



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: 31 May 2016

To: Members of the
PLANS SUB-COMMITTEE NO. 4

Councillor Richard Scoates (Chairman)
Councillor Peter Dean (Vice-Chairman)
Councillors Kathy Bance MBE, Lydia Buttinger, Simon Fawthrop, Kate Lymer,
Russell Mellor, Melanie Stevens and Michael Turner

A meeting of the Plans Sub-Committee No. 4 will be held at Bromley Civic Centre on
THURSDAY 9 JUNE 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 14 APRIL 2016**
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- 4 **PLANNING APPLICATIONS**

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

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4.4	Kelsey and Eden Park	79 - 86	(16/00779/FULL1) - Langley Park School for Girls, Hawsbrook Lane, Beckenham BR3 3BE
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4.6	Clock House	111 - 124	(16/01190/FULL1) - 25 Samos Road, Penge, London, SE20 7UQ
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SECTION 3 (Applications recommended for permission, approval or consent)

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4.11	Hayes and Coney Hall Conservation Area	165 - 170	(16/00334/FULL1) - 6 Baston Road, Hayes, Bromley BR2 7BE
4.12	Bickley	171 - 178	(16/00791/FULL6) - 260 Southlands Road, Bromley BR1 2EQ
4.13	Chelsfield and Pratts Bottom	179 - 190	(16/01029/FULL1) - 195 Worlds End Lane, Orpington BR6 6AT
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SECTION 4 (Applications recommended for refusal or disapproval of details)

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Report No.	Ward	Page No.	Application Number and Address
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PLANS SUB-COMMITTEE NO. 4

Minutes of the meeting held at 7.00 pm on 14 April 2016

Present:

Councillor Richard Scoates (Chairman)
Councillor Peter Dean (Vice-Chairman)
Councillors Vanessa Allen, Lydia Buttinger, Simon Fawthrop,
Samaris Huntington-Thresher, Russell Mellor, Melanie Stevens
and Michael Turner

Also Present:

Councillor Stephen Wells

26 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

There were no apologies for absence.

27 DECLARATIONS OF INTEREST

Councillor Allen declared an interest in Item 4.6, as she resided in the same street as the applicant.

28 CONFIRMATION OF MINUTES OF MEETING HELD ON 18 FEBRUARY 2016

Minute 25.12 – 43 Towncourt Crescent, Petts Wood: In relation to Councillor Fawthrop's comments, the Description for the Petts Wood Area of Special Residential Character was added as Annex 2 to the Minutes.

RESOLVED that the Minutes of the meeting held on 18 February 2016 be confirmed and signed as a correct record.

29 PLANNING APPLICATIONS

29.1 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.

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 with condition 4 amended to read:-

'4 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. 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 and also onto the neighbouring property at 49 Yester Road from the raised side path shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of works. Before any part of the development hereby permitted is first occupied, the drainage system shall be completed in accordance with the approved details and shall be retained permanently thereafter.

Reason: In order to comply with Policy T3 and BE1 of the Unitary Development Plan and to avoid development without adequate drainage and in the interest of neighbouring amenity.'

The following informative was also added:-

1 The applicant is advised to seek Building Control regulation approval to ensure building work complies with regulations. Please contact the Building Control team on 020 8313 4313 or by e-mail to:

buildingcontrol@bromley.gov.uk to discuss what you need to do in order to gain regulation approval.

**29.2
DARWIN**

(15/05051/FULL6) - High Elms Cottage, High Elms Road, Downe, Orpington BR6 7JL

Description of application – replacement garage and outbuilding.

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

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

**29.3
BROMLEY COMMON AND
KESTON**

**(15/05392/FULL1) - Trinity Church Of England
Primary School, Princes Plain, Bromley BR2 8LD**

Description of application – Extensions and alterations to Trinity Church of England Primary School (to accommodate 2 additional forms of entry) and construction of all-weather pitch and MUGA, vehicular access from Church Lane, access road, additional car and cycle parking and associated works. Extensions to Bishop Justus Church of England School (to accommodate 2 additional forms of entry), additional car and cycle parking and associated works.

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

It was reported that permission for the application was no longer subject to any Direction by the Secretary of State as the objection raised by Sport England had been withdrawn.

Members having considered the report, objections and representations, **RESOLVED that PERMISSION BE GRANTED** as recommended, subject to the conditions and informatives set out in the report of the Chief Planner with conditions 13 and 17 amended to read:-

'13 Notwithstanding the plans hereby approved, full construction details and surfacing materials of the access road, footpaths and associated works on Trinity School shall be submitted to and approved by the Local Planning Authority prior to the commencement of each phase of these works. Such details shall include permeable materials throughout, measures to minimise surface water flooding and details and method statements to ensure full protection of the root protection zones of the adjacent trees

Reason: In order to comply with Policy BE1 of the Bromley Unitary Development Plan and in the interest of the appearance and the visual amenities of the area and to ensure satisfactory means of surface water drainage and to accord with Policy 5.14 of the London Plan.

17 the parking spaces and turning space hereby permitted, shall be completed in accordance with the approved details and timings shown on the phasing

plans relevant to each school site 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 1995 (or any order amending, revoking and re-enacting this order) or not, shall be carried out on the land indicate or in such a position as to preclude vehicular access to the said land.

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

A further two conditions were added as follows:-

31 Use of the development shall not commence until a community use agreement for the MUGA to the south of Bishop Justus Church of England School prepared in consultation with Sport England has been submitted to and approved in writing by the Local Planning Authority and a copy of the completed approved agreement has been provided to the Local Authority. The agreement shall apply to the existing MUGA to the south of Bishop Justus School and include details of pricing policy, hours of use, access by non-educational establishment users, management responsibilities and a mechanism for review (and anything else which the Local Planning Authority in consultation with Sport England considers necessary in order to secure the effective community use of the facility). The MUGA subject to this agreement shall not be used at any time other than in strict compliance with the approved agreement.

Reason: To secure well managed safe community access to the sports facility, to ensure sufficient benefit to the development of sport.

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

Reason: In order to prevent intensification of the site and to comply with Policy BE1 of the Unitary Development Plan and in the interest of amenity and public safety.

**29.4
CRYSTAL PALACE**

**(15/05617/FULL1) - 122 Anerley Road, Penge,
London SE20 8DL**

Description of application – Demolition of existing building and construction of a mixed use part four and five story building comprising a commercial unit (Use Class A1) at ground and lower ground level together with 4 one bedroom and 3 two bedroom flats with associated amenity spaces.

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

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

Reason: In order to prevent intensification of the site and to comply with Policy BE1 of the Unitary Development Plan and in the interest of amenity and public safety.

SECTION 3

(Applications recommended for permission, approval or consent)

**29.5
BROMLEY COMMON AND
KESTON
CONSERVATION AREA**

**(15/05429/FULL6) - 27 Croydon Road, Keston
BR2 6EA**

Description of application – Part one/two storey side and rear extension, first floor front and side extensions, increase in roof height to provide habitable accommodation within the roof space, front porch and elevational alterations.

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

1 The proposed part one/two storey side and rear extension and roof alterations, by reason of its bulk and design, would be an over-dominant feature and have a detrimental impact upon the appearance of the host building and the character of the Keston Park

Conservation Area thereby contrary to Policies BE1, BE11 and H8 of the Unitary Development Plan.

2 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 and imposing form of development, out of character with the street scene, conducive to a retrograde lowering of the spatial standards to which the area is at present developed and contrary to Policy H9 of the Unitary Development Plan.

**29.6
CLOCK HOUSE**

**(16/00265/FULL6) - 19 Clock House Road,
Beckenham BR3 4JS**

Description of application – Rear dormer 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.

**29.7
PETTS WOOD AND KNOLL**

**(16/00529/FULL1) - 11 Fairfield Road, Petts Wood,
Orpington BR5 1JR**

Description of application – proposed demolition of existing dwelling and the construction of a 5 bedroom, three storey dwelling.

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

1 The proposed dwelling, by reason of its size, bulk and design, would appear incongruous and out of character within the street scene allowing for an incongruent and prominent form of development, harmful to the amenities of neighbouring properties and contrary to Policies BE1 and H7 of the UDP.

The meeting ended at 7.45 pm

Chairman

SECTION '2' – Applications meriting special consideration

Application No : 15/04574/FULL1

Ward:
Orpington

Address : Former Depot Site, Church Hill,
Orpington

OS Grid Ref: E: 546417 N: 166470

Applicant : Purelake Group

Objections : YES

Description of Development:

Demolition of existing depot buildings and erection of eight 2 storey, 3 bedroom terraced houses, 1 part 3/part 4 storey apartment block (Block B) with 17x2 bed, and 1x3 bed units and 1 part 2/part 3 storey apartment block (Block A) with 2x2 bed flats, together with 38 car parking spaces (including 2 visitor spaces), 66 cycle parking spaces, refuse and recycling facilities and associated landscaping , including pergolas in the car park.

Key designations:

Conservation Area: Orpington Priory
Areas of Archeological Significance
Biggin Hill Safeguarding Area
London City Airport Safeguarding
Smoke Control SCA 29

Report Update

This application was originally report to Plans Sub-Committee No. 2 at the meeting held on 12th May 2016. The application was deferred for the following reasons:

- To re-assess the viability of the site for employment use or mixed use and to seek additional marketing
- Re-assess the affordable housing provision

The applicant's agent has provided the following response:

"It is strongly considered by the applicant that sufficient marketing information was submitted as part of the application, which demonstrated that the redevelopment of the site for employment use or mixed use would not be a viable option. The Case Officer, Karen Bradshaw, was satisfied with the level of information provided as part of the application, and recommended to Committee that the application should be approved. After careful consideration, we do not believe that providing additional information would be necessary.

With regards to affordable housing, it was also accepted by the Council that the proposed approach of a payment in lieu of on-site affordable housing was

acceptable. Contact was made with a number of the most prominent RP's in the local area who all responded with the same attitude that they would not be prepared to take on a small number of units on this site.

Therefore, both points have already been accepted by the London Borough of Bromley Council."

The original report is repeated below.

Proposal

Planning permission is sought for the demolition of the existing buildings and the erection of 28 new dwellings in 3 distinct areas on the site. Eight 2 storey terraced houses will be provided along the eastern boundary. Two x 2 bedroom flats will be provided in a part 2/part 3 storey building (Block A) along the western boundary of the site. Eighteen units (17x2 bedroom (including 2 wheelchair units) and 1x3 bedroom) will be provided in the southern part of the site (Block B). A courtyard is created in the centre of the development.

- Vehicle access into and out of the site will be provided using the existing vehicular access from Church Hill
- A total of 38 car parking spaces, including 2 visitor spaces and 3 disabled spaces, will be provided partly in the central courtyard and partly along the southern boundary of the site. A pedestrian access point is provided between this car parking area and the central courtyard to enable direct access to the flats from this area.
- A new pedestrian only access will be created in the eastern boundary between Block B and the houses providing access from the central courtyard to Bruce Grove.
- A total of 66 cycle parking spaces will be provided on site for the occupants of the flats and houses. 36 spaces are provided in a secure and lockable store within Block B. A further 30 spaces will be provided in secure and lockable store in Block A.
- Refuse and recycling storage is provided for all of the flats within Block B with access via an entrance facing Bruce Grove.
- A turning head is provided within the courtyard to enable vehicles to turn within the site and leave in a forward direction.
- A communal amenity area is provided to the rear of Block B.
- Balconies are provided for all of the upper floor flats.
- Terraces are provided for the ground floor flats.
- Rear gardens measuring 8.5m are provided for each of the houses.
- The existing entrance gates to Church Hill are to be retained and refurbished
- Provision of a green roof on Block B

There are a line of lime trees along the north-west side of the entrance road and 3 of these are protected by a Tree Protection Order. All of these are shown to be retained on the submitted plans.

Quantum of development

- The overall site area is 0.32 ha.
- The total gross internal floorspace proposed is 2,638 square metres (819 sqm of former depot buildings will be demolished).
- The footprint of the proposed building is 1153 sqm
- The total gross external area of the proposed buildings is 3952 sqm.
- The proposed density of development amounts to 87.5 units per hectare and 118 habitable rooms per hectare.

The applicant has submitted the following documents to support the application: Planning, Heritage and Affordable Housing Statement, Design and Access Statement, Financial Viability Assessment, Arboricultural Development Report, Transport Statement, Phase 2 Ground Investigation Report, Archaeological Desk Based Assessment, Bat Presence/Likely Absence Survey, Preliminary Ecological Appraisal, Site Investigation Report, Flood Risk Assessment, Marketing Report, Energy Statement, Statement of Community Involvement.

Details of the content of these reports are summarised in the relevant sections below.

Location

The 0.32 ha site is located immediately behind a row of properties on the eastern side of the northern end of Orpington High Street.

To the north east are commercial units and residential properties. The site is bounded by the Orpington Priory Conservation Area at this point and to the west of the site along the High Street. In this location and immediately adjacent to the site is also a statutory listed property known as Barn Hawe. This property is in the ownership of the applicant but is not included within the site. Barn Hawe is used currently used as offices on the ground floor and residential use on the first floor.

To the east are semi-detached residential properties in Bruce Grove, with on street parking controlled by a Controlled Parking Zone.

To the south west is a 3 storey continuous block of buildings associated with the High Street and private car parking.

To the north west are buildings fronting the High Street including a 4 storey office building, retail units and 2 restaurants.

The area is comprises a mixture of uses and includes both the commercial development in the High Street and the residential development in Bruce Grove.

The existing buildings on the site are those associated with the use of the site as a former dairy depot and have been used for informal storage and parking since the closure of the depot in 2012.

In addition the site lies within the Upper Cray Valley Archaeology Priority Area.

Consultations

Comments from Local Residents

Nearby properties were notified of the application. In addition a site notice was displayed and an advertisement published in the local press. Four representations have been received which can be summarised as follows;

- Serious concerns about parking as there is insufficient parking in this zone and this resident cannot park in Bruce Grove or surrounding streets at times. Insufficient number of parking spaces for residents and visitors.
- A condition requiring a Construction Methodology Statement should be added detailing how they intend to manage the site deliveries and impact on local residents (noise and dust) and agree the methodology with the Council.
- The application is not policy compliant - 50% affordable housing should be provided to meet London Plan policy, shortfall in onsite amenity space to the flats.
- Street scene and design is not in keeping with the surrounding area - monolithic and bulky continuous frontage to Bruce Grove with no breaks or staggers.
- Window to window conflict between new and future units.
- Materials condition is required.
- A condition should be applied to ensure that the new pedestrian access cannot be changed to a vehicle access in the future.
- The access gates should be removed or kept permanently open so that this does not become a gated development as this would be out of character with the area.
- The information about surface drainage is not sufficient and details of the effectiveness of the current surface water drainage system in relation to the development should be provided. A post-development surface water flood model for the local area indicating risks to existing properties and businesses should be provided.

Comments from Consultees

Highways

The site is located in an area with low PTAL rate of 4 (on a scale of 1 - 6, where 6 is the most accessible).

Thirty eight car parking spaces including spaces for visitors are proposed for all houses and flats instead of 39. It is 1 car space short but I will accept this as this area has CPZ/pay and display parking. The parking layout looks a bit tight so I would like to see a swept path analysis using Autotrack software for the proposed parking.

I have checked the swept path analysis for the delivery lorry and am concerned as the vehicle used for this analysis is 4.6t Light Van. This is not satisfactory as up to a 7.5t Box Van is required for 2 to 3+ bedroom house moves. I have attached

requirement by Freight Transport Association. Please ask the applicant to submit a swept path analysis for a 7.5 ton vehicle.

The applicant is now proposing to keep the existing vehicular access from Church Hill. For above mentioned reason I am not satisfied and am of the opinion that an in and out access would be beneficial i.e. enter from Church Hill and exit from Bruce Grove. Also a refuse vehicle or a removal company truck will completely block the traffic on Bruce Grove for a considerable amount of time.

A total of 66 cycle parking spaces will be provided on site. This level of provision is satisfactory but I noticed that the Hi-Rise Two Tier Cycle Storage is Non-Lift Assisted type. A Gas Assisted model should be provided so that less physically strong people such as women and children can use this facility with ease.

The refuse storage is located closer to the highway boundary and a dropped kerb is proposed protected through the introduction of a single yellow line. This is satisfactory; however, LBB Waste Service should be consulted regarding refuse storage and servicing of the units and also wheeling the bin between cars at pedestrian access point on Bruce Grove.

Please ask the applicant to address the above mentioned points so that I am able to make an informed decision.

Following submissions from the applicant the following revised comments have been received:

"The site is located in an area with low PTAL rate of 4 (on a scale of 1 - 6, where 6 is the most accessible).

Thirty eight car parking spaces including spaces for visitors are proposed for all houses and flats instead of 39. It is 1 car space short but I will accept this as this area has CPZ/pay and display parking.

I have seen the swept path analysis using Autotrack software for the proposed parking and am satisfied.

The applicant is now proposing to keep the existing vehicular access from Church Hill. Waste Services are satisfied that there sufficient width to safely manoeuvre containers with care and that there is a dropped kerb on Bruce Grove. The applicant has submitted a car Parking Video Survey for Bruce Grove and I am satisfied with the results.

A total of 66 cycle parking spaces will be provided on site. This level of provision is satisfactory and the applicant has agreed to provide a Hi-Rise Two Tier Cycle Storage is Non-Lift Assisted type Gas Assisted model so that less physically strong people such as women and children can use this facility with ease.

The refuse storage is located closer to the highway boundary and a dropped kerb is proposed protected through hatched lines. I have discussed this with our traffic section and they are prepared to accept introduction of a double yellow line, 24/7

No parking at any time, however, LBB Waste Service should be consulted regarding refuse storage and servicing of the units and also wheeling the bin between cars at pedestrian access point on Bruce Grove.

Please include the following with any permission:

Condition

H03 (Satisfactory Parking)

H08 (Turning area)

H16 (Hardstanding for wash-down facilities)

H19 (Refuse storage)

H22 (Cycle parking)

H23 (Lighting scheme for access/parking)

H24 (Stopping up of access)

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
- Section 106 contribution secured by section 106 agreement
- Contribution of £3000 towards future CPZ extension to be set against Orpington Town Centre as a whole.

Informative

DI16 (Crossover)

Non standard informative

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."

Waste Adviser

Comments that his only concern is that the passage from the bin store to the Refuse Collection Vehicle as potentially damage could occur from containers swinging into parked cars. There's also the risk of cars parking on the hatchings which would obviously impede access. That said, there is sufficient width to safely manoeuvre containers with care - as long as the kerb is dropped, I have no objections. Any condition relating to waste collection and storage can be discharged.

Drainage

Raises no objection and states that the submitted Surface Water design to include permeable paving, green roofs as well as a tank to restrict the discharge rate to 5l/s is acceptable. A condition is recommended requiring the submission of a surface water drainage scheme

Environmental Health

Noise

The site is located just off the High Street with a number of licensed premises in the immediate vicinity including two directly adjacent. There is potential for noise from these premises, people traffic using the High Street and plant noise. I would

recommend that we request an environmental noise assessment which should cover typical daytime and Friday or Saturday night time noise levels to determine whether any mitigations are necessary.

Air Quality

I would recommend that the following conditions are attached:

- Demolition works shall not begin until a dust management plan for protecting nearby residents and commercial occupiers from dust and other environmental effects has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of all dust suppression measures and the methods to monitor emissions of dust arising from the development. The development shall not be carried out other than in accordance with the approved dust management plan.
Reason: To protect the amenity of nearby residents and commercial occupiers in accordance with the London Plan Supplementary Planning Guidance The Control of Dust and Emissions During Construction and Demolition Guidance.
- Construction works shall not begin until a Construction Logistics Plan to manage all freight vehicle movements to and from the site identifying efficiency and sustainability measures to be undertaken during site construction of the development has been submitted to approved in writing by the Local Planning Authority. The development shall not be carried out otherwise than in accordance with the approved Construction Logistics Plan or any approved amendments thereto as may be agreed in writing by the Local Planning Authority.
Reason: To ensure that construction works do not have an advisers impact on the transport network In accordance with London Plan Policy 6.14.
- 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 in line with NPPF p124 and Policy 7.14 of the London Plan.
- 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 in line with NPPF p124 and Policies 6.13 and 7.14 of the London Plan

Environment Agency

States that they have no objections and advise that the site is at low risk of fluvial flooding but consider that the site is at high risk if flooding from surface water and groundwater. They have amended their Flood Map for Planning (Rivers and Sea) provide to local planning authorities with the last update. With the update they removed a few of what were commonly referred to as 'phantom watercourses.' The Flood Map for Planning is a composite of a national generalised model, detailed localised modelling model, also picks up natural low points where there are no actual rivers. Most of these got filtered out, but a few remained, such as here. As

there is no river at this location, the flood risk here should not be classified as coming from a river. It is therefore, reclassified as surface water risk. According to the NPPF, residential development is categorised as more vulnerable in terms of flood risk.

Under the Flood and Water Management Act 2010, the responsibility for surface water runoff, ground water and ordinary watercourses now sits with the lead local authority, which is Bromley, and not with the EA. Advice should be sought from the Council's drainage team.

In addition, the EA have reviewed the 'Ground Investigation Report' submitted by Soils Ltd. An elevated concentration of arsenic in the soil was identified but the EA do not consider this to be a significant risk to Controlled waters and not requiring remedial measures. Relevant conditions are recommended relating to protection of ground water.

Thames Water raise no objections. In terms of sewerage waste disposal TW recommend a condition relating to the need for a piling method statement if piling takes place on the site. In terms of surface water drainage TW recommend a condition that shall ensure that storm flows are adequately attenuated or regulated, regarding manhole connection. In terms of water an informative is recommended about water pressure.

Metropolitan Police Crime Prevention Design Adviser

Raises no objections and states that the submitted documentation does not seem to give details of what measures are to be incorporated to achieve Secure by Design standards. The layout needs to be changed to ensure that the binstore and cycle store in Block B are completely separate. The MPCPDA recommends that a condition to seek a 'Secure by Design' Certification is attached to this application should permission be granted.

Historic England (Archaeology)

Raise no objection and state that no archaeological work need to be undertaken prior to determination of the application and recommend a condition to secure a programme of site work once the site is cleared to ground level.

Tree Officer

From an arboricultural point of view, the only significant trees within the site are the limes situated adjacent to the existing access. Three are protected by TPO and have been pollarded in the past. The protection measures illustrated in the Tree Protection Plan provide adequate protection to the retained trees.

The site will be largely hard landscaped to accommodate the parking area. This reduces the opportunities to incorporate new planting into the design layout. The Landscape Masterplan indicates proposed tree planting and other soft landscaping features. The landscape scheme is considered to be acceptable.

Conservation Officer

From a heritage and design point of view, this site is immediately south of the Grade II listed Barn Hawe which dates from the early-mid 19th century. The former

depot site is also just outside the Orpington Priory Conservation Area. The proposed development would improve the derelict site and the site layout and building heights acknowledge the listed building and there are no concerns about any negative impact on the setting of the asset or the conservation area. The design standards appear to be high and the active street frontage to Bruce Grove would be a positive enhancement to this area.

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 & H3 Affordable Housing
- 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
- T18 Road Safety
- BE1 Design of New Development
- BE7 Railings, Boundary Walls and Other Means of Enclosure
- BE13 Development Adjacent to a Conservation Area
- NE7 Development and Trees
- IMP1 Planning Obligations

Planning Obligations Supplementary Planning Document
Affordable Housing Supplementary Planning Document

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.

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
- 6.3 Social infrastructure in new developments
- 7.1 Parking
- 7.3 Access to services for all
- 8.1 General design of development
- 8.7 Development and trees
- 8.37 Development adjacent to a Conservation Area
- 10.1 Sustainable waste management
- 10.3 Reducing flood risk
- 10.4 Sustainable urban drainage systems
- 10.6 Noise pollution
- 10.7 Air quality
- 10.10 Sustainable design and construction
- 10.11 Carbon reduction, decentralise energy networks and renewable energy

Draft Allocations, Further Policies and Designation document (Sept 2015)

The application site is identified in this document as a draft site for residential and/or employment (approx. 30 units). The allocation does not include the building known as Barn Hawe. As stated above the document is a material consideration but at this stage in the development of the emerging Local Plan the policy carries minimal weight.

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

- Policy 1.1 Delivering the strategic vision and objectives for London
- Policy 2.6 Outer London: vision and strategy
- Policy 3.3 Increasing housing supply
- Policy 3.4 Optimising housing potential
- Policy 3.5 Quality and design of housing developments
- Policy 3.6 Children and young people's play and informal recreation facilities
- Policy 3.8 Housing choice
- Policy 3.9 Mixed and balanced communities
- Policy 3.10 Definition of affordable housing
- Policy 3.11 Affordable housing targets
- Policy 3.12 Negotiating affordable housing on individual private residential and mixed use schemes
- Policy 3.13 Affordable housing thresholds
- Policy 5.1 Climate change mitigation
- Policy 5.2 Minimising carbon dioxide emissions
- Policy 5.3 Sustainable design and construction
- Policy 5.5 Decentralised energy networks
- Policy 5.6 Decentralised energy in development proposals

Policy 5.7 Renewable energy
Policy 5.8 Innovative energy technologies
Policy 5.9 Overheating and cooling
Policy 5.10 Urban greening
Policy 5.11 Green roofs and development site environs
Policy 5.12 Flood risk management
Policy 5.13 Sustainable drainage
Policy 5.14 Water quality and wastewater Infrastructure
Policy 5.15 Water use and supplies
Policy 5.16 Waste self-sufficiency
Policy 5.17 Waste capacity
Policy 5.18 Construction, excavation and demolition waste
Policy 6.3 Assessing effects of development on transport capacity
Policy 6.9 Cycling
Policy 6.10 Walking
Policy 6.11 Smoothing traffic flow and tackling congestion
Policy 6.13 Parking
Policy 7.1 Building London's neighbourhoods and communities
Policy 7.2 An inclusive environment
Policy 7.3 Designing out crime
Policy 7.4 Local character
Policy 7.5 Public realm
Policy 7.6 Architecture
Policy 7.8 Heritage assets and archaeology
Policy 7.14 Improving air quality
Policy 7.15 Reducing noise and enhancing soundscapes
Policy 7.19 Biodiversity and access to nature
Policy 7.21 Trees and woodlands
Policy 8.2 Planning obligations
Policy 8.3 Community infrastructure levy

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 also relevant. The NPPF contains a wide range of guidance relevant to this application specifically sustainable development, delivering a wide choice of quality homes, requiring good design, conserving and enhancing the natural environment, decision-taking and implementation. The NPPF makes it clear that weight should be given to emerging policies that are consistent with the NPPF.

Planning History

The site has been the subject of numerous previous applications relating to the previous use as follows:

DC00/01235: Rationalisation of car park to form a total of 35 float charging bays and 8 staff parking spaces including new surface treatment to entrance together

with external alterations to garage block to create offices ancillary to dairy depot and partial demolition of wall attached to Barn Hawe. Approved 21.8.2000

DC/00/01239/LBC: Partial demolition of wall attached to Barn Hawe. Approved 14.06.2000

DC/00915/VAR: Variation of condition 06 of permission 00/01235 to allow dual use of parking bays for floats/delivery vehicles and staff parking in connection with rationalisation of car park and associated development. Approved 10.05.2001

DC/01/03377: Retention of five lighting columns - Revised lighting details pursuant to condition 4 of DC/01/00915 permitted 21.05.01 for rationalisation of car park to form a total of 35 float charging bays, 8 staff parking spaces and associated development. Refused and allowed on appeal on 19.5.2003

Conclusions

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

- Principle of Development
- Scale, Siting, Massing and Appearance (including density)
- S106 contributions
- Standard of Accommodation and Amenity Space
- Impact on Neighbour Amenity
- Impact on Heritage Assets and character of the area
- Highways and Traffic Matters (including Cycle Parking and Refuse)
- Trees and Landscaping
- Other technical matters

Principle of Development

Loss of the existing buildings

The site is currently occupied by 2 structures; one is an open sided metal canopy with a small ancillary office building and the other is a brick building which wraps around part of the south and western boundaries. The buildings are commercial in appearance and do not contribute, in architectural terms, to the appearance of the site or the character and appearance of the local area or the adjacent Conservation Area. As such the demolition of these buildings is considered acceptable.

Loss of employment use

The applicant advises that the site was closed as a milk distribution depot in April 2012 and has since remained vacant apart from informal storage and parking. It should be noted that the applicant owns both the application site and adjacent listed building known as Barn Hawe, which was previously used as an office on the ground floor, which is now vacant, with a residential flat on the first floor with a long term tenant.

In policy terms, UDP Policy EMP 5: Development outside business areas is relevant and this states:

The redevelopment of business sites or premises outside of the Designated Business Areas will be permitted provided that:

- (i) the size, configuration, access arrangements or other characteristics make it unsuitable for Use Classes B1, B2 or B8, and
- (ii) full and proper marketing of the site confirms the unsuitability and financial non-viability of the site or premises for these uses.

In addition the site has been included in the emerging Local Plan document entitled 'Draft Allocations, further policies and designations document'. The site is one of a number of sites in the borough identified as a possible site for residential and/or employment allocation. This document has been the subject of initial public consultation which was undertaken in October 2015 and it should be noted that this document is a material consideration. At this time the document has not been progressed to the next stage and, as such, carries minimal weight in terms of policy guidance.

Furthermore, NPPF Paragraph 22 is relevant here, which states that planning policies should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose.

To support the loss of the use of the site for business purposes the applicant has submitted a marketing report which sets out details of the marketing process undertaken for this site. The report advises that the marketing was undertaken between August and October 2012, shortly after the site was vacated. Eighteen offers were received from a range of developers including house builders, a supermarket development, a hotel scheme and a commercial development.

A significant number of offers, including all but one of the commercial and retail offers, were withdrawn when the bidders were advised by the agent that the demolition of the listed building would not be acceptable and the long term residential tenant has a Regulated Tenancy. One further commercial bid was rejected as the offer made was unacceptably low to the then owner.

One unconditional offer was accepted from the current applicant. The site remained on the market for a further year and no further interest was received for commercial or mixed use development. The freehold sale of the site was completed with the applicants in December 2014 and they have purchased both the application site and the listed building.

With regard to the suitability of the site for B1, B2 or B8 use, the site would not be suitable for B2 use due to its close proximity to residential properties in Bruce Grove and Church Hill. The site may be suitable for B1 use or B8 use with regard to size, configuration and access arrangements but the marketing campaign satisfactorily demonstrates that it was not possible to secure commercial interest in the site for these uses, having particular regard to the presence of the listed building on the site, the loss of which would not be acceptable in planning terms.

Having regard to the evidence provided by the applicant, it is considered that an appropriate marketing campaign has been carried out as required by Policy EMP5, which failed to secure commercial interest in the site. Furthermore, the proposed development would make a valuable contribution towards the delivery of housing (which is discussed in more detail below). On this occasion it is considered that the redevelopment of this business site is acceptable on balance.

Acceptability of proposed housing use

UDP Policy H1 requires the Borough to make provision for additional dwellings over the plan period acknowledging a requirement to make efficient use of sites in accordance with density/location matrix in Policy H7. London Plan policy 3.3 establishes a target for the provision of housing for the Borough. The target for Bromley is set at 641 units per annum. It is considered that, if approved, this scheme will make a valuable contribute to the housing supply.

The site lies to the rear of the High Street and is bounded to the north and east by streets that are primarily residential in character. The development has been designed to relate to these streets with the height of the buildings increasing towards the south, where there are other taller buildings beyond. In this respect it is considered that, in principle, the use of the site would provide a suitable setting for a development involving a mix of family houses and flats of varied housing types and sizes.

S106 contributions

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

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

Paragraph 122 of the Community Infrastructure Levy Regulations (April 2010) puts the above three tests on a statutory basis, meaning that it is not possible to secure a planning obligation unless it meets the three tests.

In this instance in order to make the development acceptable in planning terms the following obligations are considered to be necessary:-

- Affordable Housing
- Contributions towards Education (£120,035) and Health (£38,015)

- £3000 towards future CPZ extension to be set against Orpington Town Centre as a whole.
- Reimbursement of the Council's legal costs associated with the drafting, finalising and monitoring the agreement.
- £3000 towards highway works in Bruce Grove to provide suitable access for refuse collection

The applicant has agreed to enter into a Section 106 agreement to secure the above obligations.

With regard to the provision of affordable housing, Policy H2 of the UDP requires the provision of 35% of habitable rooms as affordable housing. The London Plan policies 3.11 and 3.12 confirm that the borough should maximise affordable housing provision, where 60% of provision should be social housing and 40% should be for intermediate provision.

The applicant has submitted a Financial Viability Assessment (FVA) to demonstrate that the delivery of affordable housing as part of this scheme would not provide a viable development. In order to evaluate this position, the Council has appointed an independent consultant to assess the applicant's FVA. The initial assessment by the Council's consultant found that the suggestion that the scheme is unviable was not proven and that the scheme could support some affordable housing. Following discussions with the applicant, it is recommended that the scheme can support 3 units, namely 2 shared ownership units and 1 affordable rent unit or an equivalent payment in lieu set at £210,000.

The Council's preference is for the provision of on-site affordable housing and this is reflected in Policy H3 of the UDP which states that where it is determined that a site meets the size threshold and is suitable for affordable housing, payment in lieu of affordable housing on site or provision in another location will be acceptable only in exceptional circumstances and where it can be demonstrated that:

- (i) it would be impractical to transfer the affordable housing to a registered social landlord (RSL); or
- (ii) on site provision of affordable units would reduce the viability of the development to such a degree that it would not proceed;
- (iii) on site provision of affordable units would not create mixed and balanced communities and there would be benefit in providing units at another location.

In this instance, the applicant has provided evidence that they have contacted 5 Registered Providers (RP's), including Affinity Sutton and Hyde who are Council preferred providers, and in all cases the RP's have advised that they would not wish to take on the management of 3 units.

On this basis it is considered that the first criterion in Policy H3 has been met and it is recommended that a payment in lieu of £210,000 is accepted for the provision of affordable housing in this instance.

Scale, Siting, Massing and Appearance (including density)

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 London Plan Policy 3.4 and UDP policy H7 seeks to ensure that development proposals achieve the optimum housing density within the local context, design principles and public transport capacity. Table 32 identifies appropriate residential density ranges and this site is considered to be in an urban location which allows between 55-225 units per hectare and 200-700 habitable rooms per hectare.

Officers have calculated the density of this 0.32ha site to be 87 units per hectare and 368 habitable rooms per hectare which sits within the London Plan matrix ranges above.

In terms of scale this is largely determined by the height and mass of the proposed development. In this case the scheme is divided into 3 distinct elements which, together inform the scale of the development.

In terms of height, the tallest building is Block B, which is a maximum of 4 storeys where it is close to the southern boundary reducing to 3 storeys as the building extends northwards towards Bruce Grove. The proposed houses are 3 storey in

overall height, some with a modern design and flat roof and some with a more traditional pitched roof design.

To put the height of the buildings into context there are 3-4 storey buildings close to the southern and western boundary where the Block B is tallest. The lower part of the Block B flats and houses relate primarily to the houses in Bruce Grove.

Block A sits behind the main building. The mass of this building is minimised when viewed from Bruce Grove and from the rear of properties in the High Street as a result of the provision of the 3rd floor in the form of a narrow, lightweight structure.

On this basis it is considered that the development has been designed to minimise the impact and the buildings relate favourably to the built form that is adjacent to each structure.

In terms of siting all of the built form is around the perimeter of the site leaving an open internal courtyard. This provides space within the development for parking, landscaping and amenity space. This also results in a more traditional pattern of urban form with flats and houses facing the street contributing to the urban setting that this development is within. The siting of the buildings in this manner also minimises the impact on the occupants of nearby dwellings; this matter is discussed further elsewhere in the report. The site provides a minimum side space of 1m to all boundaries in accordance with the requirements of UDP Policy H9.

In terms of appearance, there are a variety of elevational treatments that result in varied styles of building which creates interest both within and outside the site. There are 2 different house types that break up the elevational treatment of the proposed houses; one is more contemporary closest to the modern flats and the other is more traditional closest to the Conservation Area. The flats are a modern design and also make use of different and high quality materials to emphasise the varied elevation and roof types. Balconies are provided on all elevations, which adds relief and further breaks up the elevations and mass of the built form.

