exceeds both requirements. The floor plan indicates that bedroom one exceeds the minimum 12sq.m for a double bedroom required by the Mayor's Housing SPG with a floor area of 16.6sq.m while bedroom two has a floor area of 11.5sq.m and has been shown with a double bed. The living area exceeds the 23sq.m expected for such units with a floor area of 27.5sq.m. Although bedroom two falls marginally below the expected standard, the size of the main bedroom, the overall size and layout of the accommodation and the 0.5sq.m shortfall it is considered that this is acceptable in this instance.

The development is therefore considered to comply with the requirements of Policies BE1, H7 as well as Policy 3.5 of the London Plan, the Mayor's Housing SPG and the relevant sections of the NPPF.

Highways and Traffic Issues

The London Plan requires a maximum of 1 space per 1-2 bed unit and the proposal allows for 1 residential spaces per for the proposed flat. Cycle storage is provided by a store accommodating two cycles which accords with the London Plan. The site has a PTAL of 3 and is some 200m from Beckenham Junction train and tram station with a wide number of buses also available. It is considered that the development would comply with the requirements of the London Plan and the Mayor's Housing SPG.

No objection has been raised from the Council's Highways officer on the basis that there will be a dedicated parking space available to the proposed unit within the site and conditions are considered reasonable to secure this provision. Therefore it is considered the proposal would generally be in accordance with Policy T3 of the UDP and Policy 6.13 of the London Plan.

Impact upon the Conservation Area

Policy BE11 of the UDP states that in order to preserve or enhance the character or appearance of conservation areas, proposals for the alteration or extension of a building will be expected to respect or complement the layout, scale, form and materials of existing buildings and spaces,; respect and incorporate in the design features that contribute to the character of the area and ensure that the level of activity, traffic, parking or noise generated does not detract from the character or appearance of the area.

The Southend Conservation Area SPG states that the Council will expect all proposals for new development to conform with the character of that section of the conservation area surrounding the proposal site and with the general character of the area, especially in regard to the scale and height of construction, location with a plot (where material), design and materials used. It is hoped that all improvement works will take account of the character of the buildings and alter them as little as possible. South Park Court is not referenced within the SPG

Policy 7.8 of the London Plan requires development to identify, value, conserve, restore, re-use and incorporate heritage assets where appropriate. Development that affects heritage assets and their settings should conserve their significance by being sympathetic to their form, scale, materials and architectural detail.

The NPPF at section 12 'Conserving and enhancing the historic environment' requires local planning authorities, in determining planning applications, to take account of:

- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- the desirability of new development making a positive contribution to local character and distinctiveness.

Where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

No objections are raised by the Council's Conservation Officer or by APCA and it is not considered that the harm caused by the proposal can be described as substantial. The less than substantial harm is considered acceptable with regard to the significance of this residential building within the wider conservation area that is in a predominately residential use and the public benefits of delivering an additional unit of housing that is considered to accord with other policy considerations as set out above.

The listed late 17th century former farmhouse at Nos. 3 and 3a Southend Road is the oldest and most architecturally interesting property in the area, however it is not considered that the proposal would result in any direct impact upon the setting or contribution of these two buildings. The addition of a hipped roof would not alter the spatial characteristics of the site as a whole and the contribution this makes to the conservation area, whilst it would substantially reflect the form and mass of the two existing roofs.

As such it is considered that the proposal would not cause unacceptable or substantial harm to the conservation area, the contribution of South Park Court to it, or the listed buildings to the south of the site and therefore accords with Policy Be11 of the UDP, the Supplementary Planning Guidance: Southend Road Conservation Area, Policy 7.8 of the London Plan and the NPPF.

Summary

Having had regard to the above it was considered that the design of the proposal is acceptable in that they it would not result in a significant loss of amenity to local residents nor impact detrimentally on the character of the building or the conservation area. It is considered that 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.

Background papers referred to during production of this report comprise all correspondence on the file ref(s) 15/01219/FULL1 set out in the Planning History section above, excluding exempt information.

RECOMMENDATION: PERMISSION
as amended by documents received on 02.07.2015

Subject to the following conditions:

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

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

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

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

3. 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 appearance of the building and the visual amenities of the area.

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

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

5 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.

6 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.

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

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

8 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.

You are further informed that :

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

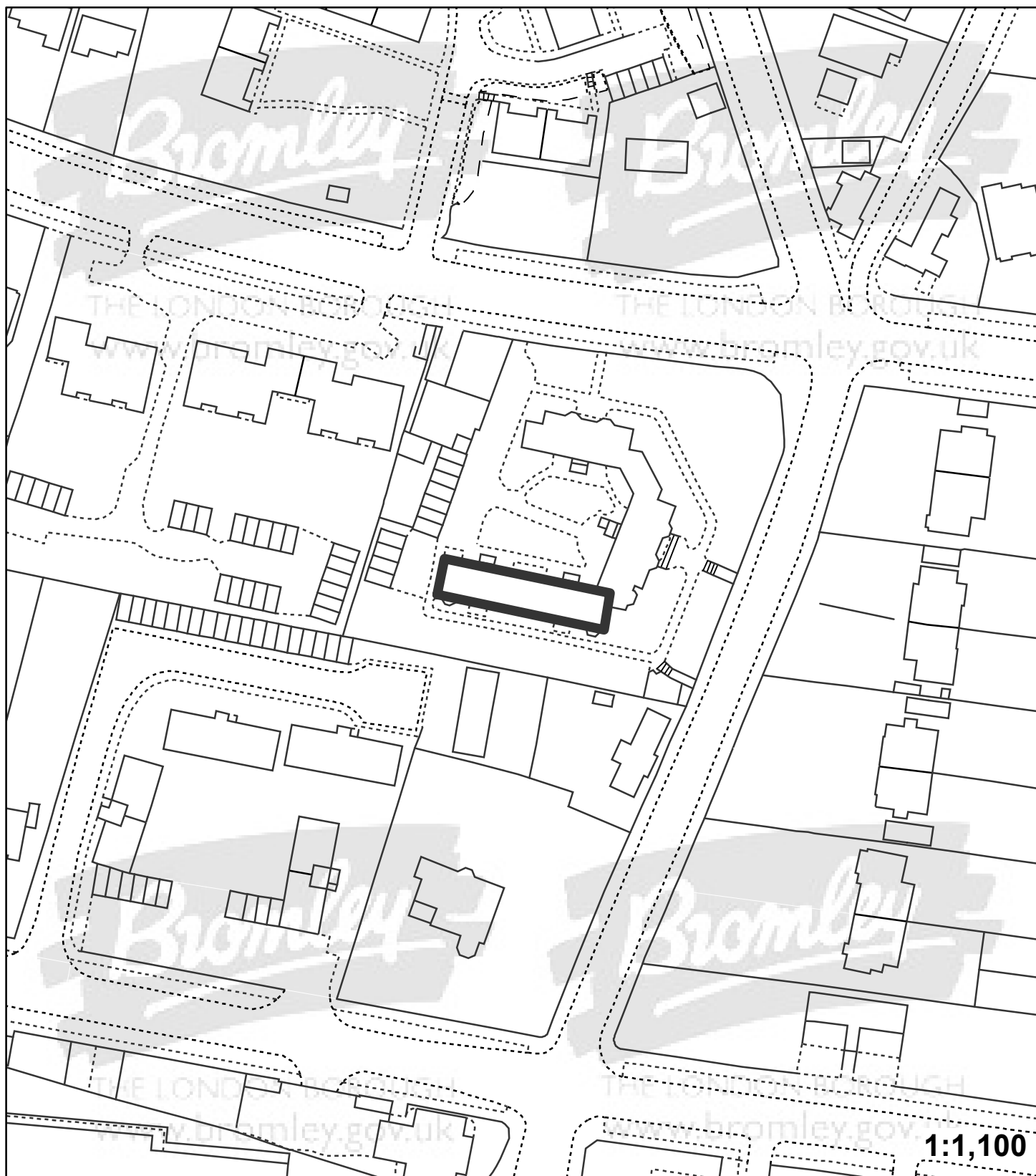
If you fail to follow the payment procedure, the collecting authority may impose surcharges on this liability, take enforcement action, serve a stop notice to prohibit further development on the site and/or take action to recover the debt.

