



THE LONDON BOROUGH
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BROMLEY CIVIC CENTRE, STOCKWELL CLOSE, BROMLEY BRI 3UH

TELEPHONE: 020 8464 3333

CONTACT: Lisa Thornley
lisa.thornley@bromley.gov.uk

DIRECT LINE: 020 8461 7566

FAX: 020 8290 0608

DATE: 17 May 2016

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

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

A meeting of the Plans Sub-Committee No. 3 will be held at Bromley Civic Centre on
THURSDAY 26 MAY 2016 AT 7.00 PM

MARK BOWEN
Director of Corporate Services

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

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

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

To register to speak please telephone Democratic Services on 020 8461 7566.

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 31 MARCH 2016**
(Pages 1 - 12)
- 4 **PLANNING APPLICATIONS**

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

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

SECTION 2 (Applications meriting special consideration)

| Report No. | Ward | Page No. | Application Number and Address |
|------------|---|-----------|---|
| 4.1 | Chislehurst Conservation Area | 13 - 50 | (15/05237/FULL1) - Queen Mary House, Manor Park Road, Chislehurst BR7 5PY |
| 4.2 | Bromley Town | 51 - 68 | (16/00295/FULL1) - Upfield Hillbrow Road, Bromley, BR1 4JL |
| 4.3 | Shortlands | 69 - 76 | (16/00316/FULL6) - 2 Rosemere Place, Shortlands, Bromley BR2 0AS |
| 4.4 | Penge and Cator | 77 - 98 | (16/00377/FULL1) - 2 Crampton Road, Penge SE20 7AT |
| 4.5 | Bromley Common and Keston Conservation Area | 99 - 118 | (16/00410/FULL1) - Ravensbourne, Westerham Road, Keston BR2 6HE |
| 4.6 | Bromley Common and Keston | 119 - 128 | (16/01260/FULL6) - 4 Hathaway Close, Bromley, BR2 8RD |
| 4.7 | Bickley | 129 - 134 | (16/01359/FULL6) - 38 Parkside Avenue, Bickley, Bromley BR1 2EJ |

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

| Report No. | Ward | Page No. | Application Number and Address |
|------------|------------------------------|-----------|--|
| 4.8 | Darwin | 135 - 148 | (15/3635/FULL6) - Yellow Barn, Holwood Farm, New Road Hill, Keston BR2 6AB |
| 4.9 | Clock House | 149 - 156 | (16/00491/FULL1) - 59 Piquet Road, Penge, SE20 7XY |
| 4.10 | Chelsfield and Pratts Bottom | 157 - 166 | (16/00515/FULL6) - 177 Warren Road, Orpington BR6 6ES |
| 4.11 | Penge and Cator | 167 - 182 | (16/00919/FULL1) - 8 Padua Road, Penge SE20 8HF |
| 4.12 | Kelsey and Eden Park | 183 - 188 | (16/01269/FULL6)- 144 Village Way, Beckenham BR3 3PH |
| 4.13 | Darwin | 189 - 194 | (16/01316/FULL1) - Down House, Luxted Road, Downe, Orpington BR6 7JT |

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

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

5 CONTRAVENTIONS AND OTHER ISSUES

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

6 TREE PRESERVATION ORDERS

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

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PLANS SUB-COMMITTEE NO. 3

Minutes of the meeting held at 7.00 pm on 31 March 2016

Present:

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

Also Present:

Councillors Kathy Bance MBE and Russell Mellor

27 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

An apology for absence was received from Councillor Nicky Dykes.

28 DECLARATIONS OF INTEREST

Councillor Alexa Michael declared a personal interest in Item 4.8 as she was familiar with the objector who was a Member of Beckenham Conservative Association.

Councillor William Huntington-Thresher declared a Personal Interest Item 4.18 as a family member lived in the locality.

29 CONFIRMATION OF MINUTES OF MEETING HELD ON 4 FEBRUARY 2016

RESOLVED that the Minutes of the meeting held on 4 February 2016 be confirmed.

30 PLANNING APPLICATIONS

SECTION 1

(Applications submitted by the London Borough of Bromley)

30.1 BROMLEY TOWN

**(15/05634/REG3) - Veolia Environmental Services,
Baths Road, Bromley BR2 9RB**

Description of application – Retention of two mobile huts.

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

30.2
CHISLEHURST

(16/00971/FULL1) - Red Hill Primary School, Red Hill, Chislehurst

Description of application – Proposed new boundary fencing facing Red Hill.

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

SECTION 2

(Applications meriting special consideration)

30.3
HAYES AND CONEY HALL

(15/01716/FULL1) - Bromley Football Club, Hayes Lane, Hayes, Bromley BR2 9EF

PERMISSION Description of application – Demolition of the existing south stand and terraces, removal of astro turf pitches to the south of the existing stand and the erection of a new building to accommodate a stand with 1,485 seats and a multi purpose facility with badminton, volleyball and indoor cricket facilities, a café and viewing boxes at mezzanine level. New car parking for 134 cars. Part change of use of land used for grazing horses to football club.

Oral representations in support of the application were received at the meeting. Comments from Ward Member, Councillor Neil Reddin, were reported. An update from the Chief Planner regarding revised planning conditions was circulated to Members by the Chief Planner.

Members having considered the report, objections and representations, **RESOLVED that PERMISSION be GRANTED** as recommended, **(SUBJECT TO STAGE 2 REFERRAL TO THE GREATER LONDON ASSEMBLY)** and subject to the conditions and informatives set out in the report of the Chief Planner with amendments to Conditions 2, 4, 19, 22, the deletion of Condition 6, and four further conditions to read:-

Amended conditions:

Condition 2 – The development hereby permitted shall not be carried out otherwise than in complete accordance with the plans and documents listed in this condition unless previously agreed in writing by the Local Planning Authority.

Plans

Existing Overall Site Plan 14/389/P/107 Rev A
Proposed Overall Site Plan 14/389/P/108 Rev C
Proposed Lower Level Site Layout Plan 14/389 - P002
Rev F
Proposed Upper Level Site Layout Plan 14/389 - P003
Rev E
Proposed Roof Level Site Layout Plan 14/0389 - P004
Rev D
Existing East/West Elevations South Stand 14/389 -
P006 Rev B
Existing North/South Elevations South Stand - 14/389
- P007 Rev B
Existing Cross Sections East-West/North-South
14/389 - P008 Rev B
Proposed Cross Sections East-West/North-South
14/389 - P009 Rev C
Proposed North/South Elevations 14/389 - P010 Rev
C
Proposed East/West Elevations 14/389 - P011 Rev C
North West Aerial View - 14/389 P-15 Rev B
North West Aerial View 2 - 14/389 P-16 Rev B
View from North West 14/389 P-17 Rev B
View from South East 14/389 p-18 Rev B
South Stand Pitchfield 14/389 P-19 Rev B

Documents

Transport Statement by Gateway TSP dated February
2015
Response to Highway Officer comments by Gateway
TSP dated October 2015
Additional response to Highway Officer comments by
Gateway TSP dated February 2016
Walkover Survey on land associated with Bromley
Football Club by the ecology partnership dated
3.10.2015, updated 22.1.2016

Arboricultural Survey and Planning Investigation
Report by Quaife Woodlands dated 9.10.2015
Addendum to Arboricultural Survey and Planning
Investigation Report by Quaife Woodlands dated
24.3.2016

Flood Risk Assessment Revision 3 by Herrington
Consulting dated October 2015
Surface Water Design Statement

Noise Assessment by Peter Moore Acoustics dated 21.7.2015

Abacus Lighting Project: ISO Diagram details
Klou-ik 180 bollard lighting details

Design and Access Statement

Planning Statement by Robinson Escott Planning by March 2015

Letter from Robinson Escott Planning dated 30.7.2015 and 28.10.2015,

Email from Robinson Escott Planning dated 13.1.2016 at 10.38, 10.03.2016 at 16.19 and 18.3.2016 at 13.07

Reason: To accord with the terms of the application

Condition 4: The leisure facilities hereby permitted (described in the application as a multi-purpose sports and leisure uses) shall only be operated ancillary to the use of the site as a football club and shall only include the specified uses shown on plans 14/389-P002 Rev F and 14/389-P003 Rev E and soft play, future sports training and fitness suites, physiotherapy, treatment and conditioning gym uses as shown in the Financial Viability Appraisal dated 22 March 2016 and no other uses within Class D2 of the Town and Country Planning (Use Classes) Order 1987 (as amended) unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to comply with Policies BE1, T3 and G1 of the Unitary Development Plan and in the interests of the Green Belt, the amenities of the area and nearby residents and highway safety.

Condition 19: Before the access hereby permitted is first used by vehicles in association with any part of the development, it shall be provided with 2.4m x 43m visibility splays and there shall be no obstruction to visibility in excess of 0.6m in height within these splays except for trees selected by the Local Planning Authority, and which shall be permanently retained thereafter.

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

Condition 22: Before any part of the development is first commenced details of a scheme for the management of the car park, including traffic marshalling arrangements for match days, shall be submitted to and approved in writing by the Local

Planning Authority and the car park shall be operated in accordance with the approved scheme at all times unless previously agreed in writing by the Authority.

Reason: To accord with the terms of the application and in the interests of the Green Belt, the amenities of the area and highway safety and to accord with Policies G1, BE1 and T3 of the Unitary Development Plan

Additional conditions

36. The education use hereby permitted shall be operated only in connection with the Bromley Youth Academy, ancillary to the use of the site as a football club and for no other use within Class D1 of the Town and Country Planning (Use Classes) Order 1987 (as amended) unless otherwise agreed in writing by the Local Planning Authority.

Reason: To accord with the terms of the application and in the interests of the Green Belt and to accord with Policy G1 of the Unitary Development Plan.

37. Notwithstanding the provisions of Part 4 of Schedule 2 of the Town and Country Planning (General Permitted Development)(England) Order 2015 (or any Order amending, revoking and re-enacting this Order) the approved car parking spaces shall not be used at any time for the holding of markets, fairs, war games, clay pigeon shooting, motor car and motor cycle racing (including trials of speed and practising for such racing or trials), or for the stationing or storage of a caravan or caravans (including for the setting up or preparation for such uses or activities) at any time.

Reason: In order to comply with Policies BE1, T3 and G1 of the Unitary Development Plan and in the interests of the Green Belt, the amenities of the area and nearby residents and highway safety.

38. Notwithstanding reference to possible future sports training and fitness suites, physiotherapy, treatment and conditioning gym on an indicative mezzanine floor on plan 14/389-P009 Rev C, the proposed gross internal floor area of the approved multi-purpose sports and leisure facility as shown on plans 14/389-P002 Rev F and 14/389-P003 Rev E shall not exceed a gross internal area of 1717.4 square metres at any time unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to comply with Policies BE1, T3 and G1 of the Unitary Development Plan and in the interests of the Green Belt, the amenities of the area and nearby residents and highway safety.

39. The proposed gross floor area of the approved spectator stand as shown on plans 14/389-P002 Rev F shall not exceed a gross internal area of 684 square metres at any time and shall be used only for the purposes of viewing football matches and no other uses, whether or not within Class D2 of the Town and Country Planning (Use Classes) Order 1987 (as amended) unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to comply with Policies BE1, T3 and G1 of the Unitary Development Plan and in the interests of the Green Belt, the amenities of the area and nearby residents and highway safety.”

**30.4
CHISLEHURST
CONSERVATION AREA**

**(15/03907/FULL6) - 53 Yester Road, Chislehurst,
BR7 5HN**

Description of application - Revisions to planning permission reference 14/02298 for relocation of vehicular access and front boundary wall, piers, railings and sliding gate and retrospective raising of land levels along the south western boundary including the raising of the boundary fence.

THIS REPORT WAS WITHDRAWN BY THE CHIEF PLANNER.

**30.5
PENGE AND CATOR**

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

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

Oral representations in objection to and in support of the application were received. Oral representations from Ward Member, Councillor Kathy Bance, in objection to the application were received at the meeting. In her opinion the site was an area of special value to her ward and to the Borough being a spacious green open setting, landscaped with some protected trees and was not suitable for any development. The neighbouring homes were well

spaced, modest in style with long rear gardens and if the application were to be permitted it would harm the character and appearance of Kings Hall Road and blight the lives of residents. Some Members had visited the site and were of the opinion that the proposed application was 'garden grabbing'.

The Chief Planner referred to the appeal decision, being a material consideration, and confirmed the site was not designated Metropolitan Open Lane but adjacent to it. A summary of objections on behalf of the affected residents in both Kings Hall Road and Lennard Road had been received and circulated to Members.

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

1. The revised proposals constitute an overdevelopment of the site which would have a detrimental impact on the spacious and open character and appearance of the surrounding area, and would therefore be contrary to Policies BE1 and H7 of the Unitary Development Plan.

**30.6
COPERS COPE**

(15/04801/FULL1) - National Westminster Bank Sports Ground, Copers Cope Road, Beckenham, BR3 1NZ

Description of application – Change of use from car park to construction of a hand car wash business including low level canopy and party-cabin to be used as customer waiting area and storage of equipment.

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 and circulated to Members.

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.

**30.7
ORPINGTON**

(15/05549/FULL6) - 159 Park Avenue, Orpington

Description of application - Single storey front extension, one/ two storey side extension, one/two storey rear extension, roof alterations to create

additional accommodation within the roof, including 4 rooflights.

It was reported that the application had been amended by documents received on 16 March 2016.

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.

**30.8
COPERS COPE**

**(15/05638/FULL1) - Sandford Close 72 The Avenue
Beckenham BR3 5ES**

Description of application – Mansard roof extension to facilitate 2x 2 bed flats with balconies and associated parking, new terraces/balconies to the existing flats and new enclosed entrance porch.

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

**30.9
BROMLEY COMMON AND
KESTON**

**(16/00121/FULL6) - Whitehouse, 8 Oakfield Lane,
Keston, BR2 6BY**

Description of application – First floor rear extension and front rooflight.

Oral representations in objection to the application were received at the meeting. It was reported that an email with regard to a sunlight/daylight report had been received from the applicant and circulated to Members. Councillor Douglas Auld had visited the site and in his opinion the proposed development would be over-dominant, cause serious detrimental overshadowing, loss of sunlight until midday and a loss of amenity to No 6 Oakfield Lane.

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

1. The proposed first floor rear extension, by reason of its height and rearward projection, would be over-dominant in relation to and seriously detrimental to the prospect and amenities of the occupiers of adjacent properties by reason of over-shadowing, loss of sunlight, prospect and visual impact, contrary to Policies BE1 and H8 of the Unitary Development Plan.

**30.10
FARNBOROUGH AND
CROFTON**

**(16/00128/FULL6) - 3 Farnborough Common,
Orpington, BR6 7BN**

Description of application – Two storey side extension, roof alterations to form habitable room incorporating rear dormer and roof lights.

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.

**30.11
BROMLEY TOWN**

**(16/00239/FULL6) - 162 Homesdale Road, Bromley,
BR1 2RA**

Description of application – Single storey side and rear extensions. Elevational alterations including raised decking and disabled access ramps.

Councillor Douglas Auld had visited the site and was concerned with the proposed depth of the development.

Members having considered the report and objections, **RESOLVED that the application BE DEFERRED**, without prejudice to any future consideration, to seek a considerable reduction in the depth of the rear extension to lessen the impact on No.160 and to address the decking.

**30.12
CLOCK HOUSE**

**(16/00245/FULL1) - 161 Croydon Road, Penge,
SE20 7TY**

Description of application – Erection of new rear extension and annex to provide enhanced and increased accommodation to existing care home together with cabin.

Oral representations in support of the application were received at the meeting. It was reported that no objections to the application had been received. Amended measurements were reported and circulated to Members.

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

**30.13
BROMLEY COMMON AND
KESTON**

**(16/00597/TPO) - The Lodge, Cowper Road,
Bromley, BR2 9RT**

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

**30.14
BROMLEY TOWN**

**(15/04641/FULL4) - 165 Masons Hill, Bromley BR2
9HW**

Description of application – Section 106 B A application to remove the requirement for affordable housing in the S106 agreement in respect of 14/04199/FULL1.

Members having considered the report and objections, **RESOLVED NOT TO CONTEST the APPEAL** as recommended in the report of the Chief Planner.

SECTION 3

(Applications recommended for permission, approval or consent)

**30.15
PETTS WOOD AND KNOLL**

**(15/05056/FULL6) - 67 Dale Wood Road,
Orpington, BR6 0BY**

Description of application – First floor rear extension.

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

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

**30.16
WEST WICKHAM**

**(16/00030/FULL6)- 21 Boleyn Gardens, West
Wickham**

Description of application – Conversion of loft to form habitable space
RETROSPECTIVE APPLICATION

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

further objections to the application had been received.

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.

**30.17
CHISLEHURST
CONSERVATION AREA**

(16/00068/FULL6) - 16 Heathfield, Chislehurst.

Description of application – Additional dormer extension to the west elevation.

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

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

**30.18
CRAY VALLEY WEST**

(16/00244/FULL6) - 15 Sutherland Avenue, Petts Wood, Orpington, BR5 1QX

Description of application - Part one/two storey rear extension.

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

**30.19
HAYES AND CONEY HALL**

(16/00428/FULL6) - 8 Robins Grove, West Wickham BR4 9DH

Description of application – Single storey side/rear and first floor side 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.

31 URGENT SUPPLEMENTARY REPORT

The Chairman moved that the attached report, not included in the published agenda, be considered as a matter of urgency on the following grounds:-

‘An appeal hearing is scheduled for 12 April 2016 and the Council must decide how to take forward its case at appeal before this date.’

**33.1
DARWIN**

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

Description of application – (15/03077/OUT) – Westerham Riding School, Grays Road, Westerham.

Members having considered the report, **RESOLVED TO CONTEST the APPEAL on GROUND TWO ONLY** as recommended, in the report of the Chief Planner.

The meeting ended at 9.15 pm

Chairman

SECTION '2' – Applications meriting special consideration

Application No : 15/05237/FULL1

Ward:
Chislehurst

Address : Queen Mary House Manor Park Road
Chislehurst BR7 5PY

OS Grid Ref: E: 544587 N: 169860

Applicant : Your Life Management Services Ltd

Objections : YES

Description of Development:

Demolition of existing building and erection of three storey building comprising 52 assisted living extra care apartments (37 x 2 bed and 15 x 1 bed) (C2 use) including communal facilities, parking and landscaping.

Key designations:

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

Report Update

Members will recall that this application was submitted to Plans Sub Committee 1 on April 28th 2016 where Members resolved to defer the application, without prejudice, to seek a substantial reduction to the bulk, footprint and height of the development to reduce the impact on St Paul's Cray Road and to allow for the parking spaces to be defined by user.

The applicant has considered the request of the Committee and has submitted a detailed response which is summarised below:

- From the discussion at PSC the applicant considers that the members wished to see a substantial reduction in the footprint of the building. Concern is expressed by the applicant that the actual harm from the impact of the additional footprint was not fully expressed either by the Committee or the neighbours who also addressed the Committee.
- On this basis the applicant has addressed the following points:
 - C2 policy use of site and commercial requirements of this Use Class,
 - Impact of the proposal on character and appearance of the Conservation Area and setting of listed buildings,
 - Impact on neighbouring amenity

C2 policy use of site and commercial requirements of this Use Class

"Policy C1 controls that this site should stay in a C2 use. For a modern day C2 use, be that care home, nursing home or extra care use to be a viable ongoing proposition it needs a critical mass of building to provide sufficient proportion of units or bedspaces to communal areas and staffing to make it a viable proposition. The vacant care home on site is a good example of a C2 use not being a viable proposition for the current market as the number of units, its age and design could not sustain the running costs."

Therefore "any C2 use of the site, which Policy C1 controls, is going to be substantially greater in footprint and mass than the existing building to be a viable commercial proposition. The Client's product proposed needs a minimum of circa 50 units to be a viable proposition. Therefore, there is not the ability to 'substantially' reduce the mass of the building being proposed.

The only way possible to reduce the footprint of the building and retain a C2 use on the site would be to increase the overall height of the proposed building on site from its 2 and 3 storeys as currently proposed to 3 and 4 storeys. The applicant's and its professional advisors consider on balance that the proposed scheme and footprint of building at 2 and 3 storeys is more sympathetic to the character and appearance of the Conservation Area rather than amending the scheme to increase its overall height."

Impact of the proposal on character and appearance of the Conservation Area and setting of listed buildings

A Heritage Statement has been submitted with the application which concludes that the existing building has a negative impact on the character and appearance of the conservation area. The applicant considers that the contribution of the site includes the proposed architectural appearance of the building and the mature landscaped grounds which will be enhanced by the provision of 57 new trees which is considerably more than the number of trees to be removed.

"In respect to the setting of listed buildings whilst the built form is closer to Manor Park Road the tree screen which act as a foil to the listed buildings on the opposite side of Manor Park road is maintained and added to. I fail to see how the setting of the listed properties on Manor Park Road could ever be considered to be affected by the proposal. In respect to the listed properties on St.Paul's Cray their significance is probably more the facades than the rear but nevertheless the proposed building does not extend closer to these properties than the existing building. It does extend further to the east but at two storeys. Given the length of rear gardens, change in topography and domestic scale of the proposed building I do not consider the proposal could be considered to impact upon the setting of these listed buildings. We have also enhanced the landscape planting to the rear of the site to reduce the neighbours views into the site. Even if the Council considered some small element of harm which I would dispute, then that would be more than outweigh by the overall positive contribution of the building to the Conservation Area, and the delivery of accommodation that the PPG and London Plan have identified as critical.

Impact on neighbouring amenity

The applicant considers that there was no identification of harm to any specific neighbouring properties so makes a general comment in this respect.

"In this case the Council do not have any adopted standards in respect to separation distances to neighbouring properties, although I am aware of a figure of 21m from habitable room windows quoted to me on other sites in the Borough. I have attached the plan submitted with the application which shows distances to boundaries and window to window distances to those properties. As you can see in all cases the proposal is well in excess of any established separation distances I have ever encountered. Where the building extends further to the east existing tree planting is maintained and there are no primary habitable room windows facing in this direction. To those properties to the north (St. Pauls Cray Road) the closest window to window distance is over 40m at two storeys. The rear north elevation does include some balconies given the excessive distance to neighbouring properties. We can see no planning grounds to say that these balconies should be removed, however if this was the difference to securing a planning consent then this is something my Client would be prepared to concede to."

Highways matters

In view of the comments on parking provision deficiency by Members, the applicant has submitted a document setting out the evidence that they rely on to determine the number of parking spaces for proposed schemes. This uses information about trends in demand for parking in other assisted living schemes run by McCarthy and Stone. The Views of the Councils Highways Officer have been sought and will be reported verbally to Members.

Applicant's Conclusion

The applicant concludes that "I can find no sustainable grounds in which to refuse the current proposal which is supported by the officer recommendation for approval".

"We have looked at the committee's decision positively to see if we can address their concern but to 'substantially' reduce the footprint of the building would necessitate the increase in height of the proposal throughout and on balance we consider that the current proposal would be a better solution with regards to designated heritage assets and neighbours."

The original report is repeated below, updated where necessary.

Proposal

Planning permission is sought for the demolition of the existing 1960's building which comprises a part 2/part 3 storey 38 bed residential care home and replacement with a part 2/part 3 storey building which provides a total of 52 assisted living apartments. There will be 37 x 2 bed units and 15 x 1 bed units. A total of 141 habitable rooms will be provided.

The proposed building will be located towards the rear of the site with much of it closer to the boundary than the existing building and extending significantly further east of the existing building. There are 2 front 'wings' extending towards Manor Park Road.

The majority of the proposed building will be 3 storeys with 2 storey elements in the north west corner (facing properties in Walnut Tree Close) and in the north east corner (facing properties in St Pauls Cray Road and Manor Park Road).

Vehicular access to the site will be via the existing access adjacent to the western boundary. An existing vehicle access located centrally in the frontage will be removed and replaced with a pedestrian only access. To achieve 2 way vehicle movements, the western entrance will be widened to 4.8m.

In addition 44 car parking spaces will be provided along the western access road and the rear boundary. A separate secure and covered mobility and cycle store will be provided within the building envelope.

A recycling and refuse bin store will be provided within the north west corner of the building. A turning head in the internal access road will be provided in this corner of the site to enable refuse vehicles to come into the site to collect refuse and recycling, turn and leave in a forward direction.

Communal facilities will be provided on the ground floor including a communal lounge, wellness suite, a function room, a dining room and kitchen, guest suite, laundry, Managers office and administrative accommodation.

Private balconies are provided for many of the units and a mature planted landscaped area around the south and east of the site provides communal amenity space for residents.

A total of 25 individual trees, one group of trees and 2 areas of evergreen undergrowth will be removed. One further area of evergreen undergrowth will be removed but the 4 tree stems will remain. A landscaping plan has been submitted showing the replacement planting of a significant number of plants and standard and extra heavy standard trees with semi mature trees, particularly along the northern boundary and in the central frontage courtyard.

The applicant has submitted the following documents to support the application: Planning Statement, Design and Access Statement, Heritage Statement, Arboricultural Report, Highways Statement, Construction Method Statement, Site Investigation Report, Noise Impact Assessment, Archaeological Desk Based Assessment, Bat Survey, Phase 1 Habitat Report (Ecology Report), Topographical Survey, Site Investigation Report, Flood Risk Assessment, Drainage Report and Thames Water letter, Energy Statement, Draft Heads of Terms for S106 Agreement, Statement of Community Involvement.

Location

The 1.01 ha site is located on the north side of Manor Park Road close to the junction with St Paul's Cray Road and opposite Prince Consort Drive. The area is wholly residential in character.

To the north are large detached houses that front St Paul's Cray Road, the rear gardens of which adjoin the site. To the east are 2 detached houses, one of which is in St Paul's Cray Road and the other in Manor Park Road. To the south are detached houses on the opposite side of Manor Way at Prince Consort Drive and Bishop's Walk. To the west are detached houses in Manor Park Road and Walnut Tree Close.

The site lies within the Chislehurst Conservation Area but the building is not locally or statutory listed. There are listed buildings adjoining the north of the site at Chesil House (Grade II*), Cleaveland, Crayfield, Grange Cottage and Warren House (all Grade II) in St Paul's Cray Road and the Manor House complex (Grade II) opposite the site in Manor House Road.

Consultations

Comments from Local Residents

Nearby properties were notified and representations have been received.

There have been 7 letters of support for the development. Several objection letters, including The Chislehurst Society, have no objection to the principle of the proposed use but raise objections to other aspects of the development.

There have been letters of objection from the occupants of 16 properties which can be summarised as follows:

- Overdevelopment of the site and more prominent in the street scene.
- Footprint size of the building is increased by 72% which is excessive.
- Height of the building is prominent. Suggested that a basement be constructed to take some development so reducing the height of the building.
- Front of the building is closer to Manor Park Road than the existing building.
- Proposed building of this size is totally out of character with the local area and surrounding buildings.
- Loss of privacy for adjoining residents resulting from the proposed building being closer to adjoining boundaries and from new 3rd floor windows and balconies which directly overlook adjoining gardens and rear elevations.
- Balconies have not been provided at Faulkner House, another McCarthy and Stone development nearby, so why are balconies needed at this site.
- Existing peaceful setting for the listed properties will be lost.
- The development does not preserve the setting of nearby listed buildings so is contrary to current legislation. There is not sufficient public benefit derived from the development to justify a departure from the duty to preserve the heritage assets.

- Also increased noise and activity on the site and from the proposed building being closer to Manor Park Road will have an adverse impact on residents
- Significant tree (many over 10m) and foliage cover in the front of the site is part of the character of this part of Chislehurst and the Chislehurst Conservation Area. Removal of 9 evergreen trees along the frontage will have adverse impact of the site, street view and outlook for residents. Some trees are lost to provide room on the site for this over large building.
- Replacement trees are much smaller than trees being removed. More larger replacement tree should be provided.
- Some trees are being lost or could be damaged to provide space for temporary construction buildings including the wheelwash - this is unacceptable.
- Many of the trees to be retained are deciduous so provide limited screening.
- Inconsistencies in amount of tree removal on different submitted plans
- The removal and pruning of frontage trees would reduce current absorption levels of noise and this is not acceptable.
- Manor Park Road is a busy and congested road at certain times of the day. An additional 44 car parking spaces will lead to greater traffic associated with the site that will add to congestion.
- There will be an additional 104 residents (2 people per flat) and 17 staff and there is concern that 44 parking spaces for residents, visitors and staff is not sufficient and will lead to parking on Manor Park Road adding to existing traffic and parking issues. This will also cause additional noise and nuisance for residents in this area.
- The internal access road only has a few parking spaces along it at present. All of the proposed car parking spaces will be adjacent to residential boundaries and this will result in increased noise and loss of amenity for residents in these properties.
- The vehicle access is very restricted and the internal turning circle is a concern
- Refuse area is close to properties in Walnut Tree Close and is an environmental concern
- The development should be reorientated eastwards away from properties in Walnut Trees Close
- Concerns that residents views were not listened to at public meetings held by the developer at pre application consultation stage
- The increase in the amount of development is to increase profit for the developer and this will be at the expense of residents
- Query the need for more assisted living apartments in Chislehurst following the completion of Faulkner House - need more affordable housing and a greater age range of residents

A site notice was displayed at the premises and the deadline for comments expired on February 16th 2016 and a press advertisement was published on January 13th 2016 and expired on February 3rd 2016.

Comments from Consultees

The Council's Highways Officer raises no objections subject to relevant conditions.

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

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

Thames Water raise no objections subject to conditions and informatives.

The Metropolitan Police Crime Prevention Design Adviser raises no objection subject to relevant condition.

From an archaeological point of view, Historic England advise that there is no interest in the site.

The Advisory Panel for Conservation Areas welcomes the approach to use the site and the retention of the landscaping with its retention of mature trees but consider that the massing of the proposed building needs to be reduced.

From an arboricultural point of view there are no objections subject to relevant conditions

From a heritage and design point of view, no objections are raised.

Planning Considerations

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

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

- H1 Housing Supply
- H2 Affordable Housing
- H4 Supported Housing
- H7 Housing Density and Design
- H9 Side Space
- T1 Transport Demand
- T2 Assessment of Transport Effects
- T3 Parking
- T7 Cyclists
- T18 Road Safety
- BE1 Design of New Developments
- BE8 Statutory Listed Buildings
- BE11 Conservation Areas
- BE12 Demolition in Conservation Areas
- BE14 Trees in Conservation Areas

NE7 Development and Trees
NE8 Conservation and Management of Tees and Woodland
C6 Residential Proposals for People with Particular Accommodation Requirements
ER7 Contaminated Land
IMP 1 Planning Obligations

Planning Obligations SPD
Affordable Housing SPD

Emerging Bromley Local Plan

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

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

The most relevant emerging policies include

Draft Policies and Designations Policies (2014)

5.1 Housing supply

5.3 Housing design

5.4 Provision of affordable housing

5.8 Side Space

5.11 Specialist and Older Persons accommodation

6.1 Parking Community Facilities

7.1 Parking

7.2 Relieving Congestion

8.1 General design of development

8.7 Nature and trees

8.33 Statutory Listed Buildings

10.4 Sustainable Urban Drainage Systems

10.10 Sustainable design and construction

10.11 Carbon reduction, decentralised energy networks and renewable energy

11.1 Delivery and implementation of the Local Plan

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

There are no relevant policies in this document.

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

2.6 Outer London: vision and strategy

3.3 Increasing housing supply

3.4 Optimising housing potential

3.5 Quality and design of housing developments

3.8 Housing choice

3.11 Affordable Housing Targets

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

5.2 Minimising carbon dioxide emissions
5.3 Sustainable design and construction
5.6 Decentralised energy in development proposals
5.7 Renewable energy
5.8 Innovative energy technologies
5.9 Overheating and cooling
5.10 Urban Greening
5.11 Green roofs and development site environs
6.9 Cycling
6.13 Parking
7.8 Heritage assets and archaeology
7.2 An inclusive environment
7.3 Designing out crime
7.4 Local character
7.6 Architecture
7.19 Biodiversity and access to nature
7.21 Trees and woodlands

London Plan 2015 Annex 5: Specialist Housing for Older People

London Plan 2015 Annex 6: Definition of specialist accommodation for older people

Mayors Housing Supplementary Planning Guidance 2016

Housing Standards: Minor Alterations to the London Plan 2016

Parking Standards: Minor Alterations to the London Plan 2016

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

Planning History

There is no relevant planning history for this site.