In summary it is considered that the scale, siting, massing and appearance of the proposed development relates well to the site itself and to the surrounding area reflecting the height of existing buildings and not overpowering the street scene. This will be complemented by landscaping in the front gardens for the houses and landscaping around the flats.

Impact on Heritage Assets and character of the area

In policy terms the application falls to be considered against policies BE8 and BE13 of the UDP and Policy 7.8 of the London Plan. These policies seek to identify heritage assets so that the desirability of sustaining and enhancing their significance and of utilising their positive role in place shaping can be taken into account. More specifically Policy BE13 expects that development adjacent to a Conservation Area will be expected to preserve or enhance its setting and not detract from view into and out of the Conservation Area. UDP Policy BE8 states that applications for development involving a listed building or its setting will be

permitted provided that the character, appearance and special interest of the listed building are preserved and there is no harm to its setting.

In the Planning, Heritage and Affordable Housing Statement, the applicant has considered the impact of the development on the adjoining Orpington Priory Conservation Area and the statutory listed building at Barn Hawe. It is expected that any impact on the setting of the listed building will be minor and an enhancement from the current inappropriate canopy and outbuildings from the dairy use. The removal of the canopy will improve the setting of the building. The proposed use will also constitute an enhancement of the setting of the building and satisfy the relevant tests as defined in the NPPF.

With regard to the impact of the development on the Orpington Priory Conservation Area, the Planning, Heritage and Affordable Housing Statement goes on to state that the conservation area borders the site on the north and west boundaries. The proximity of the site to the Conservation Area has required the design of the scheme to preserve or enhance the character and appearance of the Conservation Area. The characteristic iron gates at the site entrance will be retained as an important feature of the site and the Conservation Area.

In assessing the impact of the Conservation Area and the listed building it should be noted that, at the present time, the application site comprises 2 commercial buildings, namely a large canopy with integral office and a brick built storage building, with the remainder of the site set to hardstanding used for storage of products and vehicles. It is considered that the building detracts from the setting of the listed building and the character and appearance of the Conservation Area so the loss of the buildings is acceptable.

Turning to the impact of the development on the listed building, the existing canopy building is located approximately 5m immediately to the rear of the listed building and has a significant impact on the setting of the building. In the proposed layout the land closet to Barn Hawe will be rear garden area. The proposed northern elevation of the closest house will be between 6m and 10m from the back of Barn Hawe. It is recognised that the new building would be higher than the existing canopy but it is considered that the design and appearance of the proposed buildings will result in a significant visual improvement on the existing outlook and appearance of Barn Hawe.

On this basis it is considered that the proposed development will not result in significant harm to the setting of the listed building at Barn Hawe and, as such, is acceptable.

Turning to the impact on the Conservation Area, the closest building to the western boundary will be Block A which presents a rear elevation to the Conservation Area. The height of the building will be part 2 storey with a small 3 storey element and it is only the upper floors that will be visible from the High Street. The materials to be used are grey bricks with grey windows and a metal clad 3rd floor element. There will be vertical 'slit' windows to provide lighting to the internal corridor and break up this elevation.

Similarly the rest of the development will also be visible through gaps between the High Street buildings. The taller buildings that provide the houses and the flats in Block B are set back from the western boundary by between 20m and 30m.

The elevation to Church Hill remains unchanged with the listed building and the existing gates retained and the vehicle access continuing in use as such.

Whilst all of the new buildings will be visible from the High Street and Church Hill, it is considered that their location and height, with the tallest buildings set back from the Conservation Area boundary, means that the development will not be overly dominant and, when coupled with the removal of the existing commercial buildings from the site, would enhance the character and appearance of the Conservation Area.

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, floor to ceiling heights, air quality, climate change and mitigation, water supply, flooding and ecology.

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 9 x 3 bed units and 19 x 2 bed units.

In terms of standard of accommodation for all new residential accommodation, guidance is provided by the relevant policies of the London Plan. Table 4 in Policy 3.5 sets out the minimum space standards for dwellings and all of the proposed units exceed these minimum unit sizes.

All new housing will be required to meet the standards set out in Policy 3.8 of the London Plan which seeks 90% of new housing to meet the Building Regulation requirements M4(2) 'accessible and adaptable dwelling' and 10% to meet Building Regulations M4(3) 'wheelchair user dwellings.' This has replaced the previous Lifetime Homes and GLA Wheelchair standards. In this case the layout of the wheelchair units should demonstrate that they are easily adaptable for future residents who are wheelchair users. The aim of this policy is to provide housing for residents which is easily adaptable in order to lead dignified and independent lives. In order to secure these standards, it is necessary to apply a condition that the development meets the requirements meet the relevant Building Regulation standards.

Detailed layout plans have been provided for all units, including 2 wheelchair units. The applicant has confirmed that the proposed development is capable of meeting the requirements and the relevant conditions are recommended in this case.

In terms of amenity space, each flat has a private balcony or terrace that reflects the size of the dwelling and the number of proposed residents. In addition there is a communal green space to the north of Block B. The houses will have small front gardens facing Bruce Grove with rear gardens for each unit at the rear.

Through the design of the internal layout of the proposed buildings nearly all of the proposed units will benefit from dual access. The exceptions are the 2 flats in Block A which face onto the internal courtyard. The provision of windows in the rear elevation of this block to provide dual access would result in overlooking to properties in the High Street and it is considered that this is not acceptable.

In terms of daylight and sunlight London Plan policy guidance states that all homes should receive direct sunlight to enter at least 1 habitable room for part of the day and living area and kitchen dining spaces should preferably receive direct sunlight. The layout of each of the units is such that they will benefit from daylight and sunlight for part of the day, including the living and dining areas.

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.

In terms of loss of privacy, the main sensitive areas in this respect are the residents of houses in Bruce Grove and above the shops in the High Street.

With regard to the occupants of the High Street properties that back on the site, the rear elevation of Block A, which sits in this location will have vertical 'slit' windows to provide lighting to the internal corridor. This will minimise overlooking to the adjacent High Street properties and a condition requiring that these windows shall be fixed and obscure glazed is recommended.

The introduction of residential development on the site will give rise to a degree of overlooking towards properties opposite the site in Bruce Grove, however it should be noted that this would be towards the front of properties in a traditional street relationship. A separation distance of around 17m is to be maintained between the front elevations of the existing and proposed dwellings, which is considered sufficient to mitigate any potential overlooking in this case.

Having regard to the separation distances between the nearest properties in the High Street and Bruce Grove, it is not anticipated that a significant loss of light or prospect would arise, which would justify the refusal of planning permission on amenity grounds. The largest of the proposed buildings, the four storey flatted block (Block B) would be located in the southern corner of the site. The nearest dwelling at 6 Bruce Grove presents a flank elevation to this part of the site and it is

not anticipated that the scale of the development here would result in harm to the amenities of the occupiers of this property.

London Plan policy 7.15 seeks to limit the transmission of noise to sound sensitive rooms within dwellings. In this instance the Council's Environmental Health Officer raises some concern about the possible noise levels for future occupants of the development, particularly from the commercial properties in the High Street. To assess this impact a condition is recommended for the carrying out of an environmental noise assessment which should cover typical daytime and Friday or Saturday night time noise levels to determine whether any mitigation is necessary.

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.

In the Transport Statement, the applicant provides data relating to the likely number of trips generated by the site and looks at residential sites with similar characteristics to the application site. It also looks at the traffic generation from the previous use of the site as a depot. The report concludes that there would not be a material impact on the local highway network.

With regard to car parking for the site the TS shows a total of 38 vehicles which equates to 1 space per flat (including 3 disabled spaces) and 2 spaces per house plus 2 visitor spaces will be provided. The applicant considers this to be a generous allowance which is not likely to result in overspill parking. An evening 'beat survey' of the existing demand for on-street parking was also undertaken and it was found that at least 1 space (and up to 10 at certain times) was available in Bruce Grove. A report entitled 'Response to LB Highway Comments' included a 24 hour 'video survey' of the use of on-street parking in Bruce Grove. This shows that on average throughout the day there are 5 vehicles parked in Bruce Grove which leaves spaces for car parking and delivery vehicles if the need arises.

The applicant advises that the London Plan 2016 standards in Policy 3.13 would allow for up to 1.5 spaces per 3 bed unit and less than 1 space per 1-2 bedroom unit. The proposed parking would be an average of 1.36 spaces per unit which is in keeping with the matrix in the London Plan which suggests the provision of 1-1.5 spaces per unit in development of the density proposed and in the location proposed.

With regard to larger delivery/removals vehicles, the applicant states that the proposed development is unlikely to generate significant numbers of such movements and that the parking surveys show that there is likely to be on-street parking to deal with these events. Regarding refuse and recycling collection, the

applicant proposes that this takes place from Bruce Grove. In order to facilitate this, the applicant has agreed to contribute towards highway works to alter the existing on-street car parking arrangements (by reducing 2 car parking spaces to 5m length) to provide a gap between the cars and the provision of associated yellow hatched markings, single yellow lines and a dropped kerb in the highway to secure pull space from the bin store to a waiting refuse vehicle.

The applicant advises that 66 cycle parking spaces will be provided for the flats and houses. These are shown to be in secure and covered accommodation within Blocks A and B.

Initially concerns were raised by the Councils Highways Officer to arrangements for refuse collections and large commercial vehicles, such as removal lorries, to use Bruce Grove, the accessibility of certain car parking spaces, the arrangements for the internal turning area for lighter delivery vehicles and the lack of provision for assisted cycle racks. The applicant submitted a document entitled 'Response to LB Bromley Highway Comments' addressing these concerns

Following consideration of the original and revised submissions, it is considered that the impact on the highway network is not significantly different to the level of activity associated with the previous use and that the number of vehicles entering and leaving the site will not generate significant local congestion at peak times. Cars will not be entering or leaving the site via Bruce Grove so the impact on the occupants of houses in this street is largely unaffected in this respect.

In the light of the parking 'beat' survey, the 24 hour video car parking survey in Bruce Grove, the availability of CPZ spaces in Bruce Grove and the level of on-site car parking spaces it is considered that the level of provision for car parking for this development is acceptable.

With regard to cycle parking the number of spaces and the cycle parking storage provision for the flats is considered acceptable. A condition securing assisted cycle racks is recommended.

The arrangements for refuse/recycling collection and deliveries via Bruce Grove described above is also considered acceptable.

It should be noted that 8 parking spaces are provided on the southern boundary with access taken from a highway that serves the rear of properties at 115-123 High Street. This highway is already used for access and car parking for the above development. In order to ensure that access to the car parking spaces can be secured, the applicant has submitted legal documents that have been checked by officers and found to confirm that access can be provided into the long term future.

Trees and Landscaping

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

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.

The applicant has submitted an Arboricultural Development Report which advises that 2 individual and 3 groups of trees will be removed from the site as they are in direct conflict with the proposed development. These trees are all located along the eastern boundary. These trees are all classified as Class C or U trees (which means that they are trees of low quality and value and could be retained until new planting has been established or removed for good arboricultural reasons).

The landscaping plan shows a scheme for landscaping and replacement tree planting. The tree planting will include standard and extra heavy standard trees on the boundary and within the site. Shrub planting will be provided around all of the buildings with lawn areas for the communal area and the rear gardens of the houses. Pergolas are shown covering some of the car parking spaces in the courtyard and these will have planting over them.

A green roof is shown on the top of Block B.

The existing trees along the vehicle access are shown to be protected in accordance with the tree protection measures set out in the arboricultural report. The applicant advises that they will seek to reduce the canopy of the TPO trees within the access drive and this will be considered as part of a separate application.

The Council's Tree Officer has observed that the site will be largely hard landscaped to accommodate the parking area. This reduces the opportunities to incorporate new planting into the design layout. The Landscape Masterplan indicates new tree planting and other soft landscaping features. The landscape scheme is considered to be acceptable.

On this basis it is considered that the removal of the trees along the boundary, the landscaping strategy showing shrub and replacement and new tree planting and the protection measures set out in the Arboricultural Report are acceptable, subject to compliance conditions seeking these works to be carried out in accordance with approved plans and documents

Other Technical Matters

Ecology

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.

The Preliminary Ecological Appraisal carried out a site inspection and took account of other freely available ecological information and it was found that only 2 protected species warranted further investigation, namely bats and birds. There was negligible evidence found of other protected species on the site.

With regard to birds, it was found that they may nest in the trees on the site. If this was found to be the case removal of trees should be undertaken outside the period of 1st March to 1st August.

With regard to bats, a Bat Presence/Likely Absence was recommended and undertaken in July 2015. Bats were heard but not seen in the area and no bat roosts were found. No further survey work is considered necessary and the report recommends that 5 bat boxes are provided on houses in the development. A condition to secure this measure is recommended.

Sustainability and Energy

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

The 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 proposed building enhancements will result in the building DER meeting the TER under the Building Regulations 2013. Photo Voltaic panels would be incorporated to help meet London Plan CO₂ reductions through renewable sources. The proposal will address sustainability principles in terms of use of energy and water, construction techniques and building materials, waste, pollution and health and well-being. The site is not located within proximity of a district heat network and is not considered to be suitable for CHP.

Whilst the information suggests that the scheme can technically achieve the policy requirement, officers would expect to see an increase in the proportion of carbon reduction from energy efficiency in the final design of the development and not rely

so heavily upon PV panels. In summary, it should be clear that energy efficiency has been maximised before the remainder of the energy hierarchy is engaged. Consequently a condition is recommended to ensure that a further more detailed site wide energy statement is submitted so that policy requirements in the London Plan can be met in full.

The applicant has also submitted documentation regarding the use of solar panels in conjunction with a green roof. A condition has been recommended requiring full details of these products.

Drainage and Sustainable Urban Drainage Systems (SUDS)

Policy 5.13 of the London Plan requires development to utilise SUDS, unless there are practical reasons for not doing so and should aim to achieve greenfield run-off rates and ensure that surface water run-off is managed as close to its source as possible in line with the drainage hierarchy in the policy. The supporting text to the policy also recognises the contribution 'green' roofs can make to SUDS. The hierarchy within that policy is for a preference for developments to store water for later use.

The Environment Agency advise that the site is situated in an area of low risk from river-related flooding but there is a high risk from surface water and groundwater flooding. As required by the paragraph 103 of the NPPF, the applicant has submitted a Flood Risk Assessment with the original submission. Their report considers the site to be low risk of flooding from groundwater, sewers, reservoirs and artificial drainage. However to take account of the risk, the finished floor levels have been raised 620mm above the road level.

The applicant goes on to advise that the existing site is currently a large expanse of impermeable hardstanding, which increases the rate of water run-off and increases the problem of flood risk. The proposed development would increase the amount of permeable surfaces on the site which would help infiltration and percolation of surface water into the ground, and, therefore, reduce the risk of flooding on and around the site in accordance with the SUDS hierarchy .

In accordance with the current legislation the Council is lead local authority and responsibility for surface water runoff, ground water and ordinary watercourses. The Councils Drainage Officer has assessed the submitted drainage strategy and advises that the submitted surface water design to include permeable paving, green roofs as well as a tank to restrict the discharge rate to 5l/s is acceptable. A condition is recommended requiring the submission of a surface water drainage scheme at detailed design stage and prior to the commencement of any works on site.

The Environment Agency has also reviewed the 'Ground Investigation Report' submitted by Soils Ltd. An elevated concentration of arsenic in the soil was identified but the EA do not consider this to be a significant risk to Controlled waters and not requiring remedial measures. Relevant conditions are recommended relating to protection of ground water.

Contaminated Land

The applicant has submitted a Phase II Ground Investigation report and found that there are elevated levels of arsenic and asbestos on the site. The report sets out a detailed strategy to deal with these pollutants. The Council's Environmental Health Officer has recommended a condition to seek the submission of details of remedial works and subsequent appropriate actions.

Archaeology

The site lies within the Upper Cray Valley Archaeology Priority Area.

The applicant has submitted an Archaeological Desk-Based Assessment of the site which advises that there is high potential for 19th century and modern remains at the site. Artefacts have historically been found near the site in Bruce Grove and Priory Gardens and there is potential for deeply buried prehistoric, roman and medieval remains to be found.

Historic England (Archaeology) have assessed the submitted report and recommend that work to remove the existing structures from the site to ground level is acceptable. Prior to any further work below ground level a Written Scheme of Investigation, including a trial trench evaluation, should be submitted to the LPA for consideration. A condition requiring the submission of the Written Scheme of Investigation is recommended accordingly.

Mayoral Community Infrastructure Levy

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

Environmental Impact Assessment

As the site is less than 1ha in size and provides fewer than 150 dwellings there is no requirement to screen the proposed development under the Town and Country Planning (Environmental Impact Assessment)(England and Wales) Regulations 2015.

Summary

The proposed development raises issues relating to the loss of an employment site, the nature and scale of the proposed development, its impact on adjacent heritage assets and residential neighbouring properties. This report has considered matters in the light of adopted and emerging policies and other material considerations including third party representations. As discussed above the redevelopment of the site is considered to make a positive contribution at a time where commercial or mixed use development on the site has not attracted developers to implement such a scheme. The quantum of development is considered to relate successfully to the local environment and would not result in a significant impact on nearby residents so as to warrant refusal of the application. In addition the removal of unsightly existing buildings and replacement with a varied mix and style of buildings with varied appearance and materials is considered to

make a positive contribution to the character and appearance of the Conservation Area and the setting of the listed building.

Officers consider that, with the recommended mitigation, planning condition and obligations in place, the proposal represents an appropriate form of development.

Background papers referred to during the production of this report comprise all correspondence on file ref: 15/04574, excluding exempt information.

RECOMMENDATION: PERMISSION SUBJECT TO THE PRIOR COMPLETION OF A LEGAL AGREEMENT (relating to affordable housing, highway works, CPZ extension and health and education contributions)

and 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 only be carried out in complete accordance with the details shown on the submitted plans and documents, as follows:

Existing Plans

6187 40 P1; 6187 41 P1; 6187 42 P1

Proposed Plans

6187 LOC P1; 6187 01 P1-A; 6187 01 P1-A; 6187 05 P1; 6187 06 P1-B; 6187 07 P1; 6187 08 P1; 6187 09 P1; 6187 10 P1-B; 6187 11 P1; 6187 12 P1; 6187 13 P1; 6187 15 P1; 6187 016 P1; 6187 17 P1-A; 6187 18 P1-A; 6187 19 P1-A; 6187 20 P1; 6187 21 P1; 6187 22 P1; 6187 50 P1; LLD873/01 Rev 01; 6187 SK 05

Documents

Planning, Heritage and Affordable Housing Statement by ECE Planning dated November 2015

Design and Access Statement by ECE Architecture dated September 2015

Transport Statement by Vectos dated October 2015 including plan 151704/AT/E01A

Vectos Response to LB Highway Comments dated 11.1.13 received by email on 11.1.16

Broxap details of Hi-Rise Two Tier Cycle Storage System

Accommodation Schedule 002 received on 23.11.2015

Financial Viability Assessment by Turner Morum dated 20.10.2016

Flood Risk Assessment by RSK dated October 2015

Phase II Ground Investigation Report by Soils Ltd dated March 2015

Archaeological Desk-Based Assessment by Heritage dated February 2015

Statement of Community Involvement by ECE Planning dated October 2015

Energy Statement by SRS Partnership dated October 2015

Preliminary Ecological Appraisal by Arbtech dated

Bat Presence/Likely Absence by Arbtech

Arboricultural Development Report by Arbtech dated 22.4.2016 and Landscape Masterplan Strategy (LLD873/01 Rev 01 by Lizard Landscape Design)

Flood Risk Assessment by RSK dated October 2015

Marketing Report by Harold Stiles Williams dated 25.9.2015

Letter dated November 20th 2015 from ECE Planning

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

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

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

- 4 Before any work on site is commenced a site wide energy assessment and strategy for reducing carbon emissions shall be submitted to and approved by the Local Planning Authority. The assessment shall include details of measures to incorporate PV panels in conjunction with a green roof. 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.

- 5 Details of PV panels that are compatible with the provision of a green roof shall be submitted to and approved by the Local Planning Authority prior to the commencement of development and shall be installed in accordance with the approved plans prior to the first occupation of the development and shall be permanently maintained in operational order thereafter.

Reason: In order to seek to achieve compliance with the Mayor of London's Energy Strategy and to comply with Policy 5.2, 5.7 and 7.19 of the London Plan 2015.

- 6 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.

- 7 Demolition works shall not begin until a dust management plan for protecting nearby residents and commercial occupiers from dust and other environmental effects has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of all dust suppression measures and the methods to monitor emissions of dust arising from the development. The development shall not be carried out other than in accordance with the approved dust management plan.

Reason: To protect the amenity of nearby residents and commercial occupiers in accordance with the London Plan Supplementary Planning Guidance: The Control of Dust and Emissions During Construction and Demolition Guidance.

- 8 Construction works shall not begin until a Construction Logistics Plan to manage all freight vehicle movements to and from the site identifying efficiency and sustainability measures to be undertaken during site construction of the development has been submitted to approved in writing by the Local Planning Authority. The development shall not be carried out otherwise than in accordance with the approved Construction Logistics Plan or any approved amendments thereto as may be agreed in writing by the Local Planning Authority.

Reason: To ensure that construction works do not have an advisers impact on the transport network In accordance with London Plan Policy 6.14.

- 9 Prior to the commencement of development an assessment of environmental noise which shall include consideration of existing and likely future noise from surrounding commercial uses (including noise from licensed premises and fixed plant) shall be submitted to and approved in writing by the Local Planning Authority. The results of the approved assessment shall be used to inform a scheme of mitigation to the proposed dwellings which shall include, as necessary, glazing and ventilation specification and other mitigations to ensure a good standard of residential amenity at all times. The scheme of mitigation shall be submitted to the Local Planning Authority prior to the commencement of development and once approved shall be implemented prior to the first occupation of the development in accordance with the approved details and permanently maintained thereafter.**

Reason: To comply with Policy BE1 of the Unitary Development Plan and in the interest of the amenities of future residents of the site.

- 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 (A) No development other than demolition to existing ground level shall take place until the applicant (or their heirs and successors in title) has secured the implementation of a programme of archaeological site work in accordance with a Written Scheme of Investigation which has been approved by the local planning authority in writing and a report on that valuation has been submitted to and approved by the local Planning authority in writing.

(B) Under Part A, the applicant (or heirs and successors in title) shall implement a programme of archaeological trial trench in accordance with the Written Scheme of Investigation.

(C) the development shall not be occupied until the site investigation and post-investigation has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under Part (A), and the provision of analysis, publication and dissemination of the results and archive deposition secured.

Reason: Heritage Assets of archaeological interest may survive on the site. The planning authority wishes to secure the provision of appropriate archaeological investigation, including the publication of results, in accordance with Section 12 of the NPPF

12 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

13 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.

- 14 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

- 15 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 maintain the visual amenity of the area. Policy NE7 of the Bromley Unitary Development Plan (adopted July 2006).

- 16 The approved landscaping details shall be implemented in the first planting season following the occupation of the buildings or the substantial completion of the development whichever is the sooner. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species to those originally planted.**

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

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

REASON: In order to enable the local planning authority to control future development in the interests of visual and residential amenity

- 18 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

- 19 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.

- 20 Before the development hereby permitted in first occupied, the proposed windows shown on the upper levels of the north western elevation of Block A on the approved plans shall be glazed to a minimum privacy level 3 and shall be non-opening unless the parts of the window which can be opened are more than 1.7 metres above floor level of the room in which the window is installed and shall be subsequently permanently retained as such.

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

- 21 Prior to the first occupation of any of the units details of the provision of 5 Bat boxes to be provided on buildings facing south or south east shall be submitted to and approved by the Local Planning Authority. The boxes shall be installed prior to the first occupation of any of the units and permanently retained thereafter.

Reason: To comply with the Bat Presence/Likely Absence report and to improve the biodiversity value of the site in accordance with policy 7.19 of the London Plan.

- 22 No construction works or deliveries in connection with construction works shall take place on the site other than between the hours of 8am and 6pm on Monday to Fridays and 8am and 1pm on Saturdays and not at all on Sundays and Public Holidays.

Reason: In order to safeguard the amenities of adjoining occupants at unsociable periods and to comply with Policy BE1 of the Unitary Development Plan.

- 23 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 prior to the first occupation of the development hereby permitted. 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.

- 24 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 1995 (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.

- 25 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

- 26 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.

- 27 Before any part of the development hereby permitted is first occupied, bicycle parking (including covered storage facilities where appropriate) shall be provided in accordance with the details shown on the submitted drawings and the technical information for the Broxap Hi Rise Two Tier Cycle Storage System (Gas assisted) and the bicycle parking/storage facilities shall be permanently retained thereafter.**

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

- 28 The proposed vehicle access from Church Hill shall be kept clear of parked motor vehicles at all times to maintain a carriageway width of a minimum of 6m and to allow two way vehicle traffic flow at all times.**

Reason: In the interests of highway safety and the safety of vehicles and pedestrians entering and leaving the site and to comply with Policy T18 of the Unitary Development Plan.

- 29 The new pedestrian access to Bruce Grove between Block B and the terrace of houses hereby approved shall be used for pedestrian access only and not be used for vehicle access at any time without the prior written approval of the Local Planning Authority.**

Reason: To accord with the approved plans and documents and comply with Policy BE1 in the interests of the amenity of the residents of nearby residential properties.

- 30 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 and infrastructure subsurface water 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: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to impact on local sewerage utility infrastructure In the interests of the protection of the sewerage system and to comply with Policy 5.14 of the London Plan.

- 31 Piling and other foundation designs using penetrative methods shall not be permitted other than with the express consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant risk to groundwater. Where soil contamination is found it is recommended that a risk assessment is carried out in accordance with Environment Agency guidance 'Piling on Contaminated Sites.' The development shall be carried out in accordance with the approved details.**

Reason: Piling and other penetrative methods of foundation design can potentially result in unacceptable risks to underlying groundwaters and to comply with Policy 5.14 of the London Plan 2016.

- 32 If, during development, contamination not previously identified is found to be present at the site, no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted, and obtained written approval from the local planning authority for a remediation strategy detailing how this**

unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved, verified and reported to the satisfaction of the local planning authority. The applicant to also consult the Environment Agency should any contamination be identified that could present unacceptable risk to controlled waters.

Reason: To deal with the risk of unexpected circumstances during development groundworks and to comply with Policy 5.14 and 5.21 of the London Plan.

- 33 Whilst the principles and installation of sustainable drainage systems are to be encouraged, no infiltration of surface water drainage into the ground is permitted other than that with the express consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approved details.

Reason: Infiltrating water has the potential to cause remobilisation of contaminants present in shallow soil/made ground which could ultimately cause pollution of groundwater and to comply with Policy 5.14 of the London Plan 2016.

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

- 35 In order to minimise the impact of the development on local air quality any gas boilers must meet a dry NO_x emission rate of <40mg/kWh.

Reason: To minimise the effect of the development on local air quality in line with NPPF p124 and Policy 7.14 of the London Plan.

- 36 An electric car charging point shall be provided to a minimum of 20% of car parking spaces within the site, 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 in line with NPPF p124 and Policies 6.13 and 7.14 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 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 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 With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses, or suitable sewer, In respect of surface water it is recommended that the applicant should ensure the storm flows are attenuated 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. They can be contacted on 0845 850 2777
- 3 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
- 4 Written schemes of investigation will need to be prepared and implemented by a suitably qualified archaeological practice in accordance with GLAAS guidelines. They must be approved by the planning authority before any on-site development related activity occurs
- 5 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.
- 6 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 DI16 crossovers
- 8 You are advised to contact the Pollution Team of the Environmental Health and Trading Standards to agree the methodology for the environmental noise assessment recommended in condition XX above.
- 9 Before works commence, the applicant is advised to contact the Pollution Team of the Environmental Health and Trading Standards

regarding compliance with the Control of Pollution Act 1974 and/or the Environmental Pollution Act 1990. The applicant should also ensure compliance with the Control of Pollution and Noise from Demolition and Construction Site Core of Practice 2008 which is available on the Bromley website.

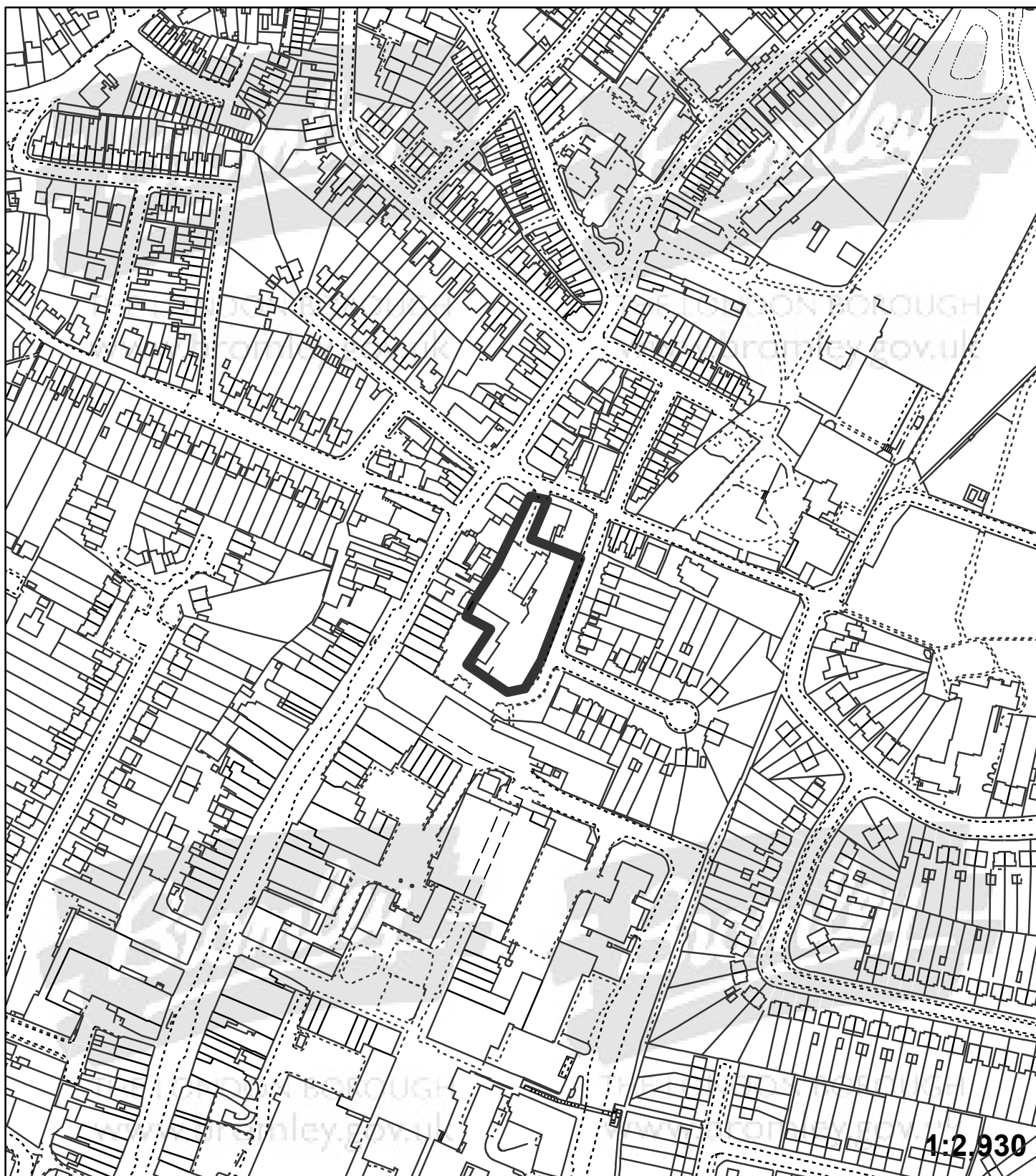
If during works on site any suspected contamination is encountered the Environmental Health should be contacted immediately.

- 10 It should be noted that loose materials for surfacing of the vehicle access, parking and turning area will not be acceptable**

Application:15/04574/FULL1

Address: Former Depot Site Church Hill Orpington

Proposal: Demolition of existing depot buildings and erection of eight 2 storey, 3 bedroom terraced houses, 1 part 3/part 4 storey apartment block (Block B) with 17x2 bed, and 1x3 bed units and 1 part 2/part 3 storey apartment block (Block A) with 2x2 bed flats, together with 38 car parking



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

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SECTION '2' – Applications meriting special consideration

Application No : 16/00218/OUT

Ward:
Copers Cope

Address : 28 Park Hill Road Shortlands Bromley
BR2 0LF

OS Grid Ref: E: 539154 N: 169229

Applicant : Jemcrest Limited

Objections : YES

Description of Development:

Erection of part 3 storey, part 4 storey building comprising 6 three bedroom and 3 two bedroom apartments, basement/lower ground floor vehicle and cycle parking, provision of bin store, access and associated landscaping. (Outline application for access layout and scale) on land adjacent to No.28 Park Hill Road.

Key designations:

Biggin Hill Safeguarding Area
London City Airport Safeguarding
Smoke Control SCA 21
Smoke Control SCA 9

Proposal

Outline planning permission is sought for the erection of part 3 storey, part 4 storey building comprising 6 x 3 bedroom and 3 x 2 bedroom apartments, basement/lower ground floor for vehicle and cycle parking, provision of bin store, access and associated landscaping. The application seeks outline permission for the provision of access, layout and scale.

The appearance and landscaping are reserved matters. Drawings have been submitted as part of the application which shows how the proposed property will be accommodated adjacent to No.28 Park Hill Road. Although the detail of the appearance is a reserved matter, the siting and scale of the building fall to be considered for this application.

A Planning Statement, Design & Access Statement and Arboricultural Survey also accompany the application.

An amended drawing was received on 10th March 2016 showing changes to the windows on the northern elevation and on the 16th May showing revisions to the access and parking arrangements.

Location

The application site comprises a parcel of land located adjacent to No. 28 Park Hill Road, Bromley. The accompanying Design & Access statement states that the application site appears to have previously contained tennis courts or a level playing area and was at one time linked to No.28 when it was in use as a single dwellinghouse.

The site comprises of differing levels and is quite steep, particularly towards the rear. A number of trees are located at the site, some of which are protected by a blanket Tree Preservation Order (TPO). The site is predominantly covered with mature shrubs, vegetation and landscaping, much of which is overgrown.

The site is not designated nor does it lie within a Flood Risk Area.

Consultations

Nearby owners/occupiers were notified of the application and several letters of representations were received which are outlined below:-

- The new building will block sunlight on the opposite side of the road therefore I object to the height of the building
- Concerned about the impact of the development on the foundation of my wall
- There is a serious problem with parking in Park Hill Road as it is one of the only roads which does not have restricted parking
- Whilst the development will have underground parking more parking spaces will be lost on the road making congestion worse.
- The road is long and narrow so lorries will not be able to access the site causing gridlock
- The property will dominant the skyline and change the feel of the whole road
- Building a block of flats adjacent to No.28 will impact upon light levels and privacy
- The development requires a number of trees to be felled but the site has a blanket TPO. Taking down trees will seriously impact upon the feel of the road
- Concerned that building on a hill could cause serious subsidence or landslides. We have had problem with retaining walls on the site due to land movement. If a new property is built with an underground car park, this is going to cause a lot of land disturbance.
- Concerned that the pedestrian walkway will cause more movement of the land.

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

Comments from Consultees

Environmental Health (Housing)

A copy of the Environmental Health (Housing) comments are available on the file and relate to the Housing Act 2004.

Environmental Health (Pollution)

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. In addition an electric car charging point should 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.

The Council's Principal Arboricultural Officer has confirmed that no publically owned trees will be affected by the development.

The Council's Tree Officer considers that the majority of significant trees can be retained as part of the scheme. The arboricultural submissions address the tree constraints in detail and justify the loss of the trees as well. Existing trees on the site have not been managed for some time with many growing with defects or poor form. This said, trees fronting the site are highly visible from the street scene and trees surrounding the site will have screening benefit. The specialised construction measures illustrated in the Tree Protection Plan (TPP) reduce the risk of damage to retained trees. Protection measures appear adequate for the needs of the site.

