



THE LONDON BOROUGH  
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DATE: 2 August 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 11 AUGUST 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**

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**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](mailto:planning@bromley.gov.uk)**

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**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 9TH JUNE 2016**  
(Pages 1 - 10)
- 4 PLANNING APPLICATIONS**

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

Report No.	Ward	Page No.	Application Number and Address
4.1	Hayes and Coney Hall	11 - 16	(16/00931/ADV) - Land fronting 48 Hayes Street
4.2	Clock House Elm Road Conservation Area	17 - 22	(16/02312/ADV)- Land Adjacent 28 Beckenham Road, Beckenham
4.3	Bromley Town Bromley Town Centre Conservation Area	23 - 28	(16/03185/REG3) - Churchill Theatre, High Street, Bromley, BR1 1HA.

### SECTION 2 (Applications meriting special consideration)

Report No.	Ward	Page No.	Application Number and Address
4.4	Cray Valley West	29 - 46	(16/00311/FULL1) - Leeson's Primary School, Leeson's Hill, Orpington, BR5 2GA
4.5	Crystal Palace	47 - 54	(16/00735/FULL1) - 144 Anerley Road, Penge, SE20 8DL
4.6	Bromley Common and Keston	55 - 64	(16/00753/FULL1) - 123a Southborough Lane, Bromley BR2 8AP
4.7	Chislehurst Chislehurst Conservation Area	65 - 88	(16/01032/FULL1) - 63-65 Chislehurst Road, Chislehurst, BR7 5NP
4.8	Clock House	89 - 108	(16/01091/FULL1) - 45 Ancaster Road, Beckenham BR3 4DZ

4.9	Penge and Cator	109 - 118	(16/01750/FULL3) - Kent House Tavern, Thesiger Road, Penge, London, SE20 7NQ
4.10	Bromley Common and Keston	119 - 126	(16/02352/FULL1) - 29 Fox Lane, Keston, BR2 6AL
4.11	Cray Valley West	127 - 136	(16/02565/FULL1) - 2 Oak Cottages, Leasons Hill, Orpington, BR5 2LH

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

Report No.	Ward	Page No.	Application Number and Address
4.12	Petts Wood and Knoll	137 - 148	(16/02137/FULL1) - 2 Lakeswood Road, Petts Wood, Orpington BR5 1BJ
4.13	Copers Cope	149 - 170	(16/02179/FULL1) - Conifer House, 44 Southend Road, Beckenham.
4.14	Chelsfield and Pratts Bottom	171 - 176	(16/02275/FULL6) - 8 Stephen Close, Orpington, BR6 9TZ
4.15	Petts Wood and Knoll	177 - 182	(16/02453/FULL6) - 4 Ryecroft Road Petts Wood BR5 1DR
4.16	Bromley Common and Keston	183 - 190	(16/02584/FULL6) - 51 Lakes Road, Keston, BR2 6BN
4.17	Clock House	191 - 210	(16/02597/FULL1) - 45 Ancaster Road, Beckenham BR3 4DZ
4.18	Kelsey and Eden Park	211 - 218	(16/02810/FULL6) - 33 Greenways, Beckenham BR3 3QN
4.19	Copers Cope	219 - 224	(16/03056/FULL6) - 51 Oakwood Avenue, Beckenham, BR3 6PT
4.20	Clock House	225 - 236	(16/03124/FULL1) - County House, 241 Beckenham Road, Beckenham, BR3 4RP.

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

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

**5 CONTRAVENTIONS AND OTHER ISSUES**

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	NO REPORTS		

**6 TREE PRESERVATION ORDERS**

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



# Agenda Item 3

## PLANS SUB-COMMITTEE NO. 4

Minutes of the meeting held at 7.00 pm on 9 June 2016

### Present:

Councillor Richard Scoates (Chairman)

Councillors Kathy Bance MBE, Lydia Buttinger, Alan Collins, Simon Fawthrop, Kate Lymer, Russell Mellor, Melanie Stevens and Michael Turner

### Also Present:

Councillors Mary Cooke, Peter Fortune, William Huntington-Thresher, David Jefferys and Catherine Rideout

## 1 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

An apology for absence was received from Councillor Peter Dean; Councillor Alan Collins attended as substitute.