Conclusions

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

- Principle of Development
- Impact on Heritage Assets and character of the area
- Scale, Siting, Massing and Appearance
- Standard of Accommodation and Amenity Space
- Impact on Neighbour Amenity
- Highways and Traffic Matters (including Cycle Parking and Refuse)
- Trees and Landscaping
- Other technical matters

Principle of Development

Loss of existing building

The existing building was constructed and opened in the mid 1960's. The design and appearance of the building is representative of that period and comprises a mixture of pitched and flat roofs over 2 and 3 storeys. The front and rear elevation include 'wings' that extend towards their respective boundaries. The building has been set towards the rear and the west of the site leaving open space to the south and east that has developed into a mature landscaped area supporting significant trees.

The applicant advises that the building is a poor example of 1960's architecture and does not include any interesting features. It is not protected as a heritage asset in itself. Nor does it contribute to the local architectural context of the site within the Chislehurst Conservation Area or the setting of numerous statutory and locally listed buildings around the site.

In policy terms the demolition of the existing building should be considered in the context of Policy BE12 of the Unitary Development Plan. The policy considers criteria for the removal of buildings that make a positive contribution to the conservation area. The policy goes on to state that 'Acceptable and detailed plans for a replacement scheme will be required, even if it involves total or substantial demolition of an unlisted building in a conservation area that makes little or no contribution to the character and appearance of that area.' In addition the policy requires that 'A condition will be imposed on a planning permission granted, to ensure that demolition shall not take place until a contract for the carrying out of the development works has been made'

It is considered that the loss of the existing building would not result in harm to the character and appearance of the conservation area or lead to harm to the listed and locally listed buildings in the area. As such the demolition of the building is considered to be acceptable subject to the acceptability of the proposed development, which is discussed below.

Acceptability of the proposed use

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

'Use for the provision of residential accommodation and care to people in need of care (other than a use within Class C3 (dwelling houses). Use as a hospital or nursing home. Use as a residential school, college or training centre.'

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

This section of the report now considers whether the proposed use as set out in the applicants Planning Statement and supporting information is a use that falls within Class C2 of the Use Classes Order.

The most relevant and up to date policy guidance relating to the provision of accommodation that falls within Class C2 is found in the adopted London Plan 2015 and the approved Housing Supplementary Planning Guidance March 2016.

Policy 3.8 of the London Plan highlights the need to take account of the need for housing choice, including the needs of older people in London.

The Housing SPG encourages local authorities to plan positively for specialist provision and address local and identified needs for specialist accommodation for older people. Self-contained housing for older people such as sheltered housing and extra care accommodation will have an important role in meeting London's housing need, particularly for private and intermediate sale. In addition the SPG recognises that 'net gains' in housing can be achieved by freeing-up existing homes for occupation, particularly under-occupied larger family-sized homes.

Furthermore the SPD goes on to suggest that a simple test as to whether a development is classed as C2 or C3 could be the 'front door' test where the provision of self-contained units with their own front door would usually be Class C3. However account should be taken of the identified components of care and support and the level of communal facilities for residents such as those associated with Extra Care schemes where units may be provided with their own front door but are effectively a Class C2 use.

In the submitted Planning Statement, the applicant has provided a detailed analysis of the need for the provision of specialist housing for older people. This includes national, London-wide and London Borough of Bromley evidence as to the growth in the number of older people as a proportion of the overall population and the extent of specialist housing that is provided for this population group. The London Plan reiterates this point and has set an indicative strategic benchmark to inform local targets for specialist housing for older people 2015-2025. For Bromley the indicative benchmarks targets show a total requirement of 205 with 140 market units and 65 intermediate housing units.

To demonstrate the proposed use of the development, the applicant has submitted an Operation Management Plan setting out the following criteria for consideration:

- McCarthy and Stone will use YourLife Management Services (YLMS) to manage the completed development and will be Managing Agent for the Lease.
- YLMS is registered with the Care Quality Commission and is authorised to provide personal care to people in their own homes.
- A condition restricting the age of the residents to over 70 years
- The care requirements of all residents will be assessed using a Pre Purchase Assessment record.
- Residents are required to sign up to a service charge which includes the maintenance and upkeep of the development and an element of basic assistance from staff. Further charges are made for care and assistance packages which would be informed by the Pre Purchase Assessment. The

care needs are an ongoing concern and can then be tailored to an individual's requirements as they continue to live at the development.

- The compulsory requirement for residents to be subject to a pre-occupation care needs assessment to identify domiciliary and personal care needs.
- Communal facilities are included as integral to the development and are available to all residents.
- The units will all be for market units for leasehold sale and no other tenure type
- The Operational Management Plan advises that the development is staffed by between 14 and 17 staff over a 24 hr period, including an estate Manager, Duty Managers, a Night Manager and care and support workers.

The applicant advises that they are willing to enter into a planning obligation to secure the Class C2 use. The planning obligation will need to include provisions that ensure that the proposed building will be occupied and managed consistent with the Use Classes Order and that this can be secured through the leases assigned to occupiers. The Council expects that the clauses of the S106, together with relevant conditions, will replicate the obligations and clauses for a similar development in Portishead, Bristol where a Planning Inspector considered the clauses and obligations provided a suitable level of control to secure a Class C2 use. The Operation Management Plan and the Lease with residents will form the basis of the S106.

Subject to satisfactory clauses to secure the Class C2 use, it is considered that the use of the site for assisted living extra care apartments falls within Class C2 and, as such, is acceptable in principle.

S106 obligations

UDP Policy IMP3 seeks to mitigate against the impact of development, where appropriate. In this case the relevant contributions would be for affordable housing, health and a financial contribution for highway works.

Affordable Housing

Policy 3.8 of the London Plan supports boroughs in seeking the principles of affordable housing for a range of accommodation including Class C2. The benchmark targets for the provision of specialist accommodation for older people have been referred to above.

In the Submitted Planning Statement the applicant considers that the use of the proposed development would fall within Class C2 of the Use Classes Order 1987 and, as such, no affordable housing provision would be payable under Policy H2 of the UDP or Policy 3.8 of the London Plan.

Whilst the London Plan does support boroughs in seeking the application for principles for the provision of affordable housing for development that falls into Class C2, the Bromley UDP and the current version of the emerging Local Plan do not include policies which seek this specific provision.

At this time it is considered that there is not sufficient policy provision to seek affordable housing providing that measures to secure the use of the development for Class C2 can be included in the s106 legal agreement as discussed in the previous section.

Other S106 contributions

- o The applicant has confirmed that a health care contribution of £54,070 will be included in the S106.
- o The applicant has agreed to pay a financial contribution to secure works to the highway to stop up the existing eastern vehicle access and to widen the vehicle access and crossover at the western entrance.

Impact on Heritage Assets and Character and Appearance of the area

The applicant has submitted a detailed Heritage Statement to support the proposed development. The report puts the development into policy context for heritage assets and considers the impact of the development on the local historic landscape in the immediate area.

The report advises that the site lies within the Chislehurst Conservation Area and there are numerous statutory listed buildings nearby and immediately adjoining the site. There are listed buildings adjoining the north of the site at Chesil House (Grade II*), Cleaveland, Crayfield, Grange Cottage and Warren House (Grade II) in St Paul's Cray Road and the Manor House complex (Grade II) opposite the site in Manor House Road.

The report observes that there is limited inter-visibility between the existing building and the buildings around the site due to mature landscaping, with the exception of the western boundary where planting is limited and the existing building is visible. The report notes that the existing building is poor quality architecture and provides limited contribution to the wider character and appearance of the Chislehurst Conservation Area.

The report goes on to comment that the listed buildings to the north of the site relate primarily to St Paul's Cray for their setting and that the presence of mature vegetation in their gardens and on the boundary of Queen Mary House and the considerable separation distances between these buildings and the development site results in limited shared setting with the development site.

The report raises no objection to the demolition of the existing poor quality building and assessed the visual impact of the proposed building. It concludes that the design of the building has taken features and detailing from the surrounding area. Whilst using 2/3 storey cues from the existing buildings the height of the proposed building has been reduced where there is less boundary screening. The design introduces stepped facades and roof lines to reduce the overall mass of the building and is of significantly higher standard architectural quality.

In conclusion the report considers that the proposed development will have a positive impact on the character and appearance of the Conservation Area where it

is visible and will have a neutral impact on the setting of the surrounding listed buildings.

The area is characterised by detached houses set in plots with good separation between buildings resulting in a spacious feel to the layout of the area. Apart from the church, the application site is the largest plot in this local area with significant space to the front and east of the site.

The proposal to provide one single building which is set back from the front boundary retains the open character of this site that is an important feature of this part of the conservation area. The significant set back from all of the boundaries also maintains a spacious setting for the new building.

The design includes a courtyard feature to the south elevation and this will be landscaped to enhance the mature landscaping that already exists and will be largely retained.

From a heritage and design point of view officers consider that the proposal represents a well-considered scheme and given the extensive landscaped area, the visual impact on the conservation area will be similar to the existing situation and would not be harmful. The design is a considerable improvement to the existing building taking references from local architectural styles. There is more than adequate separation to the statutory listed buildings in St Paul's Cray Road. On this basis it is considered that the character and appearance of the conservation area is preserved.

Scale, Siting, Massing and Appearance

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.

UDP Policies BE1, BE11, H7 and H9 and London Plan Policies 3.5, 7.4 and 7.6 set out specific policy requirements relating to the standard of residential development that is expected in the borough. In addition Policies BE8, BE9 and BE11 set out standards expected for development involving or related to listed and locally listed building and in and adjacent to conservation areas. These policies refer to the design of new development, the standard that the development is expected to meet and the impact on the amenities of future occupants of the development and occupants of nearby properties.

The proposed building will be significantly larger than the building that currently occupies the site. The applicant advises that the gross internal area (GIA) of the current building is 2334 square metres. The applicant proposes to add 1677 square metres (GIA) resulting in a building of 4011 square metres. This represents a 72% increase in the overall GIA of the existing building.

Footprint

To accommodate the proposed units the new building will relate to the footprint of the existing building as follows:

- To the west the new building does not extend beyond the existing footprint.
- To the north the new building extends between 5m and 10m closer to the boundary in places, with one part approximately 5m further back from the existing building.
- To the south the new building will not project forward of the existing building where the existing and proposed overlap. The new eastward projection will mostly fall behind the existing building line.
- To the east the new building will project approximately 38m to 41m beyond the footprint of the existing building introducing development into a previously undeveloped part of the site.

Height

In terms of the height, the existing building has a linear 3 storey element that runs through the centre of the building. To the front there are 2 storey forward projecting 'wings'. To the rear there is a 2 storey projecting wing and single storey elements that wrap around the north and west elevation.

The proposed building will be mostly full 3 storeys across the extent of the front elevation with 3 storey forward projecting 'wings' towards Manor Park Road.

In the north-west corner the new building will replace the existing single storey element facing Walnut Tree Close with a 2 storey element.

As the new building then extends eastwards, the building is initially 2 storeys rising to 3 storeys then reducing in height again so that some of this element is 2 storeys with rooms in the roof (to the rear of the boundary with Cleaveland, Warren House and Walton House and Chesil House) reducing again to 2 storeys (to the rear of Crayfield and Grange Cottage). This lower part broadly corresponds to the area

that will be on the undeveloped garden and the higher part corresponds to the footprint of the existing building.

Distances to the boundary

The applicant has submitted a plan showing the separation of the proposed building to the corresponding boundaries.

To the west the 2 storey element will be between 13.9m and 17.2m to the boundary. The 3 storey element will be 13.2m to the boundary.

To the north the 3 storey element is set back approx. 15m from the rear boundary for its full length.

To the south the building is set back from the back edge of pavement by between 23m and 41m.

To the east the boundary separation is a minimum of 23.3m.

Design of the building

The proposed design for this new building picks up on a variety of architectural elements that are seen in the house types in this part of Chislehurst. Elements that are particularly important include the significant articulation of all of the elevations to break up the appearance of these long elevations especially to the north and south. This is achieved by incorporating projecting 'wings,' bay elements and corresponding set backs.

The elevational articulation results in breaks in the roofscape which is further broken up with varying roof heights, the use of pitched and flat roof elements, gable and hipped ends all of which vary the height at ridge and eaves level.

The windows will be a mixture of casement and sash windows and there will be double width, double height doors to provide access to balconies. The dormer windows will be of varying designs, some with flat roofs some pitched, some gable and some hipped.

The applicant has submitted detailed large scale drawings showing construction detail of the various elements referred to above to demonstrate that a high quality finish of this development can be achieved.

Materials

The applicant has provided a schedule and samples of materials that include red multi bricks and white render for the walls and mixed red tiles for the roof. The windows will be a mixture of white UPVC sash and casement windows with UPVC doors. The proposed balconies will be frameless glass with stainless steel fittings.

Brick arch detailing is shown to the top of the windows and there will be Portland stone cills.

In summary, it is considered that the increase in the footprint and height of the proposed building will not result in a building that is excessive in terms of its scale, bulk and mass. This is emphasised by the set back of the building from the road, the considerable separation that will remain between the building and the adjacent boundaries and the retention of much of the mature landscaped area between the proposed building and Manor Park Road. Furthermore it is considered that the design, appearance and proposed materials reflect many features of existing local area and would result in a high quality development on the site.

Standard of Accommodation and Amenity Space

Part 2 of the London Plan Housing SPD (March 2016) sets out detailed guidance for achieving a high quality design for all new development that will ensure that the needs of all Londoners are met at different stages of life. The standards that development must meet relate to unit size and layout, private and communal open space, designing out crime, circulation within the building and within individual units, wheelchair units, car parking, cycle parking, refuse and recycling facilities, privacy and dual aspect units. Other London Plan policies also provide guidance on noise, daylight and sunlight, air quality, climate change and mitigation, water supply, flooding and ecology and these aspects are considered in other sections of this report.

New developments should provide a range of housing choices in terms of mix of housing sizes and types. The development proposes the provision of units with a mix of sizes namely 37 x 2 bed units and 15 x 1 bed units. As the development provides specialist housing there is no requirement for any family housing.

All new housing will be required to meet the standards set out in London Plan Policy 3.8 which has recently been amended and now seeks 90% of all new housing to meet Building Regulations 2010 M4(2) and 10% to achieve Building Regulations 2010 M4(3)(2)(b) for wheelchair accessible dwellings. This recently introduced standard has replaced the Lifetimes Homes and the GLA Wheelchair standards.

An accommodation schedule has been provided showing the size of each unit and this confirms that each flat accords with the space standard requirements set out in London Plan Policy 3.5.

The schedule also identifies 6 of the wheelchair units. Detailed plans have been provided demonstrating the proposed layout of each wheelchair unit. A condition is recommended to secure the provision of 6 wheelchair accessible units as part of the development.

In terms of the provision of communal and private amenity space all residents will have access to a 2.5ha private garden that surrounds the existing property. In terms of private amenity space, of the 52 units, 33 units have walkout balconies, 13 units have private patios and 6 have Juliet balconies.

The majority of the units are single aspect which is contrary to the requirements of the London Plan. In this case the north facing apartments are facing allotment gardens and will not be adversely affected by traffic noise. For the units facing south, there is a mature landscaped screen with mature trees and the nearest unit is set back between 23m and 55m from the back edge of pavement. Whilst this is not preferable the London Plan does allow for single aspects rooms where there is suitable outlook and a generous frontage.

Impact on Neighbour Amenity

The relevant UDP policy relating to the impact of development on the amenity of the residents of adjoining residential properties is Policy BE1: Design of New Development. In addition to the site coverage, height and massing, which have been discussed previously in this report, it is necessary to assess the impact of overlooking that may result in the loss of privacy, and the potential loss of daylight and sunlight to fully understand the impact of the proposed development on the amenity of occupants of adjoining residential properties

Loss of privacy

Concern has been raised by a number of local residents as to the potential loss of privacy that will arise from the increase in width and height of the proposed building.

Along the western boundary there are up to 7 existing bedroom windows overlooking the adjacent properties at first and second floor level.

The proposed building will be partly 2 storey and partly 3 storey in this location and there will be 4 higher level flats with habitable rooms facing west (3 flats at first floor level and 1 flat at second floor levels). The 2nd storey element is positioned so that 3 windows and 2 balconies will be overlooking the bottom of the gardens of Crayside (Manor Park Road) and 6 Walnut Tree Close. The 1st storey element, with 6 windows and 3 balconies, will be located opposite the garden of 6 Walnut Tree Close. The 2 storey element closest to 6 Walnut Tree Close will not have windows in the first or second floor levels.

The separation between the proposed building and this boundary ranges from 14.2m to 17.2m and the proposed building is located no closer to the boundary than the existing building. There is some vegetation along this western boundary with a mixture of coniferous hedge and deciduous trees. This will provide some screening when the trees are in leaf but there is limited screening during the winter months. Additional tree planting is shown along part of this boundary on the proposed landscaping plans to improve the level of screening.

Along the northern boundary the existing building has a limited number of habitable rooms facing the rear elevations of adjacent properties in St Paul's Cray Road. The proposed northern elevation will have considerably more windows, doors and balconies on the upper storeys and will be closer to the boundary but will still be located approximately 15m from the adjacent rear boundary. The proposed separation between existing and proposed habitable rooms ranges from 41.6m to

over 70m. The boundary also has significant deciduous and coniferous screening trees.

The proposed floor layouts and elevations show that the greater number of windows in the north elevation are in locations where there is the greatest separation between existing and proposed buildings and where the deciduous screening vegetation is most prolific. The building has been reduced to 2 storeys plus roofspace accommodation at the rear of Cleaveland and 2 storeys at the rear of Crayfield but the separation is still between 41m and 51m.

The landscape plans show that there will be infill tree planting along this boundary, including larger species, to help reduce overlooking in this northerly direction. The implementation of the landscaping scheme will be secured by condition.

Along the eastern boundary there are 5 secondary habitable rooms at first and second floor level facing The Pinfold in Manor Park Road and Goddington in St Paul's Cray Road. The separation between proposed habitable room windows and the boundary is a minimum of 23m and there is significant intervening mature vegetation much of which will be retained. This provides significant screening to both The Pinfold and Goddington

Along the southern boundary the property will be located mostly along the same line as the existing building albeit with a significant eastward projection. The forwardmost habitable room windows will be between 23m and 41m to properties on the other side of Manor Park Road with the remainder set along the line of the existing building.

In summary it is considered that there will not be a significant loss of privacy for properties on the north, east and southern elevations due to the considerable separation between habitable rooms and the adjacent boundaries.

With regard to the western boundary and taking account of the position of the proposed building that is no closer than the existing building and the presence of existing bedroom windows that already overlook the boundary and properties beyond, it is considered that there will be some limited additional overlooking but this is acceptable within the context described above and would not warrant a refusal of the application.

Loss of daylight and sunlight

Due to the significant separation between the proposed building and the relevant elevations of the nearest residential properties, it is considered that there will be no significant impact on the daylight and sunlight enjoyed by existing properties, such that planning permission could be refused on this basis.

Impact from noise relating to increased parking adjacent to the northern and western boundaries.

The applicant has submitted a Noise Impact Assessment to consider the impact of noise generated by the introduction of additional vehicle parking along the western

and northern perimeter of the site. The report concludes that noise from car movements at the proposed site will be below existing ambient noise levels and is considered acceptable for existing occupants of neighbouring properties and future residents.

The Council's Environmental Health Officer has reviewed the report and concurs with the findings. Therefore it is considered that the development is acceptable in terms of the impact on the amenities of residents of adjoining properties from the use of the proposed car parking spaces.

Highways and Traffic Matters (including Cycle Parking and Refuse)

In policy terms, the relevant UDP policies are T2 (transport effects) and T18 (road safety). The London Plan policy 6.13 seeks provision for car parking and charging electric vehicles and policy 6.9 seeks suitable provision for cyclists. These policies seek to ensure that the projected level of traffic generation will not have an adverse impact on the surrounding road network, that the level of proposed car parking is sufficient to minimise any impact on nearby streets from off-site parking, that the provision of cycle parking is sufficient to meet the London Plan and that the layout of the vehicle access provides safe access to and from the site.

The applicant has submitted a Transport Statement and Parking Study with parking and travel data for similar sites. The existing trip generation has been calculated and estimates 70 trips generated over a 12 hour period. The proposed trip generation has utilised data from other similar McCarthy and Stone developments and estimates 105 trips over a 12 hour period with 8 trips at the AM peak time, 5 trips in the after school peak and 6 trips in the PM peak. The TS also refers to rates of car ownership in other similar developments and finds that the average car ownership is 0.24 per 1 bed unit and 0.57 for a 2 bed unit which results in a total requirement for 25 spaces for 52 flats. The other 19 spaces will be available for staff and visitors. The applicant advises that there will be between 14-17 full time equivalent staff serving the property at varying times over a 24 hour period.

The applicants report also advises that the existing western access will be upgraded to 2-way and the eastern access will become pedestrian only. The TS includes a drawing to show that a 2.4mx43m visibility splay can be provided in both directions. The report advises that the primary splay is partly obscured and that the Council has powers to deal with overgrown vegetation to permanently maintain adequate visibility.

Refuse and recycling will be collected from the rear of the site and a turning head has been provided for this purpose. To accommodate the turning area works to lift the crown of a foxglove tree (T5) are required and details are set out on landscaping plans.

The site is within a low (1b) PTAL area.

Residents have raised concerns about the impact of additional traffic on Manor Park Road particularly at peak times for work and school related traffic.

The Council's Highways Officer advises that the submitted information relating to the traffic generation from the proposed development demonstrates that the number of trips at both peak and off peak times will not have a significantly adverse impact on the highway network in this area.

It is considered that it is unlikely that there will be significant vehicle movements at peak times for Manor Park Road, due to the specialist nature of the proposed development.

As the applicant wishes to use the existing western entrance as an 'in and out' for vehicular traffic it is necessary to consider the provision of visibility splays in this location. It is possible to provide a visibility splay of 2.4 x 43m within the highway in both directions. However the splay in the primary direction is partially obstructed by foliage from a hedge that extends along the front boundary at Crayside. A maximum splay of approximately 2.4m x 37m can be provided taking account of the hedge. The Council has powers to deal with overgrown vegetation to permanently maintain adequate visibility and this could be enforced if the need arises. In addition the road has traffic calming measures and there are speed cushions close to the access which will reduce vehicle speeds.

With regard to the number of parking spaces proposed, the provision of 44 spaces for 52 units and associated staff and visitors, is considered within the requirements of the UDP and, as such, the development is unlikely to result in significant on-street vehicle parking.

With regard to refuse collection the proposed turning head meets the requirements to manoeuvre a refuse vehicle in this location. As previously stated the crown of 1 tree adjacent to 6 Walnut Tree Close will need to be raised to allow the vehicle to pass below and this is considered acceptable.

In summary, it is considered that the volume of traffic generated by the proposed use is unlikely to have an adverse impact on the operation of the local highway network.

Trees and Landscaping

The applicant has submitted a Tree Survey, a Tree Constraints Plan and a revised Tree Protection Plan. A Soft Landscaping Plan has also been submitted.

Policies BE11, BE14, NE7 and NE8 of the Unitary Development Plan provide policy guidance for the consideration of the impact of development on trees.

Policy BE11 relates to conservation areas and proposed development is expected to respect and complement the existing landscape and other features that contribute to the character, appearance or historic value of the area. BE14 specifically relates to trees in conservation areas and states that development will not be permitted if it will damage or lead to the loss of one or more trees unless removal of the trees is necessary in the interest of good arboricultural practice or the reason for the development outweighs the amenity value of the trees. Replacement native trees will be sought.

Policy NE7 requires new development to take particular account of existing trees on the site which, in the interests of visual amenity and wildlife habitat, are considered desirable to retain. Tree Preservation Orders will be used to protect trees of environmental importance and visual amenity. Where trees have to be felled, the Council will seek suitable replanting. Policy NE8 seeks to improve the amenity and conservation value of trees and woodlands and the Council will encourage appropriate beneficial management, appropriate new planting in suitable locations and promote public interest in and enjoyment of trees and woodlands.

Numerous trees will be removed from the site as follow;

- A group of birch trees will be removed from the western boundary (G11),
- 3 trees will be removed just to the north of the existing building (59,60,61),
- Part of the evergreen undergrowth on the eastern side of the site will be removed but 4 individual stems will be retained (G47). Two individual trees will be removed (50 and 51),
- Along the southern part of the site, facing Manor Park Road, part of the evergreen understorey will be removed (G27 and G38) along with 10 individual trees (16,24,25,26,28,29,31,35,36,37)

A detailed landscaping plan has been submitted showing the replacement planting of a significant number of standard and extra heavy standard trees, with semi mature trees along part of the northern boundary and in the front courtyard area.

The Council's Tree Officer has assessed the impact of the above development and considers that the revised plans take account of initial concerns raised about the original tree works. The retained trees would be adequately incorporated and protected as part of the scheme and the landscaping plan provides sufficient details of the species and size of tree planting. Such proposals are considered to be positive steps towards improving the management of the site in landscaping terms. There will be pressure for some clearance pruning but this is generally acceptable as the proposed building is situated on the edge of the canopy spread.

Conditions requiring compliance with the submitted plans for tree protection and landscaping are recommended.

Other technical matters

Ecology

An Extended Phase 1 Habitat Survey and Bat Absence/Presence Survey have been submitted. The Phase 1 report carried out in July 2015 concludes that a bat survey is required for the site and this was carried out in September 2015 and is presented in the Bat Absence/Presence Survey. The Phase 1 report also concludes that an Ecological Clerk of Works should inspect the site prior to demolition, the Rhododendron should be dealt with to stop spreading, works should take place outside the bird breeding season if possible and native species should be included in the landscaping scheme.

The Bat Absence/Presence Survey concludes that, after internal and external inspection the main building is classified as having low bat roost potential. The grounds are used for foraging by one species of bat. The report recommends the provision of 6 bat boxes will be included in the development.

In policy terms this report is assessed against Policy 7.19 of the London Plan which seeks a proactive approach to the protection, enhancement, promotion and management of biodiversity in support of the Mayor's Biodiversity Strategy. On the basis it is considered that the report does not find an ecological reason that the proposed development will have a detrimental impact on biodiversity.

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

Sustainability and Energy

The applicant has submitted an Energy Statement which sets out measures to meet London Plan policies 5.2: Minimising carbon dioxide emissions and Policy 7.7: Renewable energy. The report concludes that the building construction will far exceed the minimum requirements of Part L of the Building Regulations.

In addition air source heat pumps and solar photovoltaic panels are the most suitable option for utilising renewable technologies.

The report concludes that the development will be able to meet the standard of providing 35% reduction in carbon emissions from renewable sources.

The report has been assessed and, in principle, the approach, methodology and outcome is acceptable and a condition has been recommended requiring the submission and approval of a detailed report in this respect.

Drainage and Sustainable Urban Drainage Systems

The site lies within Flood Zone 1. The applicant submitted a Flood Risk Assessment and a Strategic Drainage Report with the original submission and further amended and explanatory material.

The submitted information has been assessed by the Council's Drainage Officer. The proposals in these documents are considered acceptable to meet policy requirements in the London Policy 5.13 which requires development to utilise sustainable urban drainage systems and should aim to achieve greenfield run-off rates and ensure that surface water run-off is managed as close as possible to source in line with the drainage hierarchy.

A condition requiring compliance with the submitted plans and documents is recommended.

Contaminated Land

The applicant has submitted a Site Investigation Report which has been assessed by the Council's Environmental health Officer. No objections are raised subject to relevant conditions relating to the follow up requirements relating to land contamination and a condition requiring the submission of a Construction Logistics Plan.

Environmental Impact Assessment

The proposed development is Schedule 2 development (under paragraph 10(b) being an 'urban development project' with a site area of more than 1 hectare. Schedule 2 Paragraph 13(b) being and development that is more than 1 hectare that is urban development and which is not dwellinghouse development. Development of whether an EIA is required is considered in relation to Schedule 3 of the Regulations, by virtue of factors such as its characteristics, location and the characteristics of potential impact. However the site is not within a sensitive area as defined by the Regulations.

Taking account of the selection criteria in Schedule 3 of the Regulations, the development would not be likely to have significant effects on the environment generating a need for an EIA by virtue of its nature, size, location or the characteristics of potential impact and is not 'EIA development.'

Mayoral Community Infrastructure Levy

The development will be liable for the payment of the mayoral CIL.

Summary

In summary the proposed development seeks to replace an existing building that previously provided 38 rooms in a traditional care home arrangement with a building that provides 52 assisted living extra care apartments, comprising one and two bedroom units with communal space, a compulsory service charge which includes access to all communal facilities and domiciliary and personal care. In addition all residents will be assessed for further care requirements by way of a pre-purchase assessment process and the level of care provided will depend on the individual level of care requirement of each resident.

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

With regard to the impact of the development on the street scene and the character of the area, the site is currently occupied by a 2/3 storey building with a spacious

setting typified by mature landscaped grounds. The proposed development will be significantly larger, particularly in terms of its width and height. Although there will be some management of the undergrowth and loss of numerous trees, the proposed 2/3 storey building will continue to be set back from the frontage and with mature landscaped grounds. This will provide a spacious setting for the building which will continue to contribute to the character and appearance of the area. In addition the design and appearance of the building will incorporate features that will add interest to the elevation and reflect aspects of the local character which will help to mitigate against the impact of the additional floorspace.

With regard to the impact of the development on the Chislehurst Conservation Area and the listed buildings adjoining the site, it is considered that, despite the increase in the size and height of the proposed building, it would not harm the setting of the listed buildings and would preserve the character and appearance of the conservation area for the reasons set out above.

The impact of the proposed building on the amenity of neighbours has been assessed and whilst it is accepted that the building will be larger and taller than the existing building, there are factors that will help mitigate the impact of the development on the amenity of existing residents. These include the retention of its mature, landscaped setting, the presence of boundary screening, proposals to enhance the boundary screening, the careful positioning of proposed windows to minimise overlooking and the considerable separation between the building and many of the adjacent properties. In view of this, it is considered that the proposed building would not have such an adverse impact on the amenity of neighbours as to warrant refusal of the application.

From a highways point of view it is considered that the traffic generation associated with the use, the level and location of on-site car parking, the revised vehicle access arrangements and the refuse and recycling arrangements are acceptable and would have an adverse impact on the traffic network or the amenities of the occupants of nearby properties.

Taking all of these factors into account and subject to continuing negotiations regarding the measures to secure the site for Class C2 use, it is considered that the proposed development is acceptable, subject to the signing of a legal agreement to secure the Class C2 use, health contributions and highway works.

Background papers referred to during the production of this report comprise all correspondence on file ref: 15/05237, excluding exempt information.

RECOMMENDATION: PERMISSION SUBJECT TO THE PRIOR COMPLETION OF A LEGAL AGREEMENT

and the following conditions:

- 1 The development hereby permitted shall be begun before the expiration for 3 years from the date of the permission.
Reason: To comply with Section 91 of the Town and Country Planning Act 1990**

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

Plans:

Existing: SE-2212-03-AC-001A; PP/3096/Chislehurst/F1A
PP/3096/Chislehurst/F2A; PP/3096/Chislehurst/F3; PP/3096/Chislehurst/F4
Proposed: SE-2212-03-AC-002C; SE-2212-03-AC-003; SE-2212-03-AC-004B; SE-2212-03-AC-005C; SE-2212-03-AC-006D; SE-2212-03-AC-007B; SE-2212-03-AC-008B; SE-2212-03-AC-009C; SE-2212-03-AC-010C; SE-2212-03-AC-011D; SE-2212-03-AC-012D; SE-2212-03-AC-013A; SE-2212-03-AC-014A; SE-2212-03-AC-015A; SE-2212-03-AC-016A; SE-2212-03-AC-017A; SE-2212-03-AC-018A; SE-2212-03-AC-019A; SE-2212-03-AC-020A; SE-2212-03-AC-021A; SE-2212-03-AC-022A; SE-2212-03-AC-023A; SE-2212-03-AC-024A; SE-2212-03-AC-025; SE-2212-03-AC-026; SE-2212-03-AC-030-039 inclusive; SE-2212-03-AC-050-057 inclusive
Levels; SE-2212-03-DE-008-Levels layout

Documents:

Planning Statement and Appendices

Design and Access Statement

Transport Statement by Paul Basham Associated dated November 2015 and plan 047.0049.005

Construction Management Plan by McCarthy and Stone dated 14/4/2016 and amended Set Up Plan SE-2212-04-AC-001C

Heritage Statement by CgMs dated January 201

Archaeological Desk-Based Assessment by CgMs dated July 2015

Energy Statement by Focus dated Nov 2015

Arboricultural Report by Ian Keen ref AP/8913-RevA/WDC and plan tpp 8913/02 Rev B; landscaping plans SE-2212-04-LA-002; SE-2212-04-LA-004A; SE-2212-04-LA-005

Statement of Community Involvement by Focus dated October 2015

Extended Phase 1 Habitat Survey by Innovation Group Environmental Services dated 31.7.2015

Bat Presence/ Absence Survey by Innovation Group Environmental Services dated 23.9.15

Flood Risk Assessment by Conisbee dated 8.10.2015 plus amending emails dated January 8th and 11th 2016

Strategic Drainage Report by Conisbee dated 22.4.16

Site Investigation Report by Crossfield dated August 2015

Noise Impact Assessment by 24Acoustics dated 24.11.2015

Primary Methodology Statement for the Proposed Demolition and dismantling Works at St Mary House, Manor Park Road, Chislehurst by Best Demolition Ltd dated 15.4.2016

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

3 The development hereby permitted shall be carried out strictly in accordance with the slab levels shown on the approved drawing(s).