The Council's Highways Officer has commented regards the application and outlined that the site lies in an area with a medium PTAL rating of 3 (on a scale of 1-6, where 6 is the most accessible) just outside Bromley Town Centre Controlled Parking Zone (CPZ).

Having assessed the drawings the following initial concerns were raised:

- The slope shown on the vehicular access is 1:8 ramp. This is very steep. We accept minimum of 1:10 slope and also first 5m of the road should be flat to avoid grounding /rolling.
- The parking layout in general is very tight.
- Parking space 1 is close to the entrance. I am not sure how it will be used for parking.
- Parking bays 4 and 5 are very close to each. It looks like No. 5 would reverse into and hit the car parked in space No. 4.
- Parking bay number 7 is flushed to the wall. There should be some gap between the wall and parking bay as in case of No. 4 and 8.
- Cars parked in bays 5, 6 and 7 will end up reversing all the way to the entrance to turn around and exit in forward gear.
- Also we would like to see the details of highway drainage.

The Council's Drainage Officer raised no objections subject to conditions.

Thames Water raised no objections subject to conditions.

Planning Considerations

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

Unitary Development Plan

- H1 Housing Supply
- H7 Housing Density and Design
- H9 Side Space
- BE1 Design of New Development
- NE7 Development and trees
- T1 Transport Demand
- T7 Access
- T3 Parking
- T7 Cyclists
- T18 Road Safety

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

The London Plan

- Policy 3.3 Increasing Housing Supply.
- Policy 3.4 Optimising Housing Potential
- Policy 3.5 Quality and design of housing developments
- Policy 5.3 Sustainable design and construction
- Policy 5.13 Sustainable drainage
- Policy 6.5 Funding Crossrail and other strategically important transport infrastructure
- Policy 6.9 Cycling
- Policy 6.13 Parking
- Policy 7.3 Designing out crime
- Policy 7.4 Local character
- Policy 7.6 Architecture

Mayor's Housing Supplementary Planning Guidance (2012)

The National Planning Policy Framework (NPPF) is also a consideration.

Planning History

Under ref: 73/01157, outline planning permission was refused for a detached two bedroom bungalow with garage for the following reasons;

"(i) the proposal is an unsatisfactory sub-division of an existing site which should be redeveloped on a comprehensive basis to ensure the most satisfactory and beneficial use of the land;

(ii) the proposal is an unsatisfactory form of backland development in that it establishes an undesirably deep building line which would prejudice the satisfactory redevelopment of this and adjacent sites;

(iii) the proposed bungalow would have an unsatisfactory relationship to the existing properties fronting Mays Hill Road by reason of the loss of amenities and privacy to existing residents and the lack of privacy for the future occupants if the bungalow."

Under ref: 73/03742, planning permission was granted for the erection of a detached two bedroom bungalow with 1 block of 4 garages at rear.

Under ref: 76/00120, planning permission was granted for a detached 2 bedroom bungalow with integral garage and 1 garage attached.

Under ref: 80/02558, outline planning permission was refused for a detached bungalow and detached block of 3 garages for the following reasons;

"(i) on account of its siting on steeply sloping land adjacent to the rear boundary of the site the proposed dwelling would be detrimental to the amenities of the occupants of the adjoining dwellings to the east by reason of visual impact, overlooking and consequent loss of privacy.

(ii) in the absence of details to the contrary the proposed development would increase the flow of surface water drainage to the River Ravensbourne and thereby aggravate flooding and drainage problems in the locality."

Under ref: 90/02358, planning permission was refused for a three storey block comprising 8 town houses with access road and 6 garages for the following reasons;

"1 The proposal would be both poorly related to the contours and would be an overdevelopment of the site out of character with the locality and contrary to Policy H.2 of the Bromley Borough Plan.

2 The development would prejudice the retention and wellbeing of a number of trees which are of public amenity value and area the subject of a Tree Preservation Order and would result in the removal of trees contrary to Policies H.2 and E.13 of the Bromley Borough Plan.

3 The proposal means of access to the site would be inadequate to meet the needs of the development in respect of provision of adequate visibility from the access road along Park Hill Road and as such the proposal would be prejudicial to the free flow of traffic and conditions of general safety on the latter road."

This application was subsequently dismissed at appeal with the Appeal Inspector concluding that the siting of the dwellings would be harmful to the appearance and residential character of Park Hill Road and lead to overlooking and unsatisfactory loss of trees.

Under ref: 91/00747, outline planning permission was refused for 8 two storey terraced houses including roof accommodation with integral garages, 6 garages to serve adjacent property and access road for the following reasons;

"1 The proposal would be both poorly related to the contours and would be an overdevelopment of the site out of character with the locality and contrary to Policy H.2 of the Bromley Borough Plan.

2 The development would prejudice the retention and wellbeing of a number of trees which are of public amenity value and area the subject of a Tree Preservation Order and would result in the removal of trees contrary to Policies H.2 and E.13 of the Bromley Borough Plan.

3 The proposal means of access to the site would be inadequate to meet the needs of the development in respect of provision of adequate visibility from the access road along Park Hill Road and as such the proposal would be prejudicial to the free flow of traffic and conditions of general safety on the latter road.

4 The proposal would result in a cramped form of development lacking in adequate amenity area for the occupiers of the proposed houses which would be out of character with the surrounding area contrary to Policy E.1 of the draft Unitary Development Plan."

Conclusions

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

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

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

demonstrably outweigh the benefits or specific policies in the Framework indicate development should be restricted.

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

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

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

The site currently forms part of a wooded area to the eastern side of No.28 Park Hill Road, Shortlands. The site is surrounded by residential land on all four sides. In this location the Council will consider residential infill development provided that it is designed to complement the character of surrounding developments, the design and layout make suitable residential accommodation, and it provides for garden and amenity space. Any adverse impact on neighbouring amenity, conservation and historic issues, biodiversity or open space will need to be addressed. Therefore the provision of the new dwelling units on the land is acceptable in principle subject to an assessment of the impact of the proposal on the appearance/character of the surrounding area, the residential amenity of adjoining and future residential occupiers of the scheme, car parking and traffic implications, sustainable design and energy, community safety and refuse arrangements.

Previously refused applications

As can be seen from the planning history section above in this report several planning applications were submitted in the 1980's and 1990's for residential development, all of which was refused and one application (90/02358) dismissed on appeal. This particular development involved a three storey block comprising 8 town houses with an access road and 6 garages. In dismissing this development the Inspector found that the development would be likely to have an impact on the appearance and residential character of Park Hill Road stemming from the layout and the effect of this on the trees located on the site. Furthermore the Inspector found the standard of the intended access to be inadequate. The development had been designed to accommodate a row of 8 town houses at right angle to the road. A cul de sac would serve the houses and a block of 6 garages would be built behind No.28 Park Hill Road. The Inspector considered that the terrace would look out of place within the existing pattern of development with the design being poorly laid out. It was also considered that neighbouring gardens would be overlooked to a greater degree than might reasonably be expected in the area. Concern was also raised by the Inspector that trees could be affected by post development pressure and dismissed the appeal.

A further application was submitted to the Council in the following year under reference: 91/0747 which sought to reduce the height of the proposed development from three storeys to two storeys and placing the bedroom accommodation in the roof void.

It is difficult to compare the previously refused scheme with that of the current application because the site area is different, it does not utilise the rear garden area of No.28 just the side and the development is different in terms of design having the appearance to that of No.28 and occupying a more central footprint of the site. The current scheme is higher and contains a basement level which the previously refused schemes did not have. The main issues however that do remain the same are the access, the design and the trees on site which are all addressed in the sections below.

Density

The proposed development consists of 9 flats comprising a mix of 5 x 3 bedroom flats and 4 x 2 bedroom flats. The breakdown of flats is set out below:-

- Flat 1 - 84sqm - 2 bedroom
- Flat 2 - 135sqm - 3 bedroom
- Flat 3 - 114.5sqm - 3 bedroom
- Flat 4 - 84sqm - 2 bedroom
- Flat 5 - 101sqm - 3 bedroom
- Flat 6 - 103.5sqm - 3 bedroom
- Flat 7 - 139sqm - 3 bedroom
- Flat 8 - 102sqm - 3 bedroom
- Flat 9 - 110.5sqm - 2 bedroom

The density of the proposal would be 35 units per hectare. Table 3.2 of the London Plan sets out appropriate density ranges for the site with a PTAL of 3 in a suburban area as 35-65. The density is therefore considered acceptable.

Design, Siting and Layout

Policy 3.4 of the London Plan 2015 specifies that Boroughs should take into account local context and character, the design principles (in Chapter 7 of the Plan) and public transport capacity; development should also optimise housing output for different types of location within the relevant density range.

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

The proposed building would be divided into 9 apartments. The general vernacular of the street is blocks of flats mixed in with some detached properties. The

introduction of a new block of flats would not be considered out of keeping with the style of properties in the road. The design of the property appears similar to that of the property at No.28 which also lies in the applicant's ownership. The building is made up of a part three/part four storey block with dormer window in the roof space.

The predominant part of this part of Park Hill Road is of large blocks of flats and large detached houses. No.28 (Glencoe) is a large detached house set within a substantial plot, in a mature landscape setting. No.28 Park Hill Road comprises a three storey detached building which has been separated into flats. To the north of the site the land shares a boundary with No.'s 38-42 Park Hill Road, to the west a four storey block of flats comprising Mont Arlington and to the south is the gardens of Nos 2-The Glen and 2-12 Shortlands Road.

The proposed apartment block proposes a traditional design which would appear to sit comfortably in the street scene between No.28 and No's 38-42 Park Hill Avenue. The building would sit in the centre of the plot and be located 6.45m to the boundary with No.28 and 6m to the boundary with No's 38-42 Park Hill Road. The surrounding area has no predominant character or uniformity other than being predominantly residential. The building is to be built of brick but materials do not form part of the application.

The scale of the building is 3/4 storeys with the building designed to step up from No's 38-42 Park Hill Road, before increasing to a maximum height of 11m but not exceeding the ridge height of No.28 Park Hill Road which measures 11.8m. The street scene drawing shows the context of the building heights compared with that of the neighbouring properties located either side of the site.

The proposed lower ground floor comprises the undercroft parking area for 13 car parking spaces and 15 cycle storage spaces, a lift and communal entrance. The ground floor comprises Flats 1-3; the first floor Flats 4-6; the second floor Flats 7-8 and the third floor and roof area comprising of Flat 9.

Amenity Space & Privacy

All nine apartments are afforded their own balcony or terrace area. The rear garden area extends to 20-33m deep and offers further amenity space. Flat 1 & 2 will have private balconies whilst Flat 3 will have its own private patio. Flat 4 a private balcony; Flat 5 & 6 will have a private terrace area. Flat 7 & 8 have a private balcony and Flat 9 a private terrace. The balconies to Flats 7 & 8 will have 1.8m high privacy screen panel. The majority of the balconies are situated towards the rear. Whilst a degree of overlooking may occur it is considered that the distances to the nearest houses on The Glen and Shortlands Road are sufficiently located far enough away to not cause direct overlooking into neighbouring gardens. Trees in the rear garden will also act to maintain a degree of privacy.

Flats 1-4 will benefit from their own private gardens and Flats 5, 7, 8, 9 & 10 will have balconies with glass balustrading. Flat 6 will have no amenity space except for that which is communal. In terms of detailed design the proposed building has

been designed to ensure that there are no principle windows in the flank elevation to prevent overlooking.

Impact on Adjoining Properties

In terms of outlook, the fenestration arrangement will provide front, rear and flank outlook for each unit overlooking amenity space to the rear, Park Hill Road to the front, No.28 to south-west and No.38-44 Park Hill Road to the north-east.

In terms of privacy, concerns were raised by a number of adjacent properties on Park Hill Road in terms of overlooking and loss of privacy. Officers have visited the site on several occasions and whilst the development does contain windows in every elevation the remaining trees will offer a degree of screening to neighbouring amenity and are considered to be no different to the views afforded to neighbours all along the street which have been built to 2, 3 and 4 storeys in height.

The outlook from windows from the proposed properties is considered to maintain a suitable level of privacy, with the bay windows set at an angle to reduce the level of overlooking to No's 38-42 Park Hill Rd.

The distance between the properties as detailed above exceeds the minimum distance referred to within the Mayor's guidance. On this basis while the concerns are noted and taken account of, and it is acknowledged that there will be some interruption to currently unobstructed views from adjoining properties, it is not considered that this is sufficient to warrant withholding planning permission.

Trees

Mature trees are located along the northern and western borders. The application is accompanied by an Arboricultural Assessment carried out by Quaife Woodlands. Several trees are protected by a Tree Preservation Order.

There are 52 subject trees of which three are off site, 27 are to be removed and although this is over 50%, the peripheral screening is retained and the majority of trees removed are minor specimens. The retained trees are protected.

The existing landscaping will be retained along the sites existing frontage and will seek to soften the appearance of the built form behind.

The Tree Officer has raised no objections to the proposed development subject to suitable conditions.

Access

The proposed drive will enter the site at the north-eastern end of Park Hill Road and will gradually slope downwards for cars to access the underground car parking area to provide parking for 13 cars. Two elevated pedestrian entrance points are also to be built to accommodate residents on foot from the property.

Following the Highways Officers comments a revised plan to the access and parking arrangements was received on the 16th May. The following changes have been made to address the Highways Officers previous concerns. The first 5m is now flat at 1:20 with 2m long transitions at the top and bottom of the ramp which is 17.1m long set at 1:9; parking bays are 2.4m wide x 5m long; vehicle turning is now shown on bay 1 which clearly shows how easily it will be used for parking following steps 1 to 4. Vehicle turning is now shown on bay 4 which clearly shows how easily it will be used for parking. Bay 5 has been rotated to improve how the bay will be accessed. A sufficient gap now exists between the wall and parking bay 7 as in the case No 4 and 8. As highlighted, there is a 7.5m turning space for cars in this location which is well above the 6m minimum to enable vehicles to turn. Therefore, the parking bays should be considered against this fact. A drainage channel is now indicated at the entrance and it will be foreseeable that run-off points will be combined in the ramping sections.

The access road is sufficiently wide to allow passing of two vehicles and the Highways Officer has indicated that the sight lines are sufficient. The lower basement level will allow for sufficient off-street parking and cycle storage. The raised pedestrian walkway is considered acceptable owing to changes in the ground levels. Any further comments received from the Highways Officer in respect of the revised plan will be reported verbally at the meeting.

Drainage, Ecology and landscaping

An indicative landscaping layout has been submitted as shown on the proposed site layout plan drawing that details the areas given over to garden for external amenity for future occupiers. Notwithstanding, the details shown on this plan, should permission be forthcoming, full details of hard and soft landscaping and boundary treatment could be sought by condition.

Sustainability and Energy

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

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

Community Infrastructure Levy

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

Summary

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

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

as amended by documents received on 10.03.2016 16.05.2016

RECOMMENDATION: OUTLINE PERMISSION BE GRANTED

Subject to the following conditions:

1 (i) Details relating to the appearance and landscaping

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

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

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

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

2 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.

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

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

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

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

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

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

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

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

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

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

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

The statement shall include details of:

Type and siting of protective fencing, and maintenance of protective fencing for the duration of project;

Type and siting of scaffolding (if required);

Details of the method and timing of demolition, site clearance and building works

Depth, extent and means of excavation of foundations and details of method of construction of new foundations

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

Location of bonfire site (if required);

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

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

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

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

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

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

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

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

- 10 The development shall be implemented in accordance with the Arboricultural Survey and Planning Integration Report 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.

- 11 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.

12 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

13 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.

15 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.

16 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.

17 The development permitted by this outline 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 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 in order to comply with Policies 5.12 and 5.13 of the London Plan

18 Details of the layout of the access road and turning area including its junction with and dimensions of visibility splays shall be submitted to and approved in writing by the Local Planning Authority and these access arrangements shall be substantially completed before any part of the development hereby permitted is first occupied. There shall be no obstruction to visibility in excess

of 0.6m in height within the approved splays except for trees selected by the Authority, and which shall be permanently retained.

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

- 19 Before any work is commenced details of parking spaces and/or garages and sufficient turning space shall be submitted to and approved in writing by the Local Planning Authority and such provision shall be completed before the commencement of the use of the land or building hereby permitted and shall thereafter be kept available for such use. No development whether permitted by the Town and Country Planning (General Permitted Development Order) 2015 (or any Order amending, revoking and re-enacting this Order) or not, shall be carried out on the land or garages indicated or in such a position as to preclude vehicular access to the said land or garages.

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

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

Reason:In order to comply with Appendix II of the Unitary Development Plan and to the interest of pedestrian and vehicular safety.

- 21 Before commencement of the development hereby permitted details of (a) turning area(s) within the site shall be submitted to and approved in writing by the Local Planning Authority. The turning area(s) shall be provided before any part of the development is first occupied and shall be permanently retained thereafter.

Reason:In order to comply with Policies T3 and T18 of the Unitary Development Plan and to enable vehicles to enter and leave the site in a forward direction, in the interest of pedestrian and vehicular safety.

- 22 The gradient of the access from Park Hill Road shall not exceed 1:20 at any point.

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

23 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.

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

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

25 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.

26 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.

27 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.

28 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.

29 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.

30 Each of the dwellings shall meet Lifetime Home Standards (in accordance with the 2010 (Revised) document). Details of these 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.

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

I21

31 No extensions or alterations to the building(s) hereby approved, whether or not permitted under Article 3 to Schedule 2 of the Town and Country Planning (General Permitted Development) (England) 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: To ensure that any proposals for extensions or outbuildings to the properties hereby approved, can be considered by the Council and that the potential for any impact on the amenities of the occupiers of surrounding properties can be properly assessed and to accord with Policy BE1 of the Unitary Development Plan.

32 The dwellings hereby permitted shall not be more than 11.0m in height

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

You are further informed that :

33 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

34 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.

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

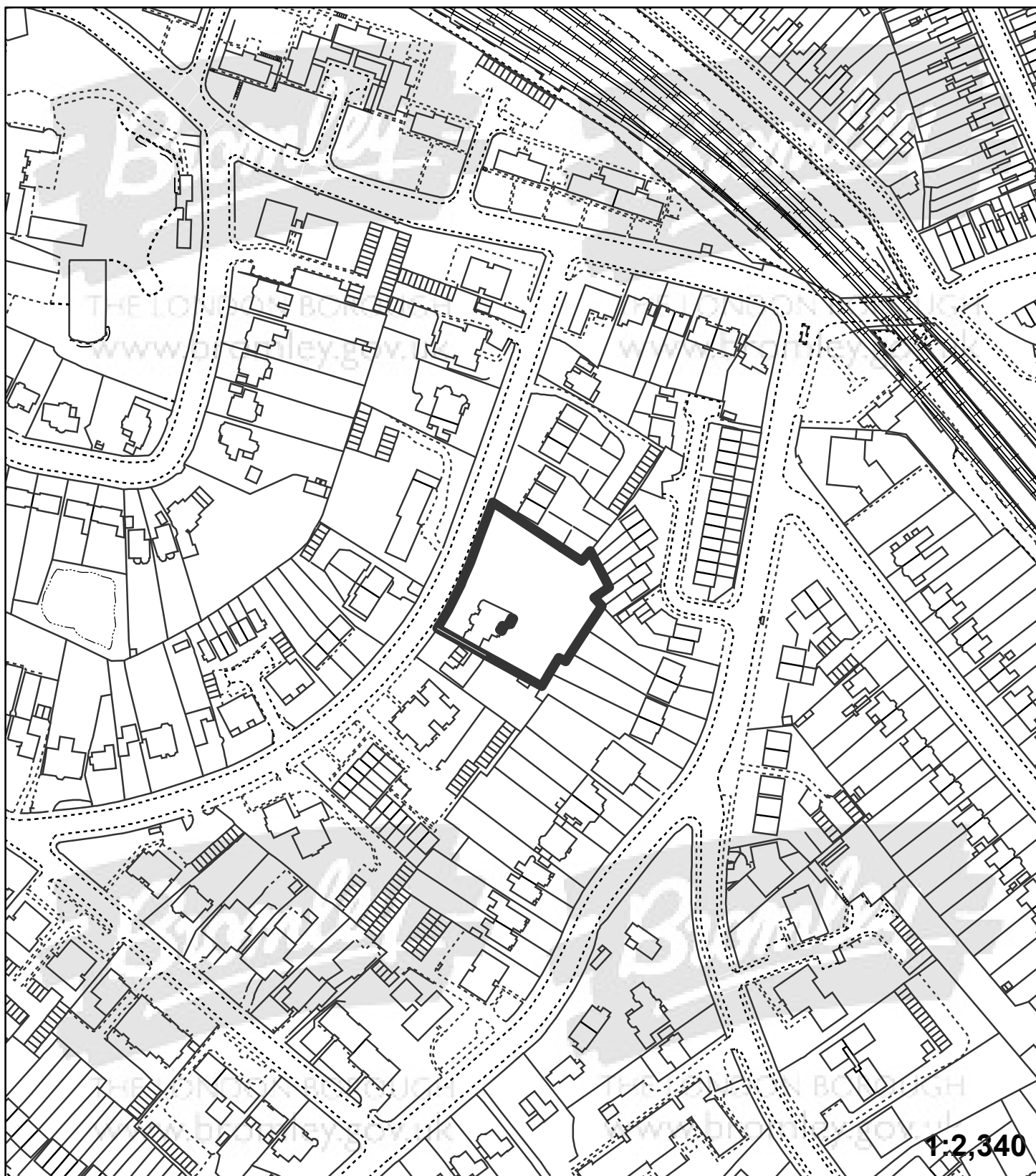
If you fail to follow the payment procedure, the collecting authority may impose surcharges on this liability, take enforcement action, serve a stop notice to prohibit further development on the site and/or take action to recover the debt.

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

Application:16/00218/OUT

Address: 28 Park Hill Road Shortlands Bromley BR2 0LF

Proposal: Erection of part 3 storey, part 4 storey building comprising 6 three bedroom and 3 two bedroom apartments, basement/lower ground floor vehicle and cycle parking, provision of bin store, access and associated landscaping. (Outline application for access layout and scale)



"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 : 16/00459/FULL1

Ward:
Hayes And Coney Hall

Address : Hayes Primary School, George Lane,
Hayes, Bromley BR2 7LQ

OS Grid Ref: E: 540917 N: 166336

Applicant : Mrs Karen Partridge

Objections : YES

Description of Development:

Erection of timber shed

Key designations:

Biggin Hill Safeguarding Area
Green Belt
London City Airport Safeguarding
Smoke Control SCA 51

Proposal

The school is located to the south side of George Lane, leading off Hayes Lane, with residential properties to the north and west of the site. Extensive car parking is located to the east and north of the school site. The school buildings are located on the edge but within the Green Belt boundary.

This application proposes the erection of a timber shed, 5.95m x 2.95m x 1.94m to the eaves and 2.545 m to ridge height. The supporting statement advises that the shed is required for the storage of wet weather clothing and resources in relation to forest school. It is to be located beside a small fenced garden area which was created to mark the millennium.

There will be no increase in staff or pupil numbers as a result of the proposal.

Consultations

The application has been advertised by way of press advertisement, site notice and letters of notification of the application to nearby owners/occupiers. No representations have been received to date.

Planning Considerations

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

BE1 Design of New Development
G1 Green Belt
C7 Educational and Pre School Facilities

London Plan
Policy 3.1
Policy 3.18 Education facilities
Policy 5.3 Sustainable Design and Construction.
Policy 7.2 An Inclusive Environment.
Policy 7.4 Local Character
Policy 7.6 Architecture
Policy 7.21 Trees and woodlands

The above policies are considered to be consistent with the principles and objectives of the National Planning Policy Framework which is a key consideration in the determination of this application.

The Councils adopted SPG design guidance is also a consideration.

There is an extensive planning history in relation to this school site the most recent of which was permission reference 14/04198 for the construction of a single storey early years/reception block extension comprising three classrooms with enclosed play areas and external canopy to the west side of the existing school buildings, landscaping and associated external works.

Conclusions

The main issues relating to the application are whether the proposal constitutes inappropriate development in the Green Belt, and if so, whether very special circumstances exist that clearly outweigh the harm by reason of inappropriateness, its effect on the openness of the Green Belt and on the character and appearance of the area and the impact that it would have on the amenities of the occupants of surrounding residential properties.

With regard to the Green Belt Para 89 of the NPPF advises that the construction of new buildings is inappropriate in the Green Belt; exceptions to this include the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces. Policy G1 states that the construction of new buildings on land falling within the Green Belt is inappropriate; a number of exceptions apply.

Given that the proposed new building is not considered to fall within any of the exceptions listed it is considered that the proposal constitutes inappropriate development in the Green Belt and consideration must be given as to whether very special circumstances can be demonstrated that clearly outweigh the harm by reason of inappropriateness or any other harm.

Forest school forms an integral part of the wider curriculum. The school web site advises that:

'Forest School are usually developed within a primary school's own grounds/gardens/playing fields and allows the children to become comfortable with an outdoor approach to education and play whilst in familiar surroundings. Allowing relationships based around trust and self-exploration to develop with the Forest School Leaders who start to facilitate a more child led outdoor curriculum when the group are ready they familiarise themselves with the route to the wood either on foot or by bus. The group then have their introductory sessions in the woodland exploring the site establishing physical and behavioural boundaries. Safety procedures, hygiene and routines.

Children and young people are stimulated by the outdoors and typically experience, over time, an increase in their self belief, confidence, learning capacity, enthusiasm, communication and problem-solving skills and emotional well-being'.

The shed is required to store wet weather clothing in relation to this outdoor curriculum enhancing activity and the building will be sited to the west of the existing building complex and adjacent to a millennium fenced garden area. Given the wider use of the site and the specific educational/special needs that are met within the site and by this facility, it may be considered that the proposal would, by reason of its scale, siting and size, not unduly impair the open nature of the site and it may be considered that such special circumstances can be demonstrated in this specific instance that clearly outweigh the harm. In the event of a planning permission a planning condition to limit the use of the building may be considered appropriate given the specific requirement for the building within the Green Belt location.

Policy BE1 requires that new development is of a high standard of design and layout which complements the surrounding area and respects the amenities of the occupants of nearby buildings. It also requires that development should respect the amenity of occupiers of neighbouring buildings and those of future occupants and ensure their environments are not harmed by noise and disturbance. The proposed shed is unlikely to result in any significant detrimental impact on nearby residential amenity. It is noted that no objections have been received at the time of writing the report.

Policy C7 is concerned with educational and pre-school facilities and states that applications for new or extensions to existing establishments will be permitted provided they are located so as to maximise access by means of transport other than the car.

The addition of and use of the new extension buildings to enhance the existing teaching facilities at the school is therefore in line with policy. The use should also be located in an appropriate place that both contributes to sustainability objectives and provides easy access for users.

Supporting information advises that there will be no increase in staff or pupil numbers as a result of the proposal. Therefore there will be no additional impacts in respect of highway matters.

On balance, it is considered that special circumstances can be demonstrated that clearly outweigh the harm by reason of inappropriateness or any other harm, and given the educational requirement for this type of facility on the site and the location of the proposed building, the separation to the nearby residential properties and the specific design and materials for the proposed development, Members may consider the scheme to be acceptable.

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

RECOMMENDATION: PERMISSION

Subject to the following conditions:

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

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

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

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

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

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

- 4 - The development hereby permitted shall be used only for the storage of children's wet weather clothing and resources in relation to forest school. In the event forest school ceases to take place the development shall be demolished and the site cleared within three months of the cessation of forest school.**

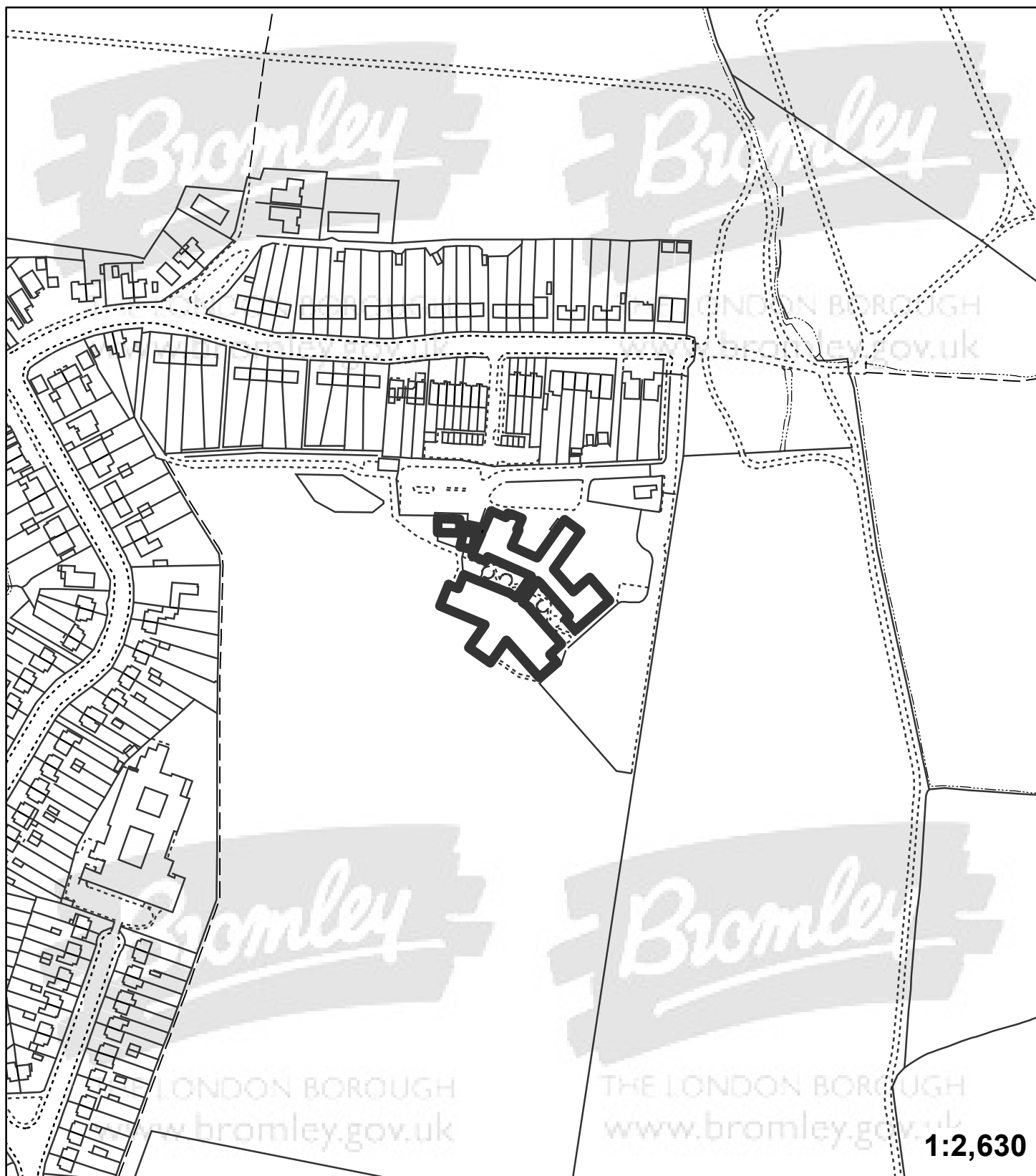
In order to comply with Policy G1 of the Unitary Development Plan and in the interest of visual amenity of the Green Belt

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Application: 16/00459/FULL1

Address: Hayes Primary School George Lane Hayes Bromley BR2 7LQ

Proposal: Erection of timber shed



"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 : 16/00779/FULL1

Ward:
Kelsey And Eden Park

Address : Langley Park School For Girls,
Hawksbrook Lane, Beckenham
BR3 3BE

OS Grid Ref: E: 537998 N: 167337

Applicant : Ms Jennie Goodall

Objections : YES

Description of Development:

Demolition and erection of a single-storey extension to accommodate kitchen and dining facilities

Key designations:

Biggin Hill Safeguarding Area
London City Airport Safeguarding
Metropolitan Open Land
Smoke Control SCA 21
Smoke Control SCA 9

Proposal

The application seeks consent for the construction of a 'L-shaped' extension to the side/rear of the existing building in order to provide additional kitchen and dining facilities for the existing school site.

Location

The school is located on the northern side of Hawksbrook Lane in an area of Metropolitan Open Land. To the east the site is bordered by St Dunstan's Lane and, beyond that, a sports grounds and a golf course. The site is bordered to the west by Langley Park School for Boys. To the south are games/tennis courts and playing fields. To the north are the playing fields. The application site is located west side of the main school building.

Consultations

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

- o No objections received to the current proposal unless they are the provisions of facilities by a proposed new junior school.
- o Comments relating to a potential new school within the Langley Park site.

Highways - No objections

Environmental Health -No objections in principle however recommendation 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.

Planning Considerations

London Plan

- 3.18 Education facilities
- 5.3 Sustainable Design and Construction.
- 5.7 Renewable Energy
- 5.13 Sustainable Drainage
- 5.15 Water use and supplies
- 5.16 Waste self-sufficiency
- 6.9 Cycling
- 6.10 Walking
- 6.13 Parking.
- 7.4 Local Character
- 7.6 Architecture
- 7.17 Metropolitan Open Lane
- 8.3 Community infrastructure levy

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

- BE1 Design of New Development
- G2 Metropolitan Open Land
- C1 Community Facilities
- C7 Educational and Pre School Facilities
- T1 Transport Demand
- T3 Parking
- T18 Road Safety

Relevant Planning history

98/00879/FULMAJ - Permission granted on the 30.10.1998 for the construction of a detached two-storey building for science, all weather tennis courts with 275m

high chain link fence, two garages for storage of groundsman equipment and 25 Car parking spaces.

05/00280/FULL1 Permission granted on the 17.3.05 for the formation of raised floor platform and installation of glazed northern wall and canopied roof to enclose existing courtyard to provide open plan school extension for private study/social/dining area with access lift and stairs

10/03256/FULL1 - Permission granted on the 7.3.11 for the construction of a first floor extension to sixth form block. Two storey detached music block. Additional hardstanding to enlarge existing car park/ replace parking spaces

11/03836/FULL1- Permission granted for the construction of a single storey detached modular building and access ramp for use as temporary classroom .

10/03256/AMD- Non-material amendment Granted on the 20.08.13 for the addition of external escape staircase to southern elevation of sixth form block.

14/00538/FULL1- Permission granted for replacement double glazed windows and doors including new glazed porch to Main Entrance

15/04486/FULL1 - Permission granted on the 14.12.15 for th retention of single storey detached modular building and access ramp for use as temporary classroom.

Conclusions

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

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

Policy 7.17 of the London Plan states that the strongest protection should be given to London's Metropolitan Open Land and inappropriate development refused, except in very special circumstances, giving the same protection as in the Green Belt.

Paragraph 7.56 of the above policy explains that paragraphs 79-92 of the NPPF on Green Belts will apply equally to MOL. In line with this position, when considering planning applications substantial weight is given to any harm to the MOL. 'Very special circumstances' will not exist unless the potential harm to the MOL by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

The construction of new buildings is considered inappropriate development. Exceptions to this include 'the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building'.

The application site is located within MOL. The proposed extension would create an additional 270sq.m of additional floor space. The total size of the existing school buildings measures 16,121sqm. In this context, whilst the extension is considered to be large, it is not considered to be a disproportionate addition over and above the size of the original building. As such the development is considered to be appropriate development. However, even if it were not considered appropriate, the proposal seeks the extension to accommodate increased dining and kitchen facilities. The existing kitchen facilities are cramped and insufficient to adequately deal with the increased demands of the school. However no additional staff or pupils numbers will be generated by the proposal. In this case, the need of the school and location of the extension are considered to constitute 'very special circumstances'. The extension would be set within an area to the side/rear of the existing building. The size, proportions and location of the extension are considered to be in keeping within the host building and would maintain the openness of the MOL.

No additional staff or pupils are proposed and there would be no changes to the parking arrangements. As such the highway impact of the proposal is considered to be acceptable.

The location and use of the proposed extension would not result in harm to neighbouring residential amenities.

The proposed extension is close to a number of large trees, which are to be retained. These trees are not subject to a Tree Preservation Order but do contribute to the green setting of the area. The application is accompanied by the Tree Survey and a Tree Protection Plan. The Councils Arboricultural officer has reviewed the application and raised no objection to the proposed works or tree protection measures.