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

Application:15/01219/FULL1

Address: South Park Court Park Road Beckenham BR3 1PH

Proposal: Construction of roof extension to create one 2 bedroom flat, lift plant enclosure, internal alteration to staircase, cycle store provision and parking space



"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 : 15/01516/FULL1

Ward:
Chelsfield And Pratts
Bottom

Address : Fairtrough Farm Fairtrough Road
Orpington BR6 7NY

OS Grid Ref: E: 546924 N: 161369

Applicant : Mr & Mrs Morrice

Objections : YES

Description of Development:

Conversion of existing barn and adjoining building to create 3 three bedroom dwellings including front and rear dormer extensions, elevational alterations and associated landscaping/car parking

Key designations:

Areas of Archeological Significance
Special Advertisement Control Area
Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
Green Belt
London City Airport Safeguarding

Proposal

Planning permission is sought for the conversion of an existing barn and adjoining building to create 3 three bedroom dwellings including the following:

- front and rear dormer extensions
- elevational alteration
- associated landscaping/car parking

Revised drawings received 8th June 2015 increased visibility splays and parking layout for 10 cars (2 for each of the 3 residential units, 2 visitor parking spaces and 2 for the office use).

The application is accompanied by a Design and Access Statement, Planning Statement and a structural overview of the barn building.

Location

The application site is to north of Fairtrough Road, facing onto Port Hill. The site comprises a range of farm buildings including Kent Barn and the granary. There are also modern barns in agricultural use at the site. The buildings that form part of this application are Kent Barn and adjoining buildings that are arranged around it.

The site is located within the Green Belt as defined by the Unitary Development Plan and is an Area of Archaeological Significance.

Consultations

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

Comments from Pratt's Bottom Residents Association:

- have been concerned about the future of the site
- note policy on reuse of existing buildings in the Green Belt and would ask Council to carefully consider if complies with Para 88 of NPPF.
- if granted, informative should be added advising that decision should not be seen as a precedent for further residential development

Comments from Consultees

Highways- No objections in principle subject to suggested conditions

Drainage/Thames Water- No objections in principle subject to suggested conditions

Environmental Health (Pollution)- no objections subject to condition due to risk of chemical residues in the soil as a result of past land use.

Planning Considerations

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

- Policy BE1 - Design of New Development
- Policy G1- The Green Belt
- Policy H1- Housing Supply
- Policy H7- Housing Density and Design
- Policy H9- Side Space
- Policy H12- Conversion of non-residential buildings to residential use
- Policy T3- Parking
- Policy T18- Road Safety

Supplementary Planning Guidance 1 and 2

London Plan Policy 3.4 Optimising Housing Potential

London Plan Policy 3.5 Quality and Design of Housing Developments

Mayor of London's Housing Supplementary Planning Guidance

National Planning Policy Framework-Chapter 9 (in particular para.89 and 90).

Policy G1 of the UDP states that states the re-use of buildings within the Green Belt will be inappropriate unless it meets all of the following criteria:

(v) it will not have a materially greater impact than the present use on the open character of the land;

(vi) use of the land surrounding the building and boundary treatments will not harm the openness of the land or conflict with the purposes of including land in the Green Belt;

(vii) the building is of permanent construction and capable of conversion or re-use without extensive or complete reconstruction;

(viii) the form, bulk and design of the building are in keeping with its surroundings;

(ix) the proposed use does not entail external storage of materials, plant or machinery; and

(x) the proposed use has no adverse effect on the recreational enjoyment or appearance of the countryside.

Policy G1 also states that the openness and visual amenity of the Green Belt should not be injured by any proposal which might be visually detrimental by reasons of scale, siting, materials or design.

Para 90 of the NPPF also states that certain other forms of development (in addition to those outlined in Para 89) are also not inappropriate in Green Belt provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land in Green Belt. Of particular relevance in this case is point 4:

- the re-use of buildings provided that the buildings are of permanent and substantial construction; and

Planning History

There is a long and complex planning history at the site. From looking at the Council's records the most relevant to this pre-application are summarised as follows:

- 02/01184- A Certificate of Lawfulness was refused and dismissed on appeal of the Reinstatement of fire damaged house
- 00/01161- Planning permission refused and dismissed on appeal for the demolition of existing dwelling and erection of a detached five bedroom house and detached double garage
- 98/00292- Change of use and conversion of old barn and stable to provide six craft/studio units with parking and service area
- 91/01399- Outline planning permission refused for a replacement dwelling
- 90/01947- Outline planning permission refused for a detached replacement dwelling

Members will also note that there is a long and complex enforcement and appeal history at the site, in particular with regard to the fire damaged farmhouse (not included in this current application).

Conclusions

The primary considerations in this case are the impact of the proposal on the Green Belt, including whether or not the development is appropriate and if it is not, whether there are any very special circumstances to justify the development which

mean that the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations, as set out in the NPPF and Policy G1 of the UDP. The impact of the proposal on the openness of the Green Belt and on the visual amenities of the locality are important associated considerations.

The National Planning Policy Framework (NPPF) sets out that the re-use of buildings is not inappropriate provided that the buildings are of permanent and substantial construction and provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land within it. The Applicant has submitted structural information which concludes that the building is suitable for the proposed conversion into residential accommodation and in this case the limited alterations and formations of the buildings preserve openness to an acceptable degree, therefore Members may agree that the re-use of this building would be compliant with Paragraph 90 of the NPPF.

The most recent planning permission for Kent Barn was given under ref. 98/00292 for the change of use and conversion to provide six craft/studio units with parking and service area. Whilst it is evident that some internal alteration work had been commenced, it is evident that the permitted use was not implemented. It is likely that the last known use of the buildings was for agricultural purposes. Members may be satisfied that the change of use would preserve the openness of the Green Belt and does not conflict with the purposes of including land within it, as required by para.90.