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

- 4** No works associated with the demolition of the existing building shall take place until a legally binding contract of works has been signed for the commencement of the construction of the proposed building hereby approved. Details of the contract shall be submitted to and approved by the Local Planning Authority prior to the commencement of any demolition works.

Reason: To comply with Policy BE12 of the Unitary Development Plan and in the interests of the character and appearance of the conservation area.

- 5** 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

- 6** 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 prior to the commencement of the development and such provision shall remain available for such uses to the satisfaction of the Local Planning Authority throughout the course of the construction period and shall be removed within 3 months of the first occupation of the development.

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

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

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

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

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

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

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

10 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.

- 11 Details and sample boards of all external materials, including roof cladding, wall facing materials and cladding, window glass, door and window frames, decorative features, rainwater goods and paving where appropriate, shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced. The development shall be carried out in accordance with the approved details.

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

- 12 Prior to the commencement of development, including any demolition works, an Ecological Clerk of Works shall be appointed, at the applicants expense, to carry out a pre-site clearance inspection and the subsequent clearance of the site shall be carried out in accordance with the recommendations of a written Method statement to be submitted to and approved by the Local Planning Authority.

Reason: To accord with the requirements of the Extended Phase 1 Habitat Survey dated 31.7.15 and policy 7.19 of the London Plan and in the interests of improving and enhancing bio-diversity on the site.

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

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

- 14 Prior to the laying out of any of the external hard surfaces of the development, details and samples of materials shall be submitted to and approved by the Local Planning Authority and shall be implemented in accordance with the approved plans prior to the first occupation of any of the approved units.

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

- 15 Before any part of the development hereby permitted is first occupied boundary enclosures of a height and type to be approved in writing by the

Local Planning Authority shall be erected in such positions along the boundaries of the site as approved and shall be permanently retained thereafter.

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

16 Details of any external lighting within the application site shall be submitted to and approved by the Local Planning Authority prior to its installation. The lighting shall be designed to minimise light spill for foraging bats and be installed prior to first occupation of the use and in accordance with the approved details and permanently retained thereafter.

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

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

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

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

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

19 Before any part of the development hereby permitted is first occupied details of parking for bicycles shall be submitted and approved by the Local Planning Authority and the approved facilities shall be permanently retained thereafter.

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

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

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

21 Detailed plans of the appearance of and the equipment comprising a ventilation system which shall include measures to alleviate fumes and odours (and incorporating activated carbon filters where necessary) shall

be submitted to the Local Planning Authority for approval prior to first occupation of the approved development; after the system has been approved in writing by the Authority, it shall be implemented in accordance with the approved details before the use hereby permitted first commences and shall thereafter be permanently retained in an efficient working manner.

REASON: In order to comply with Policies S9 and ER9 of the Unitary Development Plan and in the interest of the visual and residential amenities of the area.

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

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

- 23 (i) the use of the apartments within the building hereby approved shall, at all times and unless otherwise agreed by the Local Planning Authority in writing, be used for the designed purpose of providing self-contained independent living units of accommodation for person or persons who, for the purpose of acquiring purchase or lease of any of the approved apartments, are contracted into a care package and who will have a minimum age of not less than 70 years of age as required by condition 24 of this permission. Furthermore the supporting staff and resources associated with the management of the site and the delivery and implementation of the individual care package(s) associated with the terms of the purchase and occupancy of each apartment, together with the occupants' permitted use of facilities provided within the approved building, shall be submitted to and approved by the Local Planning Authority prior to the first occupation of any of the units and shall be retained as such unless agreed in writing by the Local Planning Authority.

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

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

- 24 The occupation of the apartments hereby approved shall at all times, and unless otherwise agreed by the Local Planning Authority in writing, be limited to a person aged 70 or over and any resident dependent who satisfies the requirements referred to in condition 23 of this permission. No other person shall occupy any of the approved apartments.
Reason: The development is a form, density and type of accommodation which has been justified on the basis of meeting a defined need for this type of accommodation and this condition is required to ensure that the development is occupied and managed on this basis and to prevent the conversion of the property to other forms of residential accommodation which may not meet the specified need and which may have impact on the neighbouring uses and the character of the area and to comply with Policy 3.8 of the London Plan 2015 and Policy BE1 and T3 of the Bromley Unitary Development Plan.
- 25 The development hereby permitted shall be built in accordance with the criteria set out in Building Regulations 2010 M4(2) for the units identified in the Compliance Checklist marked as non-wheelchair compliant units and shall be retained permanently thereafter
Reason: To comply with Policy 3.8 of the London Plan 2015 and the Mayors Housing Supplementary Planning Guidance 2016 and to ensure that the development provides a high standard of accommodation in the interests of the amenities of future occupants.
- 26 The development hereby permitted shall be built in accordance with the criteria set out in Building Regulations 2010 M4(3) for the units identified in the Compliance Checklist marked as wheelchair units and shall be retained permanently thereafter.
Reason: To comply with Policy 3.8 of the London Plan 2015 and the Mayors Housing Supplementary Planning Guidance 2016 and to ensure that the development provides a high standard of accommodation in the interests of the amenities of future occupants.
- 27 Before first commencement of the use of the building hereby permitted parking spaces and turning spaces shall be completed in accordance with the approved details and thereafter shall be kept available for such use and no permitted development whether permitted by the Town and Country (General Permitted Development) Order 2015 (or any Order amending, revoking and re-enacting this Order) or not shall be carried out on land indicated or in such a position as to preclude vehicular access to the said land.
Reason: In order to comply with Policies BE1 and T3 of the Unitary Development Plan and to avoid development without adequate parking provision, which is likely to lead to parking inconvenient to other road users and would be detrimental to amenities and road safety.
- 28 While the development hereby permitted is being carried out a suitable hardstanding shall be provided with wash-down facilities for cleaning the wheels of vehicles and any accidental accumulation of mud of the highway caused by such vehicles shall be removed without delay and in no circumstances be left behind at the end of the working day.
Reason: In the interest of pedestrian and vehicular safety and in order to comply with Policy BE1 and T18 of the Unitary Development Plan.

- 29 **The arrangements for storage of refuse (which shall include provision for the storage and collection of recyclable materials) and the means of enclosure shown on the approved drawings shall be completed before any part of the development hereby permitted is first occupied, and permanently retained thereafter.**
REASON: In order to comply with Policy BE1 of the Unitary Development Plan and in order to provide adequate refuse storage facilities in a location which is acceptable from the residential and visual amenity aspects.
- 30 **Prior to first occupation an electric vehicle charging point shall be provided to a minimum of 20% of car parking spaces and for all buggy parking spaces with a passive provision of electric charging capacity for an additional 20% of car parking spaces**
Reason: To minimise the effect of the development on local air quality in the vicinity of an Air Quality Management Area and to accord with National Planning Policy Framework paragraph 124 and Policies 6.13 and 7.14 of the London Plan 2015.
- 31 **Other than structures shown on the approved plans, no other additional structures, including water tanks, plant and lift rooms shall be erected upon the roof(s) of the approved building without the written approval of the Local Planning Authority.**
Reason: To comply with Policy BE1 of the Unitary Development Plan and to safeguard the visual appearance of the building and the area
- 32 **Notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(Order) 2015, or any future re-enactment of that Order, no satellite dishes, telecommunications masts or equipment or associated structures, shall be installed on the building without the prior written approval of the Local Planning Authority.**
Reason: To comply with Policy BE1 of the Unitary Development Plan and to safeguard the visual appearance of the building and the area.
- 33 **The development permitted by this planning permission shall be carried out in accordance with the surface water drainage scheme for the site set out in the Flood Risk Assessment (Rev 2) by Conisbee dated 8th October 2015, the Strategic Drainage Report (Rev3) by Conisbee dated October 8th 2015, revised drawings entitled Existing Drainage, Soakaway tests, Thames Water records received by email on January 8th 2016 and email from Jean Benard dated January 11th 2016 confirming soakaway capacity of 100 sq metres. The development shall be implemented in accordance with the approved documents and plans prior to the first use of the development and shall be maintained in operational order permanently thereafter.**
Reason: To reduce the impact of flooding both to and from the proposed development and third parties.
- 34 **The development shall be implemented in accordance with the Arboricultural Report/Tree Protection Plan (tpp 8913/02 Rev B) submitted and approved as part of the planning application and under the supervision of a retained arboricultural specialist in order to ensure that the correct materials and techniques are employed.**
Reason: To ensure that works are carried out according to good arboricultural practice and in the interests of the health and amenity of the

trees to be retained around the perimeter of the site and to comply with Policy NE7 of the Unitary Development Plan.

- 35 The landscaping scheme, including replacement and new tree planting, as shown on the submitted drawings shall be carried out in accordance with the details approved on plan SE-2212-04-LA-002; SE-2212-04-LA-004A; SE-2212-04-LA-005 and implemented in the first planting season following the first occupation of the buildings or the substantial completion of the development whichever is the sooner. Any trees or plants which within a period of 5 years from the substantial completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species to those originally planted.

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

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

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

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

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

You are further informed that :

- 1 You are advised that this application may be liable for the payment of the Mayoral Community Infrastructure Levy under the Community Infrastructure Levy Regulations (2010) and the Planning Act 2008. The London Borough of Bromley is the Collecting Authority for the Mayor and this Levy is payable on the commencement of development (defined in Part 2, para 7 of the Community Infrastructure Levy Regulations (2010)). It is the responsibility of the owner and/or person(s) who have a material interest in the relevant land to pay the Levy (defined in Part2, para 4(2) of the Community Infrastructure Levy Regulations (2010))

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

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

- 2 You should consult Street Naming and Numbering/Address Management at the Civic Centre on 020 8313 4742, email address.management@bromley.gov.uk regarding Street Naming and Numbering
- 3 You are encouraged to use security products particularly for doors and windows that have been tested and accredited by the UKAS (Notified Body). Design guidance documents can be found on the website www.securedbydesign.com.
- 4 Regarding the condition concerning provision of a ventilation system, the Planning Division have prepared a technical guidance note; This covers specification of -
 - the canopy or slot hood over fume generated equipment, which should be fitted with a readily cleanable grease filter
 - coarse and fine pre-filters
 - an insulated carbon filter unit
 - installation of the system (including fan(s)) to prevent transmission of noise and vibration onto adjacent premises.

It is suggested that you may wish to seek advice from the Council's Environmental Services Division, though when you have finalised the details of the system they should be sent to the Planning Division, if possible for the attention of the planner dealing with the planning application. The Council will be concerned that the ventilation system does not have a detrimental impact on the appearance of the building and the area generally. You are advised not to install it prior to Council approval and you should ensure that you have the agreement of any other landowners or tenants onto whose property the system will be attached.

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

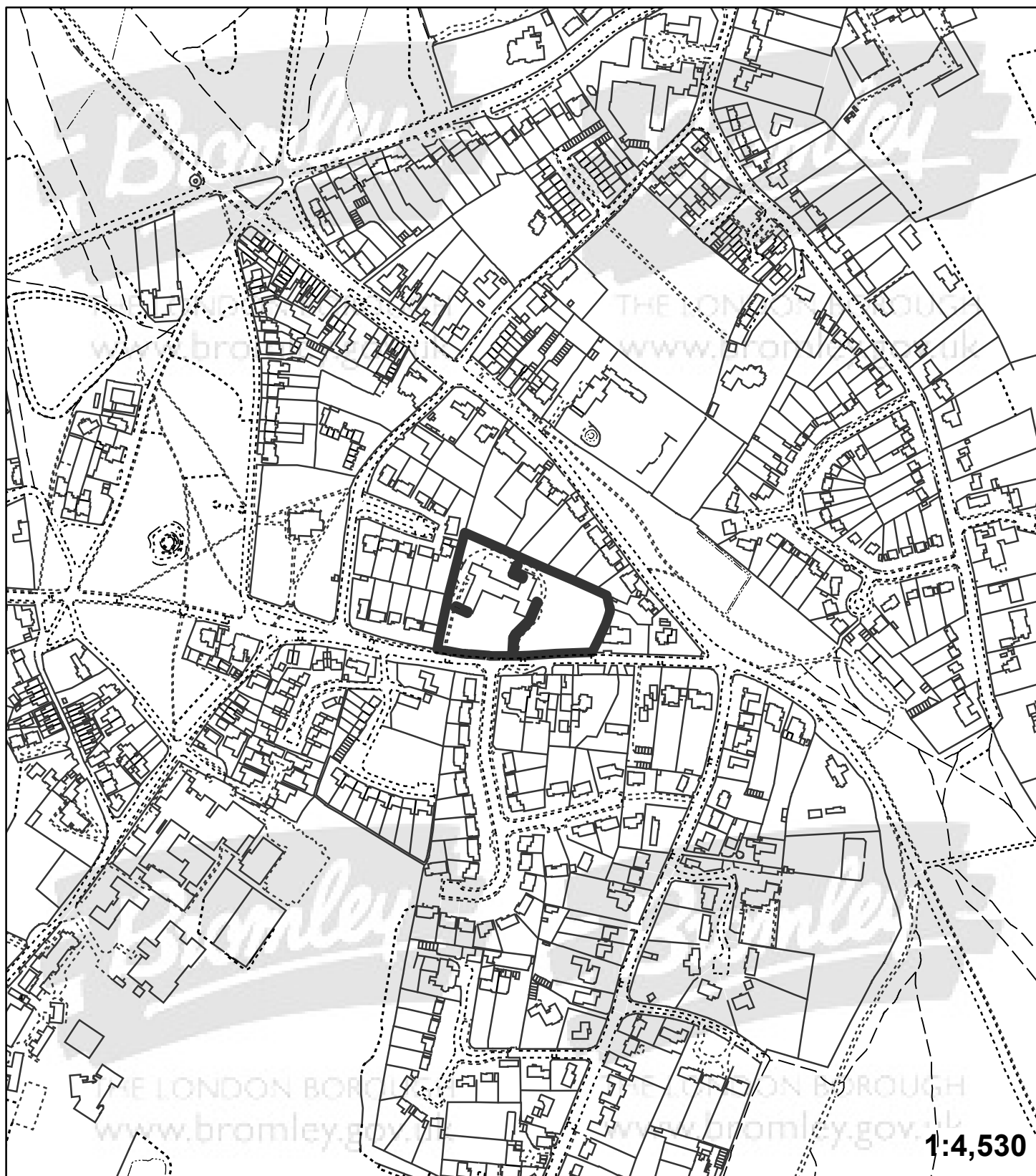
- 5 Thames Water recommends the installation of a properly maintained fat trap on all catering establishments. Thames Water further recommend, in line with best practice for the disposal of Fats, Oils and Grease, the collection of waste oil by a contractor, particularly for the production of bio diesel. Failure to implement these recommendations may result in this and other properties suffering blocked drains, sewerage flooding and pollution to local watercourses
- 6 Thames Water aim to provide customers with a minimum pressure of 10m head (approx. 1 bar) and a flow rate of 9litres/minute at the point where it leaves Thames Water pipes. The developer shall take account of this minimum pressure aim the design of the proposed development.
- 7 Thames Water recommend that all petrol/oil interceptor be fitted to all car parking/washing/repair facilities. Failure to enforce the effective use of petrol/oil interceptors could result in oil-polluted discharges entering local watercourses. Thames Water Developer Services can be contacted on 0800 009 3921

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Application:15/05237/FULL1

Address: Queen Mary House Manor Park Road Chislehurst BR7 5PY

Proposal: Demolition of existing building and erection of three storey building comprising 52 assisted living extra care apartments (37 x 2 bed and 15 x 1 bed) (C2 use) including communal facilities, parking and landscaping.



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

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SECTION '2' – Applications meriting special consideration

Application No : 16/00295/FULL1

Ward:
Bromley Town

Address : Upfield Hillbrow Road Bromley BR1 4JL

OS Grid Ref: E: 539184 N: 170582

Applicant : Broadwalk Developments

Objections : YES

Description of Development:

Demolition of the existing four bedroom detached dwelling and the redevelopment to provide 6No. two bedroom flats.

Key designations:

Biggin Hill Safeguarding Area
London City Airport Safeguarding
Smoke Control SCA 3

Proposal

The application seeks consent for the demolition of the existing residential dwelling and the construction of a block of 6 No two bedroom flats.

A total of 9 parking spaces are proposed to the front of the site.

Location

The application site is located on the eastern side of Hillbrow Road, approximately midway between the junctions of Hillbrow Road and Bromley Hill to the north east and Warren Avenue to the Southwest.

The site sits within a typically suburban area with a mix of dwelling sizes and types built around 1960's/1970's. The houses to the north are larger detached houses, whilst to the west slightly smaller detached units whilst to the south are linked terrace town houses.

Consultations

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

- o The road is unmade and unadopted, but acts as a cut through. There have been accidents. Increasing the number of properties and the subsequent traffic will add to this risk.
- o Overdevelopment

- o Detrimental impact on neighbouring residents from increase in residents and cars
- o Overlook neighbouring properties
- o Out of character with the street and wider development, there are no other flats.
- o Construction traffic will disturb neighbours
- o Dirt, dust and noise from construction
- o Design of the proposal is too boxy and bulky for the site. This is a far greater scale and mass than any other building in the road.
- o The application uses development at Sunset Hill for reference, however this is only on paper and no guarantee that it will be built out.
- o Will dominant locality and neighbouring properties
- o Will be four storeys which is more than any other building in the street
- o The building will appear squeezed onto the site, heightening the overbearing mass of the development
- o Size of the parking area to the front creates a large expanse of concrete diminishing visual prospect.
- o The increase in vehicles will lead to damage of Hillbrown Road potentially rendering it unusable
- o Overlook Coniston Road properties. Grass area on roof should be removed and obscured glazing installed
- o Large number of trees have already been cut down on the neighbouring Sunset Hill Site
- o The proposal, together with the approved Sunset Hill scheme will result in a significant change to the road
- o Highways safety concerns
- o Objections to the design of the scheme.
- o Much higher than the existing development
- o Loss of light and outlook
- o Concern about the boundary between the development and Consiton Road properties. The Coniston Road properties and gardens are much higher than the site. This will affect the retaining wall between the properties
- o The top floor should be removed
- o Topography of Hillbrow Road is not suitable for construction traffic
- o Removal of trees will harm wildlife
- o Drainage and runoff onto the highway
- o Overcrowding
- o What will be done to ensure reinstatement of the road surface.

Highways - The site is accessed from Hillbrow Road which is an un-adopted road. A total of 9 parking spaces are being provided, which is satisfactory, however 12 secure cycle storage spaces are required close to the entrance of the apartment block. Space has been allocated for refuse and recycling bins at the entrance to the site allowing waste services to park on Hillbrow Road to collect the refuse and recycling waste.

Please include the following with any permission:

CONDITION
H03 (Satisfactory Parking)

H16 (Hardstanding for wash-down facilities)
H19 (Refuse storage)
H22 (Cycle parking) @ 2 per unit
H23 (Lighting scheme for access/parking)
H26 (Repair to damaged roads)
H29 (Construction Management Plan)
H32 (Highway Drainage)

Non Standard Condition - No loose materials shall be used for surfacing of the parking and turning area hereby permitted.

Given the status of Hillbrow Road as an unadopted street, the applicant should be advised via an informative attached to any permission that the condition of the section of the street to which the proposed development has a frontage should, at the end of development, be at least commensurate with that which existed prior to commencement of the development. The applicant should, therefore, also be advised that before any works connected with the proposed development are undertaken within the limits of the street, it will be necessary for them to obtain the agreement of the owner(s) of the sub-soil upon which Hillbrow Road is laid out.

London Borough of Lewisham - Hillbrow Road is an unmaintained highway which is poorly sealed with no pedestrian footpath to allow for appropriate access. Therefore it is considered that the highway is not at an appropriate standard to allow safe access for the uplift of residents. LBL suggests' the developer undertake a Pedestrian Environmental Review System (PERS) audit to assess the nature and safety of the of the pedestrian environment. The amount of parking is considered to be above the maximum standards of the London Plan. This is considered to be contrary to London Plan Policies of reducing and managing private vehicle use within London. It is also considered that due to the possible increase of 9 vehicles on the highway, together with the poor standard of pedestrian footpaths, this would further impact on pedestrian safety along Hillbrow Road. If the level of parking is considered acceptable then a level should be provided for disabled parking.

Environmental Health -No objections have been raised within the grounds of consideration.

The application site is within an Air Quality Management Area declared for NOx. I would therefore recommend that the following conditions are attached:

The application site is located within an Air Quality Management Area declared for NOx: In order to minimise the impact of the development on local air quality any gas boilers must meet a dry NOx emission rate of <40mg/kWh (To minimise the effect of the development on local air quality within an Air Quality Management Area in line with NPPF p124 and Policy 7.14 of the London Plan)
and

An electric car charging point shall be provided to a minimum of 20% of car parking spaces with passive provision of electric charging capacity provided to an additional 20% of spaces. (To minimise the effect of the development on local air

quality within an Air Quality Management Area in line with NPPF p124 and Policies 6.13 and 7.14 of the London Plan)

It is also recommend that the following informatives are attached:

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

If during the works on site any suspected contamination is encountered, Environmental Health should be contacted immediately. The contamination shall be fully assessed and an appropriate remediation scheme submitted to the Local Authority for approval in writing.

Drainage - The site is within the area in which the Environment Agency Thames Region requires restrictions on the rate of discharge of surface water from new development into the River Ravensbourne and its Tributaries. Please therefore impose conditions relating to surface water drainage on any approval. The site appears suitable for an assessment to be made of its potential for a SUDS scheme. Conditions D02 and D06

Planning Considerations

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

UDP (2006)

- BE1 Design of New Development
- H1 Housing Supply
- H7 Housing Density and Design
- H9 Side Space
- T3 Parking
- T6 Pedestrians
- T7 Cyclists
- T11 New Accesses
- T18 Road Safety

London Plan (2015)

- 3.3 Increasing Housing Supply
- 3.4 Optimising Housing Potential
- 3.5 Quality and design of housing developments
- 3.6 Children and young peoples play
- 3.8 Housing choice
- 3.9 Mixed and balanced communities
- 5.2 Minimising carbon dioxide emissions

- 5.3 Sustainable design and construction
- 5.7 Renewable energy
- 5.13 Sustainable development
- 6.9 Cycling
- 6.10 Walking
- 6.13 Parking
- 7.1 Building, London's Neighbourhoods and Communities
- 7.2 An inclusive environment
- 7.3 Designing out crime
- 7.4 Local character
- 7.5 Public realm
- 7.6 Architecture
- 7.15 Reducing noise and enhancing soundscapes

The following documents produced by the Mayor are also relevant:

- o Housing Supplementary Planning Guidance
- o The Mayors Economic Development Strategy
- o Providing for children and young peoples play and informal recreation SPG
- o Accessible London: achieving an inclusive environment
- o Sustainable Design and Construction SPG

National Planning Policy Framework (2016)

History

Of relevance is planning permission 14/04139 which relates to the immediate neighbouring property to the south of the site. Planning permission was granted for the demolition of existing dwelling and erection of a part two/part three storey building comprising 9 two bedroom apartments and 14 car parking spaces. A subsequent application was also approved at appeal under ref: 15/02144 for the demolition of existing dwelling and erection of a part two/ three storey building comprising 10 two bedroom apartments and 14 car parking spaces (revision to permission ref. 14/04139/FULL1). The neighbouring property has now been demolished and the site cleared in preparation for this development.

Conclusions

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

- o Principle of development
- o The design and appearance of the proposed residential development and its impact on the character and appearance of the area and locality
- o Impact on the amenity of neighbouring residents
- o Standard of accommodation
- o Highways and traffic issues
- o Trees on the site

Principle of development

The application site comprises of detached two/three storey dwelling, located towards the rear of the site which is currently uninhabited. The area surrounding the property includes garden land and other residential development. The application seeks permission to demolish the existing dwelling and redevelop the site with the erection of three/four storey building comprising 6 No two bedroom flats together with the provision of 9 car parking spaces.

The neighbouring property at Sunset Hill has recently been granted planning permission for the demolition of the existing bungalow and the erection of a block 10 self-contained flats. In this case the demolition of the building and redevelopment of the site is considered acceptable and would add to the Council's target to provide much needed housing within the Borough. The proposal therefore complies with Policy H1 of the UDP.

Design

Policy BE1 highlights the need for proposals to be of a high standard of design and layout completing the scale, form and materials of adjacent buildings.

Section 7 of the NPPF states that the Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development is indivisible from good planning and should contribute positively to making better places for people. As stated within the NPPF development should optimise the potential of the site to accommodate development, create and sustain an appropriate mix of uses (including incorporation of green and other public space as part of the developments) and support local facilities and transport networks; respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation.

The proposed development would have a boxy appearance which is a contrast to the existing surrounding residential properties which comprise a mixture of different architectural styles and types. However as stated above, the neighbouring site at Sunset Hill has recently been granted consent for a contemporary block of flats, which includes a brick and render finish. However, it is noted that the surrounding area has no predominant character or uniformity. In terms of materiality, the current scheme proposes an Ivory buff brick finish for the external elevations, with aluminium capped roofs, slate finish for the core and large windows. Projecting balconies would be located on the front elevation. It is noted that the existing property at Sunset Hill has been demolished and the site cleared in preparation for ground works. Whilst this development is not yet in place, weight is given to the relationship of the proposed scheme with the neighbouring development, given the commencement of works.

At present the current dwelling is set back from the highway and includes a lower ground floor garage with first floor extension above, the bulk of the main dwelling is then set back at second floor level. This has the illusion of a three-storey building, however its overall massing and prominence within the street scene is far less pronounced due to this setback. The proposed scheme is sited closer to the front boundary of the site than the existing development, projecting forward of the neighbouring residential development at Romany Ridge by approximately 4m at its

narrowest point. The built form would also be set closer to the side boundary but would retain a 1m set back to accord with Policy H9.

In terms of massing the proposed building would be set further forward towards the highway than the previous dwelling and is bulkier in appearance. However, it has been stepped to range between three and four storeys in height to account for the level changes from north to south and east to west, along with the height of neighbouring residential development at Romany Ridge. It has also been designed to sit back from the front elevation of the neighbouring Sunset Hill Development, which results in a more subservient appearance. Towards the rear, the building would read as three-storeys due to the significantly higher ground level, but as the ground level decreases towards the front of the site the height of the building would then extend to four storeys. The overall appearance is bulky; however the changes in ground level, set back from the highway and partial screening by the neighbouring flatted development would go some way to alleviating this bulk.

Members may therefore consider that on balance the design of the proposed scheme is acceptable and would not result in significant harm to the character and appearance of the street scene.

Standard of Accommodation

Policy 3.5 of the London Plan states the minimum internal floor space required for residential units on the basis of the occupancy that could be reasonably expected within each unit. The building as a whole contains many windows and doors which would ensure a good level of natural light to each of the habitable rooms

The floorspace of the proposed units varies between 70.39 -71sqm. Table 3.3 of the London Plan requires a Gross Internal Area of 61sqm for two bedroom, three person apartment. With regard to the above it appears that the size of the apartments for its intended occupancy would comply with the minimum standards contained in the London Plan 2015.

On the basis of the above it is considered that the proposed development would provide an acceptable standard of living for future occupiers in conformity with Policy 3.5 Quality and Design of Housing Developments of the London Plan and Policy H12 of the UDP.

The units are provided with private balconies, terraces and a communal garden at the rear. The level of amenity space provided is therefore considered to be acceptable.

Impact on neighbouring properties.

The scheme has received a number of objections in relation to the proposed application.

Immediately to the north west of the site is a part one/part two storey dwelling known as Romany Ridge. To the south east is the existing Sunset Hill site, which includes permission for a flatted development of 10 units. This site has been

cleared and levelled in preparation for ground works. There is therefore a reasonable prospect of this development coming forward and as such this forms a material consideration in relation to this scheme.

As noted above, the proposed building would be set further towards the highway than the previous dwelling, being approximately 4m forward of Romany Ridge. The flank elevation of the building would also be set closer to the common side boundary and the overall massing would be three storeys in height adjacent to this property. However, due to the substantial level changes and different architectural styles of the houses, the existing property already sits higher than Romany Ridge to the north. Further, the two-storey garage and first floor extension already sits proud of the neighbouring front building line. The proposal would however sit approximately 2m forward of this existing position. The overall height, massing and bulk of the development would be larger, however the ground level would be lowered and the development graded into the site in order to try and minimise the visual bulk. The height of the three storey element of the development, adjacent to Romany Ridge, would therefore be approximately 1.8m lower than the maximum height of the existing dwelling.

This neighbouring property is also unusual in that it has no rear garden. The built form extends up the rear curtilage of the site. This neighbour also sits at an angle to the proposed development, with the south west corner of Romany Ridge and the north west corner of the development tapering inwards towards each other. The south facing flank elevation of Romany Ridge already experiences some visual incursion from the existing dwelling. The proposal would increase this to an extent due to the forward projection and greater massing, however Members may consider that given the existing arrangement, the visual harm would be on balance, acceptable.

To the south of the site is the Sunset Hill Development site, which has now been cleared and levelled. The extant permission relating to this site includes a large flatted development, which would be set forward of the principal elevation of the proposal. The north facing flank elevation of this development would include secondary windows serving kitchens and bedrooms, however given the layout and orientation of the site no loss of light or overshadowing is anticipated.

Immediately to the rear are the Coniston Road properties, which have their gardens extending up to the site curtilage. The properties and gardens of Coniston Road are set at a higher ground level than the application site, meaning that at present the garden level of 68 Coniston Road stands approximately mid-way between ground and first floor level of the rear elevation of the existing property. The proposed development would be approximately 1.2m higher and closer to the rear boundary, however it would still be set back by 5.8m and has been partially dug into the site. There is a dense level of vegetation extending along the rear boundary and the properties of Coniston Road are approximately 40m away. The proposed development would include two ground floor terraces at the rear, as well as habitable windows within the rear elevation. However, given the overall separation distance, existing arrangement, changes in ground level and dense vegetation it is considered any additional overlooking would not be of material

degree. The above factors would also ensure the scheme was not overly intrusive or overbearing.

The proposal would also include balconies to the front. The balconies adjacent to Romany Ridge (flats 1 & 3) would include privacy screens along the northern edge to prevent direct overlooking to the neighbouring property. The proposal would also be located some 48m away from the residential dwellings located immediately opposite the site. This would reduce significant overlooking and a loss of privacy.

Concerns have been raised by neighbouring residents regarding the proposed boundary treatments, particularly to the rear of the site. There is a significant level change between the application site and the Coniston Road properties. It is therefore considered reasonable to condition the submission of boundary treatment details prior to commencement.

Given the above, Members may consider that whilst the proposal would have some impact on neighbouring residential amenities, this impact is on balance acceptable.

Highways

Access to the site is from Hillbrow Road which is accessed from either Coniston Road or Warren Avenue. Hillbrow Road is considered to be unadopted highway and as such is not maintainable by the Council. Access from the top of Hillbrow Road is via a single narrow track. The PTAL for the site is 1 (b), which is a low category. The development proposes 9 car parking spaces which are to be located towards the front of the site. The proposal would provide a level of parking which exceeds London Plan requirements. However the Council's highways officer has not raised objections on parking grounds and given the low PTAL rating, this level is considered to be on balance reasonable.

Local residents have commented that Hillbrow Road is a single unmade track which does not have a pedestrian walkway, furthermore that the road is in a poor state of repair and unsuitable for heavy construction vehicles. Further comments have also been provided stating that the cumulative impact from traffic generated from the neighbouring Sunset Hill Development and the application site would result in additional pressure on the road. These concerns have been considered by the Council's highways officer, however no objections have been raised in this respect. However, the officer has stated that given the status of Hillbrow Road as an unadopted street, the applicant should be advised via an informative attached to any permission that the condition of the section of the street to which the proposed development has a frontage should, at the end of development, be at least commensurate with that which existed prior to commencement of the development. The applicant should, therefore, also be advised that before any works connected with the proposed development are undertaken within the limits of the street, it will be necessary for them to obtain the agreement of the owner(s) of the sub-soil upon which Hillbrow Road is laid out.

The proposal is generally considered to be in accordance with UDP Policy T3 and Policy 6.13 of the London Plan (2011).

Cycle parking has been demonstrated on the plans, however further details regarding the means of enclosure could be conditioned.