In summary the proposed extension is considered to be appropriate development within the MOL and would not result in harm to the character and appearance of the building or openness of the MOL.

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

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.

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.

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

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

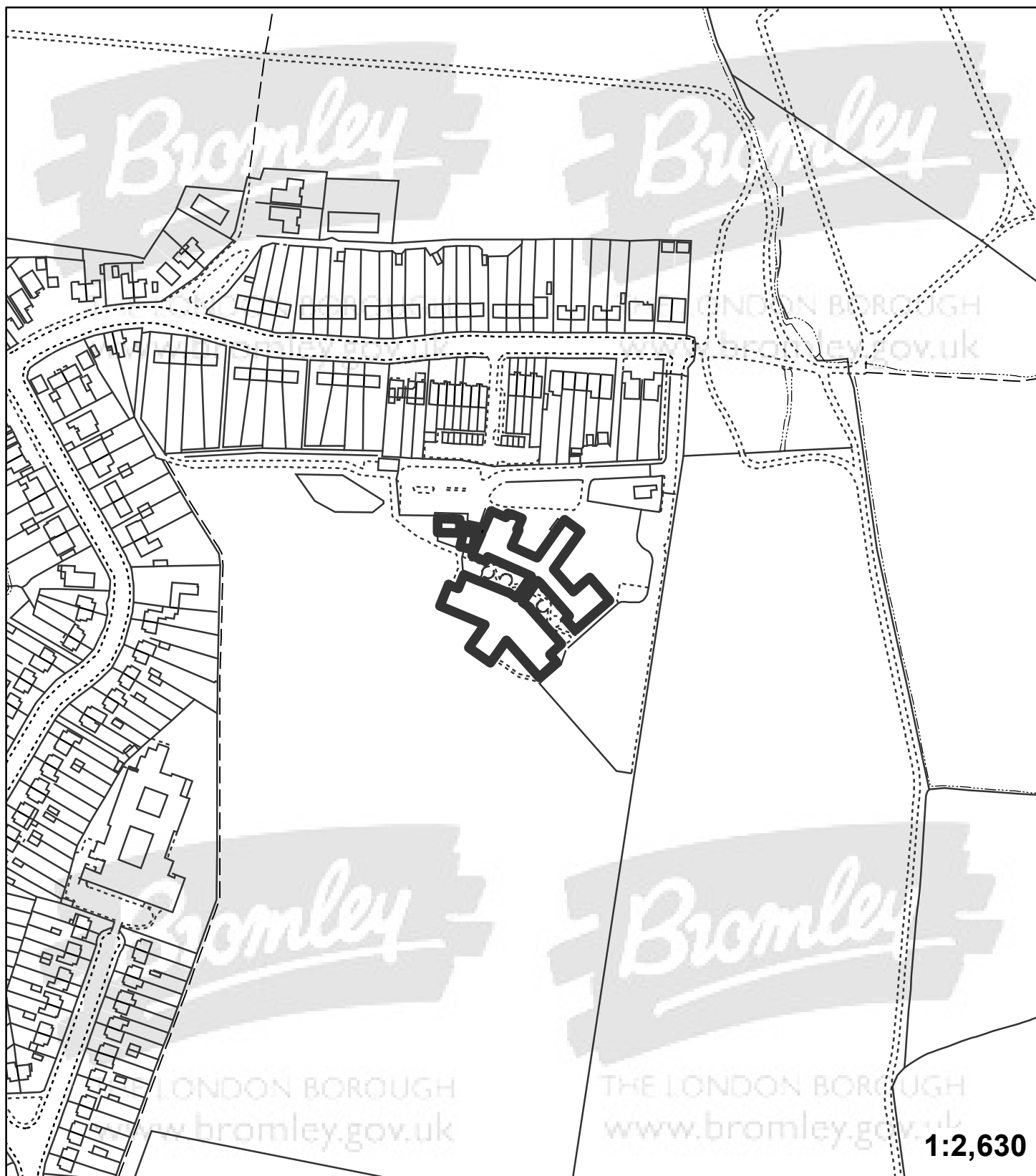
Further information about Community Infrastructure Levy can be found on attached information note and the Bromley website www.bromley.gov.uk/CIL

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Application:16/00459/FULL1

Address: Hayes Primary School George Lane Hayes Bromley BR2 7LQ

Proposal: Erection of timber shed



"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 : 16/01032/FULL1

Ward:
Chislehurst

Address : 63 - 65 Chislehurst Road, Chislehurst
BR7 5NP

OS Grid Ref: E: 543085 N: 169640

Applicant : Mr Anil Patel

Objections : YES

Description of Development:

Proposed two/four storey rear extension with accommodation in the roofspace to provide an enlarged shop and stock room facilities with a total of five residential apartments. Demolition of detached single storey building, boundary treatment, revised courtyard and parking layout, elevation alterations including an ATM to the front elevation and external staircase.

Key designations:

Conservation Area: Chislehurst
Smoke Control SCA 16

Proposal

Planning permission is sought for a two/four storey rear extension with roof space accommodation to provide an enlarged shop and stock room facilities with a total of 5 residential apartments, demolition of an existing single storey garage building and existing rear extensions, alterations to the fenestration, new ATM and shop front, external staircase and a revised courtyard layout with parking.

The proposed block would be roughly rectangular in footprint positioned within the rear courtyard of 63/65 Chislehurst Road and wrapping around the eastern elevation of the building. The proposal would extend to a maximum width of 13.6m and a maximum depth of 16.4m along the eastern elevation with a maximum height of approximately 14.2m. Amenity space is provided along the rear of the extension and along the eastern elevation, adjacent to the river. Six parking spaces are provided, inclusive of two within the lower ground floor of the extension with an additional parking bay retained for the use of number 61. Bin stores are located adjacent to the rear boundary of the site and cycle parking is located within the lower ground floor.

The design of the block features a four storey projecting rear addition with a two storey wrap around extension to all elevations. The extensions are proposed with a hip roof profile, with dormer window features to the rear and east elevations and blind sash windows to the south west. The extension is proposed, in so far as practical, utilising a traditional design with sash windows and a traditional slate roof. The materials proposed consist of a part red and yellow stock brick to match the existing.

To the southern side facing the car park and Lower Camden there are two windows proposed which are to be obscurely glazed. Along the eastern elevation, facing Kyd Brook, there would be twelve windows and two dormer windows and roof lights, providing primary and secondary outlooks. The north west rear elevation hosts four habitable room windows with a rear facing dormer window and juliet balcony.

Location

The application site is located within a prominent position along Chislehurst Road, close to the junction with Lower Camden. The proposal is to the rear of the existing NISA shop, located on a local shopping parade opposite the Tollgate Lodge and Bickley Public House. The locality is a mixture of retail and residential in character. The area is strongly defined by its location within the Chislehurst Conservation Area.

To the north of the site, and also to the rear, there is a mixture of housing types characterised by two/four storey dwellings. Several flats are located to the rear of the site, including number 2 Lower Camden that adjoins the application site. Kyd Brook bounds the site to the north east, with high level mature trees as the boundary treatment.

The site is currently used as a supermarket at ground floor level with a small amount of residential accommodation to the upper floors.

Consultations

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

- Out of character with the surrounding area and would cause substantial traffic and parking problems
- The current shop satisfies local shopping requirements
- Any increase in size, and the addition of the ATM, would cause more traffic in an already congested neighbourhood
- The access roads are difficult to negotiate at times and parking around the junction of Lower Camden can cause drivers to make an almost blind exit
- Issues regarding pedestrian safety
- It is difficult to envisage how the increase in deliveries required by a larger shop would be managed in this neighbourhood without causing inconvenience to local residents and reducing road safety further
- The rear of the flats is already congested with cars coming in and out of the access road
- Although one parking space is allocated per apartment , many households have two cars
- It will block the natural daylight directly opposite the kitchen door (59a Chislehurst Road) and views will be of a large brick wall

- The area available to the rear is too small for an extension, the height and amount of flats is worth looking into
- Increased noise pollution and vans and lorries delivering to the shop will increase the noise early in the mornings disturbing the peace.
- Issues regarding the storage of the bins, will these be lined up along Lower Camden?
- Larger mains water drains will be required
- Turning into and out of the rear courtyard is difficult due to people parking opposite the entranceway
- It is unrealistic to assume that customers will be willing to park more than a few minutes' walk away from the shop. They are more likely to drive to the area which is most convenient for the shop and hand around waiting for a space to become available or park illegally
- It is worth noting on one of the days the survey took place (April 13th) it was part of the school holidays which would have resulted in fewer cars visiting the site

Letters of support were also received for the scheme which can be summarised as follows:

- The proposal is supported by over 200 users of the store and is vital to maintain the viability of the post office and convenience store
- For the elderly and infirm this is an essential service
- The Applicants have worked hard for nearly a year on a design which addressed the concerns of neighbours and planners whilst being faithful to the idea of sensitivity in the conservation area, improved community facilities and a viable post office.
- The store compliments other business and reduces car journeys to central Chislehurst
- The final design is an improvement on the existing building
- The shop will be able to stock a wider selection of goods

- APCA (Advisory Panel for Conservation Areas) have objected to the scheme stating concerns with regards to overdevelopment both in retail and housing elements, contrary to policy BE1 and BE11.

Internal Consultations

Highways

There is a reduction of 2 residential units from the previous application, and 7 parking spaces overall allocated to the residential units, inclusive of one for number 61.

The extension to the shop would give an additional trading floor area of 100m², the area of the storage is not shown on the application form however looks similar to the previous application, giving an increase of around 540m².

A transport statement was provided with the application. The assessment indicated a potential additional 8-10 vehicles each hour with the expansion. A parking survey was included however it is considered that this covers a too larger area and some of the roads are outside the 500m walking distance. People will not be willing to walk that far and would look to park closer to the site, possibly contravening waiting restrictions, particularly as visits to the shop are likely to be only a couple of minutes.

There is evidence from the survey that vehicles are parking on double yellow lines on Old Hill. There are spaces available particularly on lower Camden, on the one hour Mon-Fri restriction. The unrestricted spaces are taken up early. The problem would seem to be people unwilling to walk any distance.

Deliveries in anything larger than a van would take place from Lower Camden as at present.

In terms of impact on the highway, the main issue would be parking from the commercial unit. The proposal is basically for a 100m² extension and, with the information provided, it would be difficult to sustain a highway objection given the impact needs to be severe.

Any changes to the crossover will need to be agreed with Area Management.

No objections to the scheme are raised, subject to conditions.

Drainage

The Drainage Officer has read the FRA as submitted (June 2015) and has no objections subject to conditions being implemented. The FRA does however reference the previously refused application, 15/00577/FULL1, which was a considerably larger scheme. Whilst the Drainage Officer does not consider that the new scheme would have any different impacts to that laid out in the June 2015 FRA, an amended version of the document will need to be submitted prior to committee and findings of this will be reported verbally.

Thames Water

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.

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 email us a scaled ground floor plan of your property showing the proposed work and the complete sewer layout to developer.services@thameswater.co.uk to determine if a building over / near to agreement is required.

Thames Water would advise that with regard to sewerage infrastructure capacity, we would not have any objection to the above planning application.

'We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Should the Local Planning Authority be minded to approve the planning application, Thames Water would like the following informative attached to the planning permission: "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.

Environmental Health (Housing)

Comments have been received of which the most relevant to the planning application are:

1. A number of bathrooms do not appear to be provided with natural ventilation. Adequate means of mechanical ventilation should be provided.
2. A number of the habitable rooms do not appear to have been provided with sufficient levels of natural lighting or ventilation

Met Police

'With respect to the application, should this application proceed, it should be able to achieve Secured by Design accreditation in respect of layout and design and part 2 physical security with the guidance of Secured by Design New Homes 2014 and Secured by Design Commercial Developments 2015 and by incorporating accredited, tested, certificated products.

I would therefore seek to have the agreed 'Secure by Design' condition attached to any permission that may be granted in connection with this application and that the wording is such that the development will achieve certification - not merely seeking to achieve accreditation'. No objections were raised with regards to the proposed ATM however concerns were raised to the potential security risk of a well-lit ATM signage which would provide dark areas for would-be attackers.

Environment Agency - No comments have been received from the Environment Agency as yet, however these will be reported verbally at committee when received. Previous comments from the EA raised no objections subject to inspection conditions.

Environmental Health (Pollution)

Whilst no comments have been received from the Environmental Health Officer with regard to this application, comments were received with regard to application ref: 15/00577/FULL1 stating no objections subject to a delivery management plan and acoustic assessment being required to be submitted prior to occupation of the unit. Further comments received from the EH Officer will be reported verbally to committee when received.

Trees

The arboricultural submissions have acknowledged the tree constraints associated with the development well and have incorporated adequate protection methods/measures to ensure retained trees are protected. No objections subject to compliance conditions.

Conservation

This proposal is a significant improvement over previously refused schemes. Views through the rear of the site from Lower Camden would allow for views of the wooded area beside the river whilst from Chislehurst Road the elevation would be largely unaltered with the side extension set well back and well screened. It is a large development but it preserves the character and appearance of the area. The design has also been improved and generally echoes the existing building.

Environment Agency

The Applicant has undertaken detailed discussions with the Environment Agency with regard to the proposal and the submitted June 2015 FRA reflects these discussions. No comments have been forthcoming as yet, however previous comments received raised no objections to a considerably larger scheme. All comments received will be reported verbally at committee.

Planning Considerations

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

BE1 Design of New Development
BE11 Conservation Areas
BE19 Shop fronts and Security Shutters
H1 Housing Supply
H7 Housing Density and Design
H9 Side Space
ER7 Contaminated Land

ER10 Light pollution
NE7 Development and Trees
T3 Parking
T7 Cyclists
T18 Road Safety
S6 Retail and Leisure Development

SPG No.1 - General Design Principles
SPG No.2 - Residential Design Guidance
Chislehurst Conservation Area SPG

London Plan (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 4.8 Supporting a successful and diverse retail sector
Policy 4.9 Small Shops
Policy 5.1 Climate change mitigation
Policy 5.2 Minimising carbon dioxide emissions
Policy 5.3 Sustainable design and construction
Policy 5.7 Renewable energy
Policy 5.9 Overheating and cooling
Policy 5.10 Urban greening
Policy 5.11 Green roofs and development site environs
Policy 5.12 Flood risk management
Policy 5.13 Sustainable drainage
Policy 5.14 Water quality and wastewater Infrastructure
Policy 5.15 Water use and supplies
Policy 5.16 Waste self-sufficiency
Policy 5.17 Waste capacity
Policy 5.18 Construction, excavation and demolition waste
Policy 5.21 Contaminated land
Policy 6.5 Funding Crossrail and other strategically important transport infrastructure
Policy 6.9 Cycling
Policy 6.13 Parking
Policy 7.2 An inclusive environment
Policy 7.3 Designing out crime
Policy 7.4 Local character
Policy 7.6 Architecture
Policy 7.15 Reducing and Managing Noise.
Policy 8.2 Planning obligations
Policy 8.3 Community infrastructure levy

Housing: Supplementary Planning Guidance. (2016)

Planning History

There is a considerable planning history with regards to this application, of which the most pertinent is:

90/02818/FUL - four storey rear extension - refused

91/00091/FUL - three storey rear extension - permitted

04/04288/CAC - Demolition of buildings to the rear of 69-65 Chislehurst Road - Conservation Area Consent refused

05/00847/FULL1 - New shop front and security shutters to 63 and 65 Chislehurst Road - withdrawn

06/00306/FULL1 - New shop front to 63 and 65 Chislehurst Road - permitted

09/02084/FULL1 - Elevational alterations to shopfront. Disabled access ramp. External staircase and re positioned entrance door with canopy to the flat at number 65a - withdrawn

09/03448/FULL1 - Alterations to form new shopfront and external metal staircase to side leading to new first floor entrance to flat, and repositioning of air conditioning units - permitted

15/00577/FULL1- Proposed two/four storey rear extension with accommodation in the roof space to provide enlarged shop and stock room facilities with a total of 7 residential apartments, demolition of existing single storey building, new security gate and revised courtyard with parking and elevational alterations including new ATM - refused

Reasons for refusal:

- The proposal, by reason of its size, scale, design and site coverage, would constitute a cramped overdevelopment of the site and would be overtly prominent and considered detrimental to the character and visual amenities of the locality and wider Conservation Area, contrary to Policies BE1, H7 and BE11 of the Unitary Development Plan, chapter 7 of the London Plan and the aims and objectives of the NPPF.

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

- The development, by virtue of its mass, size and siting would unduly compromise the residential amenity afforded to the owner occupiers of 2 Lower Camden and 61a and 59a Chislehurst Road and would allow for an unduly prominent structure that would cause a detrimental loss of natural light and

overshadowing with regards to the neighbouring residential properties contrary to Policy BE1 and H7 of the Unitary Development Plan.

- In the absence of sufficient information to demonstrate the usability of the proposed parking spaces or off street parking capacity to accommodate satisfactorily the additional traffic generated by the development, the proposal would be likely to result in significant and unacceptable traffic congestion in the local road network, inconvenient to road users and prejudicial to the safety and free flow of traffic and detrimental to highways safety contrary to policies T3 and T18 of the Unitary Development Plan.

Conclusions

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

- Principle of Development
- Design
- Impact on the Conservation Area
- Standard of Residential Accommodation
- Highways and Traffic Issues
- Impact on Adjoining Properties
- Sustainability and Energy
- Ecology and Landscaping

Principle of Development.

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

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

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

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

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

On this basis, it is considered that the principle of some residential development on this site is considered acceptable by virtue of the proximity to surrounding residential properties, and the existing use of the top floors of the retail units being within residential use. Therefore the provision of the new dwelling units on the land is acceptable in principle subject to an assessment of the impact of the proposal on the appearance/character of the surrounding area, the residential amenity of adjoining and future residential occupiers of the scheme, car parking and traffic implications, sustainable design and energy, community safety and refuse arrangements.

In terms of the principle of the extension to the shopping unit at upper ground floor level and the extension to the deliveries and storage area at lower ground level, Policy S6 states that the size of the proposal will be appropriate to the size of the centre within which it is to be located and it will not harm the vitality or viability of other nearby centres, either by itself or in conjunction with other proposals. Within The London Plan, policy 4.9 states that The Mayor is committed to supporting town centres, a dynamic competitive and diverse retail sector and small and medium sizes enterprises whilst policy 4.8 states Boroughs should support a successful, competitive and diverse retail sector which promotes sustainable access to the good and services that Londoners need. The convenience store and post office is the only commercial property of its type within the wider locality, and the extension of the premises, coupled with the retention of the post office service and new ATM would be beneficial to the locality and the viability of the small shop in compliance with the objectives of The London Plan.

In terms of the ATM, it is considered that the premises are located within an area which does benefit from adequate natural surveillance; the application property is located within a group of shops and on a main road. The nature of this area is such that some pedestrian and vehicular activity is likely to continue into the evening. The application property is not in a remote or isolated location and is likely to be subject to a reasonable degree of natural surveillance from residents and passers-by.

The provision of the extended commercial premises at lower and upper ground level 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

Policy 3.4 in the London Plan seeks to ensure that development proposals achieve the optimum housing density compatible with local context, the design principles in

Policy 4B.1 and with public transport capacity. Table 3.2 (Sustainable residential quality) identifies appropriate residential density ranges related to a site's setting (assessed in terms of its location, existing building form and massing) and public transport accessibility (PTAL). This site is considered to be in a 'suburban' setting and has a PTAL rating of 2 giving an indicative density range of 50-95 dwellings per hectare / 150-250 habitable rooms per hectare (dependent on the unit size mix). The London Plan states that residential density figures should be based on net residential area, which includes internal roads and ancillary open spaces. UDP Policy H7 also includes a density/location matrix which supports a density of 200-250 hab rooms/50-80 units for locations such as this provided the site is well designed, providing a high quality living environment for future occupiers whilst respecting the spatial characteristics of the surrounding area.

The density of this proposal equates to approximately 232 habitable rooms per hectare or 77.5 u/ha which sits within the London Plan and UDP Policy H7 standards. Development plan policies related to density are intended to optimise not maximise development and a numerical calculation of density is only one consideration. It is also necessary to consider the quality of the development in relation to the surrounding context.

It is noted that the previous application fell outside the optimum density of the area which identified an overdevelopment of the site. The application in its current form is considered to have been sufficiently reduced to provide a suitable level of residential development.

Design, Siting and Layout

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

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

Policy H7 requires that 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.

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 host property is three storeys in height when viewed from Chislehurst Road, however by virtue of the topography of the land, appears as four storeys from the rear. The building itself is prominent within the Chislehurst Conservation Area and is of a similar character to the surrounding retail uses. The property hosts an existing three storey extension to the rear as approved under 91/0091 which was considered to have regard to the character of the locality and at three storeys generally reflected the scale of development in the surrounding area. A previous four storey extension was refused within application 90/02818 due to being 'visually unrelated to the existing building by reason of its flat roofs and terrace and would have a seriously detrimental impact on the prospect and daylighting of neighbouring properties' furthermore the scheme was considered to 'be of a design that would not preserve or enhance the appearance of the Chislehurst Conservation Area'.

The Applicant has entered into negotiations with the Council via pre-application following the refusal of the previous planning applications. The pre-application discussions raised points of concern to the Applicant, including the projection of the two storey rear element, which have been addressed within this currently application. The extensions are located within the rear courtyard of the retail premises and are visible from Lower Camden to the west, Ivybridge Court to the east and Chislehurst Road to the south due to the wrap around nature of the development.

The extensions have been reduced in depth from that as previously submitted, with the two storey rear element now projecting 7.8m in depth from the rear elevation, wrapping around the north east elevation for 21.5m, 1.5m from the existing side elevation. The third and fourth storeys with roof space accommodation are sited in a centralised position to the rear above the proposed shop floor and stock room, measuring 5.7m in projection, 2m further than the existing rear extension and 4m wider. The existing rear extension projects at 3 storeys in height, compared to the four storeys and roof space accommodation proposed within this application, therefore an increase in height of approximately 4.8m is proposed. The two storey element is located at 3.6m from the rear elevation with 2 Lower Camden at the closest point, increasing to 4m. The upper storeys are located between 10-11m from the rear boundary. The extensions are located between 950mm and 3.8m from the boundary with Kyd Brook and over 14m with Lower Camden. Whilst not compliant with policy H9 in terms of side space, given the location of the nearest residential unit to the north east being over 15m from the flank elevation of the building, with a river running between, it is considered sufficient spatial separation exists in line with the prevailing standards of the wider area.

The extensions, as previously stated, are located within the rear courtyard, set back from the main Lower Camden highway and will be relatively screened from view from Chislehurst Road. Significant amendments have been made to overcome the previous grounds of refusal, inclusive of reducing the depth, height and design of the extensions. Several three/four storey dwelling houses are located within the surrounding area, to the north and west of the site and these are predominantly traditional in design and of a size and scale that compliments the wider Conservation Area. A high level of spatial standards is also prevalent, with

good sized spaces retained between the dwellings along Lower Camden, affording views to the rear of the properties. In this case, Members may consider that the extensions have been reduced in depth sufficiently in order to relate well to the prevailing urban grain along Lower Camden. The two storey element of the proposal retains a 4m gap between the rear elevation and the boundary, and over 9m between the rear elevation and the flank elevation of number 2 Lower Camden. The three/four storey element is located over 15m from the neighbouring flank elevation. Views of Ivybridge Court from Lower Camden and the mature planting along Kyd Brook are now retained, and the entrance gates and railings have been removed from the scheme allowing for a more open vista when viewed from the west.

Amendments have also been received which are considered to overcome the previous concerns in terms of design. In replacement to an unrelieved blank elevation facing westwards, the Applicant now proposes the utilisation of blind sash windows which punctuate the elevation, allowing for some visual interest in the design. The extensions are set down for the roof slope and set back from the front elevation facing Chislehurst Road, allowing for subservience from the host property. Wooden sash windows are also proposed, matching to those found within the wider locality. Whilst it was previously noted that flat roof dormers are not a commonly found feature within the street scene, given the size, scale and location of the features upon the rear and side extension, this alone is not considered a cogent reason for refusal.

Whilst it is appreciated that the size and scale of the extensions can be still considered considerable given the amount of site coverage proposed, Members may consider that sufficient amendments have been forthcoming which mitigate the previous reasons for refusal in terms of size, scale, bulk and design. The extensions relate well to the existing retail and residential function of the building, and proposed a design which is in keeping with the traditional design of surrounding properties. Due to a reduction in the depth of the extensions, concerns are no longer raised as to the impact of the scheme upon the prevailing spatial standards of the wider area. On balance, the design of the scheme is considered acceptable.

Impact on the Conservation Area

Policy BE11 states that in order to preserve or enhance the character or appearance of conservation areas, a proposal for a new development... for alteration or extension to a building within a conservation area will be expected to (i) respect or complement the layout, scale, form and materials of existing buildings and spaces. (ii) respect and incorporate in the design existing landscape or other features that contribute to the character, appearance or historic value of an area or (iii) ensure that the level of activity, traffic, parking services or noise generated by the proposal will not detract from the character or appearance of the area.

Additionally, The Chislehurst Conservation Area SPG states 'any extensions or additions should reflect the forms, materials, textures and finishes of the host building, along with the design philosophies underlying its style. These vary between individual buildings in this Conservation Area, and will need to respond to

the specific building. The proportions, positioning and integration of an addition relative to the host building are important and deserving of significant design effort to safeguard not only the building's contribution to the public realm, but its enduring value to the owner. It should not be so large as to dominate or compete in visual terms with the host building'.

From a conservation point of view, this proposal is a significant improvement over previously refused schemes. Views through the rear of the site from Lower Camden would allow for views of the wooded area beside the river whilst from Chislehurst Road the elevation would be largely unaltered with the side extension set well back and well screened. It is a large development but it preserves the character and appearance of the area. The design has also been improved and generally echoes the existing building.

Standard of Residential Accommodation

Policy 3.5 of the London Plan (2015) Quality and Design of Housing Developments states the minimum internal floor space required for residential units on the basis of the level of occupancy that could be reasonably expected within each unit. This has been updated within the DCLG Technical Housing Standards Document (2015).

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

The floor space size of each unit ranges between 79m² and 86m² respectively. The technical Housing Standards document requires a Gross Internal Area of 70m² for a 2 bedroom 4 person unit. On this basis the floorspace provision is considered acceptable.

The shape and room size in the proposed building is considered satisfactory. None of the rooms would have a particularly convoluted shape which would limit their specific use. Within the third floor flat, it is noted that the primary means of ventilation and natural light are through roof lights, however given the siting of a juliet balcony within the rear roof space of the living room, the overall provision of natural light to the residential unit is considered acceptable.

In terms of amenity space, the development proposes two bedrooms per apartment, which is considered to be a dwelling suitable for family use and in need of external amenity space provision. The Applicant, due to the reduction in the size and scale of the built form, has provided outdoor amenity space to the rear and flank of the extensions, adjacent to Kyd Brook. Whilst the shape of the amenity space is quite convoluted, provided that a sufficient boundary is erected along Kyd Brook to maximise on the openness of the outdoor amenity space, this may be considered acceptable and sufficient enough for five residential apartments. If permission was to be forthcoming, a condition will be added for details of the boundary treatment to be submitted.

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.

After a comprehensive site visit, it was noted that there are two habitable room windows within the southern elevation of 2 Lower Camden. Whilst it is appreciated that there will be some visual incursion as a result of the extensions proposed, given that the site is at a lower land level than number 2 Lower Camden, the set back from the boundary by 4m and the change in roof profile to incorporate a hip, the extension at the closest point will only project 1.4m above the retained boundary wall, before hiping away to a height of 2.3m above the boundary treatment. The upper floors are located approximately 17m from the neighbouring flank elevations. Given the amendments made to the scheme and the changes in the design of the roof profile, it is not considered that there will be a detrimental loss of light or outlook from these apertures as a result of this application.

In terms of the impact upon the rear amenity space of number 2 Lower Camden, it is considered that by virtue of the changes in the land levels, coupled with the reduction in size, scale and design of the extensions, the impact of the development would not be sufficiently detrimental to warrant a refusal of this application. Within the upper floor rear elevations there are a number of habitable rooms at third and fourth floor level. These apertures are located approximately 12m from the common side boundary with the neighbouring property. There is a level of overlooking as existing by virtue of the residential use of the upper floors of the host property, it is not considered that the by virtue of the modest two storey extension that there will be a materially detrimental impact in terms of privacy. Given the existing established level of overlooking, it is not considered that the proposed rear facing dormer or juliet balcony would significantly increase the established harm. Amended plans were received to remove a projecting balcony from the roof space.

As seen on the site visit, habitable room windows are located within the rear elevations of the upper floors of 61 Chislehurst Road. The location of the existing three storey rear extension of the host property, and the rear three storey projection of the property at number 59 causes the windows within the rear of number 61 to be subject to a level of tunnelling and visual outlook disturbance as existing. The proposed extensions are located 1.4m further away from the habitable windows than the existing arrangement, and whilst it is acknowledged that there will be some impact in terms of outlook by virtue of the increased height and a minor increase in depth, this is not considered to be of a materially worse degree than the existing layout. Furthermore, the orientation of the site is positive, in that there will not be a loss of light by virtue of the development. On balance, the impact on these neighbouring habitable rooms is considered to be acceptable.

In terms of the impact from the deliveries to the proposed extended commercial premises on the new residential apartments, no objections have been raised from Environmental Health subject to conditions with regards to acoustic testing and a

delivery management plan. As deliveries as existing are taken into the rear of the premises, and no articulated vehicles will be utilising the delivery bay, it is not considered that there will be adverse impact on terms of residential amenity resulting from the proposal subject to conditions limiting delivery times.

Car parking

With regard to parking, the Applicant proposes the removal of an existing detached garage block to the rear elevation of the host property, and the repositioning of seven off street parking spaces within the courtyard area, two of which will be located within the delivery bay. Comments from the Applicant state that a flexible approach to on street parking will be maintained, and that lorries will not enter in or out of the parking area to the rear, however will be unloaded on the street side and took in via the rear. The Applicant also states that articulated lorries will not be used during deliveries however whilst undertaking a further site visit to the premises an articulated lorry was witnessed unloading goods for the store along the roadside.

Comments from the Highways Officer state an increase in the size of the shop is likely to lead to increased deliveries so would require a delivery plan, however this could be conditioned.

Evidence has been supplied to show there is sufficient capacity for the increased visitor numbers within the surrounding streets, however concern was raised as to the scope of the assessment and the distances covered by the parking survey reaching over 500m from the shop. Whilst the methodology of the assessment was brought into question, ultimately the Highways Officer considers that no objections to the scheme can be made by virtue of the increase of the retail premises being only 100sqm, which will not generate a significantly increased visitor numbers.

If permission was to be forthcoming, conditions are required to be added to the decision notice including the submission of a construction management plan and restrictions on the use of the parking spaces within the delivery bay being for residential and not retail use.

Cycle parking

Cycle parking is generally required to be 1:1 for residential development. The applicant has provided details of a location for cycle storage for each unit which are located internally within the lower ground floor which is considered acceptable.

Refuse

All new developments shall have adequate facilities for refuse and recycling. The applicant has provided details of refuse storage for the units to the rear elevation. The specification of the containment structure can be conditioned if permission was to be forthcoming.

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.

An informative is recommended with any approval to ensure that the development strives to achieve these objectives.

Landscaping

Full details of hard and soft landscaping and boundary treatments can be sought by condition as no details are forthcoming within this application.

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.

Trees

No trees are proposed to be removed within the construction process, however some works are being undertaken with the RPA of two mature trees. Development should be carried out in a manner as per the recommendations as set out within the Arboricultural Impact Assessment. Due to the location of the site within a Conservation Area, all further works to trees would be subject of a further application that should be submitted 6 weeks prior to commencement.

Conclusion

Having had regard to the above it was considered that the size, scale, design and spatial relationship of the proposed extensions to surrounding properties in this prominent location is acceptable and sits well with surrounding development. The proposed development causes no harm to the conservation area and whilst of a considerable size and scale, are considered in keeping with its residential/retail setting and of good design.

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

In order to comply with Policy BE1 and BE11 of the Unitary Development Plan and in the interest of the appearance of the building and the visual amenities of the area

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

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

5 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 Prior to first occupation of the proposed development, a fully detailed Service Delivery Management Plan (including refuse and recycling) shall be submitted to the Local Planning Authority and agreed in writing.

In the interests of highway safety and residential amenity and in accordance with policy BE1 of the Unitary Development Plan.

7 The car parking spaces located within the lower ground floor loading bay hereby approved, shall not be allocated to the retail use only and shall be retained as car parking spaces in conjunction with the entire mixed use development.

Reason In the interests of highways safety and providing sufficient levels of off-street parking in compliance with policies T18 and T3 of the Unitary Development Plan.

8 The lower and upper ground floors hereby permitted shall be used as A1 (retail) use only.

To allow the Council to assess any impacts of any future change of use and in the interests of protecting neighbouring residential amenity in compliance with policy BE1 of the Unitary Development Plan.

9 A scheme for protecting the residential use hereby approved and neighbouring residential units from noise arising from activities within the extended commercial unit and lower ground floor deliveries area shall be submitted to and approved in writing by or on behalf of the Local Planning Authority. Before the development is occupied the scheme shall be fully implemented and sound transmission tests shall be carried out by a competent person to demonstrate compliance with the approved scheme. The results shall be submitted to the Local Planning Authority and the approved scheme shall be permanently maintained thereafter.

Reason: In order to comply with Policies S6 of the Unitary Development Plan and in the interest of the visual and residential amenities of the area.

10 No development shall take place until there has been submitted to and approved in writing by the local planning authority a scheme of hard and soft landscaping which shall include details of all existing trees and shrubs, new tree and shrub planting, seeding, surfacing treatments, screen walls, boundary fences and boundary treatments.

To maintain the visual and environmental quality of the site and surrounding area in accordance with policies BE1 and BE11 of the Unitary Development Plan.

11 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

12 The use hereby approved shall not be carried out on the site other than between the hours of 06:30 to 20:00 Monday to Saturday and 7:00 to 19:30 Sunday and Bank Holidays

Reason: In order to protect the residential amenities or nearby owner/occupants in accordance with policy BE1 of the Unitary Development Plan.

13 During the demolition construction works hereby approved no building operations shall be carried out on the site other than between the hours of 08:00 to 18:00 Mondays to Fridays inclusive and 08:00 to 13:00 on Saturdays and no operations shall be carried out at all on Sundays or on statutory Bank Holidays.

To maintain the residential amenity of the surrounding residential development in accordance with policy BE1 of the Unitary Development Plan

14 Prior to the commencement of the development hereby permitted, elevation drawings of the proposed shop front at a scale of 1:20 shall be submitted to and approved in writing by the Local Planning Authority.

Insufficient details were submitted within the application and in order to provide for a good standard of development with regard to the surrounding conservation area in compliance with policies BE1 and BE11 of the Unitary Development Plan.

15 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.

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.