In terms of the external alterations, the application includes the addition of front and rear dormer extensions, rooflights and elevational alteration. The dormers are small scale with pitched roofs and are set well within the roof slope. Members may consider that the external alterations are well designed, in-keeping with the host building and would not detract from the visual amenities of the Green Belt being proportionate additions to the original building.

With regards to access and parking, the Council's Highways engineer does not object on the basis of the revised plan received 8th June 2015 showing improved visibility splays. The amount of proposed parking is also considered to be acceptable in this location.

The London Plan paragraph 3.5, details outlined in Table 3.3 and the Mayor's Housing SPG outline the minimum requirements for new dwellings. The Mayor's housing SPG requires a minimum internal area for a 3 bedroom 6 person (house) of 95sqm, with the proposed dwellings measuring approximately 207sqm, 124sqm and 114sqm. The proposed bedrooms also meet the minimum requirement of 8sqm for single bedrooms and 12sqm for double bedrooms. On the basis of the drawings submitted, it is considered that the proposed dwelling would provide a satisfactory living environment for future occupiers.

On the basis of the above, Members may agree that Kent Barn may in principle be capable of being converted into residential accommodation. Careful consideration will need to be given to the resulting quality of the residential units proposed and the visual impact of the proposal upon the openness of the Green Belt. Members may consider that the proposed external changes to the existing building are

relatively minimal. The existing unique formation of the buildings around a central courtyard restricts the sprawling of development further into the Green Belt. However, there are private amenity spaces proposed for each property and the removal of permitted development rights by way of condition is suggested to protect the interests of the visual amenities of the Green Belt.

Background papers referred to during production of this report comprise all correspondence on the file ref.15/01516 set out in the Planning History section above, excluding exempt information.

RECOMMENDATION: PERMISSION

Subject to the following conditions:

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

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

- 2 The 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. 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.

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

Reason: To ensure satisfactory means of surface water drainage and to accord with Policy 5.12 of the London Plan

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

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

6 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.

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

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

8 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.

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

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

10 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 the interests of the visual amenities of the Green Belt and in order to comply with Policy G1 of the Unitary Development Plan.

11 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.

You are further informed that :

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

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

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

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

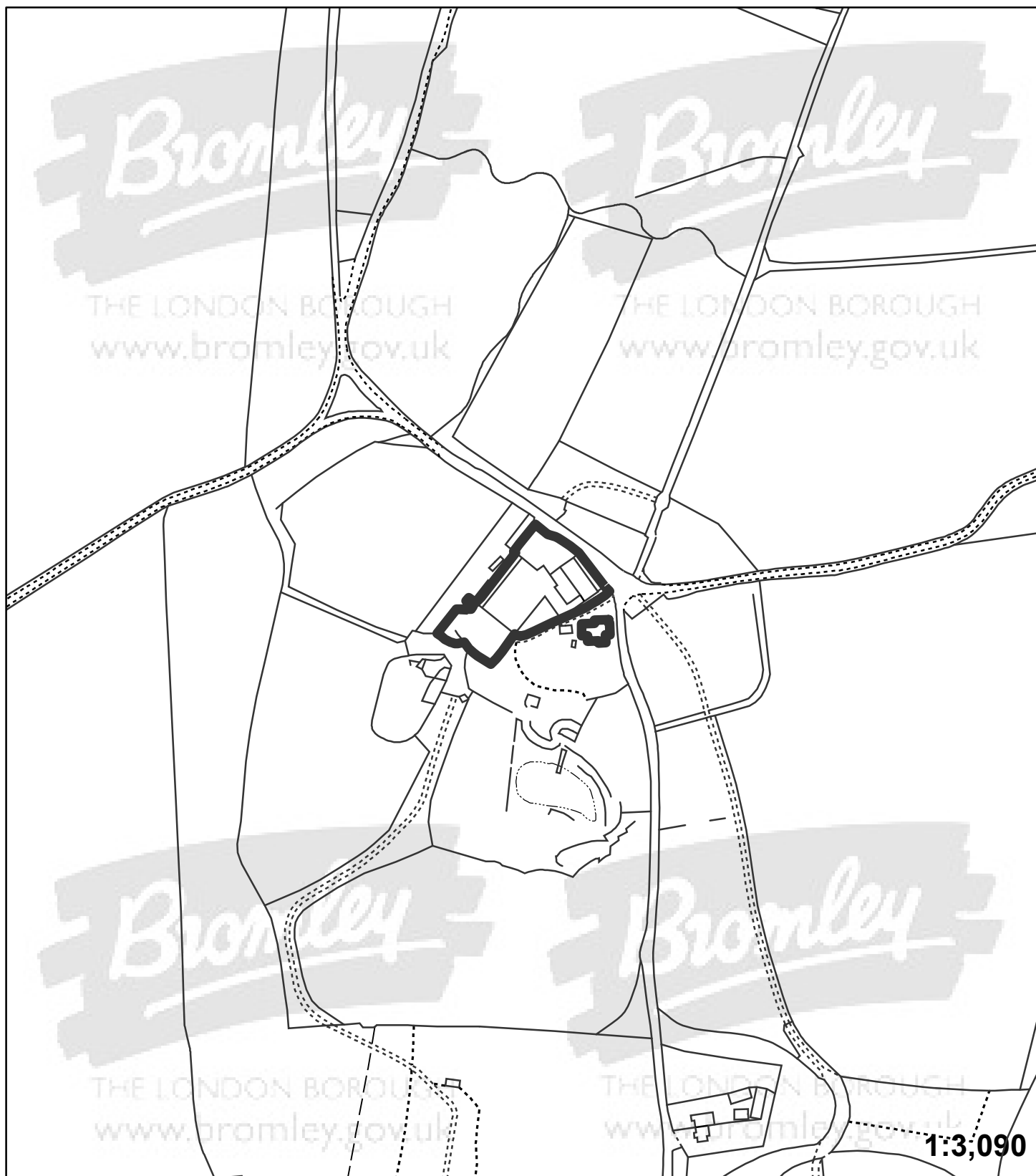
(Reason) To ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system

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Application:15/01516/FULL1

Address: Fairtrough Farm Fairtrough Road Orpington BR6 7NY

Proposal: Conversion of existing barn and adjoining building to create 3 three bedroom dwellings including front and rear dormer extensions, elevational alterations and associated landscaping/car parking



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

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SECTION '2' – Applications meriting special consideration

Application No : 15/01717/FULL6

Ward:
Hayes And Coney Hall

Address : 16 Cherry Walk Hayes Bromley BR2 7LT

OS Grid Ref: E: 540283 N: 166413

Applicant : Mr J Showell

Objections : YES

Description of Development:

Decking at rear
RETROSPECTIVE APPLICATION

Key designations:

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

Proposal

Retrospective planning permission is sought for raised decking at the rear of the property. The decking sits along the rear of the property for a depth of 1.2m and then runs along the northern side of the garden to a large section at the rear of the garden 5.975m wide by 4.996m length. Due to the positioning of the property, the garden is two tiered and originally fell in height to the rear of the garden, as can be seen by the steps that lead down to the rear along the southern boundary of the garden. The rear section of the decking sits on top of an outbuilding and as such is elevated well above this section of the rear garden. The turfed area sits slightly lower than the ground level of the house by approximately 0.5m. The main part of the decking sits at about the same level as the dwelling, approximately 0.5m above this turfed area. The decking has been constructed in timber. A timber fence with trellis has been erected along the northern side boundary to a height of 1.8m above the decking and also encloses the rear section of the decking to the west and south to a height of 1.8m.