An apology for lateness was received from Councillor Russell Mellor.

## 2 DECLARATIONS OF INTEREST

Councillor Kathy Bance declared a personal interest in Item 4.4 – Langley Park School For Girls, as her granddaughter attended the school.

Councillor Lydia Buttinger declared a personal interest in Item 4.9 – Kingswood House, as she was a former member of Shortlands Residents' Association.

Councillor Kate Lymer also declared a personal interest in Item 4.9, as a family member was a former teacher at Harris Academy Bromley.

## 3 CONFIRMATION OF MINUTES OF MEETING HELD ON 14 APRIL 2016

**RESOLVED** that the Minutes of the meeting held on 14 April 2016 be confirmed and signed as a correct record.

## 4 PLANNING APPLICATIONS

### SECTION 2

(Applications meriting special consideration)

#### 4.1 ORPINGTON

**(15/04574/FULL1) - Former Depot Site, Church Hill, Orpington**

Description of application – 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.

Oral representations in support of the application were received. Oral representations from Ward Member Councillor William Huntington-Thresher were received at the meeting.

Members having considered the report, objections and representations, **RESOLVED that PERMISSION BE GRANTED SUBJECT TO THE PRIOR COMPLETION OF A SECTION 106 LEGAL AGREEMENT (relating to affordable housing, highway works, CPZ extension and health and education contributions)** as recommended and subject to the conditions and informatives set out in the report of the Chief Planner with condition 23 amended to read:-

'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 shall not interfere with the bat boxes required under condition 21 and shall 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 and in the interest of visual amenity and the safety of occupiers of and visitors to the development.'

The proposed £3k CPZ contribution will be redirected to mitigate the loss of employment land.

#### 4.2 COPERS COPE

#### **(16/00218/OUT) - 28 Park Hill Road, Shortlands, Bromley BR2 0LF**

Description of application – 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.

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

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

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

1 The proposal by reason of its scale and design would constitute a cramped overdevelopment of the site and would create a bulky addition in the street scene, contrary to Policies BE1, H7 and H8 of the Unitary Development Plan.

**4.3  
HAYES AND CONEY HALL**

**(16/00459/FULL1) - Hayes Primary School, George Lane, Hayes, Bromley BR2 7LQ**

Description of application – Erection of timber shed.

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

**4.4  
KELSEY AND EDEN PARK**

**(16/00779/FULL1) - Langley Park School for Girls, Hawsbrook Lane, Beckenham BR3 3BE**

Description of application – demolition and erection of a single-storey extension to accommodate kitchen and dining facilities.

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

**4.5  
CHISLEHURST  
CONSERVATION AREA**

**(16/01032/FULL1) - 63-65 Chislehurst Road, Chislehurst BR7 5NP**

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

**4.6  
CLOCK HOUSE**

**(16/01190/FULL1) - 25 Samos Road, Penge, London, SE20 7UQ**

Description of application – Single storey side extension, part one/two storey rear extension, rear dormer extensions and conversion into 5 flats with associated parking.

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

Planning Officer comments were reported as follows:-

- Further objections to the application had been received.
- The application had been amended by documents received on 18 April 2016.
- Correspondence from the applicant's neighbour had been received and circulated to Members.
- A reduction in car parking provision was not acceptable to the Highways Division.

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

1 The proposal, by reason of 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.

#### 4.7 BICKLEY

#### **(16/01368/FULL1) - 79 Southborough Road, Bickley, Bromley BR1 2EP**

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

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

Members having considered the report, objections and representations, **RESOLVED that the application BE DEFERRED** without prejudice to any future consideration, to seek removal of dormers for rooflights and that the application be dealt with under delegated powers subject to this alteration.