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

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

You are further informed that:

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

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

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

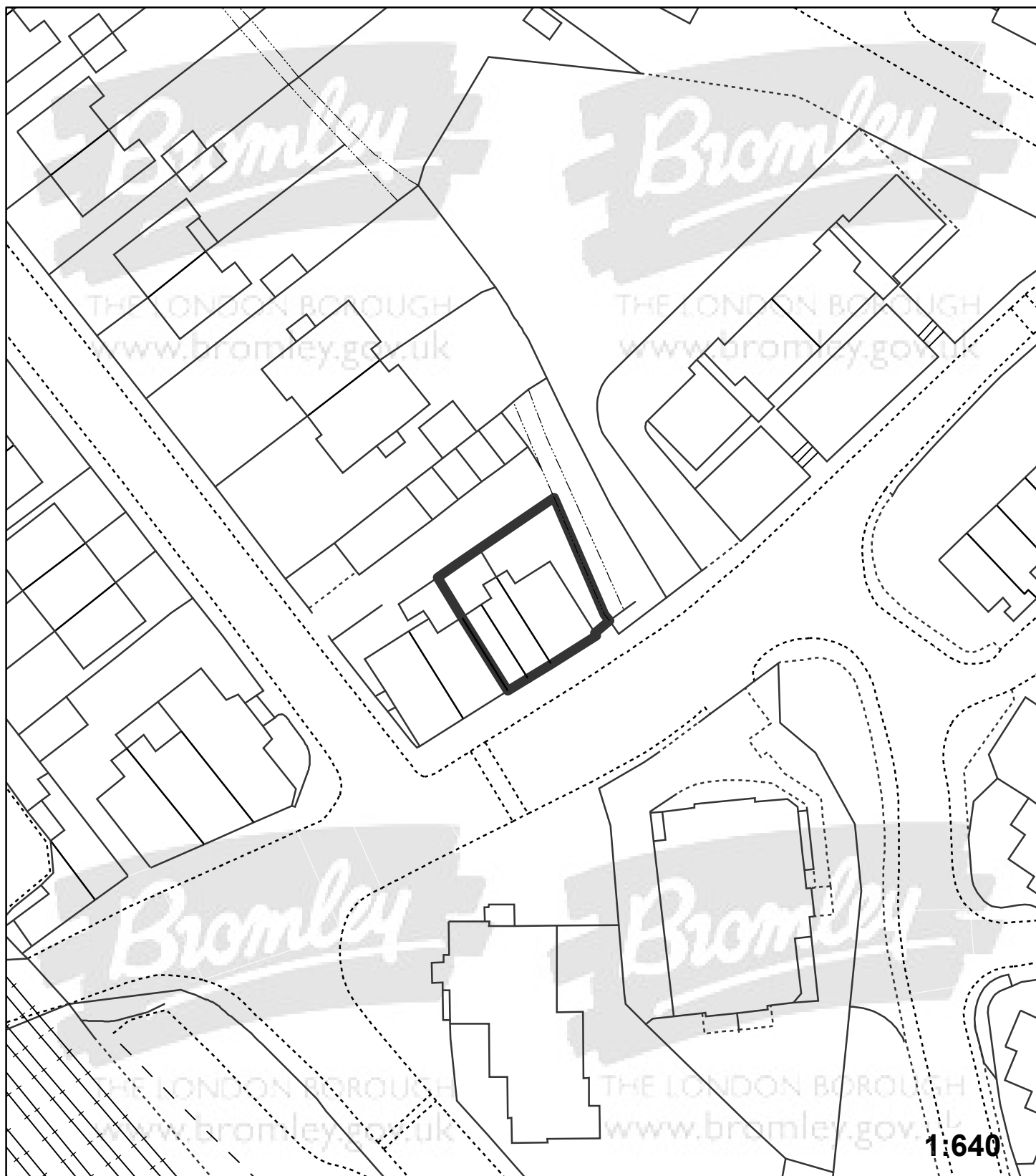
- 2 Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.**
- 3 The developer should strive to achieve the highest standards of sustainable design and construction in compliance with policies 5.2 and 5.3 of the London Plan (2015)**

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Application:16/01032/FULL1

Address: 63 - 65 Chislehurst Road Chislehurst BR7 5NP

Proposal: Proposed two/four storey rear extension with accommodation in the roofspace to provide an enlarged shop and stock room facilities with a total of five residential apartments. Demolition of detached single storey building, boundary treatment, revised courtyard and parking layout,



"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 : 16/01190/FULL1

Ward:
Clock House

Address : 25 Samos Road Penge London SE20
7UQ

OS Grid Ref: E: 534935 N: 169232

Applicant : Mr Alex Deutsch

Objections : YES

Description of Development:

Single storey side extension, part one/two storey rear extension, rear dormer extensions and conversion into 5 no. flats with associated parking.

Key designations:

Smoke Control SCA 51

Proposal

The determination of this application was deferred without prejudice on 12th May 2016 to seek the following amendments:

- To seek a reduction in the quantum of development
- To re-assess the off-street parking provision
- To seek a reduction in the number of residential units.

The applicant has engaged a planning consultant to review the planning application and the consultant has submitted a letter supporting the application as originally submitted and considered by Members on 12th May 2016. It is stated that the reasons for deferral were given serious consideration by the applicants but that to reduce the quantum of development and the number of residential units would "diminish the commercial prospects of the development" as well as harming "sustainability by not making the best use of land and reducing by one the supply of new homes in a borough where the need is going unmet."

The supporting statement details the relationship between the proposed extensions, the boundary and neighbouring development and it is stated that "the proposal offers a better relationship with the neighbouring property than a permitted development extension."

With regards to the second point of deferral, which related to off-street parking, while it is considered by the applicant that the layout is acceptable, the applicant would agree to a planning condition to be attached if permission is granted which would state:

"Notwithstanding the parking layout as shown on submitted plan no. 3748.P.100 RevA, details of the design, including the number of spaces, of the frontage parking area with hard and soft landscaping shall be submitted to the LPA prior to occupation of any flat in the development and the arrangements/scheme shall only be completed in accordance with the approved details prior to occupation of any flat."

The supporting statement is available on file.

The previous report is repeated below, suitably amended where appropriate.

It is proposed to extend the host dwelling and convert it to provide a total of 5 flats.

The extensions to the host building comprise:

- o The replacement of the existing single storey side extension with a new side extension providing habitable accommodation. The side extension would align with the main front elevation. It would immediately abut the side boundary and would project to the rear to align with the rear ground floor elevation of a part one/two storey rear extension.

- o the erection of a part one/two storey rear extension with the continuation of the existing rear roof slope. The extension would have a depth of rearward projection of approx. 5m at ground floor level and would extend for the full width of the site. The ground floor element would incorporate an angled element adjacent to the boundary with the adjoining dwelling, with the rearward projection of the extension adjacent to the boundary being approx. 3.8m and would have a flat roof which would surround the first floor projection. The first floor extension would have a depth of approx. 3.3m and would align with the north western first floor side elevation of the building. A separation of 2m would be retained between the first floor extension and the party boundary with No. 27.

The extension would incorporate a sweeping pitched roof continuing the slope of the existing roof over the rear extensions. The rear facing windows would be set within the rear elevation with connecting rooflights set within the extended roof slope.

- o The formation of a large rear dormer within the extended roof slope, serving the proposed two bedroom flat within the roof space.

4 off-street parking spaces are proposed to be provided on a hardstanding which would extend for the full width of the frontage and would incorporate a footpath to the front door and a refuse storage area adjacent to the boundary of the site with No. 23.

Cycle parking spaces are shown to be provided, sited within a bike store located in the rear garden. Access to the rear garden is provided by way of a central corridor in addition to access from the ground floor flats.

The garden would be landscaped and reconfigured to provide private garden areas for flats 1, 2 and 5 with a larger communal garden provided to the rear and areas of paving set between the garden and patio areas.

Location

The application site lies on the south western side of Samos Road and comprises a large two/three storey semi-detached dwelling which is currently a single dwellinghouse. The host dwelling and its semi-detached dwelling have gable ends and front gable and bay window features. They live within a row of similar properties which extend from the south east up to the application site. To the north west of the application site is a row of period purpose-built maisonettes.

The rear elevation of the host dwelling incorporates small single storey elements on either side of a modest two storey rear element which is original to the dwelling and replicated on the adjoining semi-detached property. The host dwelling has a modest rear dormer. A single storey lean-to lies towards the north western boundary of the site with No. 23 Samos Road, which in common with the two storey purpose built maisonettes incorporates a substantial two storey rear projection set towards its north western boundary with a metal staircase leading from the first floor flat to the shared rear garden, with clear glazed flank windows facing the application site and rear facing clear glazed windows overlooking the gardens.

The adjoining semi-detached dwelling (No.27) has a single storey rear conservatory style extension which is positioned away from the party boundary with the host dwelling and an open framed pergola which lies between the rear extension and the boundary with the application site.

Consultations

Neighbouring owners/occupiers were notified of the application and a number of representations have been received, which can be summarised as follows:

- The proposal would be an overdevelopment of the site
- Would result in an increase in pedestrian movements in and out of the building and an increased noise and disturbance
- Extension would be excessive and overbearing, out of keeping with other properties in the street
- Loss of privacy and daylight
- Increased demand for parking in the area
- The refuse store would not be large enough for all bins required - each property has about 4 bins (including recycling bins) and the lack of a front boundary wall would mean rubbish would spread into the street
- Impact on highways safety
- The parking area would have an impact on the look and feel of the street
- Lack of information regarding foul sewerage
- The flat roof side extension would be out of keeping with the look of the street

- Parking spaces would be insufficiently deep
- The density of the development is too high and the proposal does not constitute a significant reduction on the previous scheme

Technical comments

Comments from an Environmental Health perspective are on file, and the applicant submitted revised plans to address some points.

No objections are raised to the proposal from a highways perspective. The site is identified as lying within an area with a medium PTAL rate of 3 (on a scale of 1-6, where 6 is the most accessible). Four car parking spaces would be provided for the development via a new crossover. The strict policies of Street Services regarding the formation of vehicular crossovers should be met if permission is granted. The number of car parking spaces is acceptable and no objections are raised in principle. The Highways Inspector has visited the site and confirmed satisfaction with the parking layout indicated on the drawing. The planning consultant's suggestion that 2 car parking spaces could be provided would not be sufficient and would be unacceptable on highways grounds.

From a drainage perspective, it is noted that the 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.

Planning Considerations

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

- BE1 Design of New Development
- H1 Housing Supply
- H8 Residential extensions
- H7 Housing Density and Design
- H9 Side Space
- H11 Residential Conversions
- T3 Parking
- T6 Pedestrians
- T7 Cyclists
- T18 Road safety

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

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

London Plan

The following policies of the London Plan are of particular relevance to the application:

- 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 5.12 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 8.3 Community infrastructure levy

London Plan Supplementary Planning Guidance (SPG)
Housing: Supplementary Planning Guidance. (March 2016)

National Planning Policy Framework

The National Planning Policy Framework is a material consideration in the determination of the application, including (but not limited to) the following:

Para. 56 of the NPPF refers to the need for good design, and the indivisibility of good design from good planning.

Section 6 of the NPPF relates to the need to deliver a wide choice of high quality homes.

Planning History

Under reference 15/05565 planning permission was refused for the extension and conversion of the host building into 5 flats. 3 two bedroom flats were proposed in addition to 1 three bedroom and 1 one bedroom flats. The extensions proposed comprised part one/two storey side extension lying immediately adjacent to the flank boundary of the site with a side space of 0.85m at first floor level to the boundary. At the rear a part one/two storey extension was proposed with a ground floor depth of rearward projection of 4.3m immediately abutting the boundary with the adjoining semi-detached dwelling. At first floor level a 3m depth of rearward projection immediately adjacent to the boundary was proposed.

Planning permission was refused for the proposals on the following grounds:

1. The proposal, by reason of the size, scale and siting of the proposed extensions would have a seriously detrimental impact on the distinctive character and visual amenities of the area and the residential amenities of the occupiers of neighbouring properties, resulting in an unacceptable loss of outlook and visual impact, thereby contrary to Policies BE1, H8 and H11 of the Unitary Development Plan.
2. The size and number of flats proposed would result in an overintensive use of the site, detrimental to the residential and visual amenities of the area, thereby contrary to Policies H11, H8 and BE1 of the Unitary Development Plan.

Conclusions

The main issues in the determination of this application are the impacts that the proposed extensions and conversion would have on the visual and residential amenities of the area. In assessing the merits of the proposal the planning history of the site is a material planning consideration, and it is necessary to carefully consider whether the proposals represent an improvement over the previous scheme such that would overcome the grounds for refusal of 15/05565.

No technical highways objections are raised to the proposed off-street parking, in terms of the number of spaces to serve the needs of the development and the layout and practicability of the parking spaces. The representations received from neighbouring residents are acknowledged, but on balance it is considered that the parking provision would be adequate to serve the needs of the development. Furthermore, the current plans show potential landscaping within the forecourt area, albeit modest, and a landscaping condition could be imposed to seek a satisfactory setting and appearance for the off-street parking area.

The supporting statement submitted by the applicants includes a suggested planning condition should permission be granted, which would allow amendments to the parking scheme and enable consideration of the number of spaces in addition to the appearance of the site frontage. There are competing concerns raised by neighbouring residents regarding the extent of the hardstanding in terms of the impact on visual amenity, there being insufficient depth for the parking spaces as shown on the submitted drawings and there being a demand for on-street parking in the locality.

The description of the planning application refers to "associated parking" without specifying the number of spaces although the application forms refer to 4 no. spaces being provided. The condition suggested by the applicant may afford the opportunity for the balance between soft and hard landscaping to be fine-tuned in discharging the condition, although Members will be aware of the limited scope within the dimensions of the forecourt to provide 4 car parking spaces while increasing the soft landscaping provision over and above that shown on the submitted layout.

The size of the proposed flats comply with the Housing Standards in the Minor Alterations to the London Plan 2016.

With regards to the residential intensity of the use of the site, it is not considered that the use of the property to provide 5 flats would be unacceptable in principle, taking into account that a significant number of semi-detached dwellings in Samos Road have been converted into 4 or 5 flats. In considering the merits of the previous scheme the configuration of nearby flats was taken into account, and it was noted that fewer bedrooms per flat tended to be provided in nearby converted dwellings. Whereas Unit 4 of the previous scheme provided 2 bedrooms, this has been reduced in the current application to 1 bedroom.

It is appropriate to consider whether this modest reduction in the scope of the proposals would adequately address ground 2 of the previous refusal which referred to "the size and number of flats" resulting in an overintensive use of the site. It is considered that the reason for refusal referred to the combined impact of the size and number of flats, taking into account the assessment that the provision of 5 flats would not be unacceptable in principle, and as such that a reduction in the size of flat/s may address the previous reason for refusal. The main issue is whether the reduction currently proposed is sufficient to limit the impact of the proposal on the residential amenities of the area if the extensions are considered to satisfactorily address reason 1 of the previous refusal which referred to the size, scale and siting of extensions.

With regards to the proposed extensions to the property, the deletion of the first floor side extension is welcomed. It is considered that the scale, form and siting of this element of the extensions would not be harmful to residential or visual amenity. The extension would be set on the ground floor only, and as such would not result in unrelated terracing or a cramped appearance. While the extension is larger than the existing single storey lean-to, the provision of a single storey side extension would not represent a jarring or alien feature in the street scene, and the modest height of the extension would not be detrimental to the rhythm and pattern of development in the locality.

The rear extensions warrant very careful consideration with regards to their impact on the residential amenities of the neighbouring properties. Being located at the rear of the property the impact of this part of the proposal on the visual amenities of the locality is considered acceptable.

Of particular concern in the determination of the previous application was the impact of the proposed extensions on the adjoining dwelling at No. 27, as well as the impact of the depth of rearward projection on No. 23. It was considered that the cumulative impact of the proposed extension and the existing rear projection at No. 27 would have resulted in an unacceptable tunnelling effect to the rear facing windows between the extension at No.27 and the party boundary. The current proposal comprises a 3.5m deep rear extension which incorporates an angled elevation towards the boundary with the projection along the boundary reduced to 2.2m rather than the sheer flank wall projection of 4.3m which was previously proposed. The application drawings demonstrate that the rear projection would not project within a 45 degree angle of the rear facing doors at the neighbouring

property, although No.27's own extension does lie within this angle of vision on the other side.

At first floor level the depth of the extension remains as previously proposed, albeit that in the current scheme the first floor element is set 2m from the party boundary rather than immediately adjacent as was previously proposed. Further, the design of the extension at first floor level sets the extension beneath a continuation of the rear roof slope, which mitigates the bulk and depth of the extension in terms of its visual impact.

The depth of rearward projection of the ground floor extension nearest No. 23 has similarly been reduced. The depth of projection of the first floor element facing No. 23 remains as previously proposed, with the same separation to the boundary. This was previously considered a concern in terms of the visual impact of the extension and Members will wish to carefully consider whether this visual impact would be significantly adverse, such that would warrant the refusal of permission if the scheme is otherwise satisfactory. On balance, taking into account the separation retained between first floor rear projections on either side of the boundary, the modest decrease in visual impact through the deletion of the first floor side extension and the design of the extension being set into the extended roof slope, the visual impact would not be significant.

The concerns expressed regarding the intensity of the use of the site and associated noise and disturbance fall to be carefully considered, framed within the local context in which a number of single dwellinghouses have been converted into flats. It is acknowledged that the proposal would result in an increase intensity of use, with associated increase in comings and goings associated with the prospective occupants of the flats. However, given that flat conversions in the locality are not uncommon, and taking into account the size of the flats, it is not considered that the increased intensity would constitute a strong ground for refusal in this instance. Mitigation measures regarding the relationship between the internal configurations of the flats and the adjoining semi-detached property would be addressed under a separate legislative framework relating to the construction methods during the conversion and are outside of planning control.

On balance it is considered that the proposed development would result in an appreciable increased residential intensity. However, taking into account the pattern of development in the locality and the improvements in the relationship between the extensions and surrounding residential properties, it is considered that taken as a whole, the amendments in this current application adequately address the reasons for refusal of the previous application. The cumulative impact of the modest reduction in the scope of the residential use of the site, taken alongside the reduction in proposed built development, is to result in a development which while more intensive, would not have a significantly adverse impact on either the visual or residential amenities of the area. While the concerns of local residents regarding the impacts of the development have been taken into account and must be a material consideration in the decision, it is considered on balance that the proposal is acceptable.

If Members are minded to grant planning permission it would be appropriate to consider whether the planning condition suggested by the applicant's consultant would more adequately safeguard the parking/landscaping provision than the combined effect of conditions 2 and 5 which were suggested in the original planning officer's report and relate to landscaping and parking respectively.

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.**

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

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

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

- 4 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 a satisfactory means of surface water drainage.

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

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

6 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.

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

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

8 Prior to the commencement of the development hereby permitted a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall include measures of how construction traffic can access the site safely and how potential

traffic conflicts can be minimised; the route construction traffic shall follow for arriving at and leaving the site and the hours of operation, but shall not be limited to these. The Construction Management Plan shall be implemented in accordance with the agreed timescale and details.

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

- 9** 9. Before the development hereby permitted is first occupied the proposed windows on the north eastern flank elevation shall be obscure glazed to a minimum of Pilkington privacy Level 3 and shall subsequently be permanently retained as such thereafter.

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

- 10** 10. The flat roof area of the ground floor extension hereby permitted shall not be used as a balcony or sitting out area and there shall be no access to the roof area.

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

You are further informed that :

- 1** You should contact extension 4621 (020 8313 4621 direct line) at the Environmental Services Department at the Civic Centre with regard to the laying out of the crossover(s) and/or reinstatement of the existing crossover(s) as footway. A fee is payable for the estimate for the work which is refundable when the crossover (or other work) is carried out. A form to apply for an estimate for the work can be obtained by telephoning the Highways Customer Services Desk on the above number.
- 2** Any repositioning, alteration and/or adjustment to street furniture or Statutory Undertaker's apparatus considered necessary and practical to help with the formation of the vehicular crossover hereby permitted shall be undertaken at the cost of the applicant.
- 3** You are advised that this application may be liable for the payment of the Mayoral Community Infrastructure Levy under the Community Infrastructure Levy Regulations (2010) and the Planning Act 2008. The London Borough of Bromley is the Collecting Authority for the Mayor and this Levy is payable on the commencement of development (defined in Part 2, para 7 of the Community Infrastructure Levy Regulations (2010)). It is the responsibility of the owner and /or person(s) who have a material interest in the relevant land to pay the Levy (defined under Part 2, para 4(2) of the Community Infrastructure Levy Regulations (2010)). If you fail to follow the payment procedure, the collecting authority may impose surcharges on this liability, take enforcement action, serve a stop notice to prohibit further development on the site and/or take action to recover the debt. Further information about Community Infrastructure Levy can be found on attached information note and the Bromley website www.bromley.gov.uk/CIL

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Application:16/01190/FULL1

Address: 25 Samos Road Penge London SE20 7UQ

Proposal: Single storey side extension, part one/two storey rear extension, rear dormer extensions and conversion into 5 no. flats with associated parking.



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

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SECTION '2' – Applications meriting special consideration

Application No : 16/01368/FULL1

Ward:
Bickley

Address : 79 Southborough Road Bickley Bromley
BR1 2EP

OS Grid Ref: E: 542401 N: 167932

Applicant : Mr & Mrs I Stafford

Objections : YES

Description of Development:

Erection of a detached two storey four bedroom dwelling on land rear of 79 Southborough Road.

Key designations:

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

Proposal

Planning permission is sought for the subdivision of the plot at No. 79 Southborough Road and the provision of a detached two storey house towards the rear of the site, accessed by the existing access driveway that currently serves the sub-station at the site. The house will have a height of 8.6m and dimensions of 8.0m in width and 10.4m in length (excluding the single storey sunroom). The house will have accommodation in the roof space and car parking to the front.

A small detached garage building is proposed to the side of the proposed new dwelling.

The application has been accompanied by a covenant between the freeholders of Nos. 77 and 79 Southborough Road that requires the creation and maintenance of a suitable sightline at the junction of the site.

Amended plans have been received dated 28/04/16 indicating the relocation of the proposed refuse store outside of the proposed sight line.

Location

The application site is located on the eastern side of Southborough Road, in close proximity to the junction with Waldegrave Road. The site currently comprises part

of the rear garden of No. 79. The surrounding area is characterised by large detached family homes sited within generous plots with ample rear gardens.

Comments from local residents

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

- Inadequate access and sightlines, resulting in a detrimental impact on highway safety and an unsafe access arrangement to serve the proposed development.
- Overlooking and loss of privacy as a result of the three storey design
- Detrimental impact on the character and appearance of the area.

Consultations

Legal Department - It is confirmed that the covenant submitted to the Council has been registered on 26th November 2015. It is considered, however, that greater security for the securing of a suitable sightline would require a legal agreement to be entered into by the relevant parties.

Highways - The applicant has submitted a covenant between the freeholders of Nos. 77 and 79 to maintain a suitable sightline at the junction of the site. It was requested that the applicant submit confirmation that the future owners of the proposed dwelling will also have the benefit of the covenant, and this information has been forthcoming. Details of the rights over the access road for construction and access have also been confirmed, along with security requirements. On the basis of the receipt of clarification of these points, no highways objections are raised subject to conditions. Concern was raised over the positioning of the refuse store as this would result in dangerous carrying of bins across the carriageway. Amended plans have been received to relocate the bin store and this is considered suitable.

Thames Water - no objections raised subject to an informative.

Drainage - no objections raised subject to standard conditions

The National Grid - no comments received.

Planning Considerations

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

BE1 Design of New Development
H1 Housing Supply
H7 Housing Density And Design

T3 Parking
T18 Road Safety
NE7 Development And Trees

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

London Plan Policy 3.4 Optimising Housing Potential
London Plan Policy 3.5 Quality and Design of Housing Developments
London Plan Policy 5.13 Sustainable Drainage

National Planning Policy Framework

Planning History

Planning permission was refused under ref. 08/01694 for a four bedroom detached dwelling land r/o 79 Southborough Road. The refusal grounds were as follows:

'The proposals constitute an unsatisfactory subdivision and overdevelopment of the site, out of character with the surrounding area, by reason of the design, bulk, height and siting of the proposed dwelling, detrimental to the spatial standards and character of the area, and thereby contrary to Policies H7 and BE1 of the Unitary Development Plan.

The proposal would, by reason of the height, size and siting of the proposed dwelling, have a detrimental impact on the amenities that the occupiers of adjacent dwellings could reasonably expect to continue to enjoy, by reason of visual impact, loss of privacy and outlook, thereby contrary to Policies H7 and BE1 of the Unitary Development Plan.

The proposed vehicular access would not benefit from adequate sightlines and therefore the intensification of use of the access would be detrimental to highway safety, contrary to Policy T18 of the Unitary Development Plan.'

The application was subsequently dismissed at appeal. Considering the appeal, the Inspector concluded that although the site is backland, the development would not share the existing access to the host dwelling, and would therefore not comprise tandem development. The Inspector highlighted that although the local area is generally characterised by low density residential developments, he also highlighted that a number of much higher density developments have been permitted at nearby backland sites in recent years.

At 8.5m in height, the Inspector considered that the new dwelling would not be out of scale with the surrounding houses as it would be well separated from neighbouring houses, with good screening to boundaries. The Inspector concluded that there would be no harm to the character of the area and no material conflict with Policies BE1 or H7 of the UDP which permits small scale backland development that complements the surrounding area and is sensitive to it. The

scheme would not be detrimental to privacy or outlook, daylight and sunlight and would have no unacceptable visual impacts.

The Inspector raised concerns over the visibility splay to the north of the junction with Southborough road and considered that this would be below a desirable standard. Without a legal agreement over this land, the Inspector considered that the proposal would lack a suitable sightline and would therefore be dangerous for use as a vehicle access. The appeal was therefore dismissed on the basis of highway safety.

Planning permission was refused under ref. 13/02030 for a four bedroom detached dwelling land r/o 79 Southborough Road. The reasons for refusal were as follows:

"The proposed vehicular access would not benefit from adequate sightlines and therefore the intensification of use of the access would be detrimental to highway safety, contrary to Policy T18 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 impact on highway safety is also a consideration.

As outlined above, the Inspector has previously considered under ref. 08/01694 that the principle of sub-division of the plot to provide an additional residential house is acceptable. The Inspector also found the height, scale and fenestration of the proposal suitable as to avoid harmful levels of overlooking and loss of residential amenity. The current scheme proposes a dwelling that will be two storeys with accommodation in the roof space, similar to that previously dismissed at appeal. The height currently proposed is 8.6m, compared to the 8.5m previously proposed. The scale and appearance of the building will also be similar to that previously considered, with a gable ended two storey appearance and dimensions of 10.8m by 8.0m. The scheme dismissed under ref. 13/02030 had dimensions of 10.5m by 7.8m and was sited on a similar part of the site. Both schemes propose first and second floor windows in the northern and southern elevations.

Following the Inspector's decision, and in light of the refusal of application ref. 13/02030, the main issue of concern is the provision of a suitable sightline to the north of the junction of the access road. As the required sightline falls outside of the application property, the previous application under ref. 13/02030 was refused on the basis that this sightline could not be provided.

The current application has been submitted with the provision of this sightline, along with a covenant entered into by both freeholders of Nos. 77 and 79 that requires the creation and permanent maintenance of this sightline. On the basis of the covenant and adherence to the submitted plan, the proposal is considered to provide a suitable sightline and would therefore be a safe solution to the proposed use of this access for a residential purpose.

The application is considered to comply with the relevant density as outlined in the London Plan and the guidance in the Technical Housing Standards (2015), with a floor area of 213 sqm proposed. The Technical Housing Standards require a floor area of 130 sqm for a three storey four bedroom eight person house. The impact on amenities and local character is not considered to be harmful in light of the Inspector's comments and the similarities in the design. The height and scale of the proposed house is comparable to the previously considered schemes, with second floor windows previously considered not to impact harmfully on the amenities of neighbouring properties.

Having had regard to the above it is considered that the development in the manner proposed is acceptable in that it would not result in a significant loss of amenity to local residents nor impact detrimentally on the character of the area. The proposal would not result in a detrimental impact on conditions of highway safety. It is therefore recommended that Members grant planning permission.

Background papers referred to during the production of this report comprise all correspondence and other documents on file refs. 08/01694, 13/02030 and 16/01368, excluding exempt information.

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

and 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.**

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 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

- 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 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 order to comply with Policy 5.13 of the London Plan and in order to ensure satisfactory means of surface water drainage.

- 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 any part of the development hereby permitted is first occupied that part of a sight line of 2.4m x 43m which can be accommodated within the site shall be provided in both directions at the junction with Southborough Road and with the exception of trees selected by or the Local Planning Authority no obstruction to visibility shall exceed 1m in height in advance of this sight line, which shall be permanently retained as such.

Reason: In order to comply with Policy T18 of the Unitary Development Plan and to ensure that the proposal does not prejudice the free flow of traffic and conditions of general safety along the adjoining highway.

- 9 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.

- 10 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.

- 11 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.

- 12 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.

- 13 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.

- 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 building, structure or alteration permitted by Class A, B, C, or E of Part 1 of Schedule 2 of the 2015 Order (as amended), shall be erected or made within the curtilage(s) of the dwelling(s) hereby permitted without the prior approval in writing of the Local Planning Authority.**

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

- 15 Before the development hereby permitted is first occupied, the proposed window(s) in the first and second floor southern elevation 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 order to comply with Policy BE1 of the Unitary Development Plan and in the interest of the amenities of the adjacent properties.

- 16 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.

- 17 The development hereby permitted shall not be commenced until the terms of the covenant between the freehold owners of 77 and 79 Southborough Road completed 26th November 2015 have been complied with by the freehold owners of 77 to the satisfaction of the Council.**

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

- 18 No windows or doors additional to those shown on the permitted drawing(s) shall at any time be inserted in the first and second floors**

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.

Informatives

This is a summary of the main reasons for this decision as required by law. The application has been determined in accordance with the development plan insofar as it is relevant and taking into account all other material planning considerations, including all the representations received. For further details, please see the application report (if the case was reported to Committee), the Unitary Development Plan and associated documents or write to Chief Planner quoting the above application number.

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

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.

If during works on site suspected contamination is encountered, Public Protection should be contacted immediately. 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.

Before the use commences, the applicant is advised to contact the Pollution Team of Public Protection regarding compliance with the Control of Pollution Act 1974 and/or the Environmental Protection Act 1990.

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Application: 16/01368/FULL1

Address: 79 Southborough Road Bickley Bromley BR1 2EP

Proposal: Erection of a detached two storey four bedroom dwelling on land rear of 79 Southborough Road.



"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 : 16/01588/FULL1

Ward:
Mottingham And Chislehurst
North

Address : Bannatynes Health Club 35 Marvels
Lane Grove Park London SE12 9PN

OS Grid Ref: E: 540895 N: 172841

Applicant : Mr Steve Hancock

Objections : YES

Description of Development:

Demolition of detached outbuilding and erection of single storey extension to existing health club to provide spa facilities.

Key designations:

Smoke Control SCA 51

Proposal

- o Single storey extension with 200m² floorspace to provide spa facilities including treatment rooms and 'relax room' to complement the existing health club
- o design of extension will reflect that of host building and will incorporate a curved roof and brick and timber clad panels
- o proposed to demolish an existing outbuilding with a footprint of 88.8m²
- o host building has 2,323m² floorspace and is a part implementation of a planning permission granted for a building with 4,180m² floorspace (ref. 00/03356) - applicants have expressed a willingness to enter into a Section 106 legal agreement to deduct the floorspace of the proposed extension from the unimplemented floorspace and a unilateral undertaking has been submitted to this effect.
- o demolition of the outbuilding and deduction of the unimplemented floorspace are intended to offset harm to the openness of Metropolitan Open Land (MOL) and are advanced by the applicant as very special circumstances to justify inappropriate development.

Location

- o 6.81 ha site is located in the northern most part of the Borough on the boundary between Bromley and Lewisham and is designated Metropolitan Open Land (MOL)

- o site comprises two/three storey purpose built health and fitness club with associated car parking facilities and playing fields
- o line of mature trees and hedgerows and allotment gardens beyond to the west
- o rear gardens of residential properties on Jevington Way beyond open land to the north
- o series of playing fields, sports grounds and small woodland areas to the east towards Mottingham
- o tennis courts to the south-west
- o wider area to north, west and south is predominantly residential and suburban in character with 2 storey semi-detached properties mostly built in the 1920s and 1930s.

Consultations

Comments from local residents

Nearby residents were notified of the application and no representations were received.

Consultations

Lewisham Council have no objections to the proposal.

There are no objections in terms of Environmental Health.

No technical highways objections have been raised.

The Council's Legal Department raises no objections on the basis of the scheme matching that considered under ref. 10/02171 and as there are no changes in circumstances.

Planning Considerations

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

Unitary Development Plan

BE1 Design of New Development
 G2 Metropolitan Open Land
 G7 South East London Green Chain
 L9 Indoor Recreation and Leisure

London Plan

3D.10 Metropolitan Open Land

4B.1 Design Principles for a Compact City
4B.8 Respect Local Context and Communities

The National Planning Policy Framework (NPPF)

The site is designated Metropolitan Open Land and Policy G2 states that the construction of new buildings within MOL will be inappropriate and harmful to the visual amenity of the MOL unless they are for specified purposes including agriculture, essential facilities for outdoor recreation and limited residential extensions. The policy further states that permission will not be given for inappropriate development unless very special circumstances can be demonstrated that clearly outweigh the harm by inappropriateness or any other harm. It goes on to state that the openness and visual amenity of the MOL shall not be injured by any proposals for development within or conspicuous from the MOL which might be visually detrimental by reasons of scale, siting, materials or design.

If Members are minded to grant planning permission a Section 106 legal agreement will be required to ensure that the proposal is acceptable in planning terms. This agreement would require that prior to any implementation of the remaining development permitted under application reference 00/03566 details of the proposed works shall be submitted to and approved in writing by the Local Planning Authority.

As part of the application process, it was necessary for the Council to give a Screening Opinion as to whether an Environmental Impact Assessment was required. The proposal constitutes Schedule 2 development within the meaning of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999. After taking into account the selection criteria in Schedule 3 of the Regulations and the terms of the European Directive, it was considered that the proposed development would not be likely to have significant effects on the environment by virtue of factors such as its nature, size and location. This opinion was expressed taking into account all relevant factors including the information submitted with the application, advice from technical consultees, the scale/characteristics of the existing and proposed development on the site. The applicants have been advised accordingly.

Planning History

The site was historically occupied by a sports club and planning permissions were granted in June 1986, December 1986 and March 2000 for extensions that would have resulted in increased floor areas of 343m² (ref. 86/00969), 492m² (ref. 86/03104) and 480m² (ref. 99/02807). The permissions were never implemented.

Planning permission was granted for a detached 2/3 storey building for health and fitness club in January 2001 (application ref. 00/03356). The building would have had a floorspace of 4,180m² and in granting permission Members recognised that permissions granted for extensions to the previous sports club could have resulted in a facility with a greater floor area. The planning permission was only partly implemented and a smaller building with approx. 2,323m² floor area was erected.

A planning application identical to the current proposal was submitted under ref. 10/02171 for demolition of detached outbuilding and erection of single storey extension to existing health club to provide spa facilities. This application was granted permission subject to a Section 106 legal agreement as outlined above, however the application was later withdrawn by the applicant as the legal agreement could not be provided at that time.

Conclusions

The proposal is inappropriate development in MOL. The main issues to be considered in this case are as follows:

- o whether very special circumstances have been demonstrated to justify inappropriate development in MOL
- o impact of the proposal on the character and visual amenities of the area, including impact on the openness of MOL
- o impact of the proposal on the residential amenities of nearby residential properties.

The existing health club building has 2,323m² floorspace and is a part implementation of planning permission ref. 00/03566 granted for a building with a total 4,180m² floorspace. The applicant is prepared to enter into a Section 106 legal agreement to deduct the floorspace of the spa extension (200m²) from the unimplemented floorspace (1837m²). The applicant is also proposing to demolish a single storey outbuilding with a floorspace of 88m². A draft unilateral undertaking has been included as part of the application submission to indicate this intent. It is intended that this will offset potential harm to the openness of Metropolitan Open Land (MOL) and is advanced by the applicant as very special circumstances to justify inappropriate development. The floorspace to be deducted from the unimplemented permission relates to a two/three storey building, therefore whilst the volume to be offset may be comparable the overall permitted footprint of the building may increase. However, the proposal includes demolition of the single storey 88m² outbuilding and will secure the configuration of development on the site within a more compact envelope. It should also be noted that the extension will be located so as to avoid the impact on the main open part of the site and it can be recognised that the implementation of historic permissions for the site would have resulted in a facility with greater floorspace. It should also be considered that that the proposal matches the scheme previously considered acceptable by Members under ref. 10/02171.

It may be considered that the applicants have successfully argued that the proposal will maintain or improve the openness of MOL (as compared to the potential for development on the site) and that this represents very special circumstances to justify inappropriate development. The design of the extension is considered acceptable and its location is such that there will be no unduly adverse impact on the amenities of the area. It is therefore recommended that Members grant planning permission, subject to a legal agreement as described.