Amended plans and an amended statement were received on 28.07.15. The changes are to the labelling of the elevations which were incorrectly labelled in terms of north and south and references in the statement to the southern boundary, which now read the northern boundary.

Location

The application site is a two storey semi-detached property on the western side of Cherry Walk, Hayes. The property is located on a hill and as such the neighbouring

properties to the north sit slightly lower than the host dwelling. To the rear lie the residential properties in Stuart Avenue. These properties also sit lower.

Consultations

Comments from Local Residents

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

- o The application form has the N/A box ticked regarding lighting which is incorrect as there is external light fittings all around the decking area.
- o There is no mention of the outbuilding on the application which is used to elevate the decking area
- o The decking area is a huge invasion on no. 14 and fellow neighbours privacy
- o The view of the decking from no. 14 garden has reprehensively changed the enjoyment once received from the garden.

- o The neighbouring property at no. 18 has written in support of the application on the basis that it has made their garden more secure in the sense of the surrounding fencing and making their garden more private from the rest of the road. They also state that the view from their garden is more appealing on the eye to the previous layout due to the plantation that is being grown around the whole garden.

Any further comments received will be reported verbally at the meeting.

Comments from Consultees

There were no internal or external consultees consulted on this application.

Planning Considerations

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

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

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

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

Planning History

Under ref: 96/00609/FUL planning permission was granted for a single storey front/side/rear extension.

More recently planning permission was refused for 'Alteration to ground floor, first floor side/rear extension including front dormer, alteration to bay window at rear to create pitched roof above, elevational alterations to front and rear and porch canopy', under ref: 15/01015/FULL6.

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.

From visiting the site, the works shown of the submitted drawings have been undertaken at the site and as such the application is for retrospective planning permission. The property has a two tiered garden and the gradient of the site drops significantly to the rear. The decking has been constructed to bring the rear section of the garden to a similar height as the rest of the garden and the main dwelling. However, due to the location of a property on a hill, the gardens of the neighbouring properties to the north now sit considerably lower than this raised decking area. Furthermore, it is noted that an outbuilding in the rear part of the garden has been used as a base to elevate the decking to this height.

The decking has been constructed along the northern boundary and to the rear of the site, with the fence and trellis which encloses the decking area erected along the northern side boundary, as well as to the west and south of the main section of decking at the rear. Accordingly, the decking and enclosure is clearly visible from the rear of these neighbouring properties to the north, in particular the adjoining semi at no. 14. Given the location of the decking and the relationship to the neighbouring property at no. 18, it is not considered to cause any significant impact on the amenities of this neighbouring property.

Having visited the site and neighbouring property at no. 14, it can be seen that the fencing that originally ran along this northern side boundary was considerably lower than the fencing now proposed. The applicant has submitted a statement in support of the application which states that the low level boundary enclosure to the northern side previously provided no privacy to the neighbours. The statement also provides that a planter has been located at floor level of the decking to provide a green wall to the northern side to the neighbours to obscure the decking from view. Furthermore, as a temporary measure the applicant has installed a strip of garden fabric on the application side of the trellis to provide the neighbours immediate privacy. However, in attempting to devise a scheme that adequately protects privacy in this manner and aims to screen the decking and trellis by way of vegetation, the visual impact of the increased height of the boundary treatment to this southern side has led to a significant visual impact and leads to a sense of enclosure to the garden of no. 14 particularly to the rear of the site, which it is not considered in this instance can be adequately mitigated by way of any

conditions of approval. Furthermore, the increased height of the garden area to the rear provides increased opportunities for overlooking detrimental to the amenities of the neighbouring properties to the north, particularly the adjoining neighbour at no. 14.

Therefore, on balance, whilst the proposed decking has created a more useable garden space for the applicant and measures have been undertaken to try to reduce the impact of this on the neighbouring properties, it is considered that the decking would result in a significant impact on the visual amenities of the neighbouring property at no. 14 leading to an increased sense of enclosure and an increase in the amount of overlooking to the properties to the north, and on this basis, Members may consider that the application should be refused on this basis and enforcement action authorised for the removal of the decking.

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

RECOMMENDATION REFUSE

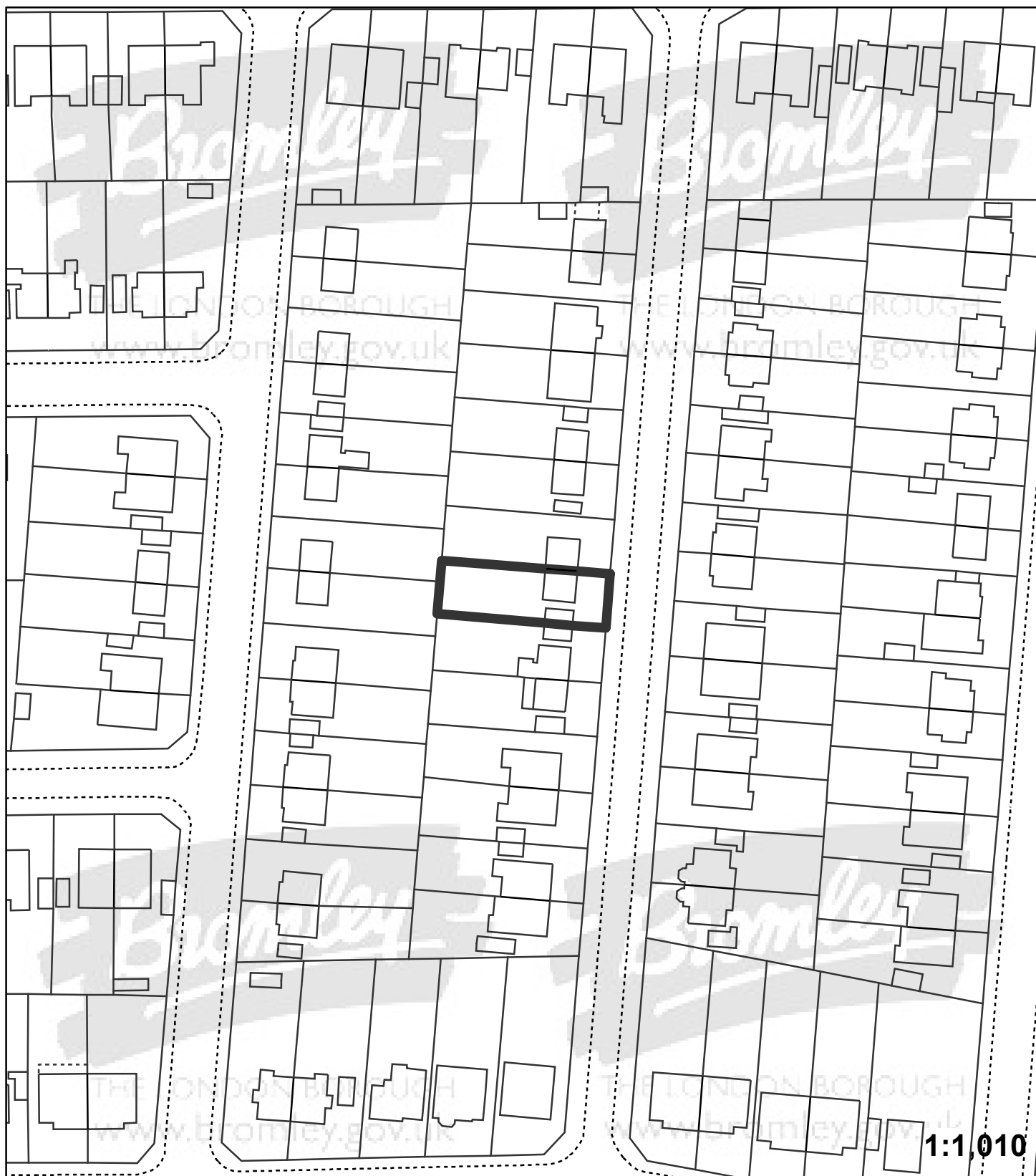
- 1 The proposal is seriously detrimental to the prospect and amenities enjoyed by the occupants of the adjoining property at no. 14, by reason of overlooking, loss of privacy and visual impact, thereby contrary to Policy BE1 of the Unitary Development Plan.**