Refuse storage has also been indicated on the plans as being within front garden area. The location appears reasonable subject to the submission of means of enclosure.

Members may therefore consider that the impact of the proposed development and subsequent uplift of vehicular traffic would be acceptable and would not have an detrimental impact on pedestrian or vehicular safety.

Trees

Policy NE7 Development and Trees states that proposals for new development will be required to take particular account of existing trees on site and on adjoining land, which in the interests of visual amenity and/or wildlife habitat are considered desirable to be retained. Tree Preservation Orders will be used to protect trees of environmental importance and visual amenity. Where trees have to be felled, the Council will seeks suitable replanting.

There are a number of mature trees and extensive landscaping within the site curtilage and on neighbouring land. An Arboricultural Survey & Report has been supplied in support of the application. The Council's Arboricultural officer has reviewed the above information and considers that the details supplied satisfactorily address the tree constraints associated with the proposals. Further, sufficient protection measures have been proposed to ensure trees retained are not at risk of damage. Temporary protection can be afforded by way of a landscaping condition should the scheme be considered acceptable. The application proposes new tree planting, however full details are vague. The Arboricultural officer has therefore suggested a number of conditions relating to building in accordance with the submitted Tree Protection Plan, together with the submission of a full landscaping strategy. The above conditions are considered reasonable and necessary to ensure the quality of the proposed development.

Concerns have been raised by neighbours regarding the removal of a significant number of trees on the adjacent Sunset Hill site. The removal of these trees does not form part of the assessment of the current application, however consideration was given to the impact and subsequent removal of trees as part of that scheme.

On balance, taking the above assessment into account, permission is recommended.

Community Infrastructure Levy

The Mayor of London's CIL is a material consideration. CIL contributions will be sought in connection with the proposed development.

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

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

4 Sample panels of facing brickwork showing the proposed colour, texture, facebond and pointing shall be provided on site and approved in writing by the Local Planning Authority before any work is commenced and the sample panels shall be retained on site until the work is completed. The facing brickwork of the development hereby permitted shall be carried out in accordance with the details of the approved sample 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

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

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

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 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.

8 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.

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

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

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

Reason: In order to comply with Policy T3 and Appendix II of the Unitary Development Plan in the interest of visual amenity and the safety of occupiers of and visitors to the development.

11 Prior to the commencement of the development hereby permitted, a survey of the condition of the road shall be submitted and agreed by the Local Planning Authority and any damage caused to the surface of the road during the construction phase of the development will be reinstated to a

standard at least commensurate with its condition prior to the commencement of the development.

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

12 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.

13 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.

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

Reason: To minimise the effect of the development on local air quality within an Air Quality Management Area in line with NPPF p124 and Policy 7.14 of the London Plan

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

Reason: To minimise the effect of the development on local air quality within an Air Quality Management Area in line with NPPF p124 and Policies 6.13 and 7.14 of the London Plan

16 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

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

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

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

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

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

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

18 The development shall be implemented in accordance with the Arboricultural Integration Report and Tree Protection Plan submitted and approved as part of the planning application and under the supervision of a retained arboricultural specialist in order to ensure that the correct materials and techniques are employed.

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

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

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

20 Details of the proposed slab levels of the building(s) and the existing site levels shall be submitted to and approved in writing by the Local Planning Authority before work commences and the development shall be completed strictly in accordance with the approved levels.

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

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

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

22 Sample elevations and sections at 1:20 scale of windows and doors, balconies, parapets and eaves shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced. The development shall be carried out in accordance with the approved details.

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

23 (a) The development shall be constructed with a biodiversity living roof laid out in accordance with plan no 5462-PD-002 hereby approved and maintained thereafter.

(b) The living roofs and flat roofs shall not be used as an amenity or sitting out space of any kind whatsoever and shall only be used in the case of essential maintenance or repair, or escape in case of emergency.

Reason: To comply with Policies 5.10 Urban greening, 5.11 Green roofs and development site environs, 5.12 Flood risk management, 5.13 Sustainable Drainage and 7.19 Biodiversity and access to nature conservation in the London Plan (2015)

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

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

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

If during the works on site any suspected contamination is encountered, Environmental Health should be contacted immediately. The contamination shall be fully assessed and an appropriate remediation scheme submitted to the Local Authority for approval in writing.

- 3 Given the status of Hillbrow Road as an unadopted street, the applicant should be advised via an informative attached to any permission that the condition of the section of the street to which the proposed development has a frontage should, at the end of development, be at least commensurate with that which existed prior to commencement of the development. The applicant should, therefore, also be advised that before any works connected with the proposed development are undertaken within the limits of the street, it will be necessary for them to obtain the agreement of the owner(s) of the sub-soil upon which Hillbrow Road is laid out.**

Application:16/00295/FULL1

Address: Upfield Hillbrow Road Bromley BR1 4JL

Proposal: Demolition of the existing four bedroom detached dwelling and the redevelopment to provide 6No. two bedroom flats.



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

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SECTION '2' – Applications meriting special consideration

Application No : 16/00316/FULL6

Ward:
Shortlands

Address : 2 Rosemere Place Shortlands Bromley
BR2 0AS

OS Grid Ref: E: 539192 N: 168287

Applicant : Mr & Mrs O'Hara

Objections : YES

Description of Development:

Single storey side extension and single storey rear extension.

Key designations:

Smoke Control Multiple

Proposal

Members may recall that a similar application was presented to committee on the 3rd December 2015 under application 14/01464, Members resolved to grant permission. This application differs from the original in that the side extension adjacent to the Kingswood Avenue boundary has been extended to provide a larger study.

The application proposes to construct a single storey rear side extension adjacent to the rear gardens of No's 52 and 54 Kingswood Avenue. The application also includes the construction of a 4.4m deep rear extension, 3.25m wide. Both extensions would have pitched roofs with eaves at 2.6m high and an overall ridge height of 3.8m.

A revised surface water management strategy has been submitted as part of this application. This strategy has indicated the use of an underground storage within the site.

A revised detailed report on the oak on the adjacent land has also been submitted.

Both reports are available to view on the file.

Location

Rosemere Place was constructed as a residential development of 9 houses constructed to the rear gardens of 42 Kingswood Avenue and 51 - 63 South Hill Road. Number 9 is located at the southern end of Rosemere Place adjacent to the rear garden of 49 South Hill Road.

Consultations

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

- In our view, the construction of extension of this nature is unnecessary and the proposed elevations will be too close to neighbouring fences and gardens, causing a loss of privacy and amenity.
- There are also issues about the flooding in neighbouring back gardens in Kingswood Avenue which has worsened since a substantial oak tree was removed to enable these houses to be built.
- The proposed side extension brings the house within a few feet of this tree and we are very concerned about the possibility of damage to the root system which could compromise the health of the tree and consequently becoming a danger to the house.
- 2 Rosemere Place is built adjacent to my back fence. This has spoilt the outlook from the back of my house including my conservatory and sitting room. The proposed extension will reduce my lack of privacy still further. I will be directly overlooked by the two downstairs windows proposed
- The water table in these gardens is very high as the construction of the new development has removed the soakaway from the stream. This is much worse than it was before the development creating a lake at the bottom of my garden after heavy rain. The laying of more foundations and a path will only exacerbate this problem.
- The foundations for the extension are likely to disturb the roots of some very large trees, one which has a preservation order, at the bottom of my and my neighbours' garden, with the danger that the trees could fall and cause considerable damage to our properties, including 2 Rosemere Place, as well as the summerhouse at the bottom of my garden, adjacent to the fence.
- In summary the house is already too close to my property, and the extension will only exacerbate this, leaving an unacceptably narrow gap between the walls of the extension and the back fence.

The full text of correspondence is available to view on file.

Comments from Consultees

The drainage officer advises that the submitted FRA carried out by Herrington Consulting Ltd dated 17/02/2015 is acceptable. Please impose standard condition D02 on any approval. This site appears to be suitable for an assessment to be made of its potential for a SUDS scheme to be developed for the disposal of surface water. Please impose Standard Condition D06 on any approval to this application.

In terms of the Tree officers comments. I am satisfied with the contents of the revised report. I would subsequently recommend permission is granted with the following condition applied;

1. The development shall be implemented in accordance with the Arboricultural Survey drawing (AR/3240a/jq) submitted and approved as part of the planning application and under the supervision of a retained arboricultural specialist in order to ensure that the correct materials and techniques are employed.

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

Planning Considerations

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

BE1 (Design of New Development), H8 (Residential Extensions)

The Council's adopted SPG guidance is also a consideration.

Planning History

Planning permission was granted at appeal (Ref: APP/G5180/A/07/2054389) in July 2008 for the demolition of 42 Kingswood Avenue and the erection 5 four bedroom detached houses with attached garages and two detached four bedroom houses with detached garage buildings and two 5 bedroom detached houses with attached garages and associated estate road.

Conclusions

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

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.

It is noted that the extensions are single storey. The properties in Kingswood Avenue have rear gardens to the boundary of the application site in the region of 30 metres in length. The height of the side extension being 2.6 metres nearest the boundary with Kingswood Avenue with the height of the extension increasing to 3.8 where it touches the host property.

The orangery element is separated from the other properties in Rosemere Ave by the existing access road. Overall members may consider that the impact of the extensions on the adjacent residents and the surrounding area is not unduly harmful.

The Tree officer is satisfied that the additional information shows a reduced area of disturbance as it relates to the RPA of the protected oak tree. If constructed in accordance with BS 5837 principles and under the supervision and input of the applicant's consultant there would be no further concerns.

In terms of drainage, an additional report has indicated the use of an underground storage within the site.

On balance, and having had regard to the above it was considered that the siting, size and design of the proposed extensions are acceptable in that it would not result in a significant loss of amenity to local residents nor impact detrimentally on the character of the area.

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

as amended by documents received on 27.04.2016

RECOMMENDATION: PERMISSION

Subject to the following conditions:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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Application:16/00316/FULL6

Address: 2 Rosemere Place Shortlands Bromley BR2 0AS

Proposal: Single storey side extension and single storey rear extension.



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

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SECTION '2' – Applications meriting special consideration

Application No : 16/00377/FULL1

Ward:
Penge And Cator

Address : 2 Crampton Road Penge London SE20
7AT

OS Grid Ref: E: 535071 N: 170572

Applicant : Michael Brothers(UK)Ltd

Objections : YES

Description of Development:

Demolition of existing buildings and construction of a three storey building comprising 1 one bedroom, 4 two bedroom, 1 three bedroom apartments and 2 ground floor commercial units (Use Class B1), external car parking, landscaping, bicycle parking and refuse/ recycling store. (The site includes 15-17 High Street, Penge).

Key designations:

Smoke Control SCA 1

Background

Members will note that this application was deferred without prejudice from Planning Committee on 28/4/16 to seek a reduction in the number of units from 6 to 4. The applicant has asked that Members reconsider the scheme for 6 units as previously, taking into account the following comments submitted by the applicant's agent and summarised below.

Concerns were raised about the comments made by Environmental Health Housing. In response the applicant has provided the following comments.

- **Windows to 15 High Street:** These are clearly marked on Drawing 1841-04F as being staircase windows. They are not therefore habitable rooms and no natural light or ventilation is required.
- **Windows to 17 High Street:** The proposed flank wall of the development will be 3m further away from the windows than the current building on site. Right of Light Consulting who produced the BRE compliant report - believe the loss of daylight sunlight to these windows will fall within an 'acceptable' level.
- **Combined kitchen and dining rooms:** The scheme has been carefully designed in accordance with The London Plan and the Housing Standards Policy Transition Statement- Implemented October 2015. Prior to October 2015, The London Plan scheduled specific minimum combined floor areas of living dining and kitchen rooms for dwelling sizes of up to 6 persons. The

current scheme is fully compliant with those standards. This is recent and carefully considered National Policy Guidance on development standards which we work to throughout London and I suggest supersedes the Housing Act 2004's guidance on Health and Safety.

- External recreation space: The development and recreation space has been designed in accordance with the latest National and local published guidance, not the Housing Act 2004. The family unit (flat 1) which is located on the ground floor with access directly to its own private garden of 37m². The communal recreation space of 72m² which is for the upper floor flats is only 17m from the building and is overlooked by the rear windows of the development. Given the very constrained nature of the site this is in our opinion a satisfactory provision of on-site recreation space. It should also be noted that the development has a 'town centre' location and is in close proximity to the public amenity spaces of Crystal Palace Park: 190m, Penge Recreation ground at 300m, Alexandra Recreation Ground at 675m.
- General comment that the site is over-developed. The site has a density of 81 units per hectare compared to the appropriate density range of 55-225 units per hectare. Were we to reduce the scheme to 4 units the scheme would have a lower density (54u/ha) than the lowest level stipulated in The London Plan and would consequently fail to comply with the London Plan. The London Plan specifically states the case for the 'strategic need to optimise housing output'. The density of development and the question as to whether or not a scheme is over-developed should be and is assessed on the basis of compliance with a number of adopted policy standards, relevant to both the national and specifically local context. The current scheme does not fall short on any of those standards. It is difficult therefore to see on what basis the scheme could be considered to be 'overdevelopment'.

The original report is repeated below for clarity.

Proposal

Planning permission is sought for the demolition of the existing buildings at the rear of 15-17 High Street, Penge, known as 2 Crampton Road and construction of a three storey building comprising 1 one bedroom, 4 two bedroom, 1 three bedroom apartments and 2 ground floor commercial units (Use Class B1), external car parking, landscaping, bicycle parking and refuse/ recycling store. The site incorporates No2 Crampton Road and No15-17 High Street, Penge.

The replacement building will effectively link the rear elevation of No 15-17 High Street with No 4 Crampton Road incorporating a three storey element in line with the flank elevation of No 15-17 at 15m width facing Crampton Road and a 2.6m set back three storey element with undercroft vehicle access that sits in line with No4 Crampton Road. Between the two is a curved segment of the building in red brick incorporating feature vertical glazing forming a transitional structural element.

Two B1 units are located on the ground floor facing Crampton Road with direct access from the footway. Parking for six vehicles with one shown as disabled

parking is located to the rear of the site in addition to an enclosed communal garden area. A separate private amenity is provided for the three bedroom maisonette flat on the ground and first floor.

Materials are indicated as yellow stock bricks and grey aluminium framed windows. A green roof is shown to the main part of the building with a double pitched roof shown over the undercroft section of the building incorporating small dormers and roof lights.

Location

The site comprises an irregular 'L' shaped plot located on the eastern side of Crampton Road to the north of the intersection with the Penge High Street. A part one, part two storey building currently occupies the site with a long and relatively narrow strip of vacant land adjoining it to the north. It appears that the site has been used as a builders/merchant yard, mouldings factory and church in the recent past.

The surrounding area to the south by Penge High Street comprises predominantly three storey terrace buildings with commercial uses on the ground floor and residential on the floors above. To the north, both sides of Crampton Road are characterized by two storey residential terraces.

The site is neither listed nor located within a conservation area or an area of special residential character.

Consultations

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

- Over development of a small plot causing rubbish, parking problems and antisocial behaviour.
- Loss of light to houses opposite caused by increased height of building.
- No information regarding use of commercial units.
- Concerns regarding servicing of commercial units
- Comments regarding antisocial behaviour in adjacent and nearby flats.
- Concerns regarding the number of additional people leading to further anti social problems.
- Increase in overlooking.
- Concerns regarding loss of view from adjacent property.
- Contemporary design is inappropriate in street.
- Further reduction of the scale of the scheme is required.

Internal consultations

Arboriculture:

The application is supported with arboricultural information and can proceed in accordance with the protection measures adopted. It is noted that there would be limited opportunity to plant new trees given the design of the plot.

Environmental Health - Housing (summary):

The first and second floor rear elevation rear facing windows to the rear addition of number 15 will be lost. This will affect the natural light and ventilation to the rooms these windows currently serve. The first and second floor rear elevation rear facing windows to number 17 will look out on the new three storey flank elevation of 2 Crampton Road which will block the outlook and view from the rooms with the first and second floor rear facing windows to number 17. Combination of kitchen/dining/living spaces has potential to cause accidents due to multi use of spaces. Children's play space is accessed through car park which is not preferential.

Environmental Health - Pollution:

The Geoenvironmental assessment finds a limited programme of soil sampling is necessary and so I would recommend that details of land contamination is requested.

The site is located within an air quality management area for NOx. Further details are requested by condition.

Highways:

The parking space No.6 is close to the telephone pole which may require relocating. Cycle parking is acceptable. The applicant should be aware the works should be carried out by LBB and funded by the developer. Moreover any redundant crossover should be reinstated to footway level.

Drainage: (summary)

No objections subject to conditions regarding details of SUDS hierarchy.

External consultations

Thames water: (summary)

No objection in relation to sewerage infrastructure capacity and water infrastructure capacity.

Crime prevention:

The application should be able to achieve the security requirements of Secured by Design with the guidance of Secured by Design New Homes 2014, and the

adoption of these standards will help to reduce the opportunity for crime, creating a safer, more secure and sustainable environment.

Planning Considerations

London Plan 2015:

- 3.3 Increasing Housing Supply
- 3.4 Optimising Housing Potential
- 3.5 Quality and Design of Housing Developments
- 3.8 Housing Choice
- 3.9 Mixed and Balanced Communities
- 5.1 Climate change mitigation
- 5.2 Minimising Carbon Dioxide Emissions
- 5.3 Sustainable Design and Construction
- 5.7 Renewable Energy
- 5.10 Urban Greening
- 5.11 Green Roofs and Development Site Environs
- 5.12 Flood Risk Management
- 5.13 Sustainable Drainage
- 5.14 Water quality and wastewater Infrastructure
- 5.15 Water use and supplies
- 5.16 Waste self-sufficiency
- 5.17 Waste capacity
- 5.18 Construction, excavation and demolition waste
- 5.21 Contaminated land
- 6.3 Assessing Effects of Development on Transport Capacity
- 6.5 Funding Crossrail and other strategically important transport infrastructure
- 6.9 Cycling
- 6.13 Parking
- 7.1 Lifetime Neighbourhoods
- 7.2 An Inclusive Environment
- 7.3 Designing Out Crime
- 7.4 Local Character
- 7.5 Public Realm
- 7.6 Architecture
- 7.14 Improving Air Quality
- 7.19 Biodiversity and access to nature conservation
- 8.3 Community Infrastructure Levy

Housing: Supplementary Planning Guidance. (March 2016)

Technical housing standards - Nationally Described Space Standard (March 2015)

Unitary Development Plan:

- BE1 Design of New Development
- ER7 Contaminated Land
- EMP5 Development outside Business Areas
- H1 Housing Supply

- H7 Housing Density and Design
- 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
- T18 Road Safety

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

Planning History

86/01352/FUL: Use of premises as offices with ancillary warehousing and storage. Approved 17.07.1986

86/03436/FUL: Single storey side extension and elevational alterations. Approved 14.01.1987

05/04521/FULL2: Change of use to Class D1 for use as meeting room/hall for hire and for educational training; and to internet cafe (Use Class A1). Approved 13.03.2006

15/04996/FULL1: Demolition of existing buildings and construction of a part three/four storey building with accommodation in roof space comprising 4 one bedroom, 2 two bedroom, 2 three bedroom apartments and 2 ground floor commercial units (Use Class B1), external car parking, landscaping, bicycle parking and refuse/ recycling store. Withdrawn 06.01.2016

Conclusions

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

- o Principle of development
- o The design and appearance of the scheme and the impact of these alterations on the character and appearance of the area and locality
- o The quality of living conditions for future occupiers
- o Access, highways and traffic Issues
- o Impact on adjoining properties

Principle of development

Employment:

Policy EMP5 states that the redevelopment of business sites or premises outside of the Designated Business Areas will be permitted provided that the size, configuration, access arrangements or other characteristics make it unsuitable for

uses Classes B1, B2 or B8 use, and full and proper marketing of the site confirms the unsuitability and financial non-viability of the site or premises for those uses.

The proposal provides two small commercial units which retains the employment function of the site which is considered acceptable.

Housing:

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

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

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

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

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

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

Density

The density of the proposal would be 81 units per hectare (u/ha). Table 3.2 of the London Plan sets out the appropriate density range for a site with a PTAL of 4 in an urban area as 55-225 u/ha.

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

Design, character and appearance.

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

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

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

The predominant urban character of this part of Crampton Road is one of transition. The properties facing to the High Street at the junction with Crampton Road are three storey ground floor commercial, upper floor residential flat properties. No's 15/17 and No13 at the corner plots of the junction also turn the corner with dual three storey principle elevations facing into Crampton Road in part. To the rear of these sites built scale reduces with ad hoc buildings occupying the rear plot areas adjoining the two storey terrace residential development for the remainder of Crampton Road to the north. The gap between the two built forms therefore allows the opportunity of a transitional scale of development potential to optimise the site taking account of local context and character.

In this case the proposed building has been designed to link the two design forms of the street with compatible scales of development that connect the two storey terrace and three storey corner building in an imaginative and attractive way that

complements the scale and form of adjoining property and retains the transition in townscape character between the High Street and Crampton Road in an acceptable manner which in turn maintains the character and appearance of this section of Crampton Road. The variation in materials, the front building line stagger and different roof forms on each section of the building are components of the design that facilitate this.

The rear elevation of the building will align with the rear elevation of No4 Crampton Road and boundary line between No's 17 and 19 High Street respecting the footprint, layout and scale of adjoining properties when viewed from the rear areas of neighbouring property. Although no separation gaps to adjoining buildings are incorporated, this is reflective of the terrace style built form of the area and is not considered necessary for this site. Accordingly Members may consider that Policy H9 is satisfied in relation to this proposal.

While the design is not traditional in its format the approach is reflective of buildings in the locality by using a similar palette of materials and building design features. Therefore it is considered that the individual design approach of the building is a high quality design that will make a positive contribution to the streetscene and wider locality.

Residential Amenity - Standard of Residential Accommodation

Policy 3.5 of the London Plan and the Housing SPG (2016) 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 should comply with Nationally Described Housing Standards (2015).

The floor space size of each of the 6 units ranges between 51m² and up to 100m² respectively. The nationally described space standards require various sizes of internal areas in relation to the number of persons and bedrooms provided in each unit. On this basis, the floorspace provision for all of the units is considered compliant with the required standards and is considered acceptable.

A three bedroom family unit is located to the rear of the ground floor with a separate amenity space which is welcomed. The shape and room sizes in the proposed building are considered satisfactory. None of the rooms would have a particularly convoluted shape which would limit their specific use.

Amenity Space

In terms of amenity space, separate provision is provided for the ground floor flat as detailed above. A communal garden area at 72m² is indicated to the rear to be landscaped for use by all remaining residents of the one and two bedroom flats. While it is noted that no separate private provision in the form of balconies is provided, given the close proximity of Crystal Palace Park, the provision is broadly acceptable at this location.

Car parking

A single parking space is provided for each unit within a rear located parking area accessed via an undercroft entrance adjacent to No4 Crampton Road. Given the size of the units with mainly two and one bedroom this provision is acceptable. The Council's Highways Officer has not raised objection in this regard.

Servicing for the B1 units will take place from Crampton Road given the single front access to the units. Given the limited servicing necessary for these small size units this is considered acceptable.

Cycle parking

Cycle parking is required to be 1 space per studio and 1 bedroom flats and 2 spaces for all other dwellings. The applicant has provided details of a secure and lockable room in the basement for cycle storage for each unit comprising of 12 spaces. This is considered satisfactory.

Refuse

All new developments shall have adequate facilities for refuse and recycling. The applicant has provided details of refuse storage for the units in a separate room accessed from Crampton Road via the undercroft entrance. The location point is considered acceptable within close proximity of the highway for collection services.

Impact on Adjoining Properties

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

In terms of outlook, the fenestration arrangement will provide mainly front and rear outlook for each unit overlooking amenity space or overlooking the street. Secondary outlook is additionally provided to the ground and first floor maisonette and second floor two bedroom flat facing the rear of No17 High Street at approximately 10.5m. These windows are considered secondary for the first and second floor levels and thus it is recommended that they be obscure glazed to maintain privacy. A condition is suggested in this regard. Therefore, it is considered that a suitable level of privacy at the intended distances to existing neighbouring property will be maintained generally.

A daylight and sunlight test has been submitted with the application to test the impact of the building in this respect on windows to adjacent property. The results have indicated that the proposal will have a low impact on receivable light by its neighbouring properties.

Sustainability and Energy

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

A living roof has been incorporated into the design of the proposal to help meet sustainability criteria. A condition is recommended for further details of the green roof to ensure quality and longevity of this sustainable feature.

Landscaping

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

Community Infrastructure Levy

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

Summary

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

As amended by docs received 1/3/2016

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

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

4 Notwithstanding the details hereby approved, no development shall commence until detailed plans at a scale of 1:20 showing the first and second floor curved stairwell window have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Reason: In order that the local planning authority may be satisfied as to the detailed treatment of the proposal and to comply with Policy BE1 of the unitary development Plan.

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

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

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

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

7 No part of the development hereby permitted shall be commenced prior to a contaminated land assessment and associated remedial strategy,

together with a timetable of works, being submitted to and approved in writing by the Local Planning Authority.

a) The contaminated land assessment shall include a desk study to be submitted to the Local Planning Authority for approval in writing. The desk study shall detail the history of the sites uses and propose a site investigation strategy based on the relevant information discovered by the desk study. The strategy shall be approved in writing by the Local Planning Authority prior to investigations commencing on site.

b) The site investigation, including relevant soil, soil gas, surface water and groundwater sampling shall be approved in writing by the Local Planning Authority.

c) A site investigation report detailing all investigative works and sampling on site, together with the results of analysis, risk assessment to any receptors, a proposed remediation strategy and a quality assurance scheme regarding implementation of remedial works, and no remediation works shall commence on site prior to approval of these matters in writing by the Authority. The works shall be of such a nature so as to render harmless the identified contamination given the proposed end-use of the site and surrounding environment.

d) The approved remediation works shall be carried out in full on site in accordance with the approved quality assurance scheme to demonstrate compliance with the proposed methodology and best practise guidance. If during any works contamination is encountered which has not previously been identified then the additional contamination shall be fully assessed and an appropriate remediation scheme submitted to the Authority for approval in writing by it or on its behalf.

e) Upon completion of the works, a closure report shall be submitted to and approved in writing by the Authority. The closure report shall include details of the remediation works carried out, (including of waste materials removed from the site), the quality assurance certificates and details of post-remediation sampling.

f) The contaminated land assessment, site investigation (including report), remediation works and closure report shall all be carried out by contractor(s) approved in writing by the Local Planning Authority.

Reason: In order to comply with Policy ER7 of the Unitary Development Plan and to prevent harm to human health and pollution of the environment.

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

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

9 Before the access hereby permitted is first used by vehicles, it shall be provided with 3.3 x 2.4 x 3.3m visibility splays and there shall be no obstruction to visibility in excess of 1m in height within these splays except for trees selected by the Local Planning Authority, and which shall be permanently retained thereafter.

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

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

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

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

Reason: To reduce the impact of flooding both to and from the proposed development and third parties and to accord with Policy 5.13 of the London Plan (2015)

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

Reason: The proposed works will be in close proximity to underground sewerage utility infrastructure and to accord with Policy 5.14 of the London Plan (2015)

13 Before the development hereby permitted is first occupied, the proposed first and second floor windows in the south west elevation facing to No17 High Street shall be obscure glazed in accordance with details to be submitted to and approved in writing by the Local Planning Authority and shall subsequently be permanently retained as such.

Reason: In the interest of the amenities of the adjacent properties and to comply with Policy BE1 and H7 of the Unitary Development Plan.

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

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

15 The arrangements for storage of bicycles and the means of enclosure shown on the approved drawings shall be completed before any part of the development hereby permitted is first occupied, and permanently retained thereafter.

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

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

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

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

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

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

Reason: To ensure a satisfactory means of surface water drainage and to accord with Policy 5.13 of the London Plan (2015).

19 (a) The development shall be constructed with a biodiversity living roof laid out in accordance with drawing no 1841-09 Revision F hereby approved and maintained thereafter.

(b) The living roofs shall not be used as an amenity or sitting out space of any kind whatsoever and shall only be used in the case of essential maintenance or repair, or escape in case of emergency.

(c) Evidence that the roof has been installed in accordance with (a) shall be submitted to and approved in writing by the local planning authority prior to the first occupation of the development hereby approved.

Reason: To comply with Policies 5.10 Urban greening, 5.11 Green roofs and development site environs, 5.12 Flood risk management, 5.13 Sustainable Drainage and 7.19 Biodiversity and access to nature conservation in the London Plan (2015).

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

Reason: To minimise the effect of the development on local air quality within an Air Quality Management Area and to accord with Policy 7.14 of the London Plan

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

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

22 The development shall be implemented in accordance with the Tree Protection Plan submitted and approved as part of the planning application and under the supervision of a retained arboricultural specialist in order to ensure that the correct materials and techniques are employed.

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

23 Notwithstanding the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking, re-enacting or modifying that Order), the ground floor commercial units shall be used for B1 use and for no other purpose (including any other purpose in Class State Use Class of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order).

Reason: In order to retain the employment use on the site and to accord with Policy EMP5 of the Unitary Development Plan

24 The whole of the amenity space as shown on drawing no 1841-04 Revision F hereby approved shall be retained permanently for the benefit of the occupiers of the residential units hereby permitted.

Reason: In order that the local planning authority may be satisfied as to the amenity space provision in the scheme and to comply with Policy BE1 and H7 of the Unitary Development Plan.

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

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

You are further informed that :

- 1** The applicant is advised that any works associated with the implementation of this permission (including the demolition of any existing buildings or structures) will constitute commencement of development. Further, all pre commencement conditions attached to this permission must be discharged, by way of a written approval in the form of an application to the Planning Authority, before any such works of demolition take place.
- 2** Before works commence, the Applicant is advised to contact the Pollution Team of Environmental Health & Trading Standards regarding compliance with the Control of Pollution Act 1974 and/or the Environmental Protection Act 1990. The Applicant should also ensure compliance with the Control of Pollution and Noise from Demolition and Construction Sites Code of Practice 2008 which is available on the Bromley web site.
- 3** You should consult the Land Charges and Street Naming/Numbering Section at the Civic Centre on 020 8313 4742 or e-mail: address.management@bromley.gov.uk regarding Street Naming and Numbering. Fees and application forms are available on the Council's website at www.bromley.gov.uk
- 4** 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

- 5 You should contact extension 4621 (020 8313 4621 direct line) at the Environmental Services Department at the Civic Centre with regard to the laying out of the crossover(s) and/or reinstatement of the existing crossover(s) as footway. A fee is payable for the estimate for the work which is refundable when the crossover (or other work) is carried out. A form to apply for an estimate for the work can be obtained by telephoning the Highways Customer Services Desk on the above number.
- 6 Street furniture/ Statutory Undertaker's apparatus. Any repositioning, alteration and/ or adjustment to street furniture or Statutory Undertaker's apparatus, considered necessary and practical to help with the modification of vehicular crossover hereby permitted shall be undertaken at the cost of the applicant
- 7 The applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0800 009 3921. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.
- 8 Legal changes under The Water Industry (Scheme for the Adoption of private sewers) Regulations 2011 mean that the sections of pipes you share with your neighbours, or are situated outside of your property boundary which connect to a public sewer are likely to have transferred to Thames Water's ownership. Should your proposed building work fall within 3 metres of these pipes we recommend you contact Thames Water to discuss their status in more detail and to determine if a building over / near to agreement is required. You can contact Thames Water on 0800 009 3921 or for more information please visit our website at www.thameswater.co.uk
- 9 Piling has the potential to impact on local underground sewerage utility infrastructure. The applicant is advised to contact Thames Water Developer Services on 0800 009 3921 to discuss the details of the piling method statement.
- 10 A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise

groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing wwriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality.

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

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Application:16/00377/FULL1

Address: 2 Crampton Road Penge London SE20 7AT

Proposal: Demolition of existing buildings and construction of a three storey building comprising 1 one bedroom, 4 two bedroom, 1 three bedroom apartments and 2 ground floor commercial units (Use Class B1), external car parking, landscaping, bicycle parking and refuse/ recycling



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

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SECTION '2' – Applications meriting special consideration

Application No : 16/00410/FULL1

Ward:
**Bromley Common And
Keston**

Address : Ravensbourne Westerham Road Keston
BR2 6HE

OS Grid Ref: E: 541907 N: 164625

Applicant :

Objections : YES

Description of Development:

Erection of two pairs of semi detached houses with green landscaped courtyard on land to the south-east of Ravensbourne House. Reconfiguration of parking layout in front of main building to allow additional landscaping, provision of basement parking area to be accessed via car lift and associated landscaping work.