Background papers referred to during the production of this report comprise all correspondence and other documents on files ref. 00/03356, 10/02171 and 16/01588, excluding exempt information.

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

and 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 outbuilding (garage) identified on the site plan (drawing ref. 09/1768/009 Rev. B) shall be demolished prior to first occupation of the development hereby permitted.**

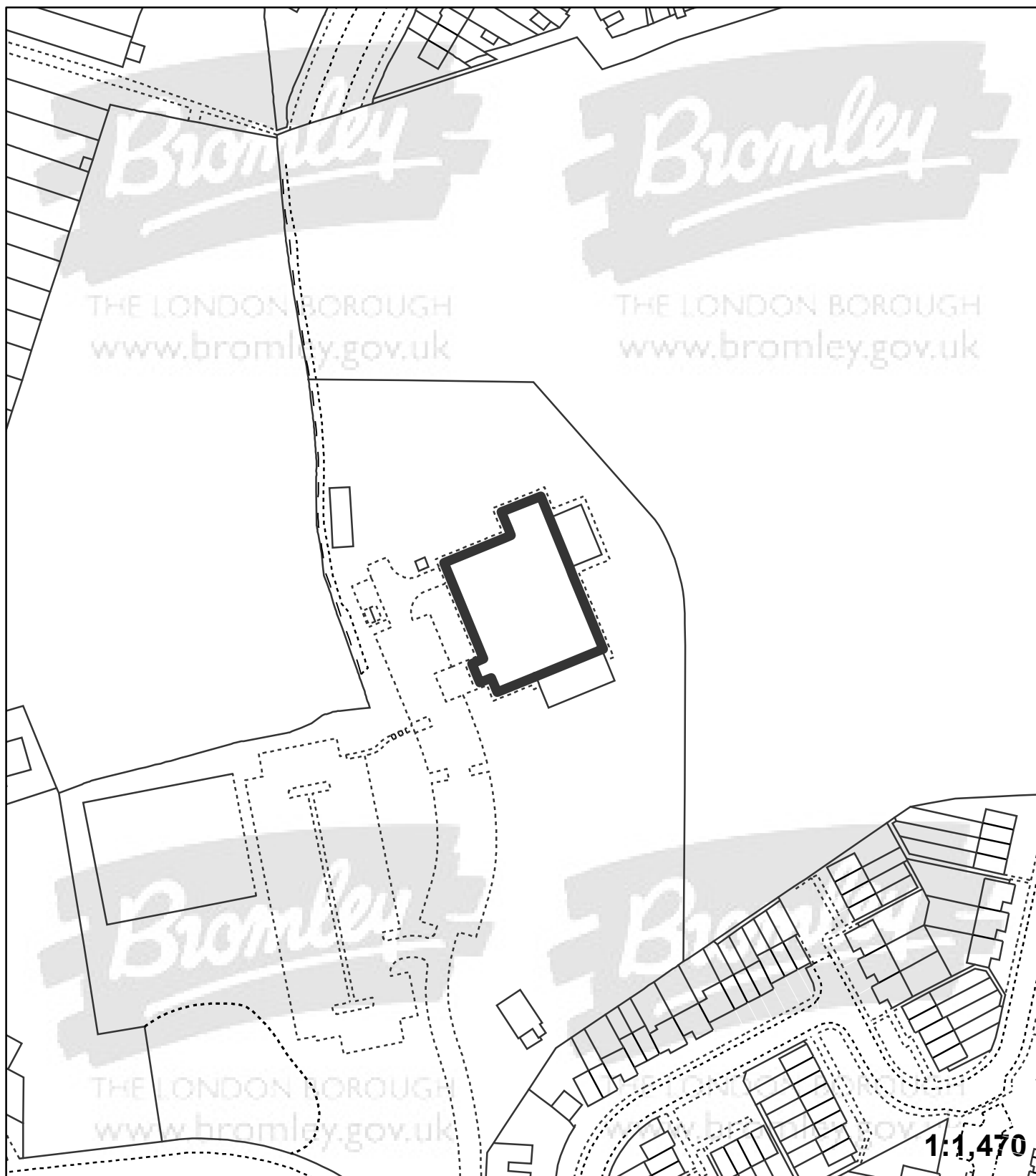
In order to comply with Policy G2 of the Unitary Development Plan and in the interest of protecting the openness of the Metropolitan Open Land.

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Application:16/01588/FULL1

Address: Bannatynes Health Club 35 Marvels Lane Grove Park London SE12 9PN

Proposal: Demolition of detached outbuilding and erection of single storey extension to existing health club to provide spa facilities.



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

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

Application No : 15/00640/CONDT2

Ward:
Shortlands

Address : Kingswood House Mays Hill Road
Shortlands Bromley BR2 0HY

OS Grid Ref: E: 539495 N: 168950

Applicant : Mr Paul Barry

Objections : YES

JOINT REPORT WITH 15/00640/CONDT3

Description of Development:

Details of conditions submitted in relation to planning permission ref: 15/00640:
Condition 12 – Car Park Management Plan
Condition 14 - Travel Plan

Key designations:

Biggin Hill Safeguarding Area
London City Airport Safeguarding
Smoke Control SCA 21
Smoke Control SCA 9

Proposal

Details pursuant to conditions 12 and 14 of permission 15/00640/FULL1 relating to submission and approval of a Car Park Management Plan and a Travel Plan have been submitted to the Council. The submissions relate to a new two form entry primary school (Harris Shortlands) which is being constructed at the site. The submissions have been made separately but are considered together in this report.

The relevant conditions are as follows:

- 12. 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 Authority.*

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.

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

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

The submissions comprise a Car Park Management Plan document (condition 12) and Travel Plan document with Appendixes (condition 14).

The Car Park Management Plan document sets out how the car park will be managed to ensure it is only used by staff and visitors.

The Travel Plan is a detailed document which cross references the documents submitted with the planning application and provides additional data and information based on staff and pupil surveys, along with proposed measures to encourage sustainable travel to the site.

Confirmation has been received that the school will not be opening before September 2016. Also information has been received on Travel Plan data since original submission as follows. This does not alter the recommendation:

“The travel plan was submitted prior to the announcement of primary school allocations in May 2016. Therefore, no information on the new 2016 pupil’s intake was available at the time of writing the travel plan.

Subsequent to the submission, whilst an initial allocation of pupils for the September 2016 intake has been made, this is likely to be subject to change up to the beginning of the new school year 2016/17. For example, some offered places may be declined up to the opening of the school and also pupils can change schools during the academic year. Furthermore, whilst home postcodes for the children initially allocated a place could be obtained, no information on actual or anticipated travel behaviour can be obtained at this stage (or indeed could be estimated, e.g. based on home postcodes) which drives the baseline and mode split target setting for the Travel Plan.

It is therefore considered appropriate to maintain the Travel Plan baseline as provided and survey the final 2016/17 intake as part of the year 1 monitoring regime, as outlined in Section 8 of the Travel Plan; which suggests biennial surveys (year 1, 3, 5) to be undertaken. This will also allow for:

a) *settling in of new pupils into a new travel behaviour pattern, which can then be surveyed; and*

b) settling in of existing pupils to verify their anticipated travel behaviour (see section 4 of the TP) prior to the relocation against the actual travel behaviour to adjust the package of Travel Plan measures and targets, if required”

Consultation

A number of representations have been received from local residents, the Shortlands Residents Association and the vicar of St Mary’s Church regarding the Travel Plan submission (condition 14). These express concerns including points as follows:

- Concerns about parking data and parking layout
- Current traffic levels are dangerous and there is an accident risk
- There should be a Controlled Parking Zone introduced
- A high proportion of children will be driven to school
- Parking problems will occur including in dangerous locations
- Commuter parking will be displaced / affected
- Proposed CPZ is not sufficient
- Plan should include a greater commitment to reducing staff car journeys
- Inconsiderate parking is likely to take place
- Driveways will be blocked which will impact on resident’s amenities
- Concerns about the ability of the bus route to operate properly
- Junction at Mays Hill Road / Kingswood Road has restricted sightlines and Mays Hill Road has a blind bend which will increase collision potential
- Valley Road and Hillside Road is a rat run with safety issues
- Safety issues around Iden Close and entrance may be blocked
- A phone number should be available for residents to call when there is an obstruction by school or commuter parking
- Transport Assessment and Travel Plan figures are inconsistent
- Parking availability for visitors to local residents will be affected
- Travel Plan has been submitted late in the process
- Question data used, and assumptions that car use will fall are inaccurate
- Impact on groups using St Mary’s Church
- No solution is offered to the inevitable increase in congestion and parking
- Onsite parking is not adequate
- Emergency vehicles may be impeded

Representations have also been received in support of the Travel Plan from residents from a wider area.

The full text of representations made is available on the application file

At present one representation has been received in respect of the Car Park Management Plan (condition 12), which relates to issues of congestion, safety, parking problems, bus route issues, parking over driveways and the large proportion of staff who intend to travel by car.

In respect of condition 14 (Travel Plan), the Council’s Highway Engineer comments as follows:

“The school site is in an area with low PTAL rate of 2 (on a scale of 1 - 6, where 6 is the most accessible). The development comprises a two form entry primary free school which is anticipated to reach maximum its maximum capacity of 420 pupils and 36-50 staff in September 2020.

Temporary Site

The current (temporary) accommodation of the School is located at Westmoreland Road within Bromley town centre.

Future Site

The school is scheduled to open at the permanent site in September 2016 which is located at the junction of Mays Hill Road, Valley Road and Kingswood Road in Bromley.

An initial provision of 28 cycle parking spaces (14 stands) for staff and pupils, and 36 scooter parking spaces (two stands) for pupils has been provided in close proximity to the two pedestrian entrances.

Vehicular access to the Site is possible in two locations, one on Kingswood Road, providing access to the two disabled spaces and the other situated on Mays Hills Road, providing access to a 20 space car park for staff. This equates to a total of 22 spaces off street car parking spaces.

Servicing and refuse collection for the Site will occur from the loading bay located on Mays Hill Road.

Parking

Valley Road and Hillside Road form the boundary of Controlled Parking Zones (CPZ) (Bromley Central) and (Bromley South) which operate from Monday to Saturday, 12:00 to 14:00. Parking is controlled by residential, as well as business and visitor permits (Bromley South CPZ only).

Parking in Mays Hill Road and Kingswood Road is generally unrestricted, with white H-bar markings outside private residential drives, as well as single and double yellow lines.

A Parking Stress Survey was undertaken in June 2014 identifying 1,290 metres of available kerb length for parking, equivalent to 151 legal spaces.

During the key school run periods the survey shows occupancy of between 42% and 26% from 08:00 to 09:00, and 25% from 15:00 to 16:00. The impact of commuter parking during these periods is particularly high, with 56 to 75 vehicles between 08:00 and 09:00, and 84 to 92 vehicles between 15:00 and 16:00 associated with commuter parking.

Overall, the maximum number of parked vehicles with 124 occurred between 11:30 and 12:30 which equates to a parking stress of 82%. The lowest parking occupancy was observed at the start of the survey at 5:30

with 32 vehicles (21% parking stress), with the average number of parked vehicles across the survey period at 88 (42% parking stress).

Current Operation and Travel Behaviour

The existing travel behaviour at the temporary HPAS site on Westmoreland Road.

Pupil Intake - Phasing of School Pupil Population

	Westmoreland Road		Kingswood Road				
	2014	2015	2016	2017	2018	2019	2020
Reception	60	60	60	60	60	60	60
Year 1	-	60	60	60	60	60	60
Year 2	-	-	60	60	60	60	60
Year 3	-	-	-	60	60	60	60
Year 4	-	-	-	-	60	60	60
Year 5	-	-	-	-	-	60	60
Year 6	-	-	-	-	-	-	60
Total	60	120	180	240	300	360	420

Table below showing phasing of School Staff Population

	Westmoreland Road	Kingswood Road				
	2015	2016	2017	2018	2019	2020
Class Teachers	4	6	8	10	12	14
Other Teaching Staff	7	5-9	7-12	8-14	9-16	10-20
School Leadership Team	3	3	3	3	4	4
Other Teaching Staff	3	8	8	8	8-10	8-12
Total	17	22-26	26-31	29-37	33-42	36-50

The School was opened in September 2014 with two forms of entry to Reception (53 pupils). As of March 2016, the school currently has 113, and employs 16 staff, of which:

- 5 teachers;
- 4 teaching assistants;
- 2 school leadership team (SLT);
- 1 admin staff; and
- 4 support assistants

All class teachers are employed full-time, while other teaching staff are estimated 75% fulltime and 25% part-time. All SLT staff will be full-time, while other staff will include up to three full-time and the remainder part-time staff.

The School currently operates a full school day starting at 08:40 and ending at 15:20.

HPAS provides a breakfast club from 07:30 and afterschool club from 15.20 to 18.00. 15 children are currently registered for the afterschool club.

From September 2015, in order to support the children at the School, HPAS will introduce co-curricular clubs which will include:

- Piano Club (15:20-16:15); and
- Sports Club (15:20-16:15).

School Catchment

The catchment area of the school covers mainly BR1 and BR2 postcodes, with some BR3, BR20, CR0, SE6 and SE9 postcodes registered. It is noted that the school catchment is heavily dependent on the demand for places.

An audit of the 113 pupils (response rate of 63.4%) and 17 staff (response rate of 76.5%) has revealed the catchments Staff reside in postcode areas BR2 (31%), BR3 (23%), CR0 (15%) and BR1, BR4, CR2 and SE9 (8% each).

Of the valid 54 pupil postcodes, (75%) fell within a 2,000 metre radius of the Site at Mays Hill Road, with the remainder located outside. Staff generally live further from the site, with 10 of the 16 recognised postcodes outside a 2,000 metre catchment.

Travel Behaviour

A travel survey has been carried out of pupils and staff in March 2016 to understand their current travel behaviour. The survey shows the current travel behaviour of pupils, with 39% walking, cycling or scooting to School, 42% being driven as the sole passenger, and 15% car sharing. The pupils travel to the temporary site is heavily reliant on private car trips, which make up 57% of all pupil journeys to School.

A comparison of the school pupils mode split against other schools within the borough has been undertaken and is summarised in table below:

Existing Pupil Mode of Travel (Temporary Site)

Actual Mode of Travel	Clare House Primary	Highfield Junior	Pickhurst Infant & Junior	Valley Primary	Average	Site
Walk	41.3%	63.4%	44.7%	41.5%	47.7%	27.8%
Scooter	3.2%	5.6%	1.4%	2.7%	3.2%	9.7%
Cycle	8.9%	1.6%	1.8%	1.5%	3.4%	1.4%
Car	30.7%	14.5%	19.0%	32.4%	24.2%	41.7%
Car Sharing	0.8%	0.9%	3.6%	3.7%	2.3%	15.3%
Park and Stride	12.9%	9.7%	28.3%	15.6%	16.6%	-
Bus	1.5%	4.4%	0.8%	2.6%	2.3%	2.8%
School Bus/Taxi	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Rail	0.0%	0.1%	0.3%	0.1%	0.1%	1.4%
Other	0.7%	0.0%	0.2%	0.0%	0.2%	0.0%
Total	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%

This shows that the current mode split can be attributed to the current temporary location of the school at Westmoreland Road and to the unrepresentative catchment which is likely to change as the school grows in size, and is them more likely to reflect local travel behaviour to and from the school.

As part of the Travel Survey parents were also asked how they intended to travel to the new School site in September following the move. Anticipated Pupil Mode of Travel (Permanent Site) as follows:

Car 32%, car share 11%, Walk 28%, Scooter 22%, Bus 5% and Train 2%.

The majority of pupils arrive and depart in time for the start and end of the school day, with 8% and 17% stating that they partake in breakfast club and afterschool clubs respectively.

The current after-school club capacity for up to 21 children and this is set to increase next year to 28, also increasing the number of clubs to at least 3 per week.

The current Staff travel (Temporary Site) behaviour of staff as follows:

8% walking,

8% bus,

84% driving alone.

Anticipated Staff Mode of Travel (Permanent Site) as follows:

7% Walking

7% Cycle

14% Bus

72% Car (Single Driver)

The approximate arrival and departure times for staff are:

Half of staff arrives between 07:30 and 08:00 AM, with 37% arriving earlier and 13% later.

Targets

Targets are measurable goals by which the progress of the Travel Plan (TP) will be assessed. Targets are essential for monitoring the progress and success of the TP. Targets should be “SMART” – specific, measurable, achievable, realistic and time-bound.

The suggested targets are based on the existing travel survey data collected in March 2016 as part of the baseline for this TP. The suggested targets represent what is considered to be ambitious but achievable increase in sustainable travel as a result of the introduction of the TP. It may be possible that if sustainable transport modes are promoted before full occupation, travel behaviour can be positively influenced.

Furthermore the new site location is expected to positively impact on the sustainable travel behaviour of pupils in particular, with parents anticipating

the Kingswood Road location and additional siblings increasing the potential for car sharing.

Updated Impact Assessment

The impact of the school on the parking availability on Kingswood Road and Mays Hill Road has been assessed utilising the following (maintained) assumptions:

- In the morning, 20% of all pupils partake in a breakfast club, arriving one hour early, i.e. between 07:30 and 08:00; during this period each kerbside space would be used twice only;*
- The remainder of 80% of pupils arrive over a 20 minute window between 08:30 and 08:50. For the purpose of the resulting parking demand, it has been assumed the maximum drop-off dwell time is 5 minutes, i.e. each kerbside space is available four times over a 20 minute period;*
- A total of 80% of staff arrive before the main school peak between 07:30 and 08:00.*
- The remaining 20% of staff arrive during the peak along with the pupils between 08:30 and 09:00;*
- In the afternoon, 80% of pupils get picked up immediately at school closing time at 15:20, with 20% remaining in school for after-school clubs for once hour until the commuter peak period of 17:00 to 17:30;*
- For those pupils picked up by private vehicle around 15:20 (80% of total), 40% of vehicles are expected to arrive after 15:00 and depart by or before 15:30, with each space only available once during this period; the remaining 40% of vehicles are expected to arrive by or after 15:30 and depart by 16:00 at the latest; as before,*
- each space is only assigned once during this period;*
- Staff members depart after the main school peak, with 40% of staff departing between 16:30 and 17:00 and 60% between 17:00 and 17:30.*

Conclusion & Recommendation

The current school catchment has been established as predominately to the north and northeast of the school, predominately from postcode areas BR1 and BR2 with 43% and 39% respectively.

A travel survey among pupils (and staff) has been carried out in March 2016, recording the existing behaviour at the existing Westmoreland Road site, and the anticipated travel behaviour at the new Kingwood Road site, establishing the baseline travel behaviour for the school.

The impact of vehicular traffic from staff and pupils has been assessed, based on the parking surveys carried out in June 2014, the above findings of the pupil survey and subsequent targets over the lifetime of this TP, reflecting the gradually increasing pupil and staff numbers.

It concludes that, capacity will remain available within Mays Hill Road and Kingswood Road, assuming that the Travel Plan targets set out not be met, the above planning condition and the corresponding funding provided by the Harris Federation provide the means to trigger the proposed parking restrictions, entailing the extension of the existing Controlled Parking Zone to cover Mays Hill Road and Kingswood Road.

By removing the existing level of all day commuters parking in the area, an extended CPZ would generate the kerbside space to accommodate car-based drop-off and pick-up movements by parents during the two main peak periods of the day, but throughout the working day.

Given the reasons above I raise no objection to the Travel Plan.”

In respect of details submitted pursuant to condition 12, the Car Park Management Plan, the Highway Authority has no objections.

Planning Considerations

Relevant Development Plan Policies and related guidance are as follows:

Unitary Development Plan Policy T2 – Assessment of Transport Effects

London Plan 2016 – Chapter 6 – London’s Transport, in particular Policy 6.3
Mayor of London Transport Strategy 2010

National Planning Policy Framework – in particular Chapter 4

National Planning Practice Guidance “Travel plans, transport assessments and statements in decision-taking”

Transport for London Travel Plan guidance

Planning History

Permission 14/02667/FULL1 was granted at Plans Sub Committee on 6th November 2014 for “A two form entry primary school, involving the demolition of all existing buildings together with the erection of a two storey building with associated vehicular access, parking and landscaping”.

Details pursuant to the following conditions were approved on 8th July 2015 under delegated powers under reference 14/02667/CONDIT:

Condition 2 - landscaping

Condition 3 - boundary enclosures

Condition 7 - external surfaces

Condition 8 - surface water drainage system

Condition 11 - refuse and recycling storage

Condition 19 - slab levels

Details pursuant to the following conditions were approved on 23rd April 2015 under delegated powers under reference 14/02667/CONDT1:

- Condition 15 - crime prevention
- Condition 16 - scheme of lighting

Details pursuant to the following conditions were approved on 10th June 2015 under delegated powers under reference 14/02667/CONDT2:

- Condition 13 - construction management plan

Details pursuant to the following conditions were approved on 8th July 2015 under delegated powers under reference 14/02667/CONDT3:

- Condition 24 - dust management
- Condition 25 - construction logistics plan
- Condition 26 - air quality assessment
- Condition 27 - mitigation measures

Permission 15/00640/FULL1 was granted under the Chief Planner's delegated powers on 7th May 2015 for "Variation of Condition 17 of permission ref. 14/02667/FULL1 (granted for a two form entry primary school, involving the demolition of all existing buildings together with the erection of a two storey building with associated vehicular access, parking and landscaping) to allow amendment to the approved scheme including the removal of part of the first floor, reconfiguration of the first floor, removal of the roof overrun of the external staircase and an increase of the screened roof plant area".

Details pursuant to the following conditions were approved on 30th December 2015 under delegated powers under reference 15/00640/CONDIT:

- Condition 2 - Landscaping
- Condition 3 - Boundary enclosure
- Condition 7 - External surfaces
- Condition 8 - Surface water drainage
- Condition 11 - Refuse Storage
- Condition 15 - Crime
- Condition 16 - Lighting scheme
- Condition 19 - Slab levels
- Condition 24 - Dust management
- Condition 25 - Construction logistics plan
- Condition 26 - Air quality assessment
- Condition 27 - AQMA air quality

Details pursuant to the following conditions are currently being considered under delegated powers under reference 15/00640/CONDT1:

- Condition 21 - Noise insulation and mitigation for school building
- Condition 22 - Noise mitigation scheme for play areas

Conclusions

The construction of a new two form entry primary school was granted planning permission by the Council in November 2014 and a revised permission in May 2015. The school is currently being constructed.

A Car Park Management Plan and Travel Plan have been submitted pursuant to conditions 12 and 14 of the latest planning permission for the site.

Condition 12 – Car Park Management Plan:

The management plan sets out how the two approved on site car parking areas will be managed. The parking will provide sufficient space for all permanent staff. It clarifies that the main car park will be for staff only with a manually operated barrier which will be controlled by the school caretaker, and will be left open during the school day and available to staff on a first come first served basis. Visitors will be able to park if there is space available and will require a permit obtainable from the school reception.

The caretaker will be responsible for the overall management of the car park and will undertake checks to ensure users are permitted. The smaller car park will be controlled by automated barrier from the school reception. The car park management plan will be reviewed each term to ensure it is being managed appropriately.

The Highway Authority has no objection to the Car Park Management Plan, and it is considered to set out an acceptable and effective way to manage the car parking on site. It is recommended that the details pursuant to condition 12 be approved.

Condition 14 – Travel Plan:

A Travel Plan is defined in the National Planning Policy Framework as *“A long-term management strategy for an organisation or site that seeks to deliver sustainable transport objectives through action and is articulated in a document that is regularly reviewed.”*

In granting planning permission for the development, the Council considered the transport impacts of the proposed development including the submitted Transport Assessment. The transport impacts of the development have therefore been found to be acceptable. The submission and consideration of a Travel Plan is not to reconsider whether the transport impacts of the development are acceptable, but, as set out in the supporting text to UDP Policy T2:

“5.18 A Travel Plan will normally be required to ensure that methods of reducing the number of visits by car are thoroughly explored and then implemented. Travel Plans should set objectives for reducing car usage, increased walking, cycling and public transport use, improvements in safety features, environmentally friendly freight movement and delivery services.”

The government’s National Planning Practice Guidance states:

“Travel Plans are long-term management strategies for integrating proposals for sustainable travel into the planning process. They are based on evidence of the anticipated transport impacts of development and set measures to promote and encourage sustainable travel (such as promoting walking and cycling). They should

not, however, be used as an excuse for unfairly penalising drivers and cutting provision for cars in a way that is unsustainable and could have negative impacts on the surrounding streets.”

A number of representations in objection have been received from local residents, and some of these seek to challenge the approved scheme layout, and data and conclusions already accepted with the grant of planning permission for this development. However, the decision as to whether to approve the Travel Plan must be based on the merits of the Travel Plan and what it is intended to achieve, and not concerns about the principle of the development, which has already been found to be acceptable.

The Council's Highway Authority is considering measures to help manage the impact of the development on the surrounding area in terms of traffic movements and parking. The applicant has provided a contribution towards these measures as part of the s106 legal agreement which accompanied the planning permission. These have yet to be finalised but are expected to include changes to yellow line and waiting restrictions within the vicinity of the school. However, this application to discharge the Travel Plan condition is not a mechanism for approving, changing or not approving any on street parking measures such as yellow or white lines, a controlled parking zone or any other measures which are within the control of the Local Highway Authority and being taken forward in accordance with the normal procedures of the Highway Authority.

The Travel Plan is a document which requires ongoing monitoring. The Council's Highway Authority works with schools across the Borough to monitor and implement Travel Plans on an ongoing basis. This proposal includes such a review and monitoring mechanism which will continue to seek to improve sustainable travel measures for the school. The school will have a Travel Plan co-ordinator who will liaise with the Council as the school becomes established to ensure that appropriate measures are being implemented.

The submitted Travel Plan document is consistent with the NPPF and is considered to be fit for purpose. No objections to its form and content have been raised by the Highway Authority. It will be the subject of ongoing liaison and monitoring with the Local Highway Authority as in all cases. It is recommended that the details pursuant to condition 14 be approved.

RECOMMENDATION:

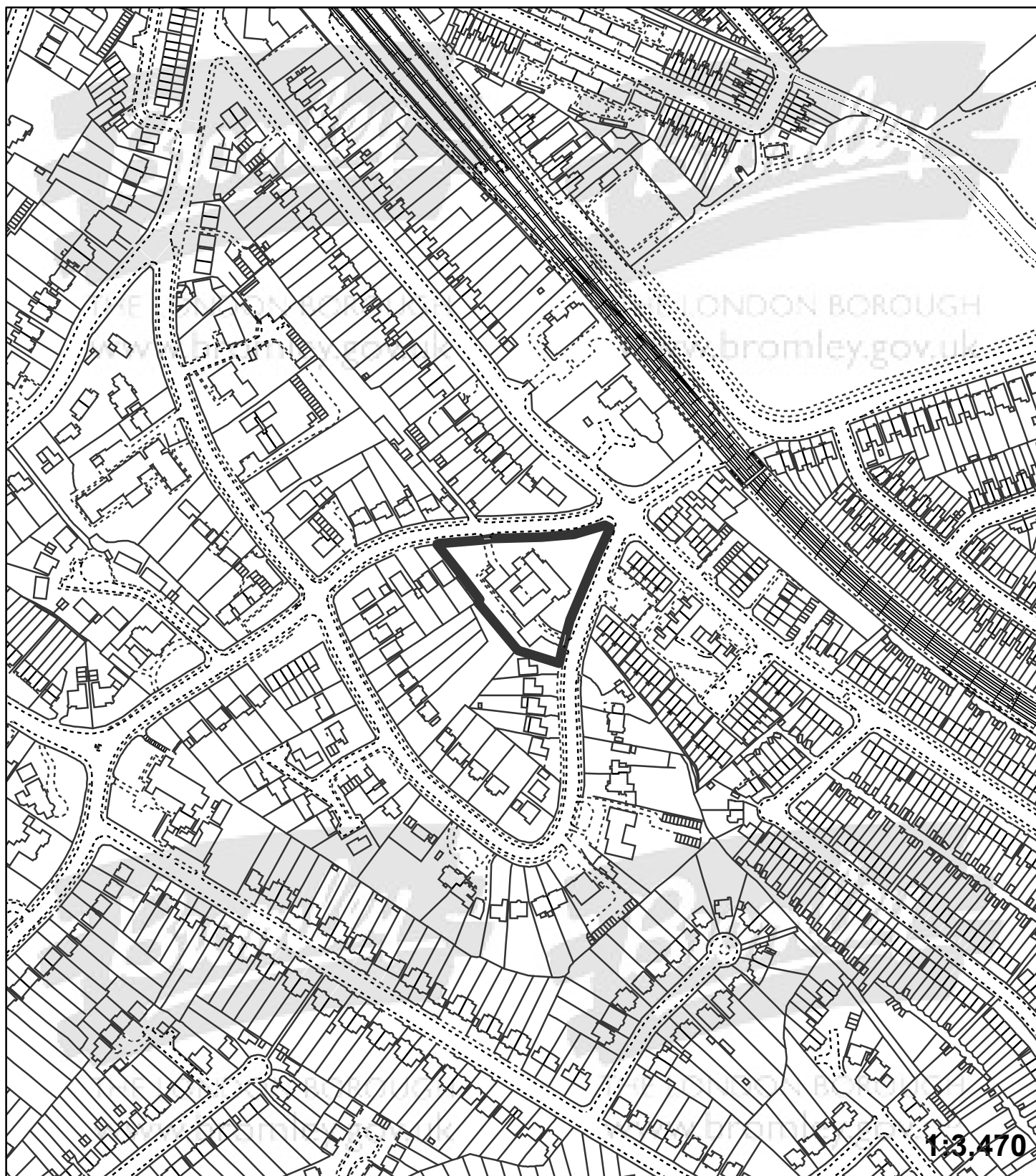
**Condition 12 – Car Park Management Plan
APPROVAL OF DETAILS**

**Condition 14 – Travel Plan
APPROVAL OF DETAILS**

Application:15/00640/CONDT2

Address: Kingswood House Mays Hill Road Shortlands Bromley BR2 0HY

Proposal: Details of conditions submitted in relation to planning permission ref: 15/00640
Condition 14 - Travel Plan



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

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

Application No : 15/00640/CONDT3

Ward:
Shortlands

Address : Kingswood House Mays Hill Road
Shortlands Bromley BR2 0HY

OS Grid Ref: E: 539495 N: 168950

Applicant : Mr Paul Barry

Objections : YES

Description of Development:

Details of conditions submitted in relation to planning permission ref: 15/00640
Condition 12 - Car Park Management Plan

Key designations:

Smoke Control SCA 21
Smoke Control SCA 9

Proposal

Joint report with application 15/00640/CONDT2

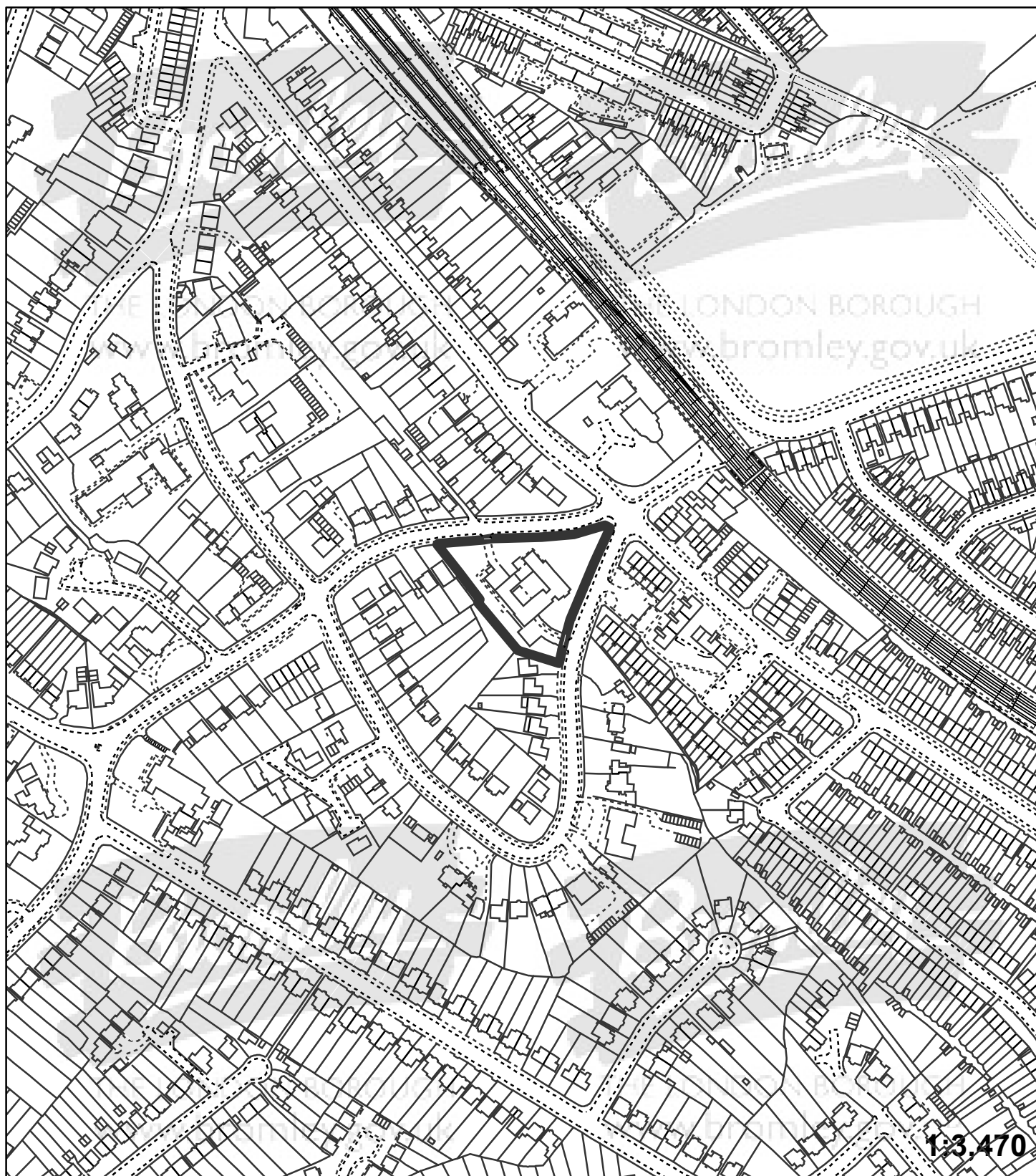
RECOMMENDATION: APPROVAL

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Application:15/00640/CONDT2

Address: Kingswood House Mays Hill Road Shortlands Bromley BR2 0HY

Proposal: Details of conditions submitted in relation to planning permission ref: 15/00640
Condition 14 - Travel Plan



"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 : 16/00334/FULL1

Ward:
Hayes And Coney Hall

Address : 6 Baston Road Hayes Bromley BR2 7BE

OS Grid Ref: E: 540532 N: 166065

Applicant : Mr Tony Start

Objections : YES

Description of Development:

Change of use from hot food takeaway to three bedroom dwelling house. Single storey rear extension and elevational and associated alterations

Key designations:

Conservation Area: Hayes Village
Biggin Hill Safeguarding Area
London City Airport Safeguarding
Smoke Control SCA 51

Proposal

The site is a locally listed, semi-detached, two storey building located to the south-west side of Baston Road and within Hayes Village Conservation Area. This application proposes the change of use from hot food takeaway to a three bedroom dwelling house. A single storey rear extension and elevational and associated alterations form part of the proposal.

Supporting information advises that the site has been vacant since May 2015 when the building was repossessed due to the failure of the business. It states the site as a 'takeaway' brings its own problems with the ventilation ducting, the proximity to the bus stop and disruption from the comings and goings.

Consultations

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

- Any changes should be in keeping with the locally listed building and conservation area
- Lack of parking; pressure of parking locally from the school and difficult to find any parking at the weekend
- Clinic/new business opening shortly at the old public toilets which will add to parking pressure
- Concerns whilst any works are being undertaken re obstruction of free flow of traffic
- Welcome change of use to residential

- No planning notice displayed
- Fully support the application which will significantly enhance the property and complement the local environment

No objections are raised by APCA

Highways comments note that the site is located in an area with PTAL rate of 1b (on a scale of 1 - 6, where 6 is the most accessible). Highways concerns are raised in that the proposed house will likely generate at least two cars in this low PTAL area which already suffers from congestion.