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Application:15/01717/FULL6

Address: 16 Cherry Walk Hayes Bromley BR2 7LT

Proposal: Decking at rear
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 : 15/01574/FULL2

Ward:
Bickley

Address : 15 Lewes Road Bromley BR1 2RN

OS Grid Ref: E: 541588 N: 169311

Applicant : Miss Dee Davis

Objections : YES

Description of Development:

Conversion of single dwellinghouse to House in Multiple Occupation
RETROSPECTIVE APPLICATION

Key designations:

Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
London City Airport Safeguarding
London City Airport Safeguarding Birds
Smoke Control Multiple

Proposal

Planning permission is sought to convert the existing building from a Dwellinghouse (Class C3) to a House of Multiple Occupation (Class C4). Under current planning legislation a single dwellinghouse can accommodate up to six unrelated individuals within a shared house, without the need for planning permission. This application proposes the use of an additional two bedrooms at second floor level, which exceeds the threshold permissible within a single dwellinghouse. This application would enable up to eight unrelated people to occupy the property. Accordingly, planning permission is sought for this change of use.

Following a site inspection, it was confirmed that the additional two bedrooms which are the subject this application have been formed at second floor level, but these are unoccupied, pending the outcome of this application.

Location

The application site occupies the far-SE corner of Lewes Road, a largely residential cul-de-sac situated off Widmore Road, which is interspersed with some commercial uses. The southern site boundary adjoins recreation grounds.

Consultations

Comments from Local Residents

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

- increase in parking congestion
- existing excessive parking demand along the road
- property should be returned to single family occupancy
- use of property as HMO alters the ambience of the road which has only 13 houses, all of which are privately owned
- use of building as HMO has resulted in an increase anti-social behaviour with more litter, loud music and loitering by residents of HMO in the street
- neighbouring residents cannot be sure what sort of character HMO occupants will be, who could disrupt the safe atmosphere of the road
- property was originally a 2-bedroom family home which has been extended
- Lewes Road has been overdeveloped with offices and other offices which have been converted to homes
- neighbouring house prices have depreciated in value

Comments from Consultees

No technical Highways objections raised, subject to "car-free housing" condition.

From an Environmental Health perspective the property meets the Council's Adopted Standards for HMOs, so no objection is raised.

Planning Considerations

Planning Considerations

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

H11 Residential Conversions
T3 Parking

Planning History

The planning history is set out in the table below.

Ref. Number	Description	Status	Decision Date
05/01713/FULL1	First floor side extension and conversion to 2 two bedroom dwellings	Refused	21.07.2005
05/03169/FULL6	First floor side extension	Refused	25.11.2005
08/00542/FULL1	First floor side extension and division of property into dwellings.	Withdrawn	29.04.2008
09/02131/FULL1	Elevation alterations to first floor side extension granted permission on appeal under ref. 05/03169 including 2 first floor flank windows, juliet balcony at the rear and conversion into 2 PART RETROSPECTIVE	Refused	22.10.2009

APPLICATION			
10/00359/ELUD	Roof alterations to incorporate dormer CERTIFICATE OF LAWFULNESS FOR AN EXISTING DEVELOPMENT	Granted	15.04.2010
10/01604/FULL6	Front porch. PART RETROSPECTIVE	Permitted	13.07.2010

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.

Policy H11 (Residential Conversions) advises that a proposal for the conversion of a single dwelling into two or more self-contained residential units or into non self-contained accommodation will be permitted provided that:

- (i) the amenities of occupiers of neighbouring dwellings will not be harmed by loss of privacy, daylight or sunlight or by noise and disturbance;
- (ii) the resulting accommodation will provide a satisfactory living environment for the intended occupiers;
- (iii) on street or off street parking resulting from the development will not cause unsafe or inconvenient highway conditions nor affect the character or appearance of the area; and
- (iv) the proposal will not lead to the shortage of medium or small sized family dwellings in the area

As outlined above, under existing planning legislation, the use of the dwellinghouse as an HMO for six unrelated persons does not require planning permission. The main consideration in question therefore relates to the desirability of the use of the two additional bedrooms at second floor level to increase the total occupancy of the property to enable up to eight people to occupy the building. The applicant has confirmed that the proposal will be restricted to two additional people, thereby resulting in a total occupancy of eight, something which can be controlled through condition.

Taking account of the nature of the existing arrangements, it is considered that the building could adequately accommodate an additional two people, without adversely affecting the living environment of the dwelling. Whilst local objections have been raised in respect of the use as an HMO, it is not considered that such an increase in the occupancy of the building will significantly undermine neighbouring amenity to justify refusal. In terms of parking, the Council's Highways engineers have recommended the inclusion of a condition aimed at prevent occupants from applying for parking permits.

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

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

RECOMMENDATION: PERMISSION

Subject to the following conditions:

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

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

- 2 No more than eight people shall reside in the building at any time.**

In the interest of the amenities of the area, and to accord with Policy BE1 of the Unitary Development Plan.