Key designations:

Conservation Area: Bromley Hayes And Keston Commons

Biggin Hill Safeguarding Area

Green Belt

London City Airport Safeguarding

Sites of Interest for Nat. Conservation

Smoke Control SCA 22

Sites of Special Scientific Interest

Proposal

Planning permission is sought for the erection of 2 pairs of semi-detached dwellings on land to the side of the main locally listed building.

The applicant has submitted a transport statement, a statement of community involvement, an energy strategy, a drainage planning strategy, a tree survey report and a design and access statement to support the application.

The proposed dwellings would be arranged in two distinct facing pairs, with Units A and B comprising 3 bedroom dwellings and Units C and D comprising 4 bedroom dwellings. The pairs of houses would face each other, approx. 18m apart across a landscaped central courtyard. Units A and B would back onto the north eastern boundary of the site with Nos. 7 and 9 Hassock Wood, with a separation between the single storey element and the boundary of approx. 7m and a first floor separation to the boundary of approx. 10m. The flank elevation of Unit B would face towards the south eastern boundary with the rear garden of No. 2 Rolinsden Way, with a separation of approx. 10.4m retained.

Units C and D would be positioned parallel with the main building, and would face into the central courtyard, backing onto the sloping grounds leading to the lake. The flank elevation of Unit D would face the southern boundary of the site with the rear gardens of No. 4 Rolinsden Way and the side/rear garden of this unit would separate the proposed dwelling from the rear gardens of No 4. Rolinsden Way and Nos 2, 4 and 6 Swires Shaw.

A separation of approx. 9m would be retained between the north western flank elevation of Unit C and the main building. The ground levels at the rear of Unit D begin to slope steeply towards the lower level communal grounds and the lake beyond. The raised rear terrace of Unit D would be sited a minimum of 6.4m from and at an angle to the boundary with No. 4 Swires Shaw. In terms of the massing of the building, the single storey element of the proposal (which would have a height in relation to the falling ground level below of approx. 5.5m) would be sited a minimum of 10m from the angled boundary, with the first floor southern corner of the building a minimum of 11.8m from the boundary.

The dwellings would be of contemporary design with materials intended to match the main building and the recently permitted extension, including slate roofs, flint and brick finish to the external walls and framed aluminium glazing.

The pairs of semi-detached dwellings would be of similar height, with a height to ridgeline of approx. 7.8m and a minimum eaves height of approx. 4.5m, set beneath a dual pitched slate roof which would incorporate projecting glazed and metal clad dormers facing into the central courtyard.

Accommodation would be provided over three storeys, including a basement area lit by lightwells and by large glazed elements above. The design of the dwellings would address the sloping topography of the site, which slopes up from the rear towards the north-eastern boundary, and again towards the private driveway/site entrance.

In the case of Units A and B two bedrooms and a utility room would be provided at lower ground floor level, with front access into the communal basement car park and lightwells to the rear. At ground floor level a large combined kitchen/living/dining space would be provided, with level access to private rear gardens and a terrace area adjacent to the lower ground floor lightwells. A side facing window to Unit B would provide additional light to the dining room. At first floor level the rear facing windows would serve a third bedroom and mezzanine study area, with the latter lit by rooflights. The front facing windows would lead to a balcony looking over the landscaped central courtyard and would serve a living room.

Units C and D (4 bedrooms) would similarly incorporate bedrooms and a utility area at lower ground floor level and access to the communal basement car parking, with the addition of a further reception/4th bedroom. At ground floor level a study would face into the central courtyard, and a combined kitchen/living/dining room would lead onto a raised terrace addressing the sloping ground level at this part of the site. At first floor level a master bedroom suite would be provided with an enclosed balcony facing into the grounds at the rear.

In addition to the semi-detached dwellings, it is proposed to erect a single storey flat roofed building to house the turntable car lift. This building would be sited approx. 2m to the north-west of the flank elevation of Unit A, and a minimum of 7.7m from the boundary of the site with No. 9 Hassock Wood. A communal refuse store is also proposed to be sited approx. 1m from this boundary.

A total of 14 car parking spaces are proposed to be provided in the basement car parking area. A further 8 car parking spaces are shown to be provided within the existing car parking area in front of the main building. The Design and Access statement submitted with the application states that it is intended that the car park would provide car parking both for the new build houses as well as the permitted 7 flats in the main building. It is proposed that metal gates be located at the site entrance with access controls, and a drop off point located immediately outside the main entrance to Ravensbourne House. The existing car park which served the office use of the main house provided a total of 48 car parking spaces within an extensive tarmac forecourt. The transport statement submitted with the application includes an analysis of trip generation statistics for both the proposed residential use (incorporating the flatted development within the main building) as well as the former office use.

Location

The application site comprises an area of land to the south east of a substantial detached locally listed building set within mature and spacious landscaped grounds. The site is accessed via a single track road leading from the western side of Westerham Road. The site area is 0.39ha.

The site is bounded to the east, south and southeast by residential dwellings fronting Rolinsden Way, Hassock Wood and Swires Shaw. To the west, the redline application site is bounded by the mature landscaped grounds of Ravensbourne House, which lead to an area of woodland known as Padmall Wood and Ravensbourne Open Space, accessed via a gate on the boundary.

The site comprises a distinct subsection of the Bromley, Hayes and Keston Commons Conservation Area, and lies adjacent to the Green Belt, a SINC and a Site of Special Scientific Interest.

The main building within the site, which was formerly a single residence, was used from the 1940s as a business centre providing B1 office use. The site as a whole has an extensive planning history which is summarised in the Planning History section of this report, but most recently planning permission was granted for the subdivision and conversion of the main building into 7 residential flats with external landscaping to the front.

This application relates to land to the side of the main building, in respect of which planning permission was granted in 2001 for the erection of 2 detached dwellinghouses. That permission was subsequently renewed on several occasions, and recently details have been submitted to discharge the pre-commencement conditions, in addition to an application to remove a condition on that permission

which required development to commence only after the conversion of the main building into 2 dwellings had been substantially completed.

The redline site plan submitted with the application excludes the main locally listed building, but there is some linkage between the current proposal and the previously permitted scheme for the redevelopment of Ravensbourne House in terms of a shared parking element and the provision within this current application for access from the proposed dwellings to the grounds at the rear of Ravensbourne and a basement level, from the main building into the communal car park. Furthermore, this current application proposes communal access to the grounds at the rear of the main building, which are not included in the site plan (although it is understood that the Ravensbourne site in its entirety is under the same ownership). While elements are linked, the two schemes (that permitted for the main house and this current application for the detached dwellings) are capable of implementation independent of each other.

Consultations

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

- o Concern regarding the potential noise level of the proposed car-lift and how reliable and quiet the lift would be
- o Concern regarding the proximity of car parking spaces in relation to the boundary with No. 9 Hassock Wood
- o Increase in traffic which would not be confined to office hours as is currently the case with Ravensbourne being in office use
- o Objection to the bin store position
- o Impact of the proposed roof terrace upon privacy
- o The proposed dwellings would be an eyesore with no architectural merit in contrast to the main building
- o The threat to the SSSI is immense
- o The original position of the permitted dwellings would have had a lesser impact on residential amenity
- o While care appears to have gone into retaining screening landscaping in the eastern corner of Ravensbourne and that area bordering nos. 7 and 9 Hassock Wood, it is appropriate that where trees have been left as a screen they should be preserved by way of a TPO (with regards to T10, T20, T25, T26, T27, T28 and T29) and that the need to fell T31 and T22 be examined
- o Every care should be taken to ensure that the underground car parking does not result in subsidence.

A letter raising no objection was received from a resident in Rollinsden Way.

The Keston Village Residents' Association raised no objections to the proposal.

The Orpington Field Club has submitted a letter expressing concern at the loss of trees within the site, stating that 5 species of bats are known to forage in the SSSI.

Technical Comments

Drainage

From a technical drainage perspective, the scheme submitted in Drainage Planning Strategy Report is considered acceptable in principle. The site is within an area within which the Environment Agency requires restrictions on the rate of surface water discharge. The site appears to be suitable for an assessment to be made of its potential for a sustainable drainage scheme.

Natural England

Natural England had no comments on the application.

Environment Agency

The Environment Agency had no comments to make on the planning application as it falls outside its remit as a statutory planning consultee.

Environmental Health

Environmental Health comments were submitted, with particular reference to standards of natural lighting and ventilation, which are available on the planning file.

Thames Water

Thames Water commented that the applicant should incorporate within their proposal protection to the property to avoid the risk of backflow on the assumption that the sewerage network may surcharge to ground level during storm conditions. The developer will be expected to demonstrate what measures will be undertaken to minimise groundwater discharges into the public sewer. No technical objections are raised with regards to water and sewerage infrastructure capacities.

APCA

The Advisory Panel for Conservation Areas raised no objections to the design principle of the scheme, but expressed concerns regarding the loss of the important TPO tree which contributes to the appearance and historic character of the site.

Highways

From a technical highways perspective, it was noted that the site currently has poor public transport accessibility with a PTAL rating of 1b. In this application the parking layout has been reconfigured in front of the main building to allow additional landscaping and some parking is provided in the basement to be accessed via car lift. As per the transport statement the parking and access arrangements will be reconfigured to provide 22 car parking spaces for the 11 homes (taking into account the seven apartments in the main building and 4

proposed semi-detached houses). The statement suggests that 8 car parking spaces would be provided at ground level and 14 car parking spaces at basement level. Details of refuse storage and cycle parking would be required.

Trees and Landscaping

With regards to the impact of the proposal on trees, it is noted that the previous scheme permits the loss of a mature pine tree. This scheme would still require the loss of the tree. In terms of the layout, the current scheme is more appropriate and presents more opportunity with regards to soft landscaping. If permission is granted it is recommended that a full landscaping scheme be required by way of condition, in addition to protective fencing around the trees to be retained upon the site.

Planning Considerations

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

- BE1 Design of New Development
- BE7 Railings, Boundary Walls and Other Means of Enclosure
- BE10 Locally Listed Buildings
- BE11 Conservation Areas
- BE14 Trees in Conservation Areas
- BE16 Ancient Monuments and Archaeology
- H1 Housing Supply
- H7 Housing Density and Design
- NE1 Development and SSSIs
- NE2 Development and Nature Conservation Site
- NE 5 Protected species
- NE7 Development and Trees
- NE8 Conservation and Management of Trees and Woodland]
- G6 Land adjoining Green Belt or MOL
- ER10 Light pollution
- T3 Parking
- T7 Cyclists
- T18 Road Safety

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

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

Bromley, Hayes and Keston Commons Conservation Area SPG.

London Plan (July 2015)

- Policy 3.3 Increasing Housing Supply.
- Policy 3.4 Optimising Housing Potential

Policy 3.5 Quality and design of housing developments
Policy 3.8 Housing choice
Policy 5.1 Climate change mitigation
Policy 5.2 Minimising carbon dioxide emissions
Policy 5.3 Sustainable design and construction
Policy 5.7 Renewable energy
Policy 5.9 Overheating and cooling
Policy 5.10 Urban greening
Policy 5.11 Green roofs and development site environs
Policy 5.12 Flood risk management
Policy 5.13 Sustainable drainage
Policy 5.14 Water quality and wastewater Infrastructure
Policy 5.15 Water use and supplies
Policy 6.9 Cycling
Policy 6.13 Parking
Policy 7.2 An inclusive environment
Policy 7.3 Designing out crime
Policy 7.4 Local character
Policy 7.6 Architecture
Policy 7.19 Biodiversity and Access to Nature
Policy 8.3 Community infrastructure levy

London Plan Supplementary Planning Guidance (SPG)

Housing: Supplementary Planning Guidance.

National Planning Policy Framework

Planning History

The site has an extensive and complex planning history which is summarised below:

Outline planning permission was granted subject to a legal agreement under reference 99/00926 a single storey side extension for a garage and the change of use of the building to 2 dwellings and the erection in the grounds of 2 detached houses, 3 detached garages and access drives.

The details pursuant to the permission were approved in part under reference 02/01552.

Under reference 02/03898, the scheme permitted under 01/03836 was revised, and permission was granted for 2 detached five bedroom houses each with lower ground floor and detached garages. This permission was renewed in 2005 under ref. 05/02148, again in 2010 (10/01047) and again in 2013 (13/00535).

In 2005 permission was again granted under ref. 05/02149 for elevational alterations, extensions and the change of use of the main building to 2 dwellings. This followed the refusal of permission under reference 05/01297 for the renewal of the permission for 2 detached 5 bedroom houses (02/03898) on the basis that in

the interim the main building had been re-fitted for office use and as such the parking to the front of the building would have been required.

In 2010, the permission granted under reference 05/02149 was renewed (10/01005).

In 2013, the time limit for the implementation of 10/01047 and 10/01005 was extended under references 13/00535 and 13/00532 respectively.

Under reference 15/02655 prior approval was granted for the permitted change of use of the building from Class B1 offices to a total of 8 flats under Class O, Part 3 of the GPDO.

Subsequent applications for planning permission under references 15/03521 and 15/04359 were granted. Permission 15/03521 related to external elevational alterations to supplement the prior approval, including recladding of the modern extension to the side, extensions and alterations to the main building and the provision of integral garaging and terraces to the proposed flats. Permission 15/04359 sought to convert the host building into 7 flats, and included terraces and the demolition and reconstruction of the flat-roofed two storey extension to the side of the building. It was proposed that the replacement extension would be constructed with external materials including pre-fabricated stone panels, flint and brick elements. It is permission ref. 15/04359 that is referred to in the design and access statement accompanying this application in terms of communal parking and the relationship in design between the current proposal and the permitted extension.

Details pursuant to the pre-commencement conditions imposed on permission 02/03898 have been submitted. An additional application ref: 16/00905 has been submitted which seeks the removal of condition 15 of the renewal permission (05/02148), which required: "The development to which this permission relates must not be begun until the office use of Ravensbourne has ceased and works to implement the conversion of Ravensbourne to 2 semi-detached houses have been substantially completed."

Conclusions

The main issues in the determination of this application are the impact of the proposal on the character and appearance of the conservation area, the setting of the locally listed building and the visual amenities of the area in general, the impact on trees, landscaping and protected species, the impact on residential amenity for existing neighbouring residents and in terms of the future occupants of the dwellings and the extent to which the proposal is acceptable from a technical highways perspective.

Of particular relevance, in addition to the planning policies listed above, is the planning history of the site which includes the granting of planning permission for the erection of 2 detached dwellings to the south east of the main building. It is necessary to frame the consideration of the current proposal with reference to and in the light of the extant permission, assessing whether the current proposal would

have an appreciably greater impact on the character and appearance of the conservation area, the existing trees and landscaping on the site, and upon residential amenity, than that which was originally permitted under reference 02/03898 (and subsequently renewed with the addition of condition 15 relating to commencement following cessation of the office use and substantial completion of the residential conversion of the main building).

With regards to the level of parking proposed to serve the 4 semi-detached dwellings and the 7 flats permitted under reference 15/04359, a total of 22 spaces would be provided. This level of parking provision is considered acceptable in view of the low public transport accessibility level.

The design of the development is different to that which was permitted in terms of the appearance of the dwellings and the configuration of the residential units, in providing 4 dwellings in total, arranged as semi-detached pairs. While it is acknowledged that semi-detached dwellings are not a common feature in the locality, the layout of the development in terms of the footprint of the buildings and the retention of space about the buildings would not be visually discordant or undermining of the prevailing pattern of development. In view of the built form of the dwellings and their siting off a private road and physically and functionally separate from the frontages of other residential dwellings bordering the site, the provision of semi-detached rather than detached dwellings is considered acceptable in principle.

As a result of the distinctiveness of the site and its secluded siting, the layout of the development would not tend to inform or set a precedent for development in neighbouring residential streets. It is not considered that the proposal would set an undesirable precedent which would result in a lowering of spatial standards in the locality.

The development previously granted planning permission comprised 2 large detached dwellings each with their own driveway and detached garage buildings. As a consequence, while the garages were reasonably small, the amount of the site taken up by buildings and hardsurfaces diminished the capacity within this part of the site to provide a high quality landscaping scheme. The current proposal would, taken alongside the residential conversion of the main building, result in a reduced tarmacked area to the front and side of the host locally listed building and an increased opportunity for landscaping to improve the setting of the host. The proposed green courtyard between the pairs of dwellings would soften the appearance of the development and represents an improvement over the previously permitted scheme in this respect.

It is acknowledged that the design of the buildings is contemporary in appearance, but Members will be aware that planning permission was granted under reference 15/04359 for the demolition of the existing extension to the main building and its replacement by a more contemporary extension. The materials and design of the proposed dwellings would complement more fully that extension than the dwellings originally permitted and it is considered that the palette of materials would complement, as in the extension scheme, the host building. The use of a varied

palette of materials including flint, brick and slate would complement the materials used in the external elevations of the host building.

When compared with the previously permitted scheme, the overall impact of the bulk and massing of the buildings would not be greater in terms of the impact of the proposal on the conservation area and the setting of the locally listed building. It is considered that the more contemporary design avoids pastiche and has the potential to improve the overall relationship between the old and new building on the site by clearly defining the modern in relation to the historic. The appearance and setting of the proposed dwellings would sit more comfortably with the host building and the mature landscaped setting of the building than was the case with the previously permitted scheme.

In terms of landscaping and the impact of the development on trees, the current application would provide an appreciably more generous landscaping as a consequence of the green courtyard and the provision of parking within the basement area rather than as surface parking. The proposal would result in the loss of the mature tree (T12) adjacent to the main building, as well as certain other trees within the site. The concerns raised regarding this loss in terms of impact on visual and residential amenity as well as nature conservation are noted. However Members are advised that the scheme granted permission under reference 02/03898 would also have resulted in the loss of T12 and it is not therefore considered reasonable to refuse permission for the current development on that basis. If permission is granted it would be appropriate that it be subject to conditions seeking the retention and protection of trees and screening hedging shown to be retained.

The concerns raised regarding the impact of the development on bats are noted, and it is considered that an appropriately worded informative could serve to draw the developer's attention to responsibilities regarding development and protected species, and a condition could also be imposed seeking the submission of details of a lighting scheme for the access/car park to ensure that light pollution does not present a risk to wildlife protection as well as to safeguard the residential amenities of neighbouring properties.

With regards to the impact of the proposals on the residential amenities of neighbouring properties, the main issues relate to potential loss of privacy and overlooking, visual impact associated with the bulk and massing of the proposed dwellings and noise and disturbance associated with the use of the dwellings, the refuse storage and the proposed car lift.

In respect of the latter issue, the applicant has stated that the normal readings for noise levels associated with the type of car lift proposed are between 45 - 52 dBA, measured 1m from the source of the noise. The applicant states: "To put this range into context, a 50dBA level relates to the noise level of an average home and 40dBA relates to the level of a quiet library. However, as our lift motor room is located in the basement car park, and surrounded by blockwork walls and concrete slab, the actual noise level heard above ground will be significantly quieter than the 45 - 52dBA range quoted, and therefore the noise disturbance minimal." On the basis of this information, it is considered that a condition could be imposed to

ensure that the system installed matches the system referred to by the applicant, in order to ensure that the car lift noise levels would be within an appropriate range and would have no significant adverse impact in terms of noise and disturbance to neighbouring properties.

The proposed surface parking bays towards the boundary with No. 9 Hassock Wood replace one of the previously permitted detached garages and are broadly located within the extent of the existing large tarmac parking area associated with the office use of the main building. It is considered that the retention of hedging adjacent to the boundary which is shown to be retained on the submitted Tree Protection Plan would adequately safeguard the amenities of the neighbouring property, and in view of the existing use of the site and that which was previously permitted, the current proposal would not have a significantly greater impact in terms of noise and disturbance.

While it is noted that the existing office use of the main building appears to have been limited to normal office hours, there is no planning condition restricting the hours of use of the main building. It is acknowledged that the residential use of the site would tend to introduce a greater potential for evening and weekend noise and disturbance in comparison to the previous office use but in view of the separation between the buildings and the surrounding properties and in the light of the planning history of the site it is not considered that any additional noise and disturbance would have a significantly adverse impact on the neighbouring dwellings.

With regards to the visual impact of the proposed dwellings when viewed from neighbouring properties, it is considered that the scale and bulk of the dwellings would not be excessive or unacceptably prominent. While the rear gardens of Units A and B would be relatively short, the orientation of the proposed dwellings and of the existing dwellings in Hassock Wood would tend to limit the visual impact of the proposed houses when viewed from the rear of those dwellings. Similarly it is considered that adequate separation is maintained between the rear elevations of dwellings in Rolinsden Way and Swires Shaw and the flank elevations of Units B and D to limit the impact of the proposal on visual amenity.

The proposed dwellings are no higher than the detached dwellings previously granted planning permission and the provision of single storey elements nearest to the boundary with Hassock Wood limits the extent to which the proposed rear elevations of Units A and B would be clearly appreciable from neighbouring properties. With regards to Unit D, it is acknowledged that the flank elevation/southern corner of that dwelling would be siting closer to the boundary with Nos. 2 and 4 Swires Shaw, but in view of the orientation of the dwelling, separation and screening it is considered that the visual impact of the proposal would be acceptable in this respect.

With regards to privacy, the provision of the raised rear terrace to Unit D requires careful consideration in terms of potential for overlooking. It is noted that rear terrace is described in the Design and Access statement as being half submerged into the sloping landscape and that reference is made to the capacity for new tree planting scheme to mitigate any overlooking issues. The elevation of the terrace

responds to the topography of the site. In view of the proposed and retained landscaping screening to the boundary of the site it is considered that the use of the rear terrace would not have a significant impact on privacy to neighbouring properties. Similarly, the design and position of rear and flank facing windows in the proposed dwellings, and the siting of balconies facing into the central courtyard, is considered to satisfactorily limit the extent to which the proposed dwellings would result in overlooking and actual or perceived loss of privacy to neighbouring dwellings.

In terms of the amenity of prospective residents it is acknowledged that a significant proportion of the accommodation would be provided within a lower ground floor. On balance, it is considered that the provision of lightwells and glazed 'wintergarden' elements would serve to provide adequate levels of natural light. The outlook from the rooms served by lightwells would be restricted. In view of the accommodation in each dwelling as a whole, it is considered that while elements of the dwellings may be unconventional in terms of their outlook and the levels of natural light, as an overall dwelling, each property benefits from an acceptable level of amenity for prospective occupiers.

It is noted that the rear garden to Unit A is somewhat small in the context of the development and the general size of gardens neighbouring the site and that the rear garden of Unit D is set on a slope. The private gardens of Units A, B and D all include substantial retained hedging/trees which would tend to restrict the usable space within the gardens, and which it is desirable to retain in order to limit the visual and residential impact of the development. On balance, taking into account the communal access to the large gardens at the rear of the site, it is considered that the somewhat uncharacteristic garden sizes referred to above would not result in accommodation of an unsatisfactory standard such that would warrant the refusal of planning permission.

It is considered that the impact of the current proposal on residential amenities and the visual amenities, character and appearance of the conservation area would be acceptable and that subject to appropriate safeguarding conditions, it is recommended that planning permission be granted.

as amended by documents received on 23.03.2016

RECOMMENDATION: PERMISSION

Subject to the following conditions:

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

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

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

implemented in the first planting season following the first occupation of the buildings or the substantial completion of the development, whichever is the sooner. Any trees or plants which within a period of 5 years from the substantial completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species to those originally planted. A landmark tree will need to be incorporated into the scheme.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

9 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.

10 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.

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

Reason: In order to comply with Policy T3 of the Unitary Development Plan and to avoid development of the site and the adjacent flatted development without adequate parking provision.

12 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.

13 Details of the proposed car lift including the technical specification, manufacturer, model and predicted noise levels associated with its use shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development hereby granted planning permission.

Reason: In the interest of the residential amenities of the occupiers of neighbouring dwellings and to accord with Policy BE1 of the Unitary Development Plan.

14 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order amending, revoking and re-enacting this Order) no buildings, structures, alterations, walls or fences of any kind shall be erected or made within the curtilage(s) of the dwelling(s) hereby permitted without the prior approval in writing of the Local Planning Authority.

Reason: In the interest of the visual amenities of the Conservation Area and the residential amenities of the area.

15 The development hereby permitted shall be carried out strictly in accordance with the slab levels shown on the approved drawing(s).

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

16 Prior to the erection of any external lighting on the site a lighting plan shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details and thereafter retained for the lifetime of the development. The submitted scheme shall be designed to take into account the advice on lighting set out in the Bat Conservation Trust booklet Bats and Lighting in the UK.

Reason: To minimise disturbance to bats, a European Protected Species, and in the interest of the residential amenities of the occupiers of neighbouring residential dwellings.

17 No development shall commence on site until a landscape management plan, including long-term design objectives, management responsibilities and maintenance schedules for all landscape areas (other than small, privately owned, domestic gardens) has been submitted to and approved in writing by the Local Planning Authority. The landscape management plan shall be carried out as approved in accordance with the approved details.

REASON: To ensure the proper management of the landscaped areas in the interests of the visual amenities of the conservation area and the setting of the locally listed building, to accord with Policies BE11 and BE1 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 in Part2, para 4(2) of the Community Infrastructure Levy Regulations (2010))

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

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

2 The applicant is advised that bats are known to forage within the Keston and Hayes Common SSSI. All bat species are protected under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended) and Schedule 2 of The Conservation of Habitats and Species Regulations 2010 (as amended) making all species of bat European Protected Species.

During development, including trees work, care should be taken in case roosting bats are present. If any bats are found, work should stop immediately and Natural England need to be informed.

Even if not bats are found during demolition, the installation of bat bricks in the new build should be considered.

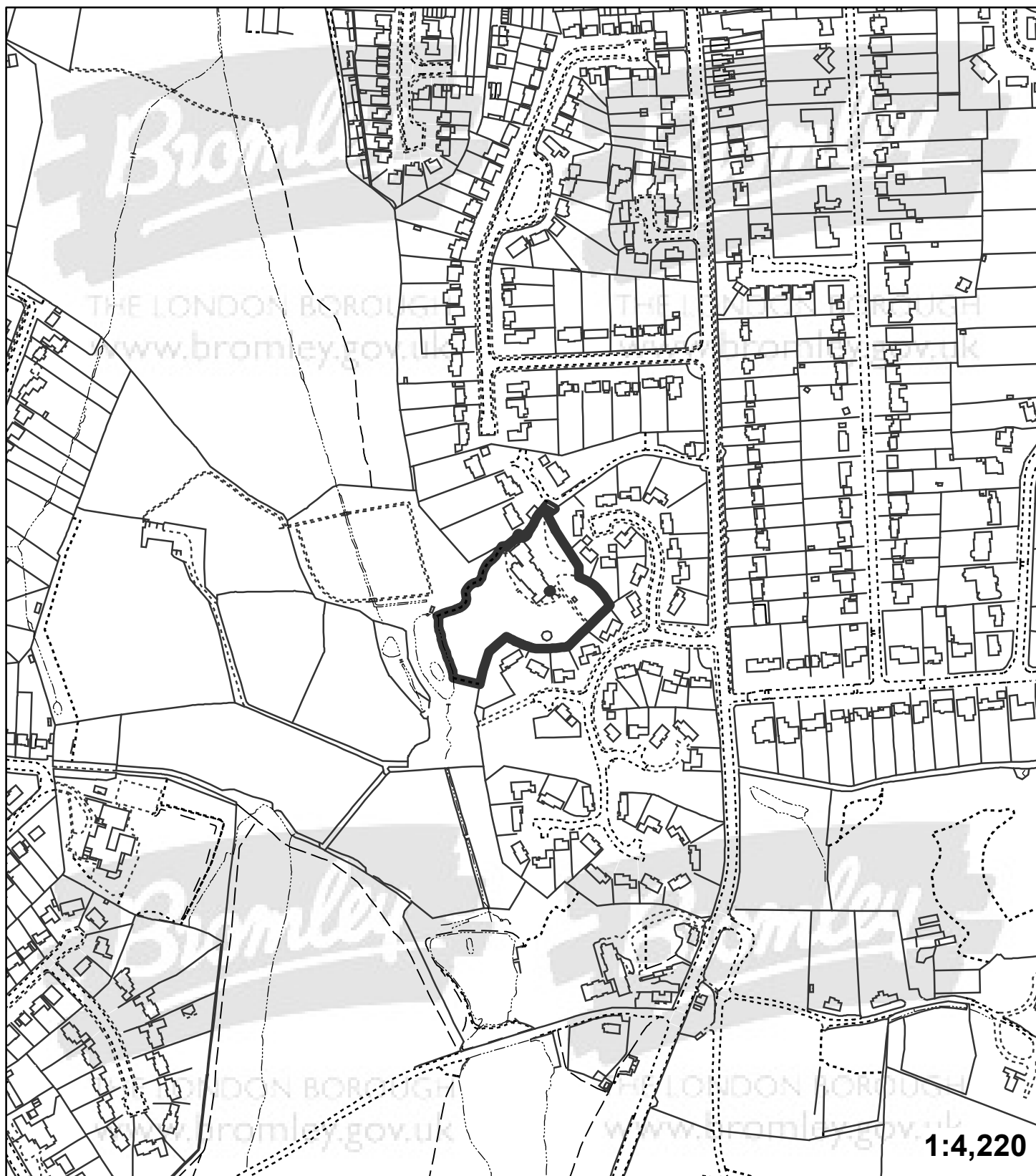
- 3 A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures will be undertaken to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water Risk Management Team by telephoning 020 35779483 or by emailing wwqriskmanagement@thameswater.co.uk. Application forms should be completed online via www.thameswater.co.uk/wastewaterquality.
- 4 It is recommended by Thames Water 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 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 contact on 0800 009 3921.
- 5 Thames Water will aim to provide customers with a minimum pressure of 10m head (approx. 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Water pipes. The developer should take account of this minimum pressure in the design of the proposed development.
- 6 Thames Water recommend that all petrol/oil interceptor be fitted to all car parking/washing/repair facilities. Failure to enforce the effective use of petrol/oil interceptors could result in oil-polluted discharges entering local watercourses.
Thames Water Developer Services can be contacted on 0800 009 3921.

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Application:16/00410/FULL1

Address: Ravensbourne Westerham Road Keston BR2 6HE

Proposal: Erection of two pairs of semi detached houses with green landscaped courtyard on land to the south-east of Ravensbourne House. Reconfiguration of parking layout in front of main building to allow additional landscaping, provision of basement parking area to be accessed



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

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SECTION '2' – Applications meriting special consideration

Application No : 16/01260/FULL6

Ward:
Bromley Common And
Keston

Address : 4 Hathaway Close Bromley BR2 8RD

OS Grid Ref: E: 542803 N: 166115

Applicant : Mr Chris Brown

Objections : YES

Description of Development:

Single storey side/rear extensions including rooflight to rear roof slope of existing garage, single storey front extension, front porch extension, and roof alterations to form habitable accommodation including rear dormer and front roof lights.

Key designations:

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

Proposal

The application seeks planning permission for single storey side/rear extensions including rooflight to rear roof slope of existing garage, single storey front extension, front porch extension, and roof alterations to form habitable accommodation including rear dormer and front roof lights.

The single storey side/rear extension has two elements; one projecting from the rear of the main dwelling and the other from the rear of the existing garage attached to the flank wall of the neighbouring property at no. 3. The extension will extend 3.6m in depth from the main part of the dwelling for a width of approximately 6.05m to retain a separation to the western side boundary of 0.15m and 2.65m to the eastern side boundary shared with no. 3.

It will have a pitched roof sloping down to the rear from a maximum height of approximately 3.7m to an eaves height of approximately 2.5m, when scaled from the submitted drawing. The part of the extension which will extend out from the rear of the existing garage, will extend approximately 4.4m in depth, when scaled from the submitted drawings, to partially adjoin the deeper part of the extension from the main rear wall of the existing dwelling. A separation of 0.1m is shown to be retained from the flank wall of this part of the extension to the eastern side boundary. This single storey side/rear part of the extension will have a flat roof to a height of approximately 2.5m, when scaled from the submitted drawing. A roof light is also indicated to be inserted into the rear roof slope of existing garage.

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

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

A flat roofed dormer is also proposed within the rear roof slope of the main dwelling and two rooflights within the front roof slope, which will provide accommodation within the roof space.