Conservation comments raise no particular concern given that the existing shopfront makes no real contribution to the Conservation Area.

Planning Considerations

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

H12 Conversion of non-residential Buildings to Residential Use
 T3 Parking
 T18 Road Safety
 BE1 Design of New Development
 BE10 Locally Listed Buildings
 BE11 Conservation Areas
 S5 Local Neighbourhood Centres, Parades and Individual Shops
 SPG1
 SPG2

London Plan:

3.5 Quality and Design of Housing Developments
 6.9 Cycling
 6.13 Parking
 7.4 Local Character
 7.6 Architecture

Mayor of London's Housing Supplementary Planning Guidance

The planning history includes applications in relation to the ventilation ducting.

Conclusions

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

It is considered the change of the use of the site to residential would enhance the character of the area. The application states the use of upvc windows. In the event

of a planning permission conditions are suggested to approve the materials/window design to the front elevation (as a whole) given that this is a locally listed building and within a Conservation Area. It is considered that timber windows would more specifically address design concerns within this location. A number of neighbour consultation responses indicate support for the proposal in respect of the change of use of the building.

At the same time however, some local concerns are raised in respect of the lack of parking. Highways have raised concerns given the low PTAL area and lack of on-site parking. Whilst the take-away facility brings its own highways issues Highways have commented that although the take-away could experience parking problems on a Friday afternoon / evening or Saturdays, the projected two cars from the proposed house could be there 24/7, including when school is in operation. Policy S5 advises on change of use within local neighbourhood centres, parades and individual shops. The Policy recognises that the Council places a high priority on protecting A1 uses, particularly local convenience stores. It also recognises that other community uses may be beneficial but that robust marketing material should be provided to support the change of use.

Careful consideration is to be given to this proposal. On the one hand the use of the building as residential would likely result in improved neighbour amenity whilst on the other hand it would result in an additional pressure on local parking needs. Additionally, it is considered that the removal of the ventilation ducting will result in visual improvement to the conservation area as will the opportunity to introduce a soft landscape front garden area. Although supporting information advises that the site has been vacant since May 2015 when the building was repossessed due to the failure of the business no marketing material has been provided in support of the application. In terms of the loss of an individual commercial unit it is noted that there is a local, vibrant parade in Hayes Street which is two/three minutes walk from the application site. Any supporting documentation that can be made available, regarding marketing, will be presented to Committee.

Given existing development and relationship to neighbouring property the proposed extension is unlikely to result in any significant detrimental impact on neighbouring amenity.

A CIL form has been completed and the proposal may be CIL liable.

This is a finely balanced proposal but it may be considered that, overall, it is acceptable and will bring about an improved residential environment with visual improvement to the character of the conservation area and in this particular instance override the concern with lack of parking.

as amended by documents received on 18.03.2016

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

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

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

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

4 Details of the windows and front door, including their materials and design, shall be submitted to and approved in writing by or on behalf of the Local Planning Authority before any work is commenced. The windows and door shall be installed in accordance with the approved details.

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

5 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.

Application:16/00334/FULL1

Address: 6 Baston Road Hayes Bromley BR2 7BE

Proposal: Change of use from hot food takeaway to three bedroom dwelling house. Single storey rear extension and elevational and associated alterations



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

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

Application No : 16/00791/FULL6

Ward:
Bickley

Address : 260 Southlands Road Bromley BR1 2EQ

OS Grid Ref: E: 542344 N: 168382

Applicant : Mr & Mrs M Wilson

Objections : YES

Description of Development:

Two storey side and single storey rear extensions

Key designations:

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

Proposal

The proposal involves a two storey side extension and single storey rear extension which would replace an existing attached garage.

The proposed two storey side extension would have a width of between 2.1m at the front and 1.85m to the rear with a depth that would extend for the full flank elevation of the dwelling. The extension would have a pitched roof which would be hipped and would have a height of 8.3 m.

The proposed single storey rear extension would have a rearward projection of between 3m and 3.8m as a result of the staggered rear elevation of the property. The rear extension would have a mono pitched roof with a maximum height of 3.8m.

Amended plans were received 10th May 2016 which reduced the height of the proposed extension so that it is stepped down by 250mm from the ridge of the original roof and the front elevation of the extension is set back at first floor by 250mm.

Location

The area mainly consists of semi-detached, family dwellings with the neighbouring property to the east of the application site being a residential home for the elderly. However, between the application site and the residential home there is an electricity sub station.

Consultations

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

- o Will invade privacy
- o Enough building works in the area and will impact on neighbours
- o Extension will have a direct view of nearby gardens

Comments from Consultees

From a technical Highways point of view the development would result in a loss of one parking space however there are spaces available in the site curtilage which can be utilised for parking. On balance as it is a small proposal no technical highways objections are raised subject to a standard condition.

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
H9 Side Space
T18 Road Safety

Supplementary Planning Guidance (SPG) 1 General Design Principles
Supplementary Planning Guidance (SPG) 2 Residential Design Guidance

Conclusions

The side element of the proposal would have two storeys and would be built right up to the flank boundary

The main issues relating to the application are:

- o the effect it is likely to have on the character and appearance of the area,
- o the impact it would have on the spatial standards of the local area
- o the impact 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 proposal is similar in design and scale to a previous application granted permission under ref. 09/01959, however the proposal was not implemented and the permission has now lapsed. The proposal site, whilst having a large garden, is

relatively narrow and the proposed extension being hard up to the flank boundary is therefore contrary to the Council's side space policy. However, Members may consider that in this instance, the proposal is unlikely to result in unrelated terracing due to the land adjacent to it. This land accommodates an electricity sub station and is therefore very unlikely to be developed. There would be a separation of approx. 6.7m at its narrowest between Draper Court and the proposed two storey side extension and therefore Members may consider that the proposal is unlikely to result in a cramped appearance, nor is it likely to lead to an unacceptable loss of visual amenity to the surrounding area or a detrimental impact on the spatial standards of the area, therefore it complies with the overall aims of Policy H9.

Since the previous application was permitted (ref. 09/01959), a development for two detached houses has been carried out to the rear of site which was granted planning permission under ref. 13/02136, the frontages of these dwellings face onto the rear of Nos. 260 and No. 258. In particular, No. 258a has a frontage partially looking towards the rear of No. 260, however it is set back from the east flank boundary, therefore the additional bulk proposed along to the east flank of No. 260 would be viewed only obliquely. As a result the proposal is not considered to have a significant impact on the outlook of No. 258a. This neighbouring property is situated around 38.3m from the proposed rear building line of No. 260. Given the above, the proposal is not considered to result in any loss of light or outlook and the proposal would not be harmful to the visual amenities of this neighbouring property.

The proposed two storey element has been set back from the front of the property and the ridge line of the extension would be slightly lower than the ridge height of the original dwelling which would be subservient to the existing property. Members may consider that this element, due to its design and relatively modest size, is unlikely to have significant impact in the streetscene and is unlikely to harm the visual amenities of adjoining owners.

The single storey element to the rear would have maximum rearward projection of 3.8m. However, along the west flank boundary it would have a depth of 3m beyond the rear building line of No. 258 although this is not considered to be excessive. Additionally, the rear extension would have a mono-pitched roof with an eaves height of 2.7m which is minimal. Currently the properties have level rear elevations with both properties having small rear projections of around 0.8m in depth which would lessen the amount of bulk visible from the adjoining dwelling and it is therefore unlikely to result in a significant loss of light or outlook to the neighbouring property. There are no windows in the flank elevation and it may be considered that this element of the proposal is unlikely to lead to a loss of privacy to either neighbouring properties.

There is one window in the first floor flank elevation and ground floor windows to the side of Draper Court. The properties are separated by a gap of between 7.1 and 6.1m and the buildings extend a considerable distance along the side of the garden of the application site. It may be considered that the two storey element will have an adequate separation to prevent a serious loss of light or outlook to the first floor window at Draper Court and the proposed windows in the flank elevation at ground and first floor will be obscure glazed therefore no loss of privacy is

considered to result to these neighbouring properties. As for the proposed single storey element, it will not have windows in its flank elevation, thereby reducing any potential overlooking and loss of privacy to those living at Draper Court.

Whilst the proposal is not compliant with the Council's side space policy, Members may consider that on balance, the proposed is acceptable in that it is unlikely to result in a cramped appearance in the streetscene and is unlikely to have a seriously harmful impact on surrounding residents, therefore broadly complying with the aims of Policies BE1, H8 and H9 of the Unitary Development Plan.

Amended plans were received 10th May 2016 which reduced the height of the proposed extension so that it is stepped down by 250mm from the ridge of the original roof and the front elevation of the extension is set back at first floor by 250mm.

Background papers referred to during production of this report comprise all correspondence on file ref.16/00791, excluding exempt information.

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
as amended by documents received on 10.05.2016**

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

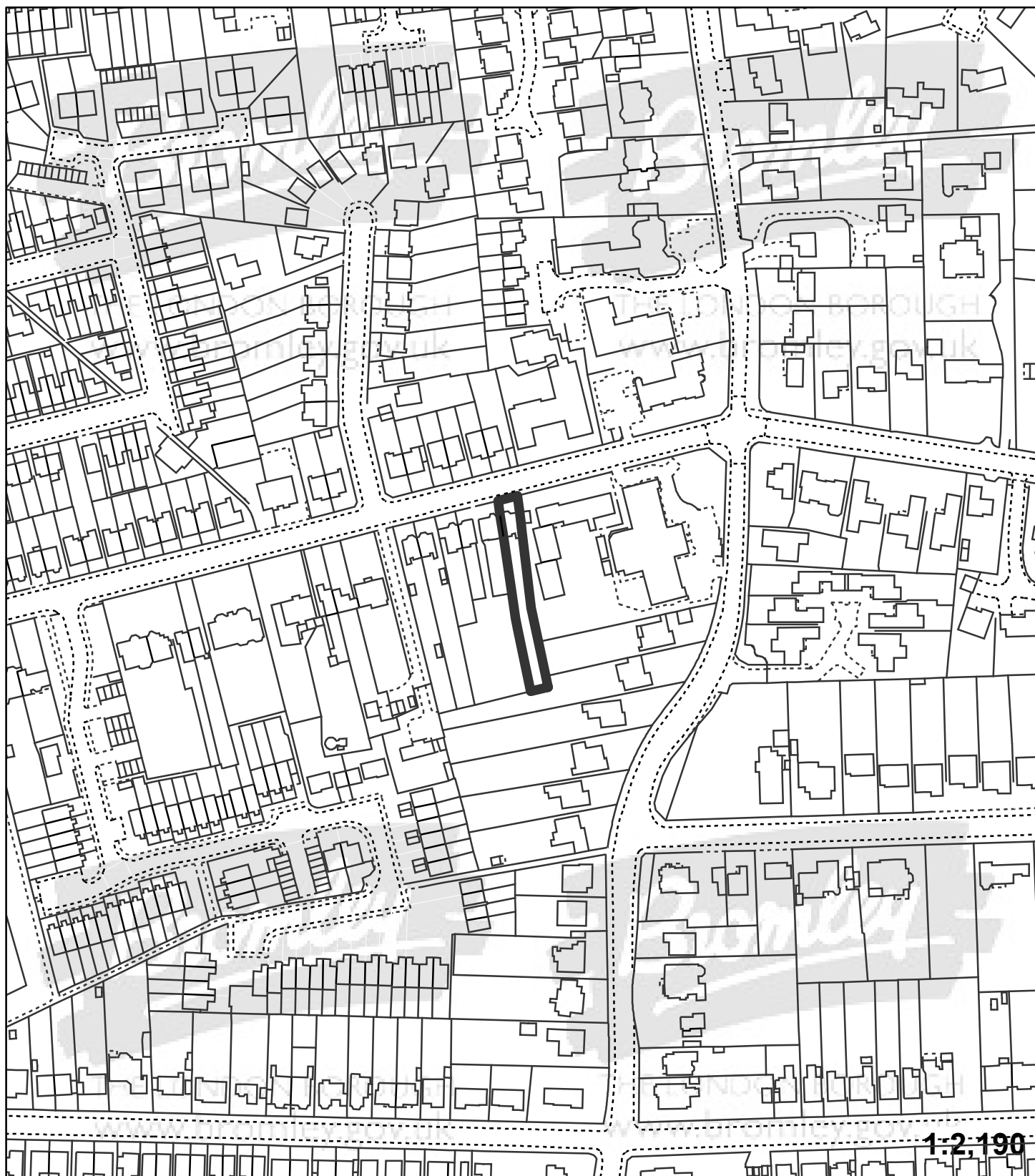
REASON: In order to comply with Policy BE1 of the Unitary Development Plan and in the interest of the amenities of the adjacent properties

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Application:16/00791/FULL6

Address: 260 Southlands Road Bromley BR1 2EQ

Proposal: Two storey side and single storey rear extensions



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

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

Application No : 16/01029/FULL1

Ward:
Chelsfield And Pratts
Bottom

Address : 195 Worlds End Lane Orpington BR6
6AT

OS Grid Ref: E: 546848 N: 163246

Applicant : Mr And Mrs L Hazel

Objections : YES

Description of Development:

Demolition of existing dwellings on 195 and 195a Worlds End Lane, and erection of detached two storey 6 bedroom dwelling including attached double garage with accommodation above, and associated parking and landscaping

Key designations:

Biggin Hill Safeguarding Area
Green Belt
London City Airport Safeguarding
Open Space Deficiency
Sites of Interest for Nat. Conservation

Proposal

This application was deferred without prejudice by Members at the committee on 12th May in order to seek a reduction in the forward projection of the garage/bedroom 5. Concerns were also raised by Members about the overall size and massing of the development, and it was suggested that the side space to the flank boundary with No.193 could be increased.

Revised plans have now been submitted which show a reduction in the forward projection of the front garage/bedroom by 1.4m, along with a reduction in its overall scale. The garage would be set back a further 0.8m from the flank boundary with No.193, thus increasing the separation to this boundary from 6.7m to 7.5m, and the large gable roof over the garage would be replaced with a fully hipped roof.

In order to address Members' concerns about the overall size and massing of the development, the applicant has submitted an assessment of the spatial characteristics of the area, including the plot sizes, separations to the side boundaries and the set back from the highway, and this is available on file for Members' information.

I repeat the earlier report, suitably updated.

It is proposed to demolish the existing dwellings at 195 and 195a Worlds End Lane and replace them with a single detached two storey 6 bedroom dwelling which would have a forward projecting double garage with bedroom accommodation over. The dwelling would use the existing vehicular accesses from Worlds End Lane that serve 195 and 195a to form an in-out driveway, and additional manoeuvring space would be provided to the front of the new dwelling.

The dwelling would be set back between 5.8-8.4m from the western flank boundary with No.193, and would be between 4.4-6.5m from the eastern flank boundary with No.197. It would project 6-9m further to the rear than the existing dwelling at 195, and a maximum 10m further to the rear than the dwelling at 195a.

Location

The application site is located on the southern side of Worlds End Lane, and comprises two detached 4 bedroom dwellings at Nos.195 and 195a set within a plot covering 0.6ha. The site extends to 172m in depth, and the southern part of the rear gardens falls within the Green Belt, although the existing houses and a 25m deep garden falls outside the Green Belt boundary. There are a variety of house sizes and designs in the close vicinity, but the area is generally characterised by detached dwellings set within spacious surroundings.

The site is bounded to the west by a detached two storey dwelling at No.193, and to the east by a detached two storey dwelling at No.197 which extends deeper into its plot.

Consultations

Letters of objection have been received to the proposals which can be summarised as follows:

- * overdevelopment of the site
- * the dwelling extends too deep into the plot
- * loss of outlook from the rear of adjoining properties
- * excessive hard surfacing at the front for parking
- * possible future multiple occupancy of the dwelling
- * potential increase in traffic along narrow lane
- * potential drainage problems
- * detrimental impact on adjoining Green Belt
- * any permission should be conditioned to prevent roof accommodation.

Letters in support of the proposal have also been received from local residents who consider it to be an appropriate and sympathetic development.

Any additional comments received with regard to the revised plans submitted will be reported verbally at the meeting.

Comments from Consultees

No highways objections are raised to the proposals, but given the layout of the road, deliveries and site parking should take place within the site (this can be conditioned).

No drainage objections are raised to the proposals, and Thames Water has no concerns.

Planning Considerations

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

BE1 Design of New Development
H7 Housing Density & Design
H9 Side Space
G6 Land Adjoining Green Belt
NE7 Development and Trees
T3 Parking
T18 Road Safety

Planning History

Permission was refused in March 2016 (ref.15/04994) for the demolition of No.195 and the erection of a replacement detached two storey 5 bedroom dwelling with accommodation in the roof space, attached double garage with guest accommodation above and associated parking, vehicular access and landscaping on the following grounds:

- 1 The proposals would, by reason of the size, bulk, depth and close proximity to neighbouring properties on this elevated plot, result in a cramped form of development that would be detrimental to the character and spatial standards of the surrounding area, thereby contrary to Policies H7 and BE1 of the Unitary Development Plan.
- 2 The proposed dwelling would, by reason of its size, bulk, excessive depth of rearward projection, and limited separation to adjoining properties, have a detrimental impact on the amenities of adjoining residents by reason of loss of light and outlook, thereby contrary to Policy BE1 of the Unitary Development Plan.

No appeal has been lodged to date.

Conclusions

The main issues in this case are the impact of the proposals on the character and spatial standards of the surrounding area, on the openness of the adjacent Green Belt, and on the amenities of neighbouring residential properties.

The principle of replacing two dwellings on this site with one larger dwelling is considered acceptable, and there are a number of examples of developments in the close vicinity which are of varying sizes and are set within different sized plots. However, the overall size of the development proposed needs to be assessed in terms of its footprint, size, bulk and spatial separation to neighbouring properties.

The proposed dwelling would be 29m in width, but would leave generous separations to the flank boundaries, particularly in relation to No.193 to the west where separations of between 5.8-8.4m would be provided. This is a significant improvement on the replacement dwelling previously proposed on No.195 which provided a separation of only 2.3m. The dwelling would also be set back at least 4.4m from the eastern flank boundary with No.197, and there would be a gap of at least 7.5m between these dwellings.

The proposed main ridge height of the new dwelling would be slightly higher than the adjoining dwellings, but it would be reduced on its eastern side where land levels slope down slightly, and overall it would not appear unduly bulky within the street scene. Although the garage/bedroom wing would project forward of the main house, it would still be set back 18m from the front boundary of the site, and given that it would be set at least 7m away from the side boundary with No.193, it is not considered to appear as an unduly prominent feature in the street scene. The proposals are not therefore considered to result in a cramped form of development on the site, and would not have a detrimental impact on the character and spatial standards of the surrounding area.

In terms of its impact on the adjacent Green Belt, the proposed dwelling would project 9-10m further to the rear than the existing dwellings on the site, but this is not considered to adversely affect the openness or rural nature of the Green Belt, as the boundary lies a further 15m away to the rear.

With regard to the impact on neighbouring properties, the new dwelling would leave a gap of at least 5.8m to the western flank boundary with No.193, and although it would project 8.7m further to the rear of this property, it would be staggered away from the side boundary by more than 8m, and the rearmost part would be single storey only. The front garage/bedroom wing would project 3m forward of No.193, but it would be set a good distance away from this property, and would not unduly affect outlook from this property. With regard to privacy, only 4 rooflights are proposed at first floor level in the western flank elevation which would be obscure glazed thus preventing overlooking of the adjacent property. The proposals are not therefore considered to have a significantly detrimental impact on the amenities of the occupiers of No.193.

With regard to the impact on No.197 to the east, the new dwelling would be set slightly further away from the boundary than the existing dwelling at 195a, and although it would project 10m further to the rear, the adjoining dwelling at 197 already projects significantly beyond the rear of the existing dwelling at 195a, and the new dwelling would come in line with the rear wall of 197. Only one obscure glazed flank window is proposed at first floor level in the eastern elevation, therefore, no loss of privacy would occur to the adjacent property.

In conclusion, the proposals are not considered to have a detrimental impact on the character and spatial standards of the surrounding area, on the openness of the Green Belt, or on the amenities of adjoining occupiers.

as amended by documents received on 23.05.2016

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 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.

- 3 Before the development hereby permitted is commenced, details of the specification and position of fencing (and any other measures to be taken) for the protection of any retained tree shall be submitted to and approved in writing by the Local Planning Authority. 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 building work**

Reason: In order to comply with Policies NE7 and NE8 of the Unitary Development Plan to ensure works are carried out according to good arboricultural practice and in the interest of the health and visual amenity value of trees to be retained.

- 4 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

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

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

- 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 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

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

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

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

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

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

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

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

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

12 No windows or doors additional to those shown on the permitted drawing(s) shall at any time be inserted in the first floor flank elevation(s) of the 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.

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

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

14 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.

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.

You are further informed that:

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

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

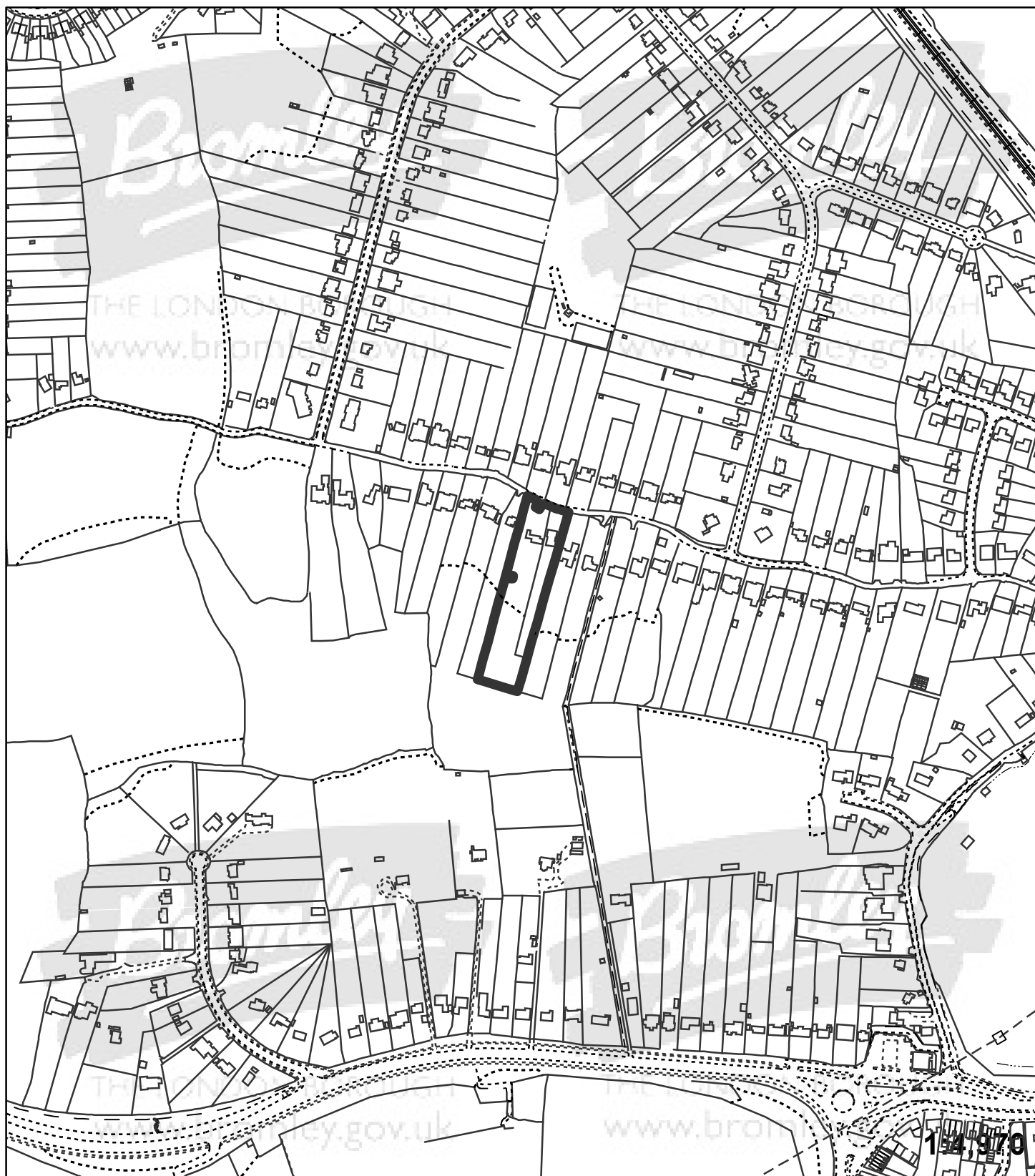
Further information about Community Infrastructure Levy can be found on attached information note and the Bromley website www.bromley.gov.uk/CIL

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Application:16/01029/FULL1

Address: 195 Worlds End Lane Orpington BR6 6AT

Proposal: Demolition of existing dwellings on 195 and 195a Worlds End Lane, and erection of detached two storey 6 bedroom dwelling including attached double garage with accommodation above, and 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 : 16/01666/FULL6

Ward:
Petts Wood And Knoll

Address : 40 The Covert Petts Wood Orpington
BR6 0BU

OS Grid Ref: E: 545224 N: 167150

Applicant : Mr & Mrs Paul and Rosalind Upperton **Objections :** YES

Description of Development:

Single storey rear extension

Key designations:

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

Proposal

The application seeks permission for the addition of a single storey rear extension. The proposed rear extension would have a maximum depth of 6m and would replace an existing conservatory. It would have a width of 6.1m, and would extend across from the boundary with No.38 to join the existing detached garage. The proposal also includes the addition of doors to the rear of the existing garage.

Location

The application site hosts a two storey semi-detached dwelling located on the northern side of The Covert. The site is not located within a Conservation Area, nor is it Listed. It is however located within an Area of Special Residential Character.

Consultations

Comments from Local Residents

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

Planning Considerations

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
H10 Areas of Special Residential Character

Planning History

- The application site has previously been the subject of the following applications;
- 91/02390/FUL - First floor and single storey rear extensions - Permitted 05.12.1991
- 93/01568/FUL - Detached garage - Permitted 04.08.1993
- 06/03505/FULL6 - Single storey rear extension - Permitted 13.11.2006
- 16/01582/HHPA - Single storey rear extension - Not Permitted Development 01.04.2016

Conclusions

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

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

The proposed rear extension would have a maximum depth of 6m and would replace an existing conservatory. The extension would form a flat rear elevation and would have a width of 6.1m, and would extend across from the boundary with No.38 to join the existing detached garage. It would have a height of 2.5m at the shared boundary with No.38, and the roof would pitch away from this boundary to a height of approximately 3.05m. The extension would also feature a large rooflight with a maximum height of approximately 3.45m. The proposal also includes the addition of doors to the rear of the existing garage.

The property benefits from a single storey detached garage located close to the shared boundary with No.42. The extension would not project beyond the rear of this garage, and would have a lower height. The existing garage would screen the proposed extension from the view of this neighbour, and it is therefore considered that the proposal would not have a significant impact on this neighbour.

The proposed extension would project approximately 1.6m further to the rear than the existing conservatory. It would abut the boundary with No.38, which currently benefits from an existing conservatory at the boundary which projects approximately 3.7m and features a blank flank wall. The proposed 6m rear extension would therefore project approximately 2.3m beyond the rear of the neighbour's extension. The existing conservatory at No.38 would mitigate much of the impact of the proposed extension, and the orientation of the sites is such that the proposal would not result in a significant loss of light to the rear of the neighbouring property. Whilst the proposed extension would be closer to the boundary, the eaves height and maximum height would be similar to the existing conservatory. Furthermore, the flank wall of the proposed extension would be blank and the proposal would therefore have no impact with regards to loss of privacy.

Whilst the extension is considered large in terms of its depth, it would not result in a significant impact on the amenities of the neighbouring properties above that which already exists, and would therefore be an acceptable addition to the host dwelling.

The property is located within the Petts Wood Area of Special Residential Character. Policy H10 states that development in Areas of Special Residential Character would be required to respect and complement the established and individual qualities of the individual areas. The proposed extension would not be visible from the streetscene, and the materials proposed would match the existing dwelling. As such, the extension is not considered to have a detrimental impact on the Area of Special Residential Character, or the streetscene in general.

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.

Application: 16/01666/FULL6

Address: 40 The Covert Petts Wood Orpington BR6 0BU

Proposal: 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 '4' - Applications recommended for REFUSAL or DISAPPROVAL OF DETAILS

Application No : 16/00895/FULL1

Ward:
Bickley

Address : 42 Orchard Road Bromley BR1 2PS

OS Grid Ref: E: 541569 N: 169802

Applicant : Mr John Doyle

Objections : YES

Description of Development:

Demolition of existing dwelling and erection of 8 flats (2x3 bed, 4x2 bed and 2x1 bed) associated parking and landscaping.

Key designations:

Biggin Hill Safeguarding Area
London City Airport Safeguarding
Open Space Deficiency
Smoke Control SCA 10

Proposal

Planning permission is sought for the demolition of existing dwelling and erection of 8 flats (2x3 bed, 4x2 bed and 2x1 bed) associated parking and landscaping.

Location

The application site currently comprises of a detached single storey dwelling set on a large and prominent corner plot on the southern side of Orchard Road and the corner of Sundridge Avenue. The land to the south of the application site, beginning along Sundridge Avenue, is defined as a conservation area. The interest of Sundridge Avenue Conservation Area lies in its completeness as a row of substantial late Victorian villas.

The existing bungalow has a relatively low profile in relation to the Sundridge Avenue street scene and the adjacent Conservation Area which arises from not only the single storey height of the dwelling but also the surrounding space within its plot together with the set-back from the Sundridge Avenue frontage: there is currently around a 12m minimum set-back between the front of the existing dwelling and Orchard Road and around 12.8m minimum set-back between the flank wall of the bungalow and Sundridge Avenue.

This spaciousness is mirrored on the opposite corner of Sundridge Avenue and Orchard Road, where there is a generous separation between No.22 and the two highway boundaries.

The surrounding area is predominantly residential in character, although in the immediate context of the application site is a preparatory school on the opposite side of Orchard Road, and to the south in Sundridge Avenue is a care home.

Along Orchard Road the properties are varied in age, size and design, however, a significant number of them are substantial in scale, being either larger dwellings or blocks of apartments. The dwellings are also varied to the south along Sundridge Avenue.

Consultations

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

- Overdevelopment of the plot - the current approved plan was for one large family home, previous plans for two houses were rejected .
- Unsuitable location for a block of flats
- No precedent on this side of the road for such a development
- Flats opposite should not be considered as relevant precedent as they were built 35 years ago
- There is an attempt to replicate the Arts and Crafts style but this is not achieved in a satisfactory fashion for such a prominent gateway location adjoining the Conservation area.
- Siting is insensitive to its relatively close proximity to the adjoining chalet bungalow.
- Would interfere with sightlines to the Conservation area
- Approved proposal was family of 7 to occupy. This proposal will have 24 plus residents
- Most households will have more than 1 car and only 1 space per dwelling is provided
- Traffic impact assessment has not taken into account the 2 schools, nor the proposed development of St Raphaels (52 units)
- Additional traffic along Orchard Road and Sundridge Avenue
- Traffic and parking congestion
- The traffic audit study presented fails to adequately represent the norm for the location, any observations evidenced would have been significantly unrepresented as the exercise was undertaken outside term time when the schools were shut as it was half term.
- The audit also fails to mention that the 314 bus service is a single deck only of a maximum of 4 busses an hour and becomes overcrowded.
- The junction is already dangerous
- Corner landmark property on edge of Conservation area. Proposal will impact significantly on that view.
- Overlooking to neighbouring property
- Noise and disturbance from parking spaces along the boundary

Highways officer - The development is situated on the corner of Orchard Road and Sundridge Avenue, which is accessed via both Orchard Road to the north and

Sundridge Avenue to the east. Orchard Road forms a priority controlled junction with Sundridge Avenue at the north east corner of the site. Immediately opposite the site is Beaside Preparatory School; also there are school keep clear road markings in the vicinity of the school entrance on the north side of Orchard Road and a pelican crossing approximately 10 metres to the west of the site access. There are double yellow lines at the junction with Sundridge Avenue prohibiting parking at all times.

Eleven car parking spaces are indicated on the submitted plans accessed utilising the existing access arrangements. This is acceptable. Cycle parking storage is also indicated on the plan

No objection subject to conditions

From a conservation perspective, the main issue is the view into the adjacent conservation area along Sundridge Avenue. For this reason the side space was increased in order to achieve permission under 15/00862/FULL1.

Trees officer - No objection in principle subject to conditions
Considerations

Drainage - no objections subject to conditions

Planning Considerations

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

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
BE13 Development Adjacent to a Conservation Area

H1 Housing Supply
H7 Housing Density and Design
H8 Residential Extensions
H9 Side Space
NE7 Development and Trees
T3 Parking
T7 Cyclists
T18 Road Safety

SPG: Sundridge Avenue Conservation Area
SPG1 General Design Principles
SPG2 Residential Design Guidance

London Plan:

3.3 Increasing Housing Supply
3.4 Optimising Housing Potential

3.5 Quality and Design of Housing Developments
5.3 Sustainable Design and Construction
5.13 Sustainable Drainage
6.9 Cycling
6.13 Parking
7.2 An Inclusive Environment
7.3 Designing out crime
7.4 Local Character
7.6 Architecture
Mayor of London's Housing Supplementary Planning Guidance 2016

The NPPF 2012

Planning History

Planning permission was refused for the demolition of the existing dwelling and erection of 2 detached two storey dwellings including detached single storey garage to rear under planning ref.12/04009. The application was subsequently dismissed at Appeal. In his report, the appeal Inspector concluded that the house at plot 1 adjacent to Sundridge Avenue would erode the open character of this corner harmful to the setting of the Sundridge Avenue Conservation Area.

A revised application for 2 two storey detached dwellings was also refused by the Council, under planning ref.13/01074 and subsequently dismissed at Appeal in a decision dated 28th Nov. 2013. The inspector considered that the proposal was insufficient to "address the previous Inspector's fundamental concerns over the introduction of a two storey (plus rooms in the roof) new dwelling into an open gap that defines the boundary to the Conservation Area" (Para.5, appeal decision, 28 Nov.2013). Furthermore, the design, scale and layout of the house at plot 1 would have been out of character with and harmful to the character and appearance of the adjacent Conservation area.

A subsequent application for 2 detached two storey dwellings with single garage to rear was refused by the Council on 16th Jan 2014 under ref.13/03677. The reason for refusal was:

The proposed dwellings, by reason of their scale, bulk and prominent positioning in relation to the Sundridge Avenue conservation area, would be harmful to the setting of the adjacent conservation area and detrimental to the visual amenities of the street scene, contrary to Policies BE1, BE13 and H7 of the Unitary Development Plan

Planning permission was also refused on 23rd September 2014 under ref 14/02857/ful for the demolition of existing single storey bungalow and erection of a two storey detached house. It was refused for the following reasons:

The proposed dwelling, by reason of its scale, bulk and positioning in relation to the boundaries, would erode the open character of this corner, harmful to the setting of the Sundridge Avenue Conservation Area and detrimental to the visual amenities

of the street scene, contrary to Policies BE1, BE13, H7 and H9 of the Unitary Development Plan.

The proposed development would give rise to an unacceptable degree of overlooking and loss of privacy and amenity to the occupiers of No 40 Orchard Road, contrary to Policy BE1 of the Unitary Development Plan.

Planning permission was subsequently granted on 15th May 2015 under ref: 15/00862/full the demolition of the bungalow and the erection for a two storey detached dwellinghouse with associated vehicle parking

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, Siting and Appearance

Policy BE1 and the Council's Supplementary design guidance seek to ensure that new development, is of a high quality design that respects the scale and form of the host dwelling and are compatible with surrounding development. This includes consideration of gaps between dwellings, when they contribute to the character of the area.

There is extensive history on this site as summarised above. One of the main concerns with the previously refused applications and the dismissed appeal was the impact upon the views towards the adjacent conservation area and the setback of the building to the boundary on Sundridge Avenue. Planning permission was however approved in May 2015 reference 15/00862/FULL1 for a large single family dwelling house. The approved plans indicated that there would be a separation of approximately 10 and 13 metres away from the property boundary with Sundridge Avenue. This was a more generous separation than proposed in the previously refused applications, and was considered sufficient to overcome the Inspector's concerns over the introduction of a two-storey (plus rooms in the roof) new dwelling into an open gap that defines the boundary to the Conservation Area.