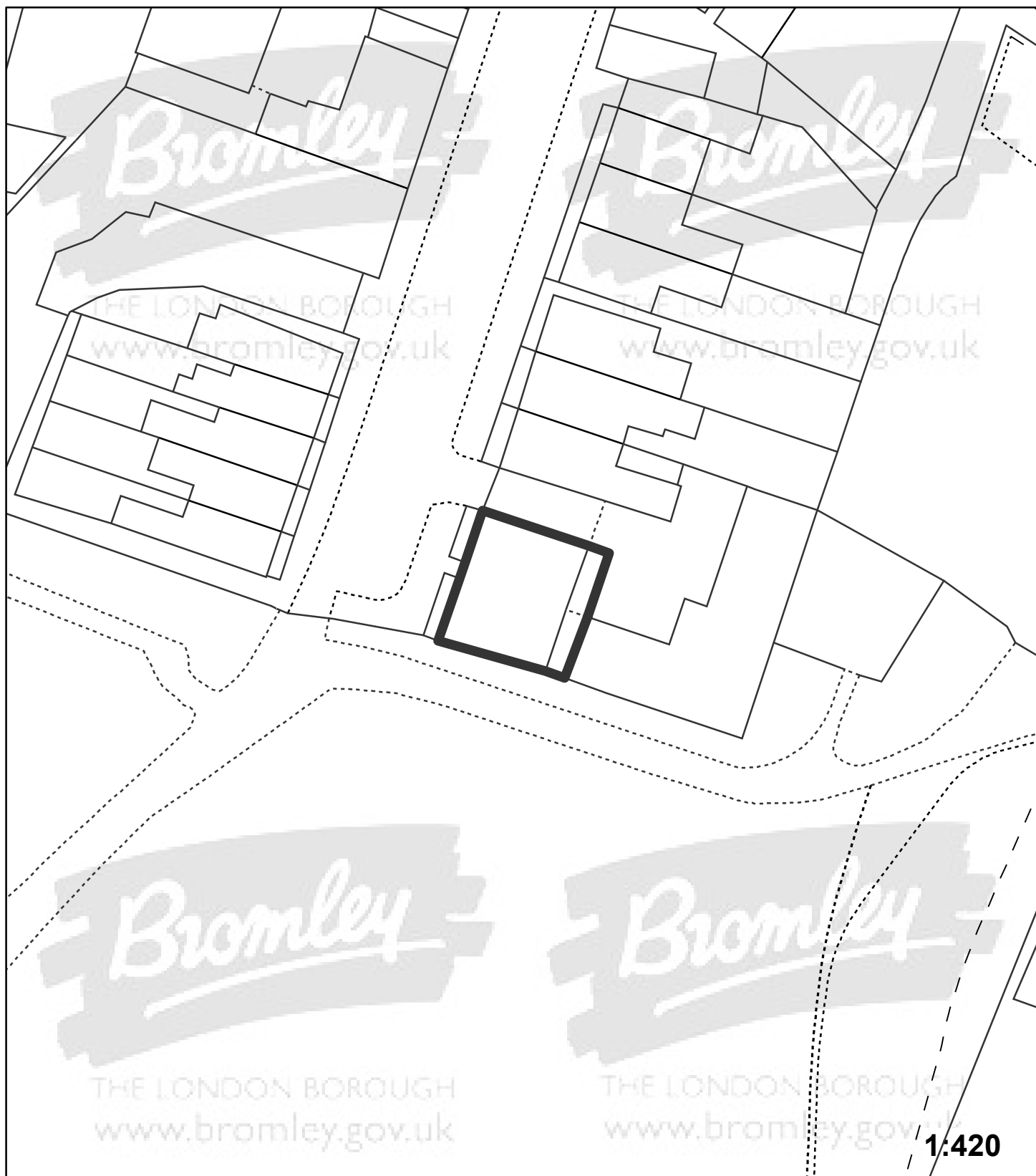
- 3 Before the development hereby permitted is occupied arrangements shall be agreed in writing with the Local Planning Authority and be put in place to ensure that, with the exception of disabled persons, no resident of the development shall obtain a resident's parking permit within any controlled parking 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.

Application:15/01574/FULL2

Address: 15 Lewes Road Bromley BR1 2RN

Proposal: Conversion of single dwellinghouse to House in Multiple Occupation 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 : 15/01905/FULL6

Ward:
Darwin

Address : 7 Grice Avenue Biggin Hill TN16 3EW

OS Grid Ref: E: 540973 N: 160959

Applicant : Miss Shelley McIntosh

Objections : NO

Description of Development:

Single storey side/rear extension

Key designations:

Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
Green Belt
London City Airport Safeguarding
Major Development Sites
Smoke Control SCA 24
Technical Sites BH

Proposal

It is proposed to demolish the existing detached garage at the side of this property, and construct a single storey side/rear extension which would be set back 0.9m from the western flank boundary with No.5, and would project 2.5m to the rear.

The extension would have a pitched roof with a maximum height of 3.5m.

Location

This detached property is located on the northern side of Grice Avenue, and lies within the Green Belt. Similar detached properties lie to either side, and the property backs onto semi-detached dwellings in Keith Park Crescent.

Consultations

No third party comments have been received to date.

Planning Considerations

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

BE1 Design of New Development

Conclusions

The main issues in this case are whether the extension comprises inappropriate development within the Green Belt, the effect on the open or rural nature of the Green Belt, and the impact on the amenities of neighbouring properties.

Policy G4 of the Unitary Development Plan allows for extensions to existing dwellings located within the Green Belt, but only where they would not increase the floor area over that of the original dwelling by more than 10%. Additionally, the size, siting, materials and design of the extensions should not harm the visual amenities or the open and rural character of the locality, and should not result in a significant detrimental change in the overall form, bulk or character of the original dwellinghouse.

The floor area of the existing dwelling (including the detached garage to be demolished which lies within 5m of the house) measures 156.8sq.m., whilst the floor area of the extended dwelling would be 188.8sq.m. which would result in an increase in the floor area of 32sq.m. This would equate to a 20% increase in floor space which exceeds the maximum 10% increase normally allowed within the Green Belt, and represents a slightly disproportionate increase in the size of the building.

However, the extension would not appear significantly bulkier within the street scene than the existing garage it replaces, and overall, the extension may be considered fairly modest in size, with the main increase in bulk confined to the rear, the majority of which could be constructed under "permitted development". This is therefore considered to constitute very special circumstances to allow a departure from Policy G4 of the Unitary Development Plan.

With regard to the impact of the development on the visual amenities of the area, the extension would increase the separation to the flank boundary, and is designed with a low-level pitched roof to minimise its height and bulk. It would have a modest depth of 2.5m, and the development is not therefore considered to have a harmful impact on the open or rural nature of the Green Belt.

With regard to the impact on residential amenity, the extension would be set back 0.9m from the western flank boundary with No.5, and would lie adjacent to the garage serving this property. To the east, the rear part of the extension would be set back around 5m from the eastern flank boundary with No.9, and the proposals are not therefore considered to be harmful to residential amenity.

In conclusion, the development is considered to be acceptable in that very special circumstances have been demonstrated that outweigh the harm to the Green Belt by reason of inappropriateness, and that the proposals do not cause harm to the visual amenities of the area, nor to the amenities of local residents.