#### 4.8 MOTTINGHAM AND CHISLEHURST NORTH

#### **(16/01588/FULL1) - Bannatynes Health Club, 35 Marvels Lane, Grove Park, London SE12 9PN**

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

Members having considered the report and objections, **RESOLVED that PERMISSION BE GRANTED SUBJECT TO THE PRIOR COMPLETION OF A SECTION 106 LEGAL AGREEMENT** as recommended, subject to the conditions set out in the report of the Chief Planner.

The following condition was also added:-

5 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 building without the prior approval in writing of the Local Planning Authority.

Reason: To prevent an overdevelopment of the site and to allow the Local Planning Authority to assess any further development with regard to the MOL and amenities of the area with regard to Policies BE1, G2 and G7 of the Unitary Development Plan.

### **SECTION 3**

(Applications recommended for permission, approval or consent)

#### **4.9 SHORTLANDS**

#### **(15/00640/CONDT2) - Kingswood House, Mays Hill Road, Shortlands, Bromley BR2 0HY**

Description of application – Details of conditions submitted in relation to planning permission ref:

15/00640:

Condition 12 – Car Park Management Plan

Condition 14 – Travel Plan

Oral representations in objection to and in support of the application were received. Oral representations from Ward Member Councillor Mary Cooke were also received at the meeting.

Members having considered the report, objections and representations, **RESOLVED that the application BE DEFERRED** without prejudice to future consideration, for further thought to be given to measures to limit the parking pressures including (but not limited to) the scope for staggering the school hours to even out vehicle movements and to check that comparison data (page 152 of the report) included the nearest schools to the site.

**4.10  
SHORTLANDS**

**(15/00640/CONDT3) - Kingswood House, Mays Hill Road, Shortlands, Bromley BR2 0HY**

Description of application – Details of conditions submitted in relation to planning permission ref: 15/00640

Condition 12 – Car Park Management Plan.

Oral representations in objection to and in support of the application were received at the meeting. Members having considered the report, objections and representations, **RESOLVED that DETAILS OF CONDITION 12 – CAR PARK MANAGEMENT PLAN be APPROVED** as recommended in the report of the Chief Planner.

**4.11  
HAYES AND CONEY HALL  
CONSERVATION AREA**

**(16/00334/FULL1) - 6 Baston Road, Hayes, Bromley BR2 7BE**

Description of application – change of use from hot food takeaway to three bedroom dwelling house. Single storey rear extension and elevational and associated alterations.

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

**4.12  
BICKLEY**

**(16/00791/FULL6) - 260 Southlands Road, Bromley BR1 2EQ**

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

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

**4.13  
CHELSFIELD AND PRATTS  
BOTTOM**

**(16/01029/FULL1) - 195 Worlds End Lane, Orpington BR6 6AT**

Description of application – 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.

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

Comments from Ward Member Councillor Samaris Huntington-Thresher in support of the application were received and circulated to Members.

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

16 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.

The following informative was also added:-

1 You are further advised that any future sub-division of the property will require an application for planning permission.

**4.14  
PETTS WOOD AND KNOLL**

**(16/01666/FULL6) - 40 The Covert, Petts Wood,  
Orpington BR6 0BU**

Description of application – Single storey rear extension.

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

**SECTION 4**

(Applications recommended for refusal or disapproval of details)

**4.15  
BICKLEY  
CONSERVATION AREA**

**(16/00895/FULL1) - 42 Orchard Road, Bromley  
BR1 2PS**

Description of application – Demolition of existing dwelling and erection of 8 flats (2x3 bed, 4x2 bed and 2x1 bed) associated parking and landscaping.

Oral representations in objection to and in support of the application were received. Oral representations

from Ward Member Councillor Catherine Rideout in objection to the application were received at the meeting.