This current proposal maintains a generous side setback in line with the previously approved application, at approximately 9 and 14m, albeit a slightly different articulation and staggered flank wall on the Sundridge Avenue elevation. Further, in terms of the physical building, this proposal is similar in footprint, and bulk to the approved scheme. Whilst the western elevation will be approximately 3m closer to the boundary than the approved scheme, a 5m setback from the boundary will be maintained. On balance, taking into consideration what has been approved, the building per se would not be unduly prominent within the streetscape and would not be detrimental to the visual amenity of the area and the adjacent conservation area.

Notwithstanding the above view in relation to the physical appearance of the building, the previously approved application was for a single family dwelling. This

application now relates to 8 units, 2 of which are for two x 3 bed family units. The increase in the number of units on this site will intensify the use of the site and this is considered to be detrimental to the character of the area which is largely detached single family dwellinghouses set on generous size plots. This would be contrary to Policies BE1 of the UDP and 3.5 of the London Plan.

It is acknowledged that there are flatted developments on the northern side of Orchard Road, however the subject site is located on a prominent corner with views through to the adjacent Conservation area. The Inspector dismissed the previous appeal on the impact upon the conservation area and therefore whilst the physical built form may now be accepted, the appeal decision is still relevant in that it is in this context that the site should be viewed rather than the context of the properties on the opposite side of the road in Orchard Road. Within this immediate context to the west and south of the site, there are single family dwellinghouses on generous sized plots and the introduction of 8 units would be an overintensification of the site detrimental to the character of the surrounding area.

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 level of occupancy that could be reasonably expected within each unit. The minimum standards outlined within Policy 3.5 and the Mayors Housing SPG 2016 have been met. The proposed units would provide a satisfactory level of internal amenity in terms of outlook and sunlight/daylight.

Amenity Space

No private amenity space has been provided for any of the units, which would fail to comply with the London Plan where 5sqm for 1-2 person dwellings and 1sqm for each additional occupant would be required. All new units should be provided with private open space. In addition two of the units are 3 bed family units and in the interest of good design, direct access at ground floor level to amenity space should be provided. One of the three bed units is located on the first floor.

Impact upon residential amenity

Two habitable room windows are proposed on the western elevation at first floor level serving a living room and at ground floor serving a bedroom. The first floor level window would be located approximately 12.4m from the boundary and obscure glazing on the lower level is proposed to prevent direct overlooking to the adjacent single storey dwelling 40 Orchard Road. Further, there is adequate separation to the boundary and the proposal is not considered to have any adverse impact upon the amenities of No.40 Orchard Road.

To the south, there would remain a substantial separation between the proposed houses and 19 Sundridge Avenue, which is a nursing home and as such the impact on the amenities of residents at the home is considered acceptable.

Highways and Traffic Issues

The site is located in an area with low PTAL rate of 1b (on a scale of 1 - 6, where 6 is the most accessible). It is therefore likely that future residents will own cars.

Car Parking:

The development is situated on the corner of Orchard Road and Sundridge Avenue, which is accessed via both Orchard Road to the north and Sundridge Avenue to the east. Orchard Road forms a priority controlled junction with Sundridge Avenue at the north east corner of the site. Immediately opposite the site is Beaside Preparatory School; also there are school keep clear road markings in the vicinity of the school entrance on the north side of Orchard Road and a pelican crossing approximately 10 metres to the west of the site access. There are double yellow lines at the junction with Sundridge Avenue prohibiting parking at all times.

The maximum residential parking standards require up to 1.5 parking spaces for 3 bed properties and less than 1 parking space per unit for 1-2 bed properties . Eleven car parking spaces are indicated on the submitted plans accessed utilising the existing access arrangements. This is acceptable and complies with the maximum standards as set out in the UDP. Three additional spaces have therefore been provided.

Traffic impact:

The peak hour for residential development would be in the morning peak between 8:00 to 9:00am 0.408 vehicles per dwelling will depart i.e. $9 \times 0.408 = 4$ vehicles and 1 will arrive in the morning peak. Similarly in the afternoon peak between 17:00 and 18:00 0.361 will arrive $9 \times 0.361 = 3$ to 4 car will arrive. As it can be seen from these figures the impact on the network is minimal and the afternoon peak does not coincide with the school departure.

Cycle storage:

A covered and secure cycle storage facility is provided for the flats to encourage cycling as a sustainable transport alternative. Cycle parking will be needed at 1 space per 1 bed unit and 2 spaces for all other dwellings and this could be dealt with by condition.

Trees

The application site is largely free of mature trees and is currently landscaped with a large area of lawn and a number of flower beds, planted with occasional low level shrubs. The application site appears to be large enough to accommodate the proposed development, whilst retaining aspects of the current design/layout. As details of landscaping have not been submitted with the application, a condition could be required requesting further details

Having had regard to the above it was considered that the siting, size and design of the building is acceptable on balance, however the intensification of the site due to 8 units proposed on the site would be detrimental to the character and appearance of the wider area. Furthermore, no private amenity space is provided for the units.

RECOMMENDATION: APPLICATION BE REFUSED

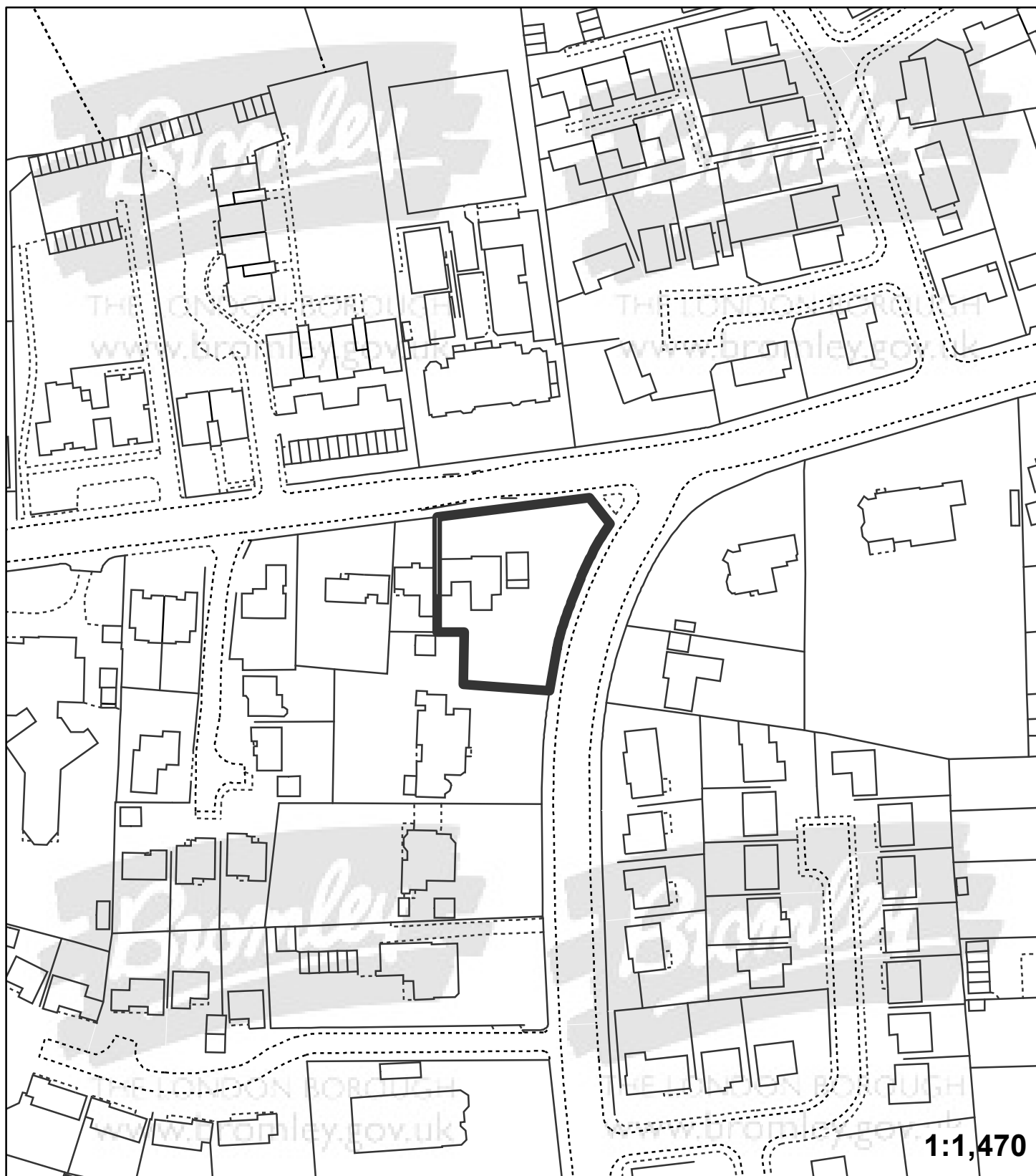
The reasons for refusal are:

- 1 The increase in the number of units will intensity the use of the site and would be detrimental to the character of the surrounding area which are largely single family dwelling houses on generous sized plots. This would be contrary to Policies BE1 of the UDP and 3.5 of the London Plan.**
- 2 No private amenity space is provided for any of the units which is contrary to Policy 3.5 of the London Plan and the associated Housing SPG 2016.**

Application: 16/00895/FULL1

Address: 42 Orchard Road Bromley BR1 2PS

Proposal: Demolition of existing dwelling and erection of 8 flats (2x3 bed, 4x2 bed and 2x1 bed) 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 '4' - Applications recommended for REFUSAL or DISAPPROVAL OF DETAILS

Application No : 16/01085/FULL1

Ward:
**Bromley Common And
Keston**

Address : Norman Park Lodge Hook Farm Road
Bromley BR2 9SX

OS Grid Ref: E: 541517 N: 167552

Applicant : Mr Malcolm Wood

Objections : YES

Description of Development:

Single storey side extension to existing building to provide enlarged training room, extension to garage to provide workshop in association with existing bike store. Continuation of existing training use including horticultural use of rear garden and kiosk cafe use.

Key designations:

Biggin Hill Safeguarding Area
Green Belt
London City Airport Safeguarding
Smoke Control SCA 51

Proposal

The application seeks consent for the extension of the existing building and the continuation of the existing training use facility, including horticulture use of the rear garden, workshop in association with the existing bike store and kiosk café use.

The proposal would provide 3 full time staff.

The proposed hours of operation would be 07:30-21:30 Monday to Friday, 08:00 - 21:30 on Saturdays, Sundays and Bank Holidays.

Consultations

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

- Letter in support of the application. Good to see a derelict building being used for a community use rather than a meeting place for local drug users.
- Will be a much needed asset to all who use Norman Park
- Norman park is devoid of any amenities including a toilet
- Will help with litter in the area

Highways - In reference to the additional information received from the developer on 26 April 2016 regarding the traffic generation and car and cycle parking facilities. No objections are raised as the development would not have a significant impact on the traffic and parking demand in the area.

Please include the following with any permission:

CONDITON

H03 (Car Parking)
H22 (Cycle)

Environmental Health - No objections in principle however recommendation 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 - This site is within the area in which the Environment Agency - Thames Region requires restrictions on the rate of discharge of surface water from new developments into the river Ravensbourne or its tributaries. Please impose standard condition D02 on any approval.

Planning Considerations

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

London Plan (2015)

- 5.3 Sustainable Design and Construction.
- 5.7 Renewable Energy
- 5.13 Sustainable Drainage
- 5.15 Water use and supplies
- 5.16 Waste self-sufficiency
- 6.9 Cycling
- 6.10 Walking
- 6.13 Parking.
- 7.4 Local Character
- 7.6 Architecture
- 7.17 Metropolitan Open Lane
- 8.3 Community infrastructure levy

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

- BE1 Design of New Development
- G2 Metropolitan Open Land
- C1 Community Facilities
- T1 Transport Demand
- T3 Parking
- T18 Road Safety

National Planning Policy Framework (NPPF)

Planning History

Under reference 05/00641 permission was granted on the 12.05.2005 for elevational alterations and change of use from a dwelling (Class C3) to training centre (Class D1).

Conclusions

The main issues relating to the application are the principle of development, the impact of the proposed works on the character, appearance and openness of the wider area and Green Belt, neighbouring amenity and highways issues.

Principle of Development

Chapter 9 of the National Planning Policy Framework (NPPF) 2012 is a material planning consideration. The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.

Policy 7.16 of the London Plan gives the strongest protection to London's Green Belt in accordance with national guidance. Inappropriate development should be refused except in very special circumstances and development will be supported if it is appropriate and helps secure the objectives of improving the Green Belt as set out in national guidance; such improvements are likely to help human health, biodiversity and improve overall quality of life.

Policy G1 of the UDP states that within the Green Belt permission will not be given for inappropriate development unless very special circumstances can be demonstrated that clearly outweigh the harm by reason of inappropriateness or any other harm. The construction of new buildings on land falling within the Green Belt will be inappropriate, unless it is for the following purposes; agriculture and forestry (unless permitted development rights have been withdrawn); 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. The extension or alteration of a building is also considered an exception, provided that that is does not result in a disproportionate addition over and above the size of the original building.

The main Green Belt issues for consideration are therefore: the appropriateness of this development in the context of the Green Belt; its impact 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 application site is part of Norman Park, which represents a significant area of open parkland and recreation grounds. Immediately adjacent to the site is an area of allotments. The proposal seeks to extend and alter the existing Norman Park Lodge building, which was granted Planning Permission in 2005 (DC/15/00641) from C3 to a training centre (Use Class D1).

The proposal seeks to utilise the existing building as a training facility, with an ancillary kiosk café and cycle hub. Uses will include the provision of a 'drop-in' facility for disabled people and carers, advice sessions for training and employment enterprises, partnership opportunities with Bromley College, Allotment Holders, Park users and other enterprise groups, gardening and horticulture. The application would also see the extension of the building with a 16sqm addition added to the existing garage and a further single-storey extension of 20sqm to provide additional classroom space.

NPPF Paragraph 90 states that: "Certain forms of development are not inappropriate in Green Belt provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land in Green Belt. These include the re-use of buildings provided that the buildings are of permanent and substantial construction; and development brought forward under a Community Right to Build Order".

In terms of appropriateness the applicant's agent has asserted in their submission documents that the land is previously developed land and that the complete reuse and extension of developed sites would not constitute inappropriate development in the Green Belt provided that the proposal would not have a greater impact on openness and the purpose of including land within it.

The meaning of paragraph 87 of the NPPF was considered in *Fordent Holdings Limited v Secretary of State for Communities and Local Government* [2013] EWHC 2844 (Admin). It was held that all development including material changes in use in the Green Belt is inappropriate unless it falls in to one of the categories set out in Paragraphs 89 or 90 of the NPPF: Paragraph 89 refers specifically to the facilities and not the use. In *Timmins v Gelding Borough Council* [2015] EWCA Civ 10 the Court of Appeal held that Paragraph 89 of the NPPF applies only to the construction of new buildings, and represents a closed list of exceptions. That is to say, such facilities will only be 'not inappropriate' development if 'it' (ie the facilities themselves) "... preserves the openness of the Green Belt and does not conflict with the purposes of including land within it...".

The courts in the matter of *Europa Oil and Gas Limited v. SSCLG and others* [2013] EWHC 2643 (Admin) have also held that the effect on openness is in part

linked to function, Mr Justice Ouseley noting: "Secondly, as Green Belt policies NPPF 89 and 90 demonstrate, considerations of appropriateness, preservation of openness and conflict with Green Belt purposes are not exclusively dependent on the size of building or structures but include their purpose...."

The notion of openness itself (notwithstanding the matter of use discussed in the preceding paragraphs) is considered to be a defining factor in determining what might be appropriate. The effect of a development on the openness of the Green Belt is primarily a matter of its nature, scale, bulk, and site coverage; that is to say its physical effect on the site and its surroundings.

The reuse of buildings within Green Belt is supported by the NPPF. In this case, the use of the building for training purposes is not so dissimilar to the existing use and is considered to be in accordance with the NPPF and Green Belt Policies. However, the proposed uses would represent an extension of the built form but also an intensification of the existing lawful use. The issue is whether the number, and types of uses proposed would result in an inappropriate intensification which would harm the openness of the Green Belt.

The proposed kiosk café, when compared to the size and percentage of the building, would only represent 10sqm of floor space. This would be open to members of the public, however subject to conditions controlling hours of operation and the type of food supplied; it is considered that this would represent an ancillary form of development in relation to the wider use.

Together with the training element of the proposal, the application would also see the use of building as a cycle hub. The aim of the scheme is to provide access to a bike mechanic, who will service bicycles but also provide training and employment opportunities with structured work placements. The hub will also eventually provide bicycles to hire. The site is regularly used as the starting point/end points for cycle rides as well the 'Park Run' initiative. Furthermore, the lodge sits within a large plot and adjoins allotment gardens. The proposal would see the use of the site for horticulture and gardening projects, particularly within the disabled community. The ultimate plan would be to use the garden for the propagation and growing of plants for sale to the general public. The above uses are considered to partially fall within the training use already permitted, however they do go some way beyond this. The applicant has argued that the proposal falls within the provision of facilities for 'outdoor recreation', and therefore constitutes as appropriate development in accordance within the NPPF. However, whilst the training element of the scheme is considered appropriate, given the existing use of the site, the specific operation of the Cycle Hub, selling of plants and general intensification of the site exterior, including the extension of the built form, is considered to go beyond the lawful use and would have an impact on the openness of the site, thereby constituting inappropriate development.

Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Para 88 of the NPPF states that 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm is clearly outweighed by other considerations. In this case, the proposal would represent a

use of benefit to the wider community. The primary aim is to establish a centre where people with disabilities can undertake training and engage in work experience, in order to help in their independence and employment. Training will be delivered to users enrolled on bike maintenance, recycling, hire, sales and road safety, food hygiene, customer services and horticulture programs. In order to achieve this, the site requires an accessible space where up to 15 learners, including those in wheelchairs and/or have mobility needs, can access appropriate facilities. The proposal would provide a facility which has significant benefit for the wider community and would bring a vacant and underutilised building back into use. Whilst the scheme would result in an intensification of the site, the training element would have no more than 15 users at any one time. The café element and cycle hub may result in an more ad-hoc drop-in arrangement, however the park is already widely used by the wider community for numerous recreational activities. It is considered that the garden, café and cycle hub would provide a good community facility that would benefit the wider locality. It is therefore considered that given the presence of the existing built development on site, and location of on the periphery of the park, the harm to the Green Belt, by reason of inappropriateness, is outweighed by the wider community benefit and as such constitutes 'very special circumstances'.

The application also seeks the construction of two small extensions. The first extension would adjoin the existing garage and would add 16sqm of additional floor space. The second extension would adjoin the existing main lodge building and would add 20sqm of floor space. The proposed extensions would provide additional training and class room space. Cumulatively, the additions would result in an increase in floor area of 37%. However, the extensions would adjoin existing development and are subordinate in appearance. As such, the extensions are not considered to be disproportionate addition over and above the size of the original building. Their location and scale would not result in harm to the openness of the Green Belt or character and appearance of the locality.

Neighbouring Residential Amenity

The site is located on the periphery of a large area of park land. The closest residential occupiers are located approximately 90m away. The existing building already benefits from planning permission for a training centre. Subject to the use of conditions restricting hours of operation it is considered that the proposed uses and extensions would not result in harm to neighbouring residential amenities by way of noise or disturbance.

Highways

The applicant has indicated that there will be no more than 15 trainees on site at any one time and 2 additional staff. This compares to the existing lawful use, which specified that only 14 trainees were to be on site. The applicant has stated that that the increase in traffic would not be significant as none of the 'Service users' will have cars as all of them will travel to the Lodge on public transport. Evidence has been presented in the form of the operation of Bromley College, which includes users with disabilities travelling to the site via public transport. In terms of the

operation, the applicant has clarified that the Café will not be advertised to members of the public, but targeted at those who already use the park.

There are two existing car parking spaces available on site in front of the existing garage. In terms of the cycle parking, there are 4 dedicated cycle bays to the rear, but there is also additional cycle parking in front of the garage, using mobile cycle stands which would be stored in the garage.

The Council's highways officer has reviewed the application and raised no objections on highway or parking grounds. Conditions have been suggested relating to cycle parking and the provision of parking spaces. Conditions relating to parking provision are considered reasonable, however the highway officer has not objected to the level of cycle storage provided. There are 4 existing stands located to the rear and there would be further storage in the form of mobile parkings stands, which would be stored within the existing garage. As such, the submission of additional cycle details is considered onerous and unnecessary.

The Council's drainage officer has requested a drainage condition, however given the size of the development, limited area of hardstanding proposed and size of the garden/horticulture area this condition is considered unnecessary.

In summary, the proposed development would result in an intensification of the site being inappropriate in principle. However, in this case the proposed use would represent a community use, which would benefit the wider community. The harm to the Green Belt, by reason of inappropriateness, is therefore outweighed by the wider community benefit and as such constitutes 'very special circumstances'. The impact on neighbouring amenity and the highway from the use is also considered acceptable subject to the conditions listed above.

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.

- 2 The premises shall have no more than 15 trainees on site at any one time.**

Reason: To protect the openness and character of the area and in the interest of highway safety and in order to comply with BE1 Design of New Development, G2 Metropolitan Open Land and T3 Parking of the Unitary Development Plan (2006).

- 3 The use shall only be operational between the hours of 07:30 to 21:30 Monday - Friday and 08:00 to 21:30 Saturdays, Sundays and Bank Holidays.**

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

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

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

- 5 No primary cooking or cooking requiring the use of ventilation and extraction equipment shall be undertaken on site. If cooking should occur on the premises full details of extraction and ventilation equipment should be submitted to be approved in writing by the local planning authority and fully installed before any cooking takes place.**

Reason: In order to comply with Policy ER9 of the Unitary Development Plan and to enable to consider the potential impact of any other use that may be proposed.

- 6** The management and day to day operation of the use hereby permitted shall be carried out only by Mencap and will not be managed or operated by any outside body.

Reason:To enable the Council to reconsider the situation in the event of a change of user in the interest of the amenities of the area and Policy BE1 of the Unitary Development Plan.

- 7** The use hereby permitted shall be used only as a Community training facility (Use Class D1), with ancillary 'cycle hub' and kiosk cafe (Use Class A1) and for no other purpose without the written approval of the Local Planning Authority.

Reason:To protect the openness and character of the area and in the interest of highway safety and in order to comply with BE1 Design of New Development, G2 Metropolitan Open Land and T3 Parking of the Unitary Development Plan (2006).

- 8** The kitchen/kiosk shall be limited to the area indicated on plan No L007 only.

Reason:To enable the Council to consider the impacts of an internal expansion of the business premises on the amenities of the area and to comply with Policy BE1 of the Unitary Development Plan.

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.

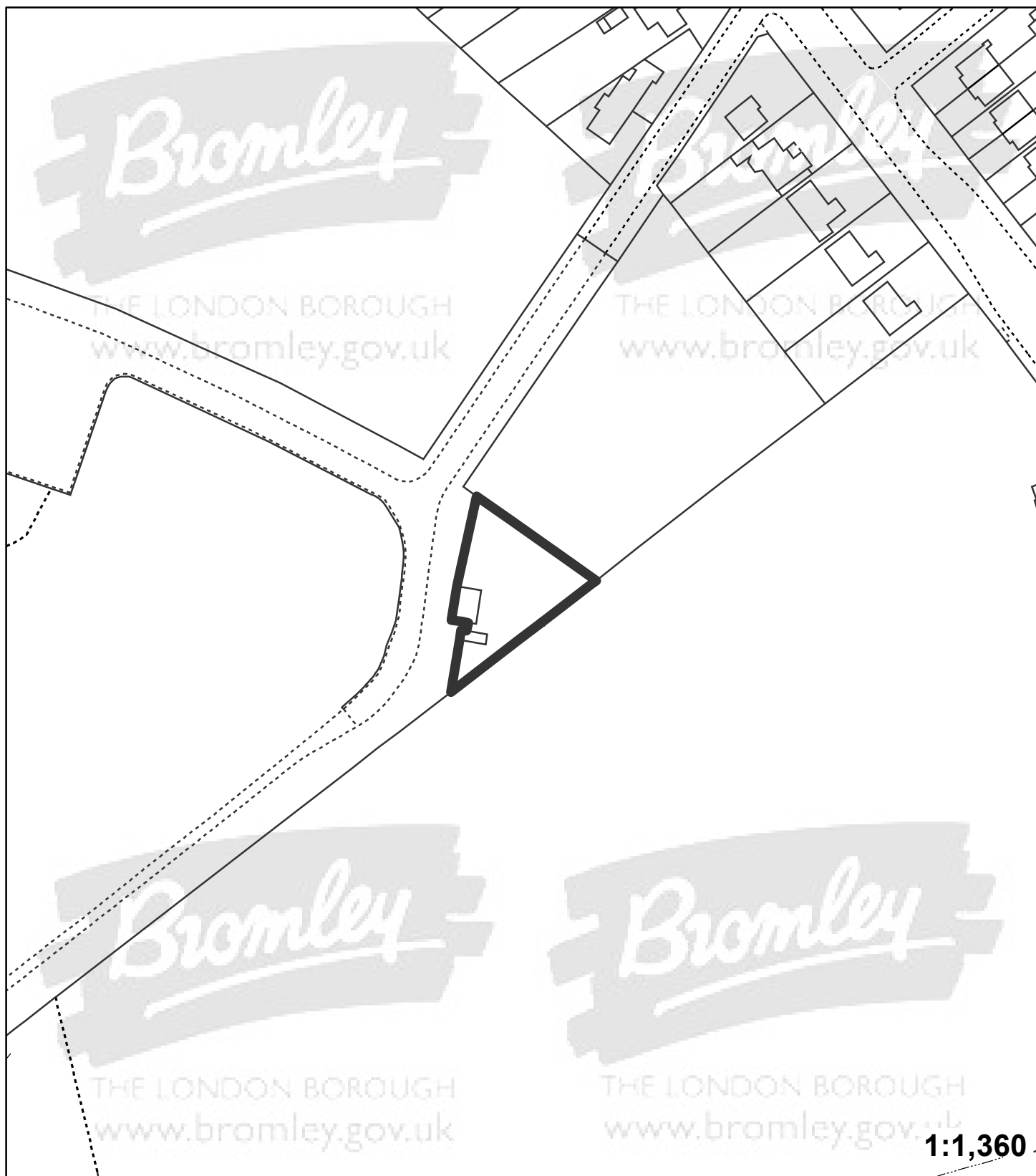
If during the works on site any suspected contamination is encountered, Environmental Health should be contacted immediately. The contamination shall be fully assessed and an appropriate remediation scheme submitted to the Local Authority for approval in writing.

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Application:16/01085/FULL1

Address: Norman Park Lodge Hook Farm Road Bromley BR2 9SX

Proposal: Single storey side extension to existing building to provide enlarged training room, extension to garage to provide workshop in association with existing bike store. Continuation of existing training use including horticultural use of rear garden and kiosk cafe use.



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

Application No : 16/01129/FULL1

Ward:
Hayes And Coney Hall

Address : 53 Kechill Gardens Hayes Bromley BR2
7NB

OS Grid Ref: E: 540392 N: 167128

Applicant : Mr P Nevard

Objections : YES

Description of Development:

Erection of one x two storey, 3-bed attached dwelling and alterations to 53 Kechill Gardens.

Key designations:

Biggin Hill Safeguarding Area
London City Airport Safeguarding
River Centre Line
Smoke Control SCA 51

Proposal

The site is a semi-detached two storey dwelling house located to the northern end (cul-de-sac) and on the west side of Kechill Gardens. The immediate vicinity comprises a mix of semi-detached two storey and bungalow development.

The application proposes the erection of an attached two storey dwelling and extensions and alterations to 53 Kechill Gardens. The southern boundary tapers to the rear and plans indicate c 4.5m separation from the flank wall of the two storey house at the front of the site tapering down to 3.c 3.7m to the rear of the house.

Consultations

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

- o Similar application (14/02617) refused and appeal dismissed
- o Relying on Inspector's comments
- o Regardless of design, a terrace house will be out of character and foreign to the street scene
- o Using 11 Alexander Close as an example is misleading; this was built as an extension with conditions.
- o Proposal is an attempt to mis-direct; previous permission 15/03041 was explicitly subject to condition
- o Previous objections still stand

- o Site is becoming untidy
- o Application at No 55 also under appeal - outcome of this could lead to severe overcrowding if permission allowed for No. 55
- o Contrary to soon to be adopted policy 5.2
- o Adequate housing supply demonstrated
- o Dangerous precedent
- o Garden grabbing
- o Parking difficult on narrow road
- o Environment will be spoilt at the expense of a money making venture

Subject to conditions no Highways concerns are raised.

Planning Considerations

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

- o BE1 Design of New Development
- o H1 Housing Supply
- o H7 Housing Density and Design
- o H9 Side Space
- o T1 Transport Demand
- o T3 Parking
- o T5 Access for people with restricted mobility
- o T7 Cyclists
- o T16 Traffic management and sensitive environments
- o T18 Road Safety
- o IMP1 Planning Obligations

The Council's adopted Supplementary Planning Guidance (SPG) documents are also a consideration.

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

London Plan

- 3.3 Increasing housing supply
- 3.4 Optimising housing potential
- 3.5 Quality and design of housing developments
- 3.8 Housing choice
- 5.1 Climate change mitigation
- 5.2 Minimising carbon dioxide emissions
- 5.3 Sustainable Design and Construction.
- 5.7 Renewable Energy
- 5.12 Flood Risk Management
- 5.13 Sustainable Drainage
- 5.15 Water use and supplies
- 6.9 Cycling

- 6.13 Parking
- 7.2 An Inclusive Environment.
- 7.3 Designing out crime
- 7.4 Local character
- 7.6 Architecture

Adoption of Minor Alterations to London Plan (MALP) and Housing SPG (2016)

Planning History

There is a significant planning history which includes the following:

12/02589 - Part one/two storey side and rear extension - Permission

The side space to the southern boundary indicated on the plans the subject of this planning permission show 4.05m to the front tapering down to c 3.7m to the rear. The single storey rear element proposed a 3.5m rearward projection.

12/03353 - Two storey detached dwelling house. Planning permission was refused on the grounds that the proposal represented an overdevelopment of the site harmful to the spacious character of the surrounding area thereby contrary to Policy BE1 of the Unitary Development Plan and Policy 7.4 of the London Plan. The subsequent appeal against the refusal of planning permission was dismissed

13/00228 - Demolition of two storey extension and erection of two storey detached dwelling together with associated work to provide off street parking. Planning permission was refused on the grounds that the proposal would have represented an overdevelopment of the site harmful to the spacious character of the surrounding area thereby contrary to Policy BE1 of the Unitary Development Plan and Policy 7.4 of the London Plan. An appeal against the Council's decision to refuse planning permission was dismissed.

13/03420 - Erection of two storey dwelling with garage and additional attached garage to serve 53 Kechill Gardens on land adjacent 53 Kechill Gardens. Permission was refused on the grounds that the proposal would have represented an overdevelopment of the site harmful to the spacious character of the surrounding area thereby contrary to Policies BE1 and H9 of the Unitary Development Plan and Policy 7.4 of the London Plan. A subsequent appeal against the Council's refusal was dismissed.

Under reference 14/02617 planning permission was refused and dismissed on appeal for the erection of an attached two storey 3 bedroom dwelling, with extensions and alterations. The Inspector found that the bulk of the extensions proposed, with the exception of a single storey garage, would have been very similar to that permitted under ref. 12/02589.

Planning application reference 15/03041 for part one/ two storey side and rear extension was granted permission subject to conditions.

Conclusions

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

Principle of Development

Paragraph 14 of the National Planning Policy Framework (NPPF) sets out the presumption in favour of sustainable development. Whilst this site cannot be regarded as previously developed land for the purposes of the NPPF (as it comprises private residential garden) this does not necessarily preclude residential development of the land. However, it is necessary to assess whether or not this particular development could be successfully assimilated into its surroundings.

A significant, and well documented planning history applies to the site. This current proposal has been submitted in view of the latest appeal decision and the supporting Design and Access Statement to the application, para 1.3 advises 'the Planning Inspector noted that in principle there was no objection to the creation of a new dwelling at this site. This was reinforced by the inspector's statement that 'it may well have been possible to create an imaginatively designed and attractive new dwelling'.

Design, Siting and Appearance

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

Policy H7 requires that 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.

The findings of the Inspector acknowledged that the two storey attached dwelling, alone, of the size proposed, when viewed from the street would not appear as an overdevelopment of the site and that the size of the site would relatively easily accommodate the normal domestic paraphernalia of two separate families without causing harm to the generally spacious character and appearance of the area. The Inspector noted 'The sub-division of the plot could, in my judgement, be achieved without the resulting development appearing as an overdevelopment of the site'.

The Inspector reasoned that the bulk of the extension and the subdivision of the front garden need not appear as a cramped overdevelopment. However, the replication of the design of the existing semi-detached pair incorporating a second

front door, the extension of a porch canopy over both doors and the replication of the fenestration pattern would cumulatively have resulted in the property as enlarged "appearing as a terrace of three houses". The Inspector felt that this would have been uncharacteristic in the context of the semi-detached form and appearance of the surrounding development.

The Inspector considered that "it may well have been possible to create an imaginatively designed and attractive new dwelling here that would not have resulted in the semi-detached pair as extended having the uncharacteristic appearance of the a terrace block which, in turn, would give rise to an impression of overdevelopment."

When assessing the proposal against Policy requirements and taking into account comments raised within the latest appeal decision it is noted that the design approach of the current scheme has taken the bulk and form of the scheme of the proposed extension. Whilst that form was considered acceptable as an extension (which originally had the benefit to the street scene of the removal of the 2 storey flat roof extension) and despite the re-positioning of the 'front' door to the side and alterations to the front elevation it is considered that the resultant form would still appear as a terrace of three and therefore comprise an overdevelopment of the site harmful to the spacious characteristics of the surrounding area.

Additionally, although the garage has been removed from the scheme, the four parking spaces proposed to the direct frontage of the host and proposed dwelling would allow for little in the way of any soft landscaping and contribute to a cramped overdevelopment of the site.

Standard of Accommodation and Impact on Adjoining Properties

In terms of the impact of the development on neighbouring amenities given the size, siting and design of the proposed scheme it is not considered that the scheme will have such a negative impact on neighbouring amenities to warrant a planning refusal in this respect. Additionally a satisfactory level of accommodation is offered by the scheme for existing and future occupiers.

Highways and Traffic Issues.

No highways objections are raised to the scheme.

Summary

The previous appeal decisions are material considerations within the consideration of this specific proposal and there are finely balanced considerations to the scheme given that the principle of the extent of the built form (as an extension) is acceptable, that a generous level of side space will remain to the southern boundary, that the host and resultant accommodation are not compromised and the requirements of the National Planning Policy Framework (NPPF).

Whilst it may be argued that the proposal would make more efficient use of land in a sustainable location and also make a contribution to the Borough's housing supply, the relevant development plan policies also place emphasis upon the quality of design and the need to ensure that the character of the built environment is protected. Paragraph 9 of the NPPF makes it clear that pursuing sustainable development includes seeking positive improvements in the quality of the environment.

Having had regard to the above it is considered that the proposed development is not acceptable in that it would result in a detrimental impact on the character of the area and street scene.

In the event of a planning permission it should be noted that this proposal is potentially CIL liable.

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

RECOMMENDATION: APPLICATION BE REFUSED

The reasons for refusal are:

The proposal represents a cramped overdevelopment of the site out of character with adjacent properties harmful to the appearance of the street scene and spacious character of the surrounding area thereby contrary to Policy BE1 and H7 of the Unitary Development Plan and Policies 3.5, 7.4 and 7.6 of The London Plan.

Application:16/01129/FULL1

Address: 53 Kechill Gardens Hayes Bromley BR2 7NB

Proposal: Erection of one x two storey, 3-bed attached dwelling and alterations to 53 Kechill Gardens.



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