Location

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

Consultations

Nearby owners/occupiers were notified of the application and representations were received from no. 3 Hathaway Close which can be summarised as follows:

- Objection to use of the party wall with no. 3 for the front garage extension
- Planning Permission Laws 2013 states that written details of the extension which includes all sizes and dimensions should be provided
- The extension should not be built to the part of the home which faces the road
- Building regulations states that no extensions should be built beyond or added to the front of the house and no outbuilding should be forward of the original dwelling
- The property is being used for a commercial purpose and the extensions will increase this use
- The use of the garage as a commercial use invalidates neighbours home insurance
- The deeds state there should be no commercial use
- The extension would adjoin no. 3 turning it into a mid-terraced property devaluing the property
- The plans for the utility room do not show ventilation for a washing machine, drier etc.
- There is only a 0.1m gap between the side extension and no. 3 which is against the party wall act
- Party walls and excavations adjacent to them should not be built within either 3 or 6 metres of a neighbouring owner's building or structure
- No party wall notice has been given and will not be signed

- There should not be any side doors or windows in the single storey rear extension
- An application at a later date for a second floor rear extension would be objected to due to Right to Light
- The extensions at no.3 were restricted and no. 4 should be
- The rear dormer will cause a loss of light
- The dimensions of the rear dormer are disproportionate to the existing property and does not conform to Town Planning 2002
- overshadowing
- loss of privacy
- would change the character, environment and architectural layout as was originally designed
- the use of the garage to a utility would change the category of no. 3 from a garage linked detached house to a mid-terrace house reducing the commercial value of no 3

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

- The extensions are for residential purposes for the two adults and four children currently residing in the existing 3 bedroom property and are not for commercial purposes
- The changes to the front of the property are minimal and the porch area would enclose the existing porch area similar to no. 1 and is an infill rather than an extension
- The front extension to the garage is to maintain a garage as storage with the addition of a utility room and could be removed if no.3 is concerned
- The drawings are all to a recognised scale and include a scale bar on each drawing
- The porch in most cases would be permitted development
- Building regulations make no reference to what is or not permitted by planning consent or permitted development and are purely concerned with construction standards
- The statement includes comments with regards to the use of the property for any business purpose and outlines that no trading and no commercial activity is undertaken at the property and the garage/driveway is used only for storage of coffee carts as confirmed to Environmental Health
- There is no selling or visiting by customers to or from the property and no advertising at the address.
- There is no increase to coffee carts at no. 4
- The carts are maintained away from the house and there is no noise pollution
- The storing of the coffee cart is no different to a black cab or ice cream van and should not affect house insurance of neighbour
- Neighbouring garage at no. 3 is also no longer used as a garage
- The alterations already undertaken to no. 3 have changed the character, environment and architectural layout and would therefore be against the deeds

- If the plans need to show ventilation this will be done under building regulations but the velux window shown on the plans is considered adequate
- Side extension dimensions are to scale
- The drawings show a boundary gap of 20cm
- The Party Wall Act does not prevent building work from taking place but is to protect both parties by formalising notices which need to be served prior to work commencing
- No. 4 is set 12 feet further back from no. 3 and doesn't form part of the building line of no. 1,2,3
- There are no proposed side windows and the pitched roof will be set to 15 degrees
- There are no plans to apply for a second floor extension as this has been dealt with by extending into the loft
- The dormer window is set 500mm in from the roof edge at both sides and 300mm back from the eaves
- The photoshopped images provided by no. 3 are exaggerated and larger
- The trees in no. 3's garden already create a loss of light

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

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

Comments from Consultees

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

Planning Considerations

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

Unitary Development Plan

BE1 Design of New Development

H8 Residential Extensions

H9 Side Space

Supplementary Planning Guidance

Unitary Development Plan:

Supplementary Planning Guidance 1 General Design Principles

Supplementary Planning Guidance 2 Residential Design Guidance

Planning History

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

More recently an application for a 'Two storey rear and single storey side extensions single storey front extension and new front entrance porch' was withdrawn by the applicants before determination.

Conclusions

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

Principal

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

Scale and Design

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

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

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

To the rear a single storey extension is proposed which will project to the rear of the existing garage adjacent to no. 3 before being set away from the boundary for the remainder of the extension which projects out from the main dwelling. The properties in this part of the road are staggered and do not follow a uniform front or rear building line. It can also be seen that properties within the area, including the neighbouring property at no. 3 have also been extended at single storey to the rear and within the roof space. The design and scale of the single storey side/rear extensions would therefore be in keeping with the host dwelling and area in general, and the materials are shown to match the existing. Accordingly, the scale and design of the proposed rear extensions are considered to be acceptable.

Concerns have been raised as to the size of the proposed rear dormer in proportion to the main dwelling. However, the dormer would be set up from the eaves, lower than the ridge height of the main roof of the dwelling, and set in from both flank walls. As such it would fit within the main roof of the existing dwelling and would remain subservient to the main dwelling. The neighbouring property at no. 3 benefits from a similar flat roofed dormer and as such the dormer extension would not be out of character with the area.

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

Neighbouring Amenity

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

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

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

However, no. 3 has been extended to the rear at single storey following a grant of permission under ref: 03/01796/FULL6. The Council's records indicate that this extension projects to a depth of 3m and as such the proposed single storey side/rear extension at no. 4 would project only a further 1.4m beyond the rear elevation of this existing extension. Therefore, having regard for this existing relationship and given the modest height of the proposed extension, it is not considered to give rise to any significant loss of amenity by reason of light or outlook and would therefore be compliant with the overarching aims of policy BE1 of the UDP. Concerns with regards to building regulations matters would not be material planning considerations.

Due to the existing layout of no's 3 and 4, as indicated above, the rear building of the main dwellinghouse at no. 4 sits much further back, by approximately a distance of 3.5m, than the original rear building line of no. 3. As such the single storey rear extension, which will project 3.6m from the rear of the main dwelling, will be approximately 4.1m from the rear of no.3. However, a separation of 2.65m is provided between this side boundary shared with no. 3 and the flank wall of this deeper part of the rear extension which will help to reduce the impact in terms of outlook and light. Furthermore, no. 3 lies to the east of the application property so the loss of direct sunlight would be lessened due to this orientation. There are no flank windows proposed and as such there would be opportunities for overlooking or loss of privacy.

Taking account of the existing relationship between the application property and neighbouring property at no. 3, and the siting, size and design of the extension which will reduce in height towards the rear to a minimum of 2.5m due to the proposed pitched roof, the proposed extension is not considered to result in a significantly harmful impact on the residential amenities of this neighbouring property as to warrant a refusal of planning permission on this basis.

To the west of no. 4, the front elevations of no's 5 and 6 Hathaway Close face towards the application site and as such the proposed rear extension will be visible. However, there is a distance of some 13m between the side boundary of no. 4 and the front elevations of these neighbouring properties and as such given the single storey nature of the extension and this separation, there is not considered to be any loss of amenity to these neighbouring properties resulting from the proposed extension.

Concerns have been raised by the owner of no. 3 with regards to a loss of light to the rear windows of this neighbouring property from the proposed rear dormer. The proposed dormer would sit within the existing roof of the main dwelling, and as such whilst it will increase the bulk and height of this part of the roof, it will not extend any further to the rear than the rear building line of the existing dwelling nor any closer to the neighbouring property. As such, whilst the rear of the neighbouring dwelling at no.3 sits behind the application property and so part of the flank wall of the dwelling and the roof are visible from the rear of this property, given the size and siting of the proposed dormer and the separation to the neighbouring property, the proposed dormer is not considered to result in any significant loss of light or outlook as to warrant a refusal of planning permission.

The proposed rooflights in the front roof slope and rear roof slope of the existing garage are proportionate to the main dwelling and would not give rise to any additional opportunities for overlooking or loss of privacy.

Concerns have also been raised with regards to the use of the property as a commercial business. The floor plans submitted with the application indicate residential use and any use as a business may be investigated by the Council separately.

Having had regard to the above, Members may consider that the proposed extensions are acceptable in that they would not result in a significant loss of amenity to local residents nor impact detrimentally on the character and appearance of the host dwelling or area in general. Therefore, the extensions are considered to comply with the overarching aims and objectives of Policies H8 and BE1 of the UDP.

RECOMMENDATION: PERMISSION

Subject to the following conditions:

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

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

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

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

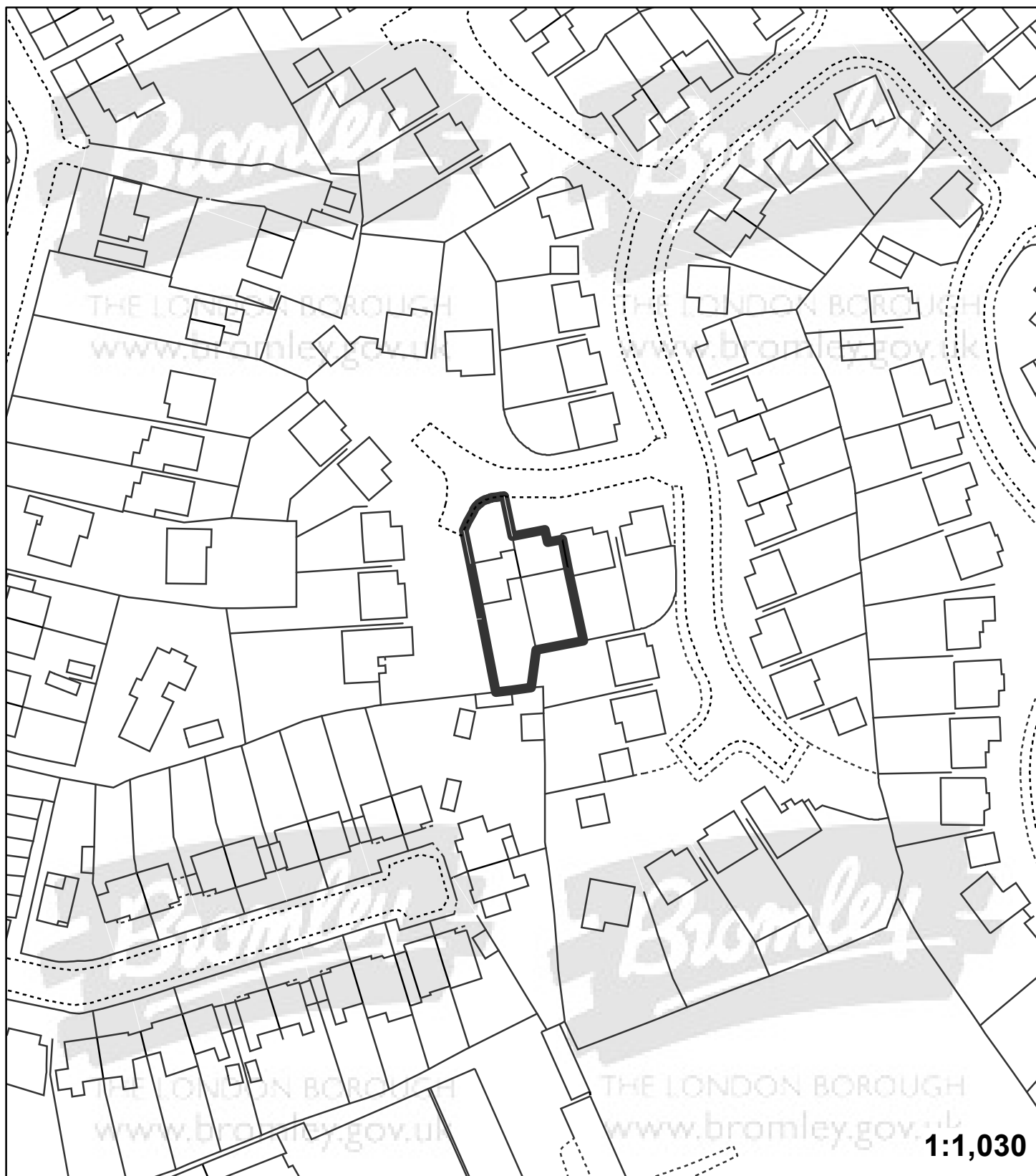
- 3 The development hereby permitted shall not be carried out otherwise than in complete accordance with the plans approved under this planning permission unless previously agreed in writing by the Local Planning Authority.**

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

Application:16/01260/FULL6

Address: 4 Hathaway Close Bromley BR2 8RD

Proposal: Single storey side/rear extensions including rooflight to rear roof slope of existing garage, single storey front extension, front porch extension, and roof alterations to form habitable accommodation including rear dormer and front roof lights.



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

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SECTION '2' – Applications meriting special consideration

Application No : 16/01359/FULL6

Ward:
Bickley

Address : 38 Parkside Avenue Bickley Bromley
BR1 2EJ

OS Grid Ref: E: 542233 N: 168239

Applicant : Mr Robin Martin

Objections : YES

Description of Development:

Two storey part side extension

Key designations:

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

Proposal

Part one/two storey side extension

Key designations:

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

The application site comprises a modest end of terraced two storey dwelling situated on the southern side of Parkside Avenue. The row of three terraced dwellings are located at right angles to the main frontage in Parkside Avenue and face the eastern flank boundary of No.32. To the rear is a block of garages.

Planning permission is sought for a part one/two storey side extension. The dwelling currently benefits from a single storey side extension. It is intended to construct a first floor level above the existing extension and extend to the rear of the existing side extension at ground and first floor level. The extension to the rear of the existing side element would measure 4.6m in depth and 4.3m in width and would be in line with the rear elevation. The first floor element would measure 11m in depth and 4.3m in width spanning the entire depth of the dwelling on the western side. A side space of between 0.940m and 1008mm would be maintained. The extension would have a flat roof and a height of 6m in keeping with the host dwelling. One high level window is proposed in the side elevation which would be obscure glazed serving a bathroom.

Consultations

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

Planning Considerations

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

BE1 Design of New Development
H8 Residential Extensions
H9 Side space

Planning History

Under planning reference 86/03569 planning permission was granted for a front porch.

Under planning reference 15/05135 planning permission was refused for a part one/two storey side extension. The grounds of refusal were:

"The proposal does not comply with the Council's requirement for a minimum 1 metre side space to be maintained to the flank boundary in respect of two-storey development in the absence of which the extension would constitute a cramped form of development, out of character with the street scene and contrary to Policy H9 of the Unitary Development Plan."

Conclusions

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

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

This application is an attempt to address the grounds of refusal of a previous application. The previous application sought permission for part one/two storey side extension with a 875mm side space to the boundary with the highway. This application has been submitted with plans which appear identical to the previously submitted plans with the side space shown as 1 metre.

Currently a solid brick wall runs the length of the side boundary of the host dwelling. The applicant was asked to verify his plans regarding how a 1m side space could be achieved. The applicant has suggested that the brick wall could be reduced to a single brick thick wall or close boarded fence.

Due to the discrepancies of the plans the case officer revisited the site and measured the distance between the boundary and the proposed side extension. The side space measured between 940mm to the pillar and 1008mm to the wall. The side extension proposed will be adjacent to the highway, therefore there would be no risk of terracing. Following discussions with the agent, the agent suggested in order to achieve a 1 metre side space the brick boundary wall could be replaced with timber fencing. However Members may consider that the retention of the brick wall as opposed to the proposed timber fence boundary treatment would be more preferable and may accept a reduced side space of 940mm in this instance.

Having had regard to all the above Members may consider that, on balance, the development in the manner proposed is acceptable in that it would not detract from the character of the street scene.

RECOMMENDATION: PERMISSION

Subject to the following conditions:

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

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

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

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

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

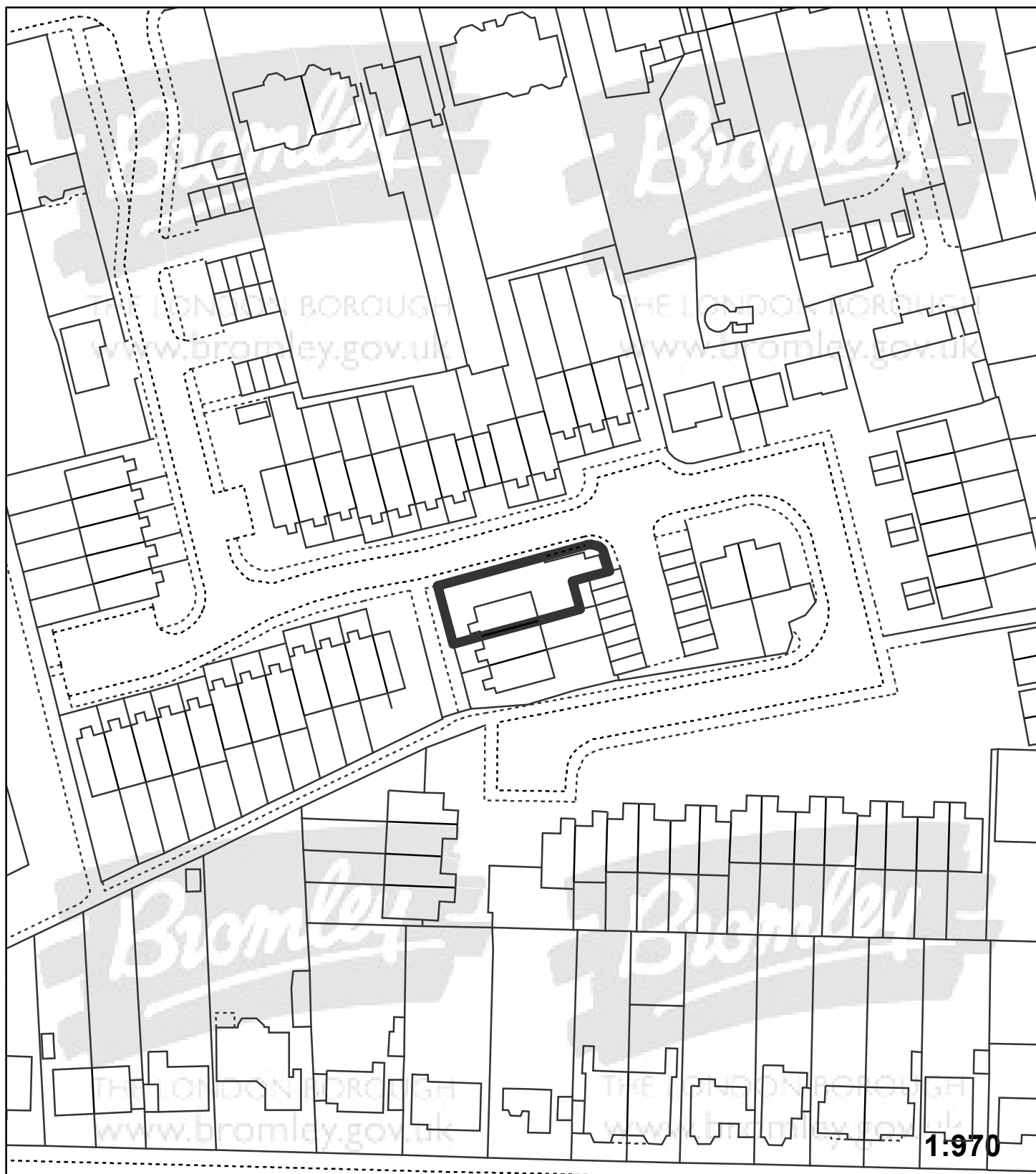
Reason: In order to comply with Policy BE1 of the Unitary Development Plan and in the interest of the visual and residential amenities of the area.

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Application:16/01359/FULL6

Address: 38 Parkside Avenue Bickley Bromley BR1 2EJ

Proposal: Two storey part side extension



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

Application No : 15/03635/FULL3

Ward:
Darwin

Address : Yellow Barn Holwood Farm New Road
Hill Keston BR2 6AB

OS Grid Ref: E: 542431 N: 162918

Applicant : Mr Gary Mercer

Objections : YES

Description of Development:

Conversion and enlargement of existing farm building into butchery counter and butcher preparation room; addition of mezzanine floor to existing coffee shop to be converted to Class A3 (Restaurant) Use, conversion of remainder of the building into 3 bedroom dwelling; and associated elevational alterations and provision of extended fire escape staircase.

Key designations:

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

Proposal

Conversion and enlargement of existing farm building into butchery counter and butcher preparation room; addition of mezzanine floor to existing coffee shop to be converted to Class A3 (Restaurant) Use, conversion of remainder of the building into 3 bedroom dwelling including associated elevational alterations and provision of extended fire escape staircase.

The proposal can be divided into the following main elements:

- i) A full height extension at the western end of Yellow Barn to extend the retail area at ground floor level to provide a butchery counter, and provide additional kitchen space at first floor level. The floorspace of the proposed extension creates approximately 66.5 sqm of additional floorspace in total including the new floorspace created at ground and first floor levels.
- ii) Change of use of the existing ground floor store to expand the green grocery retail floorspace (14 sqm);

iii) The conversion of a small area of the 'Byre' building which is described as an unused 'tool store' (with a floorspace of approximately 39 sqm), to provide a butchery preparation room;

iv) The extension of the existing café by the provision of a mezzanine at first floor level. The proposed mezzanine will have a floor area of approximately 49.5 sq m and provide 14 additional covers.

v) The conversion of some of the existing buildings on the site, known as the 'Byre' (that the plans show are currently used for storage, a workshop, and site office and are currently in a poor state of repair) to provide a 3 bedroom dwelling. It is noted that planning permission has previously been granted for the conversion of this element of the building to residential under permission Ref: 10/1251 and therefore the principle of this element of the scheme has already been established.

vi) Change of use of existing coffee shop to A3 (restaurant) Use. The A3 permission is being sought to allow the existing café to expand its offer and provide hot breakfast and lunch options only.

vii) Addition of a fire escape staircase.

The supporting statement sets out the business case to justify the proposal. There is no change to the business hours.

The application is accompanied by: a Planning, Design and Access Statement; a Condition Survey Report; and a Bat Survey Report.

Location

The application site is located in the Green Belt and occupies a prominent corner plot between Shire Lane and New Hill Road within the curtilage of Holwood House Farm, Downe. Holwood Farm lies to the south east of the junction of Shire Lane and New Road Hill.

Consultations

Comments from Local Residents

Nearby owners/occupiers were notified of the application.

A number of letters of support (22) have been received in respect of this proposal, the content of these is summarised below:

- Well run family business;
- They are a great example of an independent business who support and promote many other producers;
- Increases local amenity;
- Asset to local community and tourists alike;

- The business serves the local community and beyond extremely well. People come from long distances to purchase fresh food. It also serves local farmers;
- Creates jobs;
- Local area lacks an independent butchers and this will be a fantastic addition to a very popular local shop;
- The shop sells wonderful Kent produce;
- The present café is small and often overcrowded;
- The expansion to the eating facilities will also be very welcome;
- Holwood Farm Shop is an asset to the community and should be allowed to expand;
- It is a shame that they can't currently do hot food especially in the winter months;
- Strong support for application. Ambient venue for light refreshments, and local produce, but also as a meeting place for the community;
- Lively community hub in what was a former derelict site;
- Growing in popularity as a place for families and walkers;
- The proposal allows a more effective use of the site providing enhanced facilities for lovers of quality local food.
- The derelict buildings are unsightly and it would be sensible to put them to good use;
- The conversion of the barn has been tastefully done and to expand the shop with a further conversion would be most useful and would enhance the area generally;
- Concerns if the site was being inappropriately developed or would run the risk of being exploited by a future owner, but this proposal works sensitively modifying the existing buildings and with appropriate caveats would ensure future owners would have to show the same sensitivity;
- Good parking facilities.

Downe Residents' Association (DRA) - A letter has been received from DRA. The letter confirms that DRA considers that it is reasonable that the applicant should be able to serve hot breakfasts and lunches and they trust the owner's assurances that they will not open in the evening. However, they do have some concerns should the premises be sold in the future, and the potential for new owners to seek an extension to the hours of operation for the A3 Use if permission is granted for the A3 Use. DRA considers that this could be to the detriment of the Village's existing two public houses and the Indian restaurant whose livelihoods should be taken into consideration when considering this application.

'Produced in Kent' - A letter of support has been received from 'Produced in Kent' which is a membership organisation dedicated to supporting local producers and championing and supporting the growing trend amongst the general public to eat more locally produced food. They confirm that they consider that the Farm Shop, Café and Butchery is a sustainable model. They support the fact that the scheme will result in the introduction of a local butcher and create jobs and support the local economy. 'Produced in Kent' indicates that it considers that this is a high quality development which shows respect for the history of the building and the heritage of the site. It highlights that the proposal is entirely within the current site and makes no discernible change to the outlook/openness of the site whilst

restoring buildings that would otherwise be unused. It considers that Holwood provides a choice outside of the major retail chains and has become a valuable community asset.

It is also noted that Holwood Farm Shop has won a number of awards including 2013 Best New Business in Bromley, 2014 Kent Life Customer Service Award, and they have been listed for Food and Travel Magazine 2015 Specialist Retailer of the Year'.

Comments from Consultees

Highways considers that there is sufficient car parking on the site. They did, however, suggest that the applicant submit a revised car parking layout as this would enable the applicant to create more car parking spaces that could serve the expanding business. A revised layout has been submitted by the applicant in accordance with Highways suggestions which they have acknowledged is acceptable subject to standard conditions.

Environmental Health - indicated that an extraction system would be required and that the system including ductwork, kitchen layout and canopy must be shown on plans for their approval. A plan of the ductwork has been provided that Environmental Health has acknowledged is acceptable subject to standard conditions.

Heritage & Design - No objection

Waste Services - No comments received

Town Centre Management (LBB) - Town Centre Management Team has expressed support for the application. It considers that the proposal will enable the continued viability of a sustainable business, and create jobs and training opportunities for local people, which is particularly important in a rural area. As an employment location, Holwood Farm is reasonably accessible, with good road and bus links. The existing business already supports other independent (mainly rural) businesses, both within and outside the Borough. All of these advantages can be delivered through a very modest change to the physical layout of the buildings, including the restoration of a semi-derelict farm building. The hours of operation are also remaining as day time only, thereby reducing the risk of nuisance to local neighbours.

Planning Considerations

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

- H1 Housing
- H7 Housing Density and Design
- H12 Conversion of non-residential buildings to residential use
- T3 Parking
- BE1 Design of New Development
- BE2 Mixed Use Developments
- BE3 Buildings in Rural Areas

G1 The Green Belt
G10 Development Related to Farm Diversification
EMP5 Development Outside Business Areas
BH8 Noise Sensitive Developments
NE6 Proposed World Heritage Site
BH7 Safety

The National Planning Policy Framework (NPPF) and London Plan also constitute important policy considerations.

Key policies of relevance to this proposal

Policy G1 of the UDP notes, amongst other matters, that the construction of new buildings on land falling within the Green Belt will be inappropriate unless for certain purposes - including essential facilities for outdoor sport and outdoor recreation and open air facilities and other uses of land which preserve the openness of the Green Belt and do not conflict with the purposes of including land in it. It also notes that a material change of use of land within the Green Belt will be inappropriate unless it maintains the openness of the Green Belt and does not conflict with the purposes of including land in the Green Belt.

In terms of national policy, the NPPF notes at Paragraph 87 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 notes that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt subject to certain exceptions such as the provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it. In addition, NPPF Paragraph 90 states that "Certain other forms of development 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 it" and these uses are listed in that section of the NPPF.

Planning History

The application site is the site of a former Farm and Dairy business which ceased operation in September 2006. Since then a number of planning permissions have been granted. The most relevant application to the current application proposal is:

10/01251 - planning permission was granted for the conversion of the farm buildings into 1 four-bedroom dwelling with office and 2 three-bedroom dwellings with 6 car parking spaces, together with the conversion of a barn into a farm shop (Class A1) and 20 car parking spaces with associated landscaping and enclosures. The works also involved the demolition of a large Atcost barn and hay barn.

This Planning Permission has been implemented and the farm shop has been in business since 2012.

Other relevant applications are briefly summarised below:

06/00051 - Planning Permission was granted for a replacement light industrial workshop.

00/00620 - Planning Permission was granted for a change of use of poultry building from agricultural use to light industrial workshop.

06/03484 - Planning Permission was granted for the change of use of 3 existing site buildings to Class B1(c) / B8 uses with associated parking.

06/04162 - Planning Permission was granted for alterations to existing building (3) to re-construct walls to eastern and western elevations.

06/02586 - Planning Permission was granted for a conversion of the farmhouse into three bedroom flats/expansion of existing laundry cottage to form two bedroom dwellings plus conversion of former calf sheds to form three bedroom dwelling and stables, grooms quarters and dairy to form four bedroom dwelling with office and 17 car parking spaces with associated landscaping and enclosures. An extension of time for the implementation of this proposal was granted under Ref: 10/0128.

Conclusions

The main issues for consideration this case are the appropriateness of the proposed development in the Green Belt. Relevant considerations include; the impact of the proposal on the openness of the Green Belt and the purpose of including land within it, and whether, if the development is inappropriate in the Green Belt, the harm by reason of inappropriateness or any other harm would be outweighed by other considerations so as to amount to very special circumstances. The impact of the proposal on local character in general, and on neighbouring amenity are also material planning considerations.

Principle of the Development

There are, two main elements to this application: the proposed commercial expansion and the residential conversion.

Residential Conversion

It is noted that Planning Permission has previously been granted for the redevelopment of the 'Byre' building for residential under Ref: 10/0125. This permission was also in respect of a three bedroom unit. Although the internal configuration of the unit was slightly different and there are very minor alterations to the elevational treatment, the differences are not considered to be material. Whilst it is acknowledged that the NPPF has since been introduced, it is considered that there have been no material changes in planning policy that would alter the outcome of the planning application in this regard. It is therefore considered that the principle of the residential use of these buildings has already been established.

The remainder of the report will, therefore, consider the principle of the expansion of the commercial business which includes an extension to the retail floorspace and the provision of a butchery room, and the change of use of the restaurant to Use Class A3.

Expansion of Commercial Operation

Whilst it is noted that the proposed uses would, in their own right, represent inappropriate development in the Green Belt, in this case the proposal is for the extension of an existing facility. The existing farm shop has been operating very successfully from the site since it opened in 2012. The quantum of additional retail floorspace required to extend the butchery counter and provide a butchery preparation room are considered to be relatively modest. The area of the 'Byre' building to be converted to form the butchery preparation room is 39 sq m. The extension to the building to link the two buildings will provide 33.25 sq m of additional retail floorspace at ground floor level (9.5 x 3.5m = 33.25 sq m). The extension required is located in the existing void/passageway between two buildings, and therefore it will have no impact on openness. The additional floorspace required for the retail of greengrocery is created by the reconfiguration of the internal layout and the conversion of an existing storage area, so this will also have no impact on openness. The applicant has submitted a very special circumstances case for the expansion of the butchery element of the business, which indicates that the proposal will enhance the retail offer, provide jobs (1.5 FTE), and contribute to the local economy. The Council's Highways Department considers that the existing car parking provision at the site is sufficient and it has no objection to the scheme.

It is considered that very special circumstances has been demonstrated to justify what is considered to be a relatively modest proposal to increase the retail floorspace for the butchery counter and create a butchery preparation room. Whilst this element of the proposal, on its own, is not considered contrary to the objectives of Green Belt policy or likely to have any detrimental impact on the Green Belt, it needs to be considered cumulatively in the context of the overall scheme.

The application also seeks permission for an extension to the existing café. The first floor level of the extension previously described (33.25 sq m) will provide a new kitchen area, and a further extension in the form of a mezzanine will provide an additional 14 covers. The mezzanine is entirely contained within the existing building so will not be visible externally, however, it will result in an intensification of the existing use. The applicant is also seeking a change of use to A3 to enable them to provide hot breakfasts and lunches. It has been confirmed that there is no intention for the premises to open in the evening. It is considered that the increase in the floorspace of the café and number of covers is modest, and that the provision of hot breakfasts and lunches within the existing approved opening hours, is unlikely to result in any detriment to surrounding residential amenities. Highways has raised no objections to this element of the proposal.

Whilst it is recognised that the Downe Residents Association does not consider that the desire of the applicant to be able to offer hot breakfasts and lunches is

unreasonable, it has raised concerns about the possibility that the business could be sold at some time in the future and that a future operator could seek to extend the hours of operation which would be detrimental to the existing public houses and restaurants in the Village. It is noted that the issue of commercial competition should not be a material consideration in the determination of planning applications. In addition, if the application were to be granted a condition could be imposed that would limit the hours of operation of the restaurant. In such circumstances the Council would retain control over the hours of operation of the restaurant as a planning application would be required to seek any amendment to the approved hours. However, it is acknowledged that any extension in the hours of operation into the evening would further intensify the use and have the potential to impact on the residential amenities by increasing the level of activity and disturbance outside of the normal hours of operation of the current business. In summary, it is considered that the hours of operation could be effectively controlled by condition.

The original planning permission (Ref: 10:1251) granted permission for a farm shop. A farm shop, whilst a commercial enterprise, has strong links to the locality and would have a lesser impact on local residential amenities and the Green Belt than a more commercial retail operation. Some concerns have been expressed about the future of the site if it were to be sold, and the risk that if a more intensive commercial operation took over it would have the potential to have a greater impact on local residential amenities and the Green Belt. It is noted that if this situation did arise some changes would be possible under Permitted Development that the Council would have no control over. Whilst it is considered that this application proposal meets the relevant policy tests it is also considered that in order to ensure that the Council maintains sufficient control over the site to protect the interest of local residents and the Green Belt, all Permitted Development rights should be removed from the site.