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

RECOMMENDATION: PERMISSION

Subject to the following conditions:

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

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

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

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

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

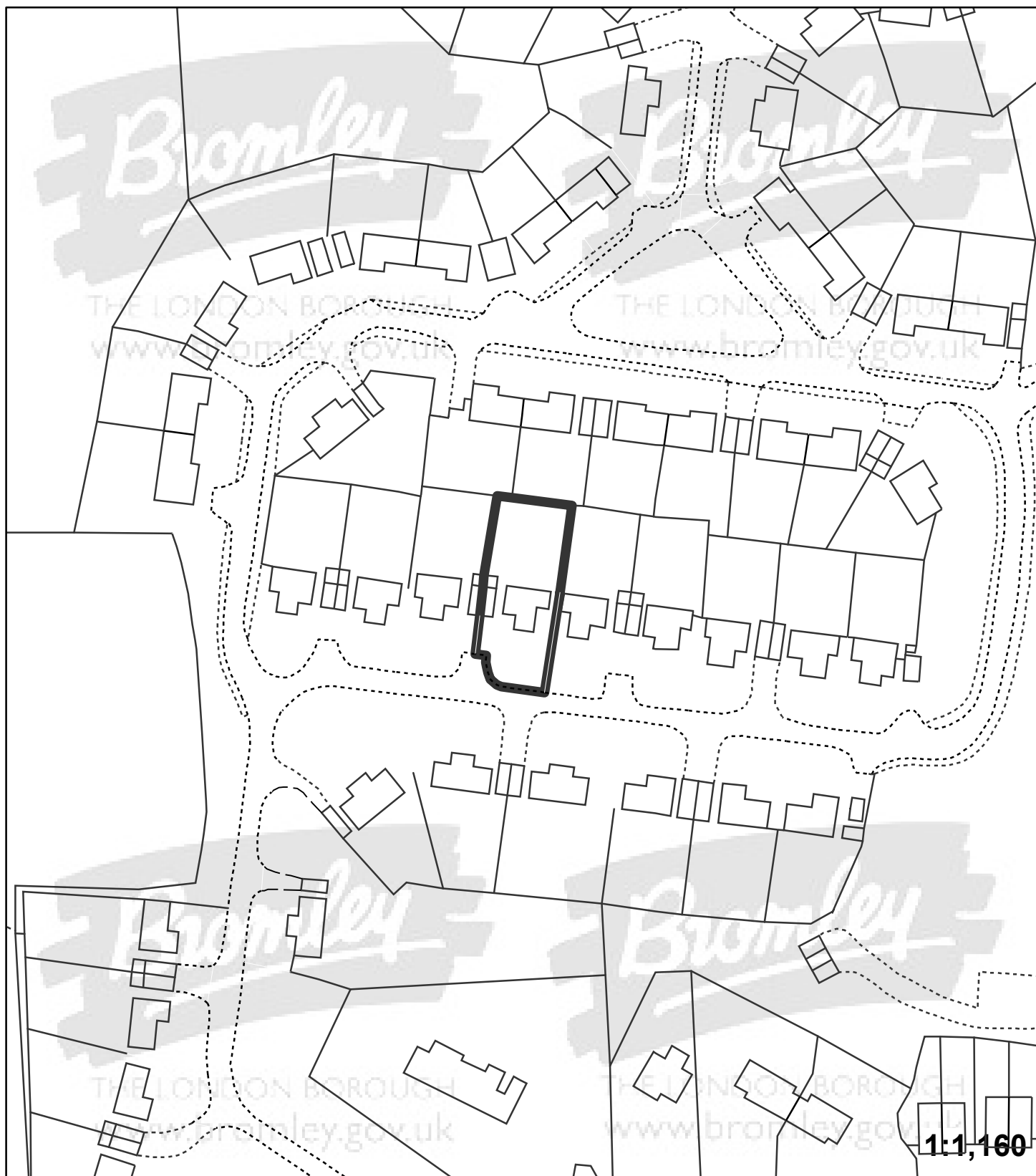
Reason: In order to comply with Policy BE1 of the Unitary Development Plan and in the interest of the visual and residential amenities of the area.

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Application:15/01905/FULL6

Address: 7 Grice Avenue Biggin Hill TN16 3EW

Proposal: Single storey side/rear extension



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Section '4' - Applications recommended for REFUSAL or DISAPPROVAL OF DETAILS

Application No : 15/01879/OUT

Ward:
Chislehurst

Address : 27 Heathfield Chislehurst BR7 6AF

OS Grid Ref: E: 544368 N: 170630

Applicant : Mr Adrian Lawrernce

Objections : YES

Description of Development:

Demolition of existing dwelling and erection of a 2 storey 5 bedroom dwelling with accommodation in loft space.

OUTLINE APPLICATION

Key designations:

Conservation Area: Chislehurst

Biggin Hill Safeguarding Birds Aldersmead Road

Biggin Hill Safeguarding Area

London City Airport Safeguarding

London City Airport Safeguarding Birds

Smoke Control SCA 16

Proposal

Outline planning permission is sought for the demolition of existing dwelling and erection of a 2 storey 5 bedroom dwelling with accommodation in loft space.

The application has been submitted in 'outline' for provision of landscaping, layout of the development and scale with all other matters reserved. While all other matters (access and appearance) are reserved, the applicants have provided some indicative elevational drawings.

Location

The application site currently contains a single storey detached bungalow located at the eastern end of Heathfield, and lies within Chislehurst Conservation Area.

Consultations

Comments from Local Residents

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

- o Height and proximity to the southern flank boundary would cause a high degree of overshadowing and inhibit daylight

- o Loss of privacy
- o Overall height appears dominant and out of scale
- o The footprint is significantly larger than the existing property it replaces
- o Does not respect existing property spacing values and would give a cramped appearance
- o Accept redevelopment in principle however room in roofspace will result in loss of privacy for properties to the rear
- o Windows should be obscured

Letters in support of the proposals have also been received from residents within the borough which can be summarised as follows:

- o The development would be beneficial to properties in close proximity and is not out of character with surrounding properties.
- o No reason for this to be refused as there are many examples of infilling and extending to maximum proportions in local roads.
- o The new dwelling is far superior than current property
- o Would help lift an area in the very heart of Chislehurst
- o Positive contribution to the Conservation Area
- o Good to see people investing in the local area
- o Attractive two storey dwelling

Comments from Consultees

The Advisory Panel for Conservation Areas, (APCA) were consulted on the application and their comments can be summarised as follows:

- o Excessive bulk, footprint and height results in overdevelopment
- o The quality of architectural design needs to be improved if it is to comply with BE1 and BE11 and Conservation Area SPG
- o The current proposal would not preserve or enhance the Conservation Area for present or future generations and is therefore not a sustainable development

The Highways Officer raised no objection

The Environmental Health Officer raised no objection however has suggested informatives regarding Pollution and Contamination.