Councillor Fawthrop referred to the local knowledge of Ward Councillors as an important element to be relied upon during consideration of all planning applications. Members having considered the report, objections and representations, **RESOLVED that PERMISSION BE REFUSED** as recommended in the report of the Chief Planner with reason 1 amended to read:-

'1 The increase in the number of units will intensify the use of the site and would be detrimental to the character of the surrounding area which comprises predominantly large single family dwelling houses on generous sized plots with no precedent for purpose built flats. This would be contrary to Policy BE1 of the UDP and Policy 3.5 of the London Plan.'

A further reason for refusal was added as follows:-

3 The size and siting of the proposed development, by reason of their forward building lines would be detrimental to both the street scene and the character and appearance of the adjacent Sundridge Avenue Conservation Area, contrary to Policies BE1, BE11 and H7 of the Unitary Development Plan.

**4.16  
BROMLEY COMMON AND  
KESTON**

**(16/01085/FULL1) - Norman Park Lodge, Hook  
Farm Road, Bromley BR2 9SX**

Description of application – 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 café use.

It was reported that this application had been placed in error under list 4 of the agenda (Applications recommended for refusal or disapproval of details) and would, therefore, be considered under list 2 (With a recommendation of permission).

Comments from Ward Member Councillor Alexa Michael in support of the application were reported at the meeting.

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



Chief Planner with conditions 2, 6, 7 and 8 amended to read as follows:-

'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, G1 Green Belt and T3 Parking of the Unitary Development Plan (2006)

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 in accordance with the very special circumstances demonstrated and to accord with Policies BE1 and G1 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 café (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, G1 – Green Belt 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 G1 – Green Belt and Policy BE1 of the Unitary Development Plan.'

**4.17  
HAYES AND CONEY HALL**

**(16/01129/FULL1) - 53 Kechill Gardens, Hayes,  
Bromley BR2 7NB**

Description of application – Erection of one x two storey, 3-bed attached dwelling and alterations to 53 Kechill Gardens.

Oral representations in support of the application were received. Oral representations from Ward Member Councillor Peter Fortune in objection to the application were received at the meeting.

*Plans Sub-Committee No. 4*  
*9 June 2016*

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

The meeting ended at 9.15 pm

Chairman

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

**Application No :** 16/00931/ADV

**Ward:**  
Hayes And Coney Hall

**Address :** Land Fronting 48 Hayes Street Hayes  
Bromley

**OS Grid Ref:** E: 540512 N: 166334

**Applicant :** Town Centre Management Team

**Objections :** YES

### **Description of Development:**

Freestanding, non-illuminated advert sign

Key designations:

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

### **Proposal**

The proposal is for the erection of a free standing, non-illuminated notice board for community type notices. The sign will be 1.875m high x 1m wide x 0.75 m deep and will be post mounted with angle cornered display case and aluminium polyflex glazed door. The site is located to the west side of Hayes Street and is the pavement area to the front of No 48 Hayes Street.

### **Consultations**

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

- The freeholder of Nos 48 and 48a does not wish for the sign to be located to the front of their property

Highways comments advise that the provision of such a notice board in the highway requires a Licence under section 115 (e) of the Highways Act 1980. They advise that the sign should be set back 450mm from the face of the kerb in Hayes Street. There are no objections to this proposal from the highway point of view subject to the necessary licence being issued. Conditions and informatives are suggested in the event of a planning permission.

### **Planning Considerations**

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

BE1 Design of New Development  
BE21 Advertisements, Hoardings and Signs  
T18 Road Safety

The Councils adopted SPG guidance is also a consideration.

## **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.

BE1 requires a high standard of design for all development proposal and expects that development should not detract from the street scene.

Policy BE21 amongst other matters advises that signs should have regard to the character of the surrounding area and not be likely to create a hazard to road users.

Policy T18 seeks to ensure that road safety is not compromised.