The applicant has submitted a revised car parking layout, which will allow more cars to be accommodated within the existing area. Additional landscaping details for the car park have also been provided which include; the creation of a boardwalk with planters created over the former slurry pits, the use of water troughs for planters, beds made from railway sleepers, and a rose arch, with traditional planting. The Council's Highways Department also raises no objection to the proposal.

The fire escape staircase, whilst functional in appearance is not considered to materially detract from the visual appearance of the building, subject to appropriate screening, details of which have been provided by the applicant.

Following the example set by the existing development, the design of the proposal is of a high standard and in keeping with the existing and surrounding buildings. It is noted that in addition to the high quality design of the exterior, the applicant is seeking to retain as much of the internal character of the barn as possible, and has provided drawings including sections showing how this is to be achieved.

On balance, in view of the fact that the increase in floorspace of the café/restaurant and the potential for additional covers is relatively modest, and the hours of

operation will remain unchanged, the proposal is not considered likely to result in a significant intensification of the use, or have a detrimental impact on surrounding residential amenities.

In summary, it is considered that very special circumstances have been demonstrated to justify what is considered to represent a relatively modest expansion of the existing retail and café offer at the site. The proposals are considered likely to enhance the retail offer at the existing farm shop, generate local jobs and contribute to the local economy. The principle of the residential element of the scheme has already been established, but this element of the scheme will create an additional residential unit and bring the building back into useful occupation, enhancing the visual appearance of this part of the site.

The proposals, as a whole, will have no impact on the Green Belt as the majority of the proposed alterations are internal and will therefore not be visible from the surrounding area. The proposed extension to the building is modest and within the existing built envelope.

The proposal is considered likely to make a positive contribution to local facilities and amenities and enhance the appearance of the immediate locality. The proposals will not have any adverse impact on the Green Belt in terms of openness and are not contrary to the objectives of Green Belt policy or the purpose of including land within it as set out in Policy G1 or the NPPF.

as amended by documents received on 23.02.2016, 09.02.2016, 04.05.2016

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.**

In order to comply with Policies BE1 and G1 of the Unitary Development Plan and in the interest of the visual and residential amenities of the area

- 3 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order amending revoking and re-enacting this Order) all permitted development rights are hereby removed from the site. The proposed development shall be completed as set out in the approved drawings**

and no changes to the scheme shall be undertaken without the approval in writing of the Local Planning Authority.

In order to ensure that the impact of any further development at the site can be properly assessed by the Council to ensure that the interests of the Green Belt and local residents can continue to be protected and to comply with policies BE1 and G1 of the Unitary Development Plan and the National Planning Policy Framework.

- 4 The use shall not operate before 09.00 and after 18.30 Monday to Friday, and before 10.00 and after 16.00 on Saturdays and Sundays.**

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

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

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

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

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.

- 7 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.**

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.

- 8** The curtilage of the dwelling hereby permitted shall be implemented as shown on the drawing (Ref: SITE-01 Rev 4) and shall not be altered at any time without prior approval in writing by, or on behalf of the Local Planning Authority.

In order to comply with policies T15 and G1 of the Unitary Development Plan and to ensure that no encroachment of the Green Belt occurs.

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

In order to comply with Policies S9 and ER9 of the Unitary Development Plan and in the interest of the visual and residential amenities of the area.

- 10** The A3 use hereby granted planning permission shall be carried out only by Mr Gary Mercer and/or Ms Sarah Clout of Holwood Farm Shop Limited and by no other person without the agreement in writing by the Local Planning Authority.

The acceptability of the A3 use in this location is linked to its association with Holwood Farm Shop and therefore a personal permission has been imposed to ensure that should the circumstances change, the impact of a more intensive commercial operation on the Green Belt and surrounding residential amenities can be properly assessed, and in order to accord with policies BE1 and G1 of the Unitary Development Plan.

- 11** Prior to the commencement of the development hereby permitted, the applicant will submit a written proposal to the Council setting out targets for the proportion of the shop produce that is to be locally, regionally and nationally sourced and sold on the premises. This is to be agreed in writing by the Council prior to the commencement of the development, and the targets agreed will be adhered to in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

The intensification of the commercial retail use on the site was granted on the basis that the operation is a Farm Shop and is intrinsically linked to the local area and local rural businesses. The

proposed intensification of the use on the site was considered acceptable on this basis, and this condition has been imposed to ensure that should the nature of the business change, any proposal and its impact on the sensitive rural location and the Green Belt can be properly assessed by the Council, and in order to comply with policies BE1 and G1 of the Unitary Development Plan.

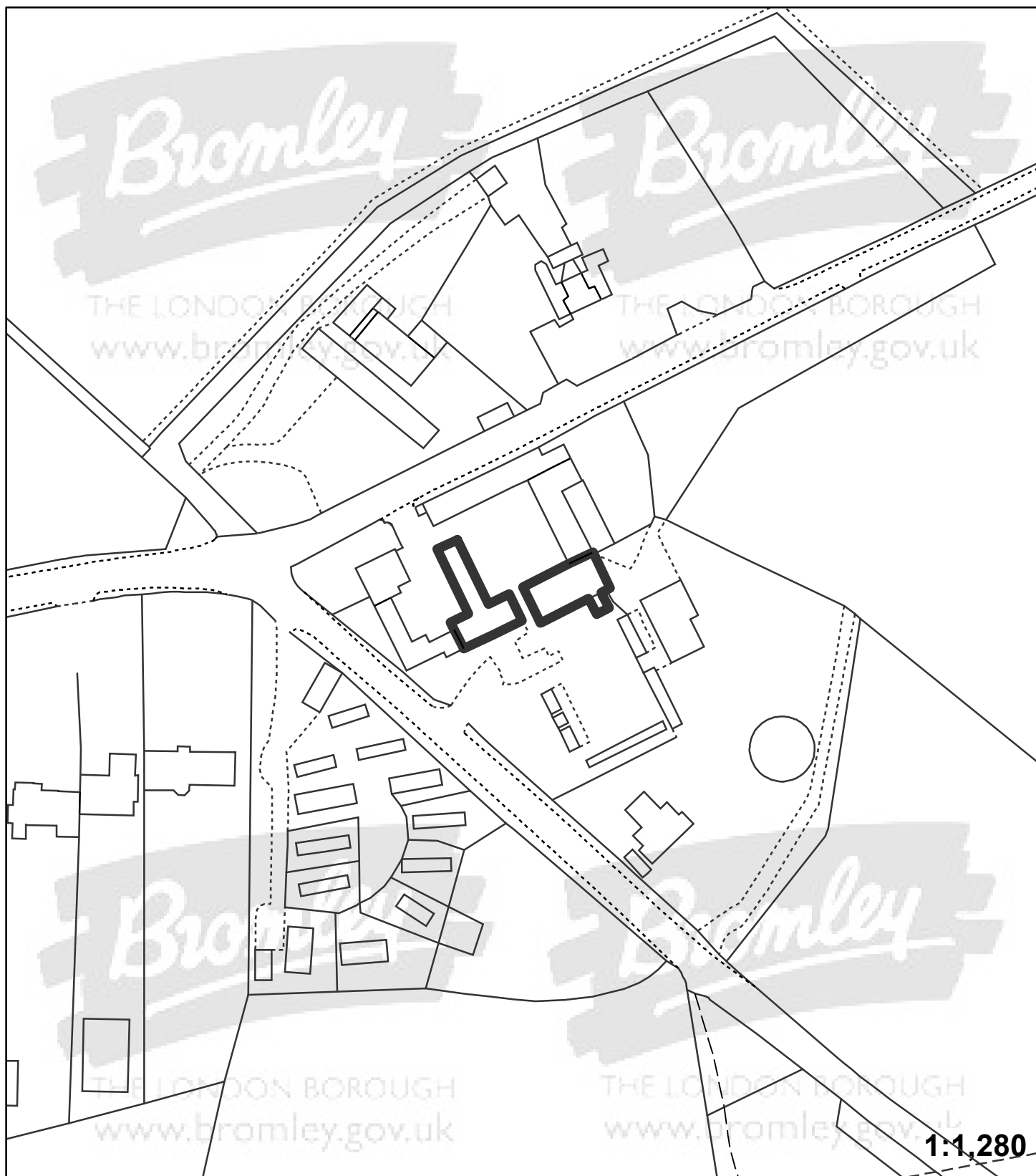
You are further informed that :

- 1 As an indicative guide in respect of Condition 11 the applicant is referred to Government Guidance on Farm Shops and Markets which highlights that FARMA (The National Farmers' Retail and Markets Association) is supportive of planning applications for Farm shops that meet the following threshold:
 - 40% of goods are own produce plus local foods;**
 - 40% are regional;**
 - 20% are from elsewhere.****

Application:15/03635/FULL3

Address: Yellow Barn Holwood Farm New Road Hill Keston BR2 6AB

Proposal: Conversion and enlargement of existing farm building into butchery counter and butcher preparation room; addition of mezzanine floor to existing coffee shop to be converted to Class A3 (Restaurant) Use, conversion of remainder of the building into 3 bedroom dwelling; and



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

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

Application No : 16/00491/FULL1

Ward:
Clock House

Address : 59 Piquet Road Penge London SE20
7XY

OS Grid Ref: E: 535277 N: 169035

Applicant : Mr Adam Tidbury

Objections : YES

Description of Development:

Renovation and change of use of the existing garage adjacent to No 59 Piquet Road SE20 into office/studio space (Use Class B1).

Key designations:

Smoke Control SCA 30

Proposal

The application seeks consent for the change of use of an existing garage into an artist studio/office space (Use Class B1). Alterations would also be made to the external elevations with the installation of a pitched roof and roof lights.

Location

The application relates to a detached single-storey garage located to the rear of No 10 Witham Road and to the side of No 59 Piquet Road. The garage appears to be vacant. The site has no formal designation, however it appears to have been used by a residential property at some point.

Consultations

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

- o The existing use should not be described as B8 storage. It is not currently in use and, if not a null use, would simply be a residential garage.
- o This is not a change from B8 to B1, it is an application to introduce a business use into a residential area and should be treated as such.
- o Could impact on the living conditions of neighbouring properties
- o Conditions limiting hours of operating to office hours should be applied. The use should not work at weekends.
- o Conditions requested about noise insulation to the internal building.
- o Planning conditions often breached and seeking enforcement can be slow and difficult

- o Whilst there may be merit in using the garage the proximity to neighbouring properties means strict controls are required.

Environmental Health - No objections

Highways - The development will result in the loss of one parking space by conversion of the garage. This is unsatisfactory as the area in front of the garage would not be large enough to accommodate a private car, furthermore at the time of the site visit (4/3/16) at 2.40pm Piquet Road was 80% parked.

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
EMP 2 Office Development
T3 Parking
T18 Road Safety

London Plan (2015)

Policy 6.13 Parking
Policy 7.15 Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes.

Conclusions

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

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

Principle of development

EMP2 states that proposal for office development will be expected to ensure that the shopping function of town centres are not impaired. Whilst EMP8 states that the Council will normally permit the use, by a householder, of part of a dwelling for business purposes.

In this case the application seeks the use of an existing garage as Use Class B1. The applicant describes the existing use as B8 storage; however this is more likely to be ancillary to an existing residential use. The provision of a small office/studio for a local artist is considered a modest development which would not have any

impact on the shopping function of local centres or harm the character and appearance of the area.

Concerns have been raised regarding harm to neighbouring residential amenity by virtue of the proposed B1 use. It is noted that artist studios are classified as being a B1 use and the Town and Country (Use Classes) Order 1987 states that 'Class B1. Business can be used for all or any of the following purposes—

- (a) as an office other than a use within class A2 (financial and professional services),
- (b) for research and development of products or processes, or
- (c) for any industrial process,

being a use which can be carried out in any residential area without detriment to the amenity of that area by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit.'

The key factor in this case relates to the above paragraph, in that B1 Uses can be carried out in any residential area without the detriment to the amenity of the area by reason of noise, smell, fumes etc. The applicant has stated that the proposed use would be as a private office/studio which would not be tied to any neighbouring property, but would be rented out. The use of the space as an office would unlikely give rise to any harm to neighbouring amenity. The use of a studio is slightly more ambiguous; however the applicant has stated that this would be used by a local artist/design. Artists' studios can fall within the B1 Use Class and the applicant has specifically applied for B1 Use. The Council's Environmental Health officer has not objected to the application on noise grounds. However given the proximity of neighbouring residential development it is considered reasonable and necessary to limit the unit to B1 Use only, restricting permitted development for any further changes of use and the installation of any equipment or operation that could give rise to noise, disturbance and fumes. Conditions limiting the hours of operation are also considered reasonable given the proximity of neighbouring residential occupiers.

The proposal would also include external alterations including an increase to the height of the roof and a change to its design, which would now be pitched. The overall design is considered acceptable and would result in harm to the character and appearance of the streetscene. The applicant has amended the scheme to ensure the eaves level adjacent to No 10 Witham Road remains the same height at the existing garage. However, the change to a pitched design would increase the overall height of the garage. The main impact of this change would therefore be on No 10 Witham Road, which backs directly onto the garage. The rear amenity space of this property is small, however the outlook to the rear is already restricted and overshadowed by the flank elevation of No 59 Piquet Road. Whilst the additional height would result in some visual incursion this is not considered significant enough to warrant a refusal.

The garage also sits adjacent to the flank elevation of No 59 Piquet Road, however its location would not result in a significant visual impact. The entrance to the unit

would be via the front and a number of roof lights would face the flank elevation of this property, however no loss of privacy is anticipated.

In respect of the highway impact concerns have been raised by the Council's highways officer regarding the loss of the existing garage and parking space. However, the existing garage appears to have been vacant for a significant period of time and the applicant has confirmed that it is independently leased, and is not owned by the neighbouring residents. The proposed use could however generate some additional parking requirement, however given the size of the unit this is not considered to be significant. As such, it is considered that the loss of the parking space would unlikely result in increased parking demand and any additional demand would not be sufficient to warrant a refusal on parking grounds. Concerns have also been raised about the potential to parking on the pavement/forecourt in front of the garage. The space to the front of the site is considered to be too small to provide adequate parking. As such it is considered reasonable to restrict parking on the front pavement in order to ensure there the highway remains unobstructed and safe for pedestrians.

Having had regard to the above it was considered that subject to the suggested conditions, 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.

as amended by documents received on 18.04.2016

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 process shall be carried on nor machinery installed which could not be carried on or installed in any residential area without detriment to the amenity of that area by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit.**

Reason: To safeguard the amenities of the adjoining premises and area generally and to comply with Paragraph 20 of the National Planning Policy Framework and Policy BE1 of the Unitary Development Plan (2006).

- 4 Notwithstanding the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking, re-enacting or modifying that Order), the premises shall be used for an artist studio/office (Use Class B1) only and for no other purpose (including any other purpose in B1 Use Class of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any Statutory instrument revoking and re-enacting that Order)**

Reason: To safeguard the amenities of the adjoining premises and area generally and to comply with Paragraph 20 of the National Planning Policy Framework and Policy BE1 of the Unitary Development Plan (2006).

- 5 The use hereby permitted shall only be operational between the hours of 8am and 8pm on any day of the week.**

Reason: In order to safeguard the amenities of adjoining occupants and the area in general and to comply with Paragraph 120 of the National Planning Policy Framework and Policy BE1 of the Unitary Development Plan (2006).

- 6 The pavement/forecourt to the front of the site shall not be used for the parking of vehicles.**

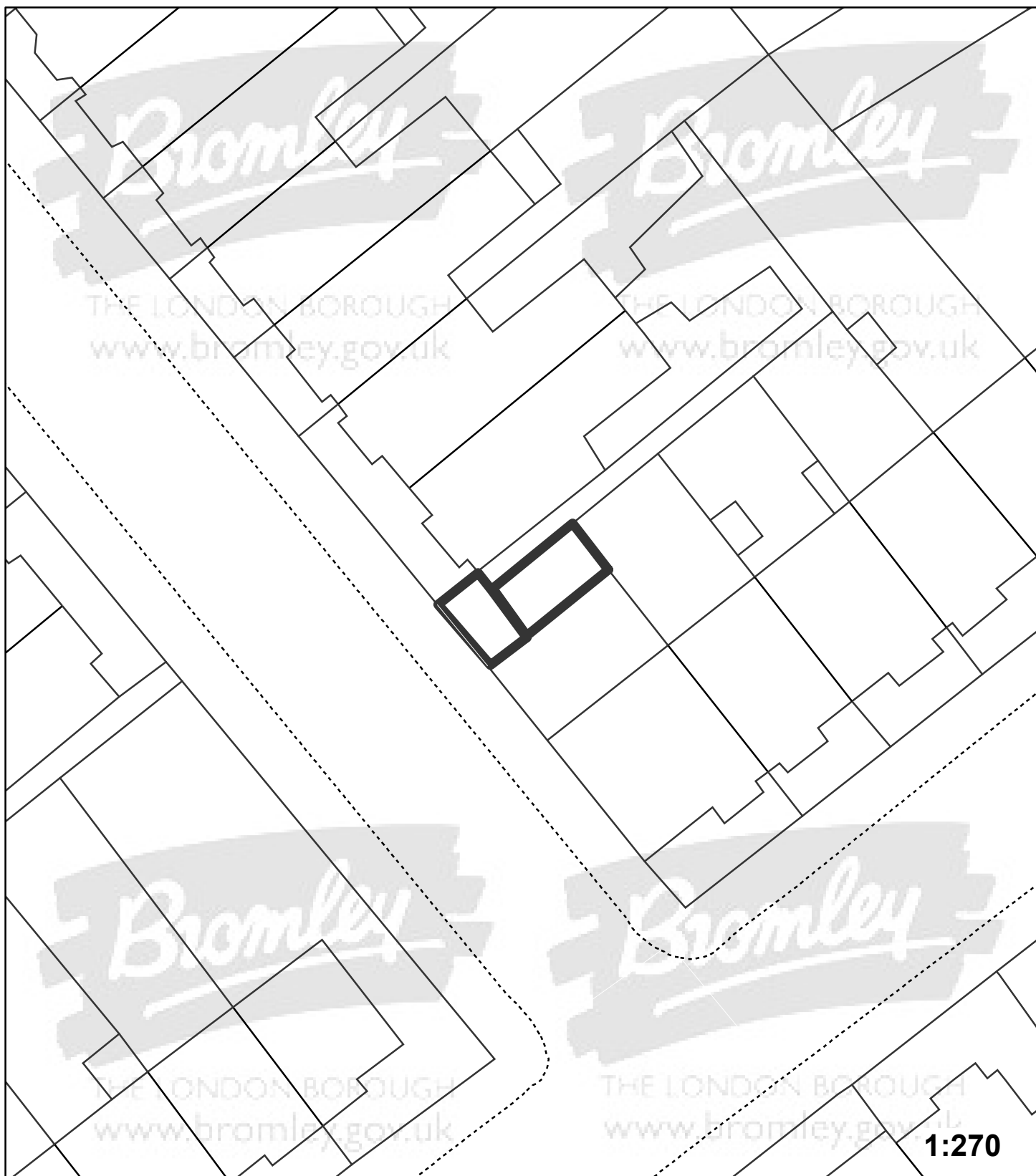
Reason: In the interest of pedestrian and vehicular safety and to comply with Policy T18 of the Unitary Development Plan (2006).

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Application:16/00491/FULL1

Address: 59 Piquet Road Penge London SE20 7XY

Proposal: Renovation and change of use of the existing garage adjacent to No 59 Piquet Road SE20 into office/studio space (Use Class B1).



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

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

Application No : 16/00515/FULL6

Ward:
Chelsfield And Pratts
Bottom

Address : 177 Warren Road Orpington BR6 6ES

OS Grid Ref: E: 546464 N: 164272

Applicant : Mr Deepak Tibrewall

Objections : YES

Description of Development:

Demolition of existing dwelling and erection of replacement dwelling

Key designations:

Biggin Hill Safeguarding Area
London City Airport Safeguarding
Smoke Control SCA 28

Proposal

The application site is a two storey detached property located on the northern side of Warren Road, close to the junction with Albert Road. The site measures 0.0827ha and the existing dwelling is located approximately 8m back from the highway with off street parking capability for several cars.

It is proposed to demolish the existing two storey dwelling and erect a replacement two storey detached dwelling. At ground floor level, it will be 13.715m wide and 15.175m deep. The first floor will step in from the rear and northern flank; it will be 11.35m wide and 13.2m deep. The proposal includes habitable accommodation in the roof space with two rear roof lights and flank two roof lights. The dwelling is proposed with a hipped roof that has a maximum height of 9.25m, a reduction in overall height of 0.45m

The proposed dwelling will provide 1.755m to the south-eastern flank boundary and 2.979m to the north-western flank boundary.

Consultations

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

- This ward is a medium density area with plenty of greenery. This kind of infilling will destroy the ambiance of the area, changing it into a highly built up ward having more in common with the inner city than the outskirts of the borough being only a short distance from The Green Belt

- Greater London has a housing shortage, this development does nothing to alleviate the shortage; it isn't affordable housing, it's a chance for someone to make a fast profit at the expense of those living close to the proposed development
- grossly unkind to subject neighbours to a year of noise and upheaval
- 177 is a local landmark known as, 'The Half House', which if not a listed property should be
- The original application stated, incorrectly, that the property had probably been a semi-detached dwelling with the adjoining property having been demolished. However, in 1906 several plots were purchased here as a nursery and site for, Maythorne & Woodside in Warren Lane, what is now, 175 and 177 Warren Road. No.177 appears as it does because WW1 intervened. Tragically the family member for whom the house was intended didn't return and the building was not completed, hence the "The Half House". The land was sold with the dwellings, in about 1960, after which 175a & 177a were built.
- Why do the new plans not seem to show the ground plan, in relation to the effect on neighbouring properties.
- The orientation of all the properties on this side of Warren Road means that each structure takes sunlight from their neighbours, with the backs of the properties in constant shadow. The proposed building will aggravate this situation for neighbouring houses. 177a, a bungalow, will be entirely hemmed in on both sides
- Sewage systems need upgrading before any further stress is placed on it by the increased accommodation
- Footings for the structure will have to go down more than 1m to reach chalk layer and damp course would need to be substantially higher therefore the property will be higher than suggested
- Concerned at the scale of the proposed dwelling compared to neighbouring bungalow
- Object to proposed three storey dwelling projecting 2m into the back garden compared with the existing building which will effect light
- Previous owners already built 4m rear extension many years ago

Internal Consultations:

Transport for London raised no objection considering the scale, nature and location of proposal however a minimum of 2 cycle parking spaces are required for the application to be in line with London Plan standards.

The Council's Tree Officer raised no objection

Drainage Officer stated that the site is within an area in which the Environment Agency - Thames Region require restrictions on the rate of discharge of surface area from new developments into the river Ravensbourne or its tributaries. Requested details of a surface water drainage system be submitted before commencement, if recommending approval.

Comments were received from the Council's Housing Offer which can be summarised as follows:

- There will be an area labelled "temple" by the flank elevation window within this room. Unless the proposed development is intended for some form of religious use this term would appear inappropriate
- There will be two rooms and a bathroom located within the roof space. Both rooms will have roof lights and would appear to be a habitable and could be used for sleeping purposes. The proposal appears to be for a three storey six bedroom detached house.
- Unlike dormer and conventional windows roof lights do not provide a reasonable view or outlook of the surroundings
- Window and external door design should include windows with small opening casements or similar. This will avoid conflicts between providing natural ventilation to the room, retaining warmth in the winter and adequate security.
- The only window serving the proposed dining room will look out on the flank elevation of the neighbouring property and will not provide a reasonable view of the surroundings.
- The roof lights to the second floor rooms 1 and 2, will not provide a reasonable view or outlook of the surroundings.

The Environmental Health Officer raised no objection.

Thames Water raised no objection regarding waste and water infrastructure capacity.

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

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

London Plan (2015):
Policy 3.5 Quality and Design of Housing Developments
Policy 5.3 Sustainable Design and Construction
Policy 5.13 Sustainable Drainage
Policy 6.13 Parking
Policy 7.4 Local Character
Policy 7.6 Architecture

The site has been subject to previous planning applications:

- 99/03714/FULL1 - Single storey rear extension for conservatory - Permitted 02.02.2000
- 10/01518/FULL6 - Part one/two storey side extension - Permitted 13.07.2010
- 10/03622/FULL6 - Part one/two storey side and rear extension - Refused 01.03.2011
- 12/03120/FULL6 - Part one/two storey front, side and rear extension and rear dormer - Permitted 03.01.2013
- 13/02804/PLUD - Detached storage building in rear garden CERTIFICATE OF LAWFULNESS FOR A PROPOSED DEVELOPMENT - Proposed Development is Lawful 16.10.2013
- 14/04857/HHPA - Single storey rear extension, extending beyond the rear wall of the original house by 8m, for which the maximum height would be 4m, and for which the height of the eaves would be 3m (42 Day Notification for Householder Permitted Development Prior Approval). Proposal Not Permitted Development 17.12.2014

Conclusions

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

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

The application site is a two storey detached property located on the northern side of Warren road, close to the junction with Albert Road. The site measures 0.0827ha and the existing dwelling is located approximately 8m back from the highway with off street parking capability for several cars.

Permission is sought for the demolition of the existing dwelling and erection of replacement two storey detached dwelling. At ground floor level, it will be 13.715m wide and 15.175m deep. The first floor will step in from the rear and northern flank; it will be 11.35m wide and 13.2m deep. The proposal includes habitable accommodation in the roof space with two roof lights in the rear roof slope and two roof lights in the northern flank roof slope.

The previous application for extensions to this property, permitted under reference: 12/03120/FULL6, incorporated a hipped roof. The report stated that the hipped roof was considered subservient and would soften the appearance and bulk of the building. The neighbouring property to the east, No.177a, is a detached bungalow and to the west, No.175a, is a two storey detached property however this neighbouring property is significantly lower in height. The existing dwelling is locally known as the 'Half House' and has the appearance of a semi-detached property

although has been detached since construction. The proposed replacement dwelling incorporates a hipped roof that is 9.232m high, a reduction of 0.468m compared to the existing dwelling. Furthermore it will be hipped away from the boundary with No. 177a thereby lessening the impact on this neighbouring bungalow.

Policy H9 of the Unitary Development Plan states that when considering applications for development comprising two or more storeys in height, a minimum of 1m side space must be provided. The proposed dwelling will provide 1.755m to the southern flank boundary and 2.979m to the northern flank boundary thereby compliant with Policy H9.

Concerns have been raised regarding the impact on the neighbouring bungalow, No.177a, with regards to loss of light and outlook. Additional information was provided by the agent on 22/4/16 which indicates the 45 degree line on the floor plans and elevations. No part of the proposed dwelling was within 45 degrees of the middle of the rear window of No.177a therefore this element is not considered to impact significantly on the amenities of this adjoining property.

All proposed flank windows are indicated on the submitted plans to be obscure glazed in order to protect the amenities of the neighbouring properties. From visiting the site it was noted that No.175a is situated further to the rear in the plot. Furthermore, the flank wall of No.175a is blank therefore the proposal will not impact on the privacy of this neighbouring property

The shape, room size and layout of the rooms in the proposed dwelling are considered to be satisfactory. None of the rooms would have a particularly convoluted layout which would limit their use.

Given the scale, orientation and side space, the proposed replacement dwelling is not considered to result in a detrimental impact on the amenities of neighbouring properties or character of the area, therefore the proposal is considered acceptable in this instance.

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

As amended by documents received on 22.04.2016 26.04.2016 04.04.2016

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.

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

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

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

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

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** During the demolition and construction works hereby approved no operations including deliveries to or from the site shall be carried out on the site other than between the hours of 07.30 to 17.00 Mondays to Fridays inclusive and to 13.00 on Saturdays and no operations shall be carried out at all on Sundays or on statutory Bank Holidays

Reason: To maintain the residential amenity of the surrounding residential development in accordance with policy BE1 of the Unitary Development Plan and the aims and objectives that the National Planning Policy Framework seeks to protect and promoted with regard to amenity.

You are further informed that :

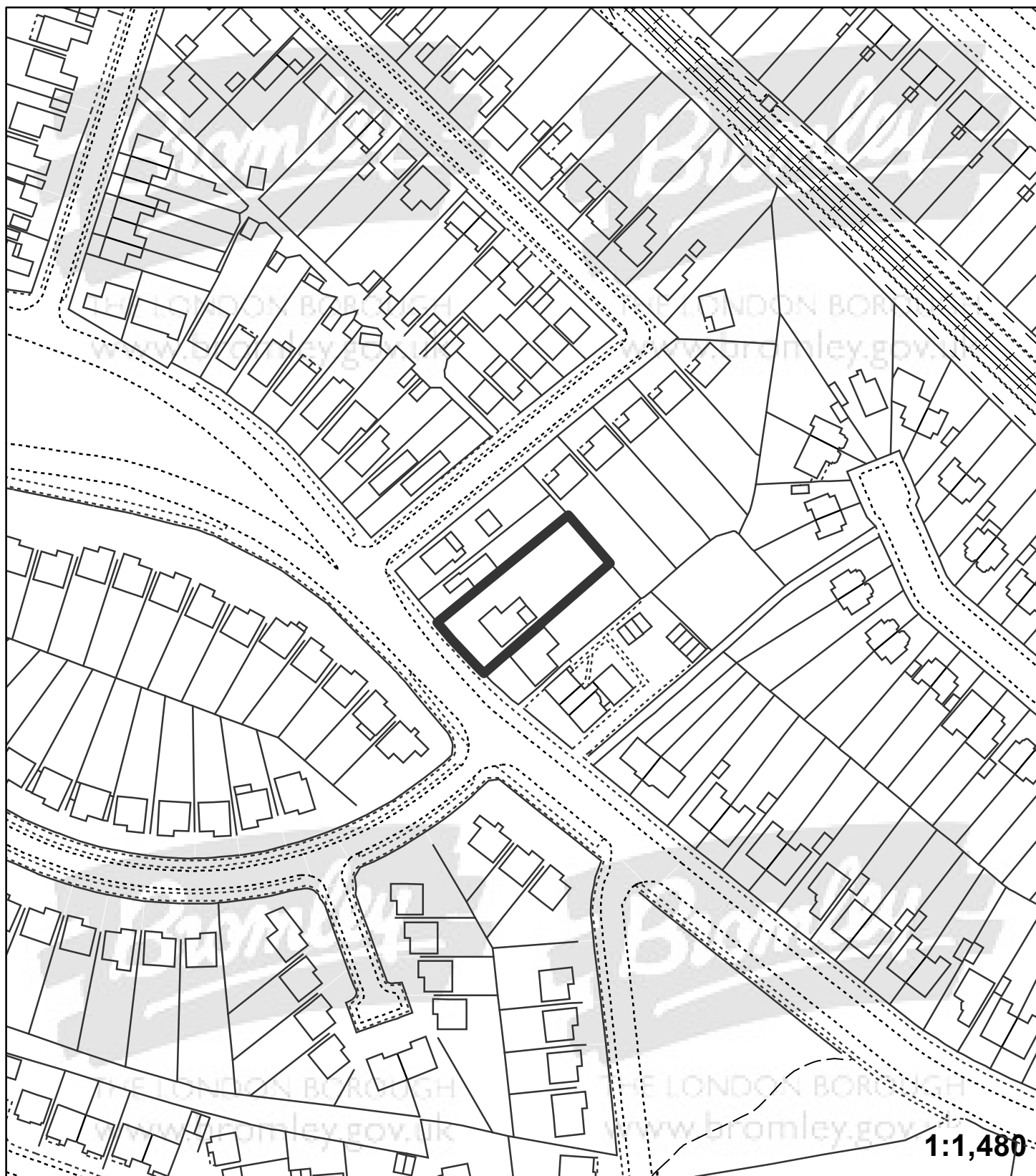
- 1** Before works commence, the Applicant is advised to contact the Pollution Team of Environmental Health & Trading Standards regarding compliance with the Control of Pollution Act 1974 and/or the Environmental Protection Act 1990. The Applicant should also ensure compliance with the Control of Pollution and Noise from Demolition and Construction Sites Code of Practice 2008 which is available on the Bromley web site.
- 2** There are public sewers crossing or close to your development. In order to protect public sewers and to ensure that Thames Water can gain access to those sewers for future repair and maintenance, approval should be sought from Thames Water where the erection of a building or an extension to a building or underpinning work would be over the line of, or would come within 3 metres of, a public sewer. Thames Water will usually refuse such approval in respect of the construction of new buildings, but approval may be granted in some cases for extensions to existing buildings. The applicant is advised to contact Thames Water Developer Services on 0800 009 3921 to discuss the options available at this site.
- 3** Surface Water Drainage - With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0800 009 3921. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

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Application:16/00515/FULL6

Address: 177 Warren Road Orpington BR6 6ES

Proposal: Demolition of existing dwelling and erection of replacement dwelling



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

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

Application No : 16/00919/FULL1

Ward:
Penge And Cator

Address : 8 Padua Road Penge London SE20 8HF

OS Grid Ref: E: 535217 N: 169898

Applicant : Mr Solomon

Objections : YES

Description of Development:

Demolition of existing property and construction of a pair of two storey semi-detached five bedroom houses with associated parking and landscaping.