Drainage Officer recommended conditions regarding surface water

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
- H1 (Housing Supply)
- H7 (Housing Density and Design)
- H9 (Side Space)
- T3 (Parking)

T18 (Road Safety)
NE7 (Development and Trees)

Planning History

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 Chislehurst Conservation Area and the impact that it would have on the amenities of the occupants of surrounding residential properties.

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

The site is a currently a single storey detached bungalow located at the eastern end of Heathfield, and lies within Chislehurst Conservation Area. The existing dwelling occupies the full width of the site with an attached garage along its northern side. The site is elevated in comparison to the neighbouring properties. The surrounding streetscene comprises largely of two storey properties set within large plots.

Outline planning permission is sought for the demolition of existing dwelling and erection of a 2 storey 5 bedroom dwelling with accommodation in loft space. The application has been submitted in 'outline' for provision of landscaping, layout of the development and scale with all other matters reserved. While all other matters (access and appearance) are reserved, floor plans and elevational drawings have been provided. Further information was submitted by the agent (24/07/2015) to indicate existing side space in the area and indicative 3D views.

With regard to landscaping, the illustrative plans and the Design and Access Statement would appear to retain all important trees and natural screening on the site.

With regards to the proposed scale of the building, the proposed dwelling would be significantly larger in height and bulk than the one it replaces. The existing bungalow has a maximum height of 7.9m, when scaled from the submitted plans, the proposed dwelling will increase in height to 10.1m. Although the appearance has not been sought as part of this outline application, indicative drawings have been submitted with the application which shows a substantial roof to accommodate the additional bedroom/games room. Furthermore the property will project further forward than the neighbouring properties. It is therefore considered that the scale of the building is excessive and it would appear over-dominant within the streetscene, in particular taking into account the raised level of the site.

The proposed dwelling provides a minimum side space of 1m however Policy H9 of the Unitary Development Plan states that when considering applications for development comprising two or more storeys in height, where higher standards of separation already exist within residential areas, proposals will be expected to provide a more generous side space. This is considered necessary to protect the high spatial standards and level of visual amenity which characterise many of the Borough's residential areas. The character of this Conservation Area indicates a more generous side space, particularly at first floor level, therefore the proposal would appear dominant and cramped within the streetscene and would impact significantly on the neighbouring properties with regards to light, outlook and visual amenity.

Having had regard to the above it was considered that the intended mass, scale and siting of the proposed dwelling is unacceptable in that it would result in a significant loss of amenity to local residents and impact detrimentally on the character and visual amenity of the Conservation Area.

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

RECOMMENDATION: APPLICATION BE REFUSED

The reasons for refusal are:

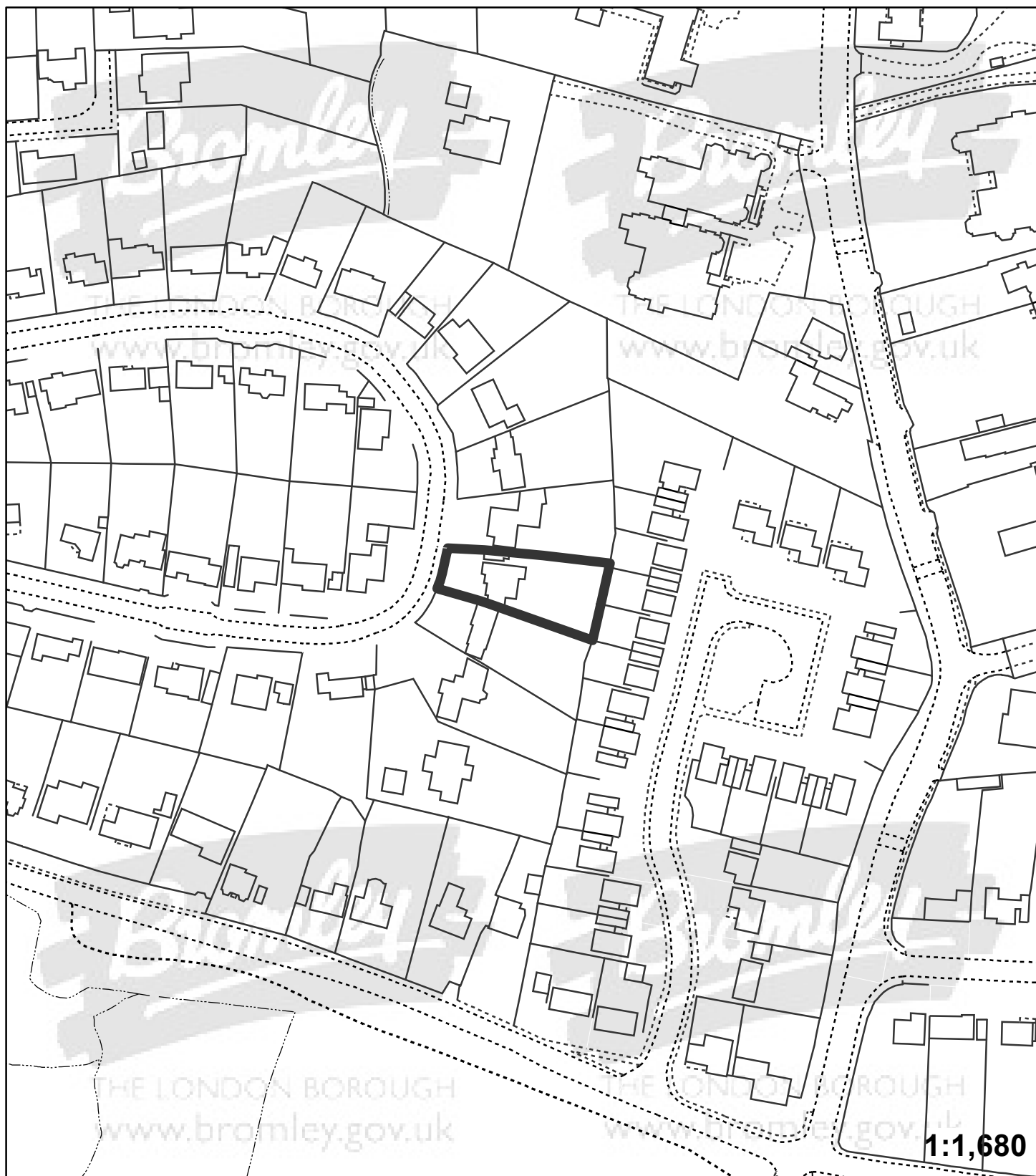
- 1 The proposal represents an overdevelopment of the site by reason of the mass, scale and siting of the proposed dwelling which would be detrimental to the amenities of neighbouring properties and the character of the Chislehurst Conservation Area contrary to Policies BE1, BE11 and H7 of the Unitary Development Plan.**

Application:15/01879/OUT

Address: 27 Heathfield Chislehurst BR7 6AF

Proposal: Demolition of existing dwelling and erection of a 2 storey 5 bedroom dwelling with accommodation in loft space.

OUTLINE APPLICATION



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