The sign will be placed on a wide area of footway outside No 48 Hayes Street. There are trees, lamp posts, bin and cycle rack in the vicinity. The sign will not be illuminated, and is sufficiently separated from nearby residential properties so as not to result in any loss of amenity in this respect. No Highway concerns are raised.

Neighbour concerns are raised in that they do not want it sited outside their property. There is wide pavement frontage to the units in this location and it is considered that the sign is far enough removed to be disassociated to No 48 and is unlikely to result in any detrimental visual impact into or out of the shop (dry cleaners).

Given the proposed design and size of the sign and the commercial location within which it is sited the proposed sign board is unlikely to result in such an unacceptable impact as to warrant a planning ground of refusal.

Having had regard to the above it was considered that the siting, size and design of the proposed sign 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: ADVERTISEMENT CONSENT GRANTED**

**subject to the following conditions:**

1. Any advertisements displayed, and any site used for the display of advertisements, shall be maintained in a clean and tidy condition to the reasonable satisfaction of the Local Planning Authority.

Reason: Regulation 14(1) (a) of the Town and Country Planning (Control of Advertisements) Regulations 2007.

2. Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a safe condition.

Reason: Regulation 14(1) (a) of the Town and Country Planning (Control of Advertisements) Regulations 2007.

3. Where an advertisement is required under these Regulations to be removed, the removal shall be carried out to the reasonable satisfaction of the Local Planning Authority.

Reason: Regulation 14(1) (a) of the Town and Country Planning (Control of Advertisements) Regulations 2007.

4. No advertisement is to be displayed without the permission of the owner of the site or any person with an interest in the site entitled to grant permission.

Reason: Regulation 14(1) (a) of the Town and Country Planning (Control of Advertisements) Regulations 2007.

5. No advertisement shall be sited or displayed so as to obscure, or hinder the ready interpretation of , any road traffic sign, railway signal or aid to navigation by water or air, or so as otherwise to render hazardous the use of any highway, railway, waterway, (including any coastal waters) or aerodrome (civil or military).

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

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

7. The 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

- 8** Before the development hereby permitted is commenced details of the siting and position of the sign shall be submitted to and approved in writing by or on behalf of the Local Planning authority and the development shall be carried out in accordance with the approved details.

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

**You are further informed that:**

- 1** You should seek engineering advice from the Environmental Services Department at the Civic Centre regarding a licence under section 115 (e) of the Highways Act 1980 (Street Enforcement, Environment & Community Services Department)

**Application:**16/00931/ADV

**Address:** Land Fronting 48 Hayes Street Hayes Bromley

**Proposal:** Freestanding, non-illuminated advert sign



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

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

**Application No :** 16/02312/ADV

**Ward:**  
**Clock House**

**Address :** Land Adjacent 28 Beckenham Road  
Beckenham

**OS Grid Ref:** E: 536585 N: 169549

**Applicant :** Mrs Cheryl Curr

**Objections :** YES

### **Description of Development:**

Picture board depicting heritage of Clock House area

Key designations:

Conservation Area: Elm Road  
Biggin Hill Safeguarding Area  
London City Airport Safeguarding  
Open Space Deficiency  
Smoke Control SCA 12

### **Proposal**

The application seeks planning permission for a picture board depicting the heritage of the Clock House district. The picture board will have a height of approximately 1.030m and a width of 0.85m.

The application site is located on north side of Beckenham Road, adjacent to Beckenham Library. The site is also situated within the Elm Road Conservation Area.

### **Consultations**

Nearby owners/occupiers were notified of the application and the following representations were received:

- The occupier of 259 Elmers End submitted comments in support of the application- I write in support of this application on behalf of the West Beckenham Resident Association (WBRA)
- The WBRA have worked in close collaboration with Bromley Council to install this history information panel about the Clock House district
- The WBRA hope that planning permission for this community led project can be granted quickly. It will form a valuable addition to the ambiance of the green area outside and assist in the regeneration of the Clock house parade area

The Advisory Panel for Conservation Areas raised no objection the proposal

No objection was raised from a Conservation and Heritage perspective

No objections were raised from Highways perspective

### **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  
BE21 Control of Advertisement, Hoardings and Signs

Elm Road Conservation Area SPG

### **Conclusions**

The main issues relating to the application is whether the proposed sign would be harmful to the amenity of local residents and the the effect that it would have on the character of the Elm Road Conservation Area.