Key designations:

Biggin Hill Safeguarding Area
London City Airport Safeguarding
Open Space Deficiency
Smoke Control SCA 32

Proposal

Planning permission is sought for the demolition of the existing property and construction of a pair of two storey semi-detached five bedroom houses with associated parking and landscaping.

The accompanying Design and Access Statement describes the design as being carefully developed after considering all site specific design criteria. A traditional design approach is opted for within the scheme incorporating front bay windows with feature gable roofs.

The building footprint will measure approximately 10.55m width and 13.6m depth at ground level with additional front bay depth of 750mm. The height of the building will be 8.45m at the highest ridge point to match the existing building height. The footprint of the building has been arranged with a 675mm gap to the boundaries with adjoining property.

A front curtilage parking area is located to the front of the replacement building. This will accommodate 2 car parking spaces for each dwelling. The remaining area accommodates a bin store. At the rear private gardens are provided.

The proposed materials are indicated as brick and tile construction to reflect the local character and match neighbouring buildings.

Location

The application site is located on the north-western side of Padua Road and currently comprises a detached two storey dwelling. The immediate surrounding area comprises a mix of semi-detached and terraced dwellings and flats.

To the north east No6 has been recently extended and converted to 5 flats retaining its original form to the streetscene but extending substantially and set back to the side and rear. To the south west is a pair of semi-detached dwellings with a generous side space adjacent to the flank boundary. A garage structure occupies the area and adjoins the site with a side window overlooking the site directly.

Consultations

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

Support:

Application should proceed subject to conditions on materials and methods of construction.

Objection:

- o No need to demolish beautiful house.
- o Two houses are too many on the site.
- o Loss of light and loss of privacy
- o Concerns regarding parking and congestion in the area.
- o Building is too deep.
- o Development too cramped.
- o No concerns given to local residents by developer.

A petition has also been submitted with 12 signatories objecting to the scheme.

Internal consultations

Technical highways:

The development has a public transport accessibility level (PTAL) of 4, on a scale of 0 to 6b where 6b is most accessible. The vehicular access is from Padua Road leading to the car parking area. Modification to the existing crossover and construction of a new vehicular crossover is required. The developer should be aware that there is a tree which may need to be relocated. The cost of the works must be funded by the applicant. Two car parking spaces per unit are indicated on the submitted plan which is acceptable. Cycle spaces indicated on the submitted plans. The refuse store is acceptable in principle.

Arboriculture:

No objections. There are no existing trees within the application site and limited opportunities available for new tree planting as part of the proposal. The low level shrubs illustrated on the landscape plan go some way in softening the front of the development.

Environmental Health - Pollution

No objections.

Drainage:

This site is within the area in which the Environment Agency - Thames Region require restrictions on the rate of discharge of surface water from new developments into the River Ravensbourne or its tributaries. This site appears to be suitable for an assessment to be made of its potential for a SUDS scheme to be developed for the disposal of surface water.

External Consultations

Thames Water:

No objections with regard to sewerage infrastructure capacity or water infrastructure capacity.

Planning Considerations

London Plan 2015:

- 3.3 Increasing Housing Supply
- 3.4 Optimising Housing Potential
- 3.5 Quality and Design of Housing Developments
- 3.8 Housing Choice
- 3.9 Mixed and Balanced Communities
- 5.1 Climate change mitigation
- 5.2 Minimising Carbon Dioxide Emissions
- 5.3 Sustainable Design and Construction
- 5.7 Renewable Energy
- 5.10 Urban Greening
- 5.11 Green Roofs and Development Site Environs
- 5.12 Flood Risk Management
- 5.13 Sustainable Drainage
- 5.14 Water quality and wastewater Infrastructure
- 5.15 Water use and supplies
- 5.16 Waste self-sufficiency
- 5.17 Waste capacity
- 5.18 Construction, excavation and demolition waste
- 5.21 Contaminated land
- 6.3 Assessing Effects of Development on Transport Capacity

- 6.5 Funding Crossrail and other strategically important transport infrastructure
- 6.9 Cycling
- 6.13 Parking
- 7.1 Lifetime Neighbourhoods
- 7.2 An Inclusive Environment
- 7.3 Designing Out Crime
- 7.4 Local Character
- 7.5 Public Realm
- 7.6 Architecture
- 7.14 Improving Air Quality
- 7.15 Reducing and Managing Noise, Improving and Enhancing the Acoustic Environment and Promoting Appropriate Soundscapes.
- 8.3 Community Infrastructure Levy

Housing: Supplementary Planning Guidance. (March 2016)

Technical housing standards - Nationally Described Space Standard (March 2015)

Unitary Development Plan:

- BE1 Design of New Development
- ER7 Contaminated Land
- H1 Housing Supply
- H7 Housing Density and Design
- H9 Side Space
- T3 Parking
- T5 Access for People with Restricted Mobility
- T6 Pedestrians
- T7 Cyclists
- T16 Traffic Management and Sensitive Environments
- T18 Road Safety

Supplementary Planning Guidance 1: General Design Principles

Supplementary Planning Guidance 2: Residential Design Guidance

Planning History

Application site:

15/02044/FULL1: Demolition of existing dwelling and erection of part one/two storey building with loft to provide 5 self-contained flats (3 two bedroom and 2 one bedroom) with associated parking and landscaping. Withdrawn 09.07.2015

15/03692/FULL1: Demolition of existing dwelling and erection of a two storey building with loft to provide 5 self-contained flats (3 two bedroom and 2 one bedroom) with associated parking and landscaping. Refused 27.10.2015

Refusal reason related to the prominent siting, scale, massing, design, sub-standard spatial relationship to the existing and adjacent dwellings in the locality representing a cramped overdevelopment of the site which would appear

detrimental to and out of character with surrounding development and harmful to the visual amenities of the area. Furthermore the flats proposed did not have a satisfactory layout, standard and size of good quality accommodation for future occupiers by reason of a substandard floor space arrangement and internal layout.

Adjacent site: 6 Padua Road

09/03152/FULL1: Roof alterations incorporating front and rear dormer extensions / three storey side/rear extension and conversion to form 1 three bedroom dwelling, 1 studio flat and 1 one bedroom and 2 two bedroom flats with 3 car parking spaces and cycle/refuse stores. Refused 12/10/2010. Appeal allowed 30/9/2011.

The Appeal Inspector commented (in summary) that "although there would be a significant increase in massing, the scale and design of the proposal would not appear disproportionate or out of character with the compact development in the street."

It was further opined that there would be "no material harm to the character and appearance of the area. The site layout, buildings and space about buildings would be designed to a high quality in accordance with the objectives of Policies H7 and BE1."

Conclusions

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

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

Principle of Development

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

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

The NPPF sets out in paragraph 14 a presumption in favour of sustainable development. In terms of decision-making, the document states that where a development accords with a local plan, applications should be approved without

delay. Where a plan is absent, silent or relevant policies are out of date, permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits or specific policies in the Framework indicate development should be restricted.

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

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

Residential dwellings surround the site on all sides. The site is currently developed for a less dense residential use. Therefore, in this location the Council will consider a higher density residential infill development provided that it is designed to complement the character of surrounding developments, the design and layout make suitable residential accommodation, and it provides for garden and amenity space. Any adverse impact on neighbouring amenity, conservation and historic issues, biodiversity or open space will need to be addressed. Therefore the provision of the replacement semi-detached dwellinghouses on the land is acceptable in principle subject to an assessment of the impact of the proposal on the appearance/character of the surrounding area, the residential amenity of adjoining and future residential occupiers of the scheme, car parking and traffic implications, sustainable design and energy, community safety and refuse arrangements.

Design, Siting and Layout.

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

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

relationships with existing buildings should allow for adequate daylight and sunlight to penetrate in and between buildings.

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

The predominant character of this part of Penge is of two storey semi-detached houses on the same side as the application site from the 1960's and the Victorian era further along with moderate spacing between pairs. Opposite the site are terrace properties at regular widths repeated in rhythm for much of the length of the road.

It shall also be noted that it is a material consideration that in a recent Appeal relating to No6 Padua Road an Appeal Inspector noted the "compact development in the street."

In this case, the proposed replacement building is sited at 675mm from each property boundary forming two modestly proportioned semi-detached dwellings. Although below the generally required 1m side space, the general character of the street with narrow gaps and a high percentage of terrace properties are considered to afford a reduction in this spacing requirement. The form and width of the resultant properties are also considered to compliment the scale, and form and width of surrounding dwellings as a result.

Therefore, the proposal would be in keeping with the spatial layout of the immediate vicinity and will reflect these important characteristics within the existing compact development pattern in the immediate streetscene and wider area generally.

The design of the dwellings as detailed above is traditional in format. The mass and scale is also proportional and reflective of the architectural typology of similar properties in the vicinity. Therefore it is considered that the individual design approach of each house represents a high quality design that will make a positive contribution to the streetscene.

Residential Amenity - Standard of Residential Accommodation

Policy 3.5 of the London Plan and the Housing SPG (2016) 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 should comply with Nationally Described Housing Standards (2015).

The floor space of the proposed dwellings are 155.9m² respectively. The nationally described space standard requires a Gross Internal Area of 134m² for a three storey five bedroom house. With regard to the above it appears that the size of the house for its intended occupancy would comply with the minimum standards. On balance this is considered acceptable.

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

In terms of amenity space the depth of the rear garden is of sufficient proportion to provide a usable space for the purposes of a family dwellinghouse.

Impact on Adjoining Properties

In terms of outlook, the fenestration arrangement will provide front and rear outlook over rear the garden area and to the streetscene to habitable rooms.

Proposed first floor flank windows are provided to landing areas in the layout of each property. It is recommended that these are obscure glazed windows to maintain privacy. On this basis, it is considered that the dwellings will not result in loss of privacy or overlooking of adjacent property.

Concerns have been raised regarding the depth of the building and a level of overbearing to neighbouring property. It is noted that the flank wall is set in by 675mm from the boundaries. On balance, with the combination of the repositioned, set in and reduced building footprint from the previous scheme, the orientation of the site and given the separation distance to the nearest habitable windows at adjoining property it is considered that while the overall rearward projection would be marginally greater than the existing building, the footprint position and resultant reduced scale of the building would now represent an acceptable massing relationship and maintain an acceptable level of outlook to adjoining property.

Highways and parking

Adequate off street parking has been provided on site for the dwelling. The Council's Highways Officer has not raised any objections in this regard. It is therefore considered that there will be minimal impact on parking in the vicinity.

Cycle parking

Cycle parking is required to be 1 space per studio/1 bedroom flats and 2 spaces for all other dwellings. The applicant has provided details of a location for cycle storage in the front curtilage. A planning condition is recommended in this regard.

Refuse

All new developments shall have adequate facilities for refuse and recycling. The applicant has provided details of refuse storage area in the front curtilage parking area. This is considered acceptable.

Summary

The development would not have an unacceptable impact on the amenity of neighbouring occupiers. It is considered that the development would not be

detrimental to the character of the area. The standard of the accommodation that will be created will be good. The proposal would not have an adverse impact on the local road network or local parking conditions. It is therefore recommended that planning permission is granted subject to the imposition of suitable conditions.

As amended by docs received 10/5/16.

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

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

- 4 The landscaping scheme as shown on the submitted drawings shall be implemented in the first planting season following the first occupation of the buildings or the substantial completion of the development whichever is the sooner. Any trees or plants which within a period of 5 years from the substantial completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species to those originally planted.**

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

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

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

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

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

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

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

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

Reason: To ensure satisfactory means of surface water drainage and to accord with Policy 5.13 of the London Plan (2015).

7 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.

8 Before the access hereby permitted is first used by vehicles, it shall be provided with 3.3m x 2.4m x 3.3m visibility splays and there shall be no obstruction to visibility in excess of 1m in height within these splays except for trees selected by the Local Planning Authority, and which shall be permanently retained thereafter.

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

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

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

- 10** 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.

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

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

- 12** No extensions or alterations to the building hereby approved, whether or not permitted under Article 3 to Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking, re-enacting or modifying that Order) of that Order, shall be carried out without the prior written permission of the local planning authority.

Reason: In order that, in view of the nature of the development hereby permitted, the local planning authority may have the opportunity of assessing the impact of any further development and to comply with Policy BE1 of the Unitary Development Plan.

- 13** Notwithstanding the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking, re-enacting or modifying that Order), the dwelling units shall be used as single family dwellinghouses (Use Class C3) and for no other purpose (including any

other purpose in Class C of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order).

Reason: To prevent multiple occupation of the dwellinghouses and over intensification to safeguard the residential amenities of the adjoining property and the area generally and to comply with Policy BE1 of the Unitary Development Plan

14 Before the development hereby permitted is first occupied, the proposed first floor windows in the flank elevations of the building shall be obscure glazed in accordance with details to be submitted to and approved in writing by the Local Planning Authority and shall subsequently be permanently retained as such.

Reason: In the interest of the amenities of the adjacent properties and to comply with Policy BE1 and H7 of the Unitary Development Plan.

You are further informed that :

- 1** The applicant is advised that any works associated with the implementation of this permission (including the demolition of any existing buildings or structures) will constitute commencement of development. Further, all pre commencement conditions attached to this permission must be discharged, by way of a written approval in the form of an application to the Planning Authority, before any such works of demolition take place.
- 2** You should consult the Land Charges and Street Naming/Numbering Section at the Civic Centre on 020 8313 4742 or e-mail: address.management@bromley.gov.uk regarding Street Naming and Numbering. Fees and application forms are available on the Council's website at www.bromley.gov.uk
- 3** You are advised that this application may be liable for the payment of the Mayoral Community Infrastructure Levy under the Community Infrastructure Levy Regulations (2010) and the Planning Act 2008. The London Borough of Bromley is the Collecting Authority for the Mayor and this Levy is payable on the commencement of development (defined in Part 2, para 7 of the Community Infrastructure Levy Regulations (2010)). It is the responsibility of the owner and /or person(s) who have a material interest in the relevant land to pay the Levy (defined under Part 2, para 4(2) of the Community Infrastructure Levy Regulations (2010)).

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

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

- 4** You should contact extension 4621 (020 8313 4621 direct line) at the Environmental Services Department at the Civic Centre with regard to the laying out of the crossover(s) and/or reinstatement of the existing crossover(s) as footway. A fee is payable for the estimate for the work which is refundable when the crossover (or other work) is carried out. A form to apply for an estimate for the work can be obtained by telephoning the Highways Customer Services Desk on the above number.
- 5** Any repositioning, alteration and/ or adjustment to street furniture or Statutory Undertaker's apparatus, considered necessary and practical to help with the modification of vehicular crossover hereby permitted, shall be undertaken at the cost of the applicant.
- 6** Before works commence, the Applicant is advised to contact the Pollution Team of Environmental Health & Trading Standards regarding compliance with the Control of Pollution Act 1974 and/or the Environmental Protection Act 1990. The Applicant should also ensure compliance with the Control of Pollution and Noise from Demolition and Construction Sites Code of Practice 2008 which is available on the Bromley web site.
- 7** Legal changes under The Water Industry (Scheme for the Adoption of private sewers) Regulations 2011 mean that the sections of pipes you share with your neighbours, or are situated outside of your property boundary which connect to a public sewer are likely to have transferred to Thames Water's ownership. Should your proposed building work fall within 3 metres of these pipes we recommend you contact Thames Water to discuss their status in more detail and to determine if a building over / near to agreement is required. You can contact Thames Water on 0800 009 3921 or for more information please visit our website at www.thameswater.co.uk
- 8** Surface Water Drainage - It is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0800 009 3921. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.
- 9** Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

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Application:16/00919/FULL1

Address: 8 Padua Road Penge London SE20 8HF

Proposal: Demolition of existing property and construction of a pair of two storey semi-detached five bedroom houses with associated parking and landscaping.



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

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

Application No : 16/01269/FULL6

Ward:
Kelsey And Eden Park

Address : 144 Village Way Beckenham BR3 3PH

OS Grid Ref: E: 537102 N: 168470

Applicant : Mr & Mrs Mark Wheeler

Objections : YES

Description of Development:

Single storey rear extension with glass balcony above

Key designations:

Biggin Hill Safeguarding Area
London City Airport Safeguarding
Smoke Control SCA 18

Proposal

The application seeks planning permission for a proposed single storey rear extension with a glass balcony above. The proposed extension will have a height to the flat roof of some 4.093m, a width of 6.05m and depth along the southern elevation of 3.6m, with a depth of 4.8m along the northern elevation.

The proposed balcony will include alterations to the rear elevation with the installation of a door to provide access to the balcony at first floor level, a 1.1m glass balcony screen and a 2m high obscured glass screen along the adjoining boundary line.

The application site is a two storey semi-detached property located on Village Way, Beckenham.

Consultations

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

- The neighbouring occupier at number 142 raised objections to the proposal stating- According to the proposed plans accessibility to my hopper and rainwater pipe leading to the side elevation of my balcony will not be possible once the proposed wall between our respective properties has been built
- This problem must be resolved in the interest of both properties before any of the proposed work is commenced

- In regards to the proposed roof of the extension beyond the glass balcony screen, I would object strongly to this being used as a terrace
- My reasons being that my bedroom leads onto my balcony via the French doors and my privacy would be invaded

Planning Considerations

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

BE1 Design of New Development
H8 Residential Extensions

SPG1 General Design Guidance
SPG2 Residential Design Guidance

Planning History

13/00003/ELUD- Raised platform with decking, stairs and hot tub enclosure.
CERTIFICATE OF LAWFULNESS FOR AN EXISTING DEVELOPMENT- Existing Use/Development is Lawful- Decision issued- 22.04.2014

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.

Design

Policies H8, BE1 and the Council's Supplementary design guidance seek to ensure that new development proposals, including residential extensions are of a high quality design that respects the scale and form of the host dwelling and are compatible with surrounding development. It is considered that the overall design, size and proportions of the proposal are acceptable and in keeping with the design of the existing dwelling and the surrounding area.

It was noted on the site that the adjoining neighbour also benefits from a single storey rear extension, with a pitched roof. The depth and width of the extension at 142 appears to be similar in dimension to the proposed extension at number 144, it is also outlined on the submitted plans that the proposed depth would not protrude beyond the rear wall of number 144.

Although the proposal is of a significant scale and depth, the existing rear extension at number 142 means a development of this scale and depth is considered acceptable, whilst being compatible with neighbouring properties. In addition, the proposal would be confined to the rear of the property and not visible from the street scene.

Furthermore the proposed balcony on balance is also considered acceptable. The balcony is not considered to be obtrusive or affect the visual amenities of neighbouring properties, given the neighbouring property at 142 benefits from a rear extension with a pitched roof, while the balcony would not protrude beyond the rear wall of the original house along the southern elevation. Therefore balcony would not be visible from the neighbouring property at 146.

Neighbouring Amenity

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

It is considered that the proposal would not unduly harm the amenities of the neighbouring property at 142. As stated above the neighbouring property at 142 also benefits from a single storey rear extension similar in dimension to the proposed. The proposal according the drawings would not protrude beyond the rear of the extension at 142. Therefore the proposal would not lead to a loss of light or overshadowing. The neighbour has also raised objection to the proposed balcony, it is considered the pitched roof to the neighbour's extension and the installation of a 2m high obscure glass screen would limit and mitigate possible impacts to amenities. In addition a condition has been added against the use of the flat roof as a terrace/sitting area, protecting the amenities of both neighbouring properties.

In regards to the accessibility of the rainwater pipe leading to the side elevation of the adjoining property at 142, although the concern of the neighbouring occupier is acknowledged this regarded to be a civil matter, which will need to be resolved by the applicant and the occupier of 142 and is a matter that the Local Planning Authority will not become involved in.

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

RECOMMENDATION: PERMISSION

Subject to the following conditions:

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

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

- 2 Unless otherwise agreed in writing by the Local Planning Authority the materials to be used for the external surfaces of the development**

hereby permitted shall as far as is practicable match those of the existing building.

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

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

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

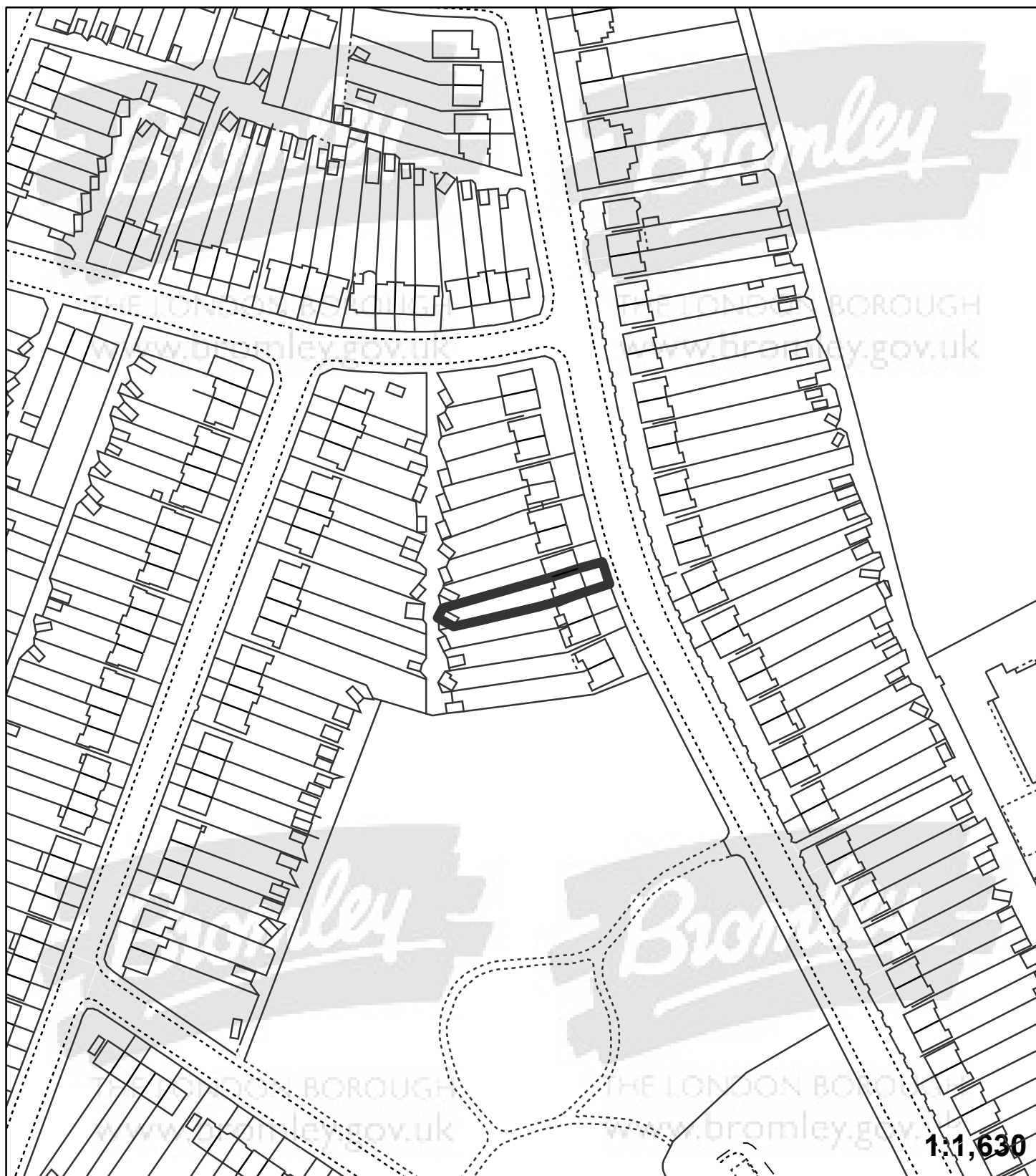
- 4** The use of the flat roof as a balcony/terrace shall be limited to the area identified on the approved plans and the remaining flat roof shall not be used as a balcony or for sitting out at any time

Reason: In the interests of the amenities of the adjacent properties and to comply with Policy BE1 of the UDP.

Application:16/01269/FULL6

Address: 144 Village Way Beckenham BR3 3PH

Proposal: Single storey rear extension with glass balcony above



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

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

Application No : 16/01316/FULL1

Ward: Darwin

Address : Down House Luxted Road Downe
Orpington BR6 7JT

OS Grid Ref: E: 543154 N: 161150

Applicant : Mr John Stevens

Objections : NO

Description of Development:

Use of part of Middle Field within the Down House estate to provide an overflow visitor car parking facility for up to 50 days per year

Key designations:

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

Proposal

Permission is sought for an overflow visitor car park to be used for up to 50 days per year in the 'Middle Field' south of Down House, which would be accessed from Luxted Road. The turf protecting matting previously laid at the sites to protect the land from being damaged by cars using the car park which was granted on a temporary basis under permission refs.09/01434 and 11/03616, would be retained.

This application is effectively a renewal of temporary permission ref.11/03616 which expired in March 2014, but seeks the use of the overflow car park for up to 50 days a year on a permanent rather than temporary basis (temporary permissions having been granted since 2009).

Location

Down House is located approximately half a kilometre from the village of Downe and lies within the Green Belt. It is a Grade I Listed Building, but lies outside Downe Village Conservation Area. The gardens at the house are included in the Register of Parks and Gardens of Special Historic Interest at Grade II, with part of the site designated as a site of Nature Conservation Interest.

The proposed car parking area is accessed via an existing gateway onto Luxted Road, and a public footpath runs across the site to the north of the access.

Consultations

No letters of objection have been received from third parties to date.

Comments from Consultees

The Council's Highways Officer has confirmed that, subject to the prior completion of an updated section 106 agreement which required certain measures due to the substandard access to the site along with measures to ensure pedestrian safety along the public right of way (similar to the agreement previously entered into but referring to the current planning reference number), no objections are raised to the granting of a permanent permission for the overflow car park.

Planning Considerations

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

BE1 Design of New Development
BE7 Statutory Listed Buildings
T6 Pedestrians
T18 Road Safety
NE2 Development and Nature Conservation Sites
NE3 Nature Conservation and Development
L2 Public Rights of Way and Other Recreational Routes

Planning History

A 2-year temporary permission was granted in 2009 (ref: 09/01434) for a temporary overflow visitor car park in the Middle Field for up to 90 days per year, and included alterations to the access and the laying out of a temporary surface.

A further application (ref.11/03616) was granted in 2012 to use the overflow visitor car park for up to 50 days per year, but this permission expired in March 2014.

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 statutory listed building and the Green Belt.

The applicant has submitted supporting information which shows that the temporary permissions granted over the last 6 years have successfully diverted parking away from Downe Village during the busy months of April through to August. It is forecast that visitor numbers will consistently remain above the capacity of the current permanent car park located to the north of Down House during these months, and a permanent permission is therefore sought.

Alternative options for providing a viable and sustainable solution to increasing permanent parking facilities for visitors to Down House have been previously

looked into by the applicant, eg. acquiring additional adjacent land (unsuccessful) and a trail of a free "park and ride" scheme from Leaves Green (take up was minimal), but a viable alternative which would not further impact on the local environment and community has not been found.

Members may therefore consider that a permanent permission for the use of the overflow visitor car park for up to 50 days per year may now be appropriate, subject to the prior completion of a legal agreement, as it would provide for the growth of visitor numbers without resulting in significant parking and congestion within Downe Village.

From a highways point of view, the planning conditions and obligations previously imposed in the temporary permissions have satisfactorily mitigated against any potential hazards to vehicular or pedestrian safety, and as such, similar conditions and obligations are suggested to be attached to the permanent permission.

In terms of the impact on the Green Belt, by containing the car parking area within the middle field, the visual impact would be minimised as there is dense foliage screening areas along the boundaries, and as such, it would not be highly visible from public vantage points.

In terms of the impact on the Grade I Listed Building, the proposed car park is located over 220m from Down House, and it would not therefore have a detrimental impact on the integrity of the Listed Building.

In conclusion, the proposals are not considered to be harmful to the character or visual amenities of the Green Belt, nor adversely affect the Listed Building.

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 PRIOR COMPLETION OF A LEGAL AGREEMENT

and the following conditions:

- 1 The convex mirror which was approved under planning permission ref.09/01434 shall be retained in the position previously agreed. The car park shall only be used as such while the mirror is in situ.**

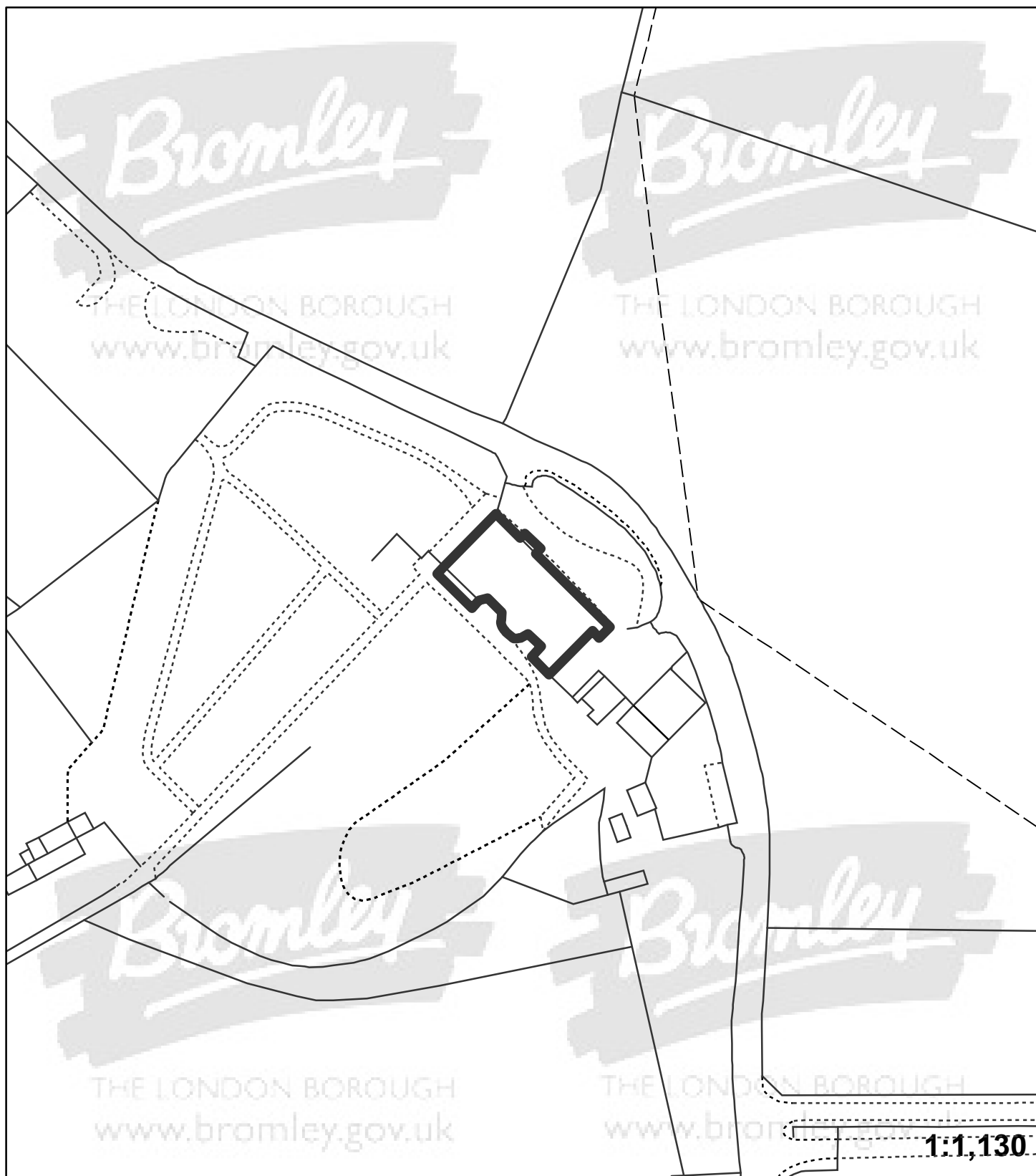
Reason: In the interest of pedestrian and vehicular safety and in order to comply with Policy T18 of the Unitary Development Plan.

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Application:16/01316/FULL1

Address: Down House Luxted Road Downe Orpington BR6 7JT

Proposal: Use of part of Middle Field within the Down House estate to provide an overflow visitor car parking facility for up to 50 days per year



"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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