Policy BE21 of the UDP seeks to ensure that new advertisements, hoarding and signs preserve or enhance the character of Conservation Areas. It is considered that the size and proportions of the proposal are modest. As a result, it is considered that proposal would preserve the character of the Elm Road Conservation Area.

Having had regard to the above it was considered that the development in the manner proposed is acceptable in that it would preserve the character of the Elm Road Conservation Area, compliant with Policies BE11 and BE21 of the UDP.

### **RECOMMENDATION: ADVERTISEMENT CONSENT GRANTED**

#### **subject to the following conditions:**

1. **Any advertisements displayed, and any site used for the display of advertisements, shall be maintained in a clean and tidy condition to the reasonable satisfaction of the Local Planning Authority.**

**Reason: Regulation 14(1) (a) of the Town and Country Planning (Control of Advertisements) Regulations 2007.**

2. **Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a safe condition.**

**Reason: Regulation 14(1) (a) of the Town and Country Planning (Control of Advertisements) Regulations 2007.**

3. **Where an advertisement is required under these Regulations to be removed, the removal shall be carried out to the reasonable satisfaction of the Local Planning Authority.**

**Reason: Regulation 14(1) (a) of the Town and Country Planning (Control of Advertisements) Regulations 2007.**

- 4. No advertisement is to be displayed without the permission of the owner of the site or any person with an interest in the site entitled to grant permission.**

**Reason: Regulation 14(1) (a) of the Town and Country Planning (Control of Advertisements) Regulations 2007.**

- 5. No advertisement shall be sited or displayed so as to obscure, or hinder the ready interpretation of , any road traffic sign, railway signal or aid to navigation by water or air, or so as otherwise to render hazardous the use of any highway, railway, waterway, (including any coastal waters) or aerodrome (civil or military).**

**Reason: Regulation 14(1) (a) of the Town and Country Planning (Control of Advertisements) Regulations 2007.**

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

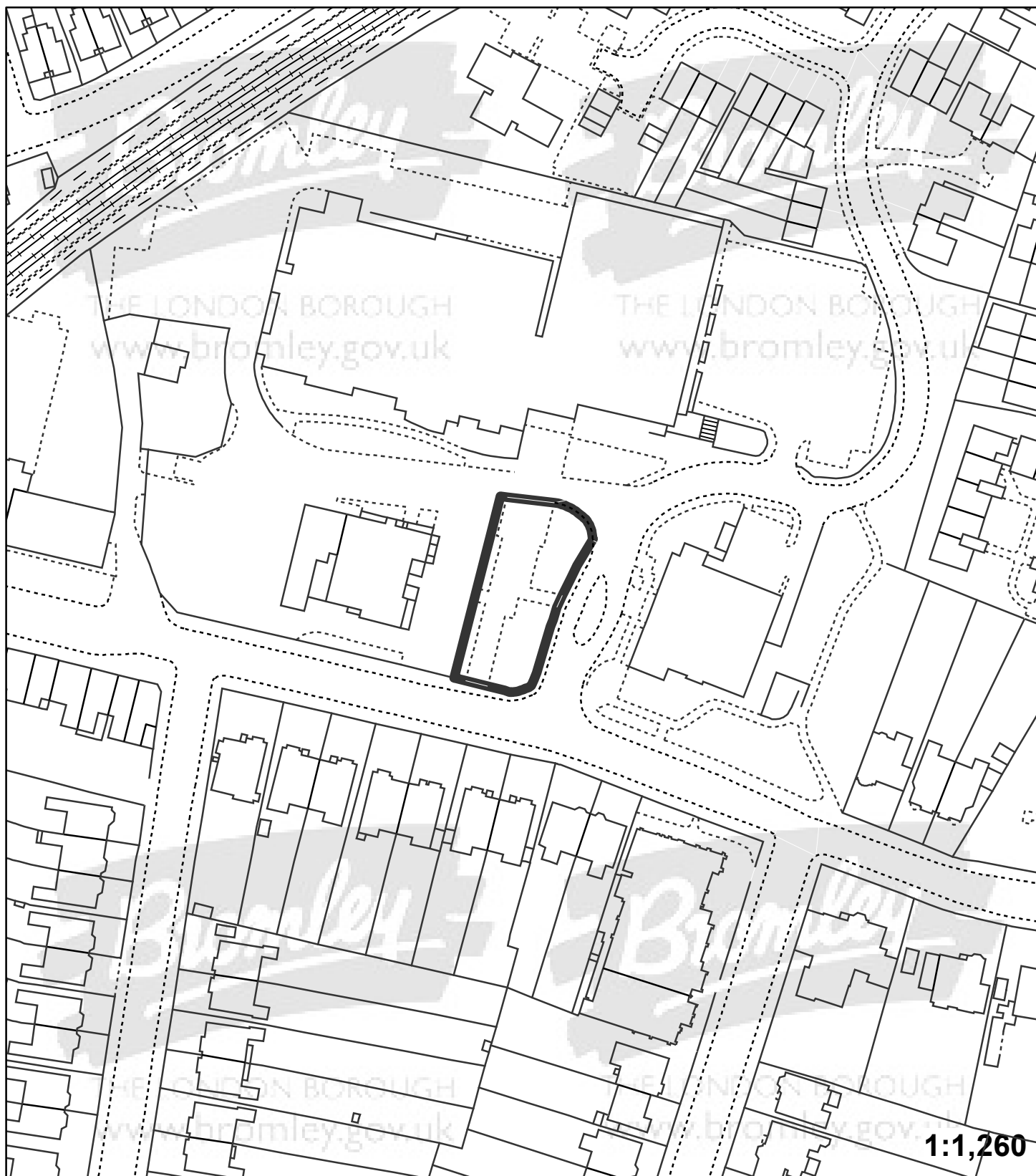
**Reason: Regulation 14(5), Town and Country Planning (Control of Advertisements) Regulations 2007.**

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**Application:**16/02312/ADV

**Address:** Land Adjacent 28 Beckenham Road Beckenham

**Proposal:** Picture board depicting heritage of Clock House area



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

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

**Application No :** 16/03185/REG3

**Ward:**  
**Bromley Town**

**Address :** Churchill Theatre High Street Bromley  
BR1 1HA

**OS Grid Ref:** E: 540217 N: 169118

**Applicant :** London Borough Of Bromley

**Objections :** YES

### **Description of Development:**

Replacement slate cladding

Key designations:

Conservation Area: Bromley Town Centre

Areas of Archeological Significance

Biggin Hill Safeguarding Area

Bromley Town Centre Area

London City Airport Safeguarding

Smoke Control SCA 51

Urban Open Space

### **Proposal**

Planning permission is sought for the replacement of the existing slate cladding on the Churchill Theatre/Library building. The application has been submitted by the London Borough of Bromley.

The existing cladding at first floor level (viewed from the south and east) has been in place since the building was originally erected. The applicant states that it is beginning to come away from the substrate resulting in sections falling off, posing a health and safety risk to pedestrians below.

Temporary fencing has been erected beneath the cladding on the pedestrian concourse to keep passers-by away from the exposed elevations of the building.

It is proposed to replace the existing slate cladding with a new system of cladding. The cladding would not be a like for like replacement and would comprise a stone cladding panels in a charcoal colour. The panels are multi-faceted with the appearance of multiple randomly applied blocks of stone.

The existing signage would be reapplied to the re-clad exterior.

### **Location**

The application site lies set back from the main pedestrianised High Street, adjacent to a wide public concourse which leads down to the park and library

gardens with ornamental lake. It comprises the Churchill Theatre and Bromley Central Library.

The building is prominent within the street scene as a consequence of its height and design which includes a wide 1st floor podium level which projects over the commercial units fronting the High Street, from which the bulk of the library projects upwards. Due to the site levels and the setting of the Churchill Theatre into the sloping site, the first floor viewed from the High Street and entrance to the building appears at higher level in the west elevation.

The podium level is almost entirely slate clad. The existing slate cladding is vertically hung and has the appearance of discrete slate planks individually mounted with a nail-hole effect. The colour of the cladding is grey with a greenish tinge in some lights.

The site lies in the Bromley Town Conservation Area, adjacent to the Site of Interest for Nature Conservation which is formed by the park grounds. The site also lies within the Bromley Town Centre Area.

### **Consultations**

No comments have been received to date in response to the press advertisement, site notice and neighbour notifications. Any comments will be reported verbally.

The Advisory Panel for Conservation Areas has been consulted and any comments will be reported verbally at Committee.

### **Planning Considerations**

Policies BE1 and BE11 are of particular relevance to the assessment of the proposals.

Policy BE1 relates to the design of new development and requires that development should complement, amongst other things, the form and material of adjacent buildings and areas, respecting the existing street scene.

Policy BE11 relates to development within conservation areas and requires that proposal for alterations to buildings within conservation areas should preserve or enhance the character and appearance of the conservation area. Proposals should, inter alia, "respect or complement the layout, scale, form and materials of existing buildings and spaces."

The Supplementary Planning Guidance for the Bromley Town Centre Conservation Area is also a material planning consideration.

### **London Plan**

Policy 7.4 of the London Plan relates to local character.



Policy 7.8 relates to heritage assets (including conservation areas) and archaeology.

### **Planning History**

Planning permission was granted under reference 14/04868 for the installation of a new chilled water plant.

There is no recent planning history which relates directly to the cladding of the building. The planning history relates predominantly to the installation of advertisements and closed circuit cameras within the forecourt.

### **Conclusions**

The main issue in the assessment of the proposal is the impact of the replacement cladding on the appearance of the host building and the extent to which it would preserve or enhance the character and appearance of the Conservation Area.

The host building is neither statutorily or locally listed. It is however prominent in the street scene in the High Street and the pedestrian concourse at the library and theatre entrances. It is noted that some of the existing cladding slates have fallen/been removed and at present it is necessary to provide temporary barriers at ground floor level in the interest of pedestrian safety.

The proposed cladding is not a direct like-for-like replacement of the existing external cladding system and would lack some of the distinctiveness of the existing slates which have a patina and distinctive character.

However, the comprehensive replacement of all the podium cladding would result in there being a uniform appearance and the stone finish and vertical detailing would echo the materials of the existing cladding. That the entire first floor would be finished in the proposed replacement material would prevent direct comparison between the existing and proposed claddings and on balance Members may consider that while the cladding would not be a direct replacement of the existing distinctive material, the proposal would adequately complement the retained external finishes of the building and would preserve the character and appearance of the Bromley Town Conservation Area and the visual amenities of the street scene.

**as amended by documents received on 08.07.2016**

### **RECOMMENDATION: PERMISSION**

**Subject to the following conditions:**

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

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

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

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

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

**Reason: In the interest of the appearance of the building, the visual amenities of the street scene and the character and appearance of the Conservation Area, to accord with Policies BE1 and BE11 of the Unitary Development Plan.**

**Application:** 16/03185/REG3

**Address:** Churchill Theatre High Street Bromley BR1 1HA

**Proposal:** Replacement slate cladding



"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 :** 16/00311/FULL1

**Ward:**  
**Cray Valley West**

**Address :** Leasons Primary School Leasons Hill  
Orpington BR5 2GA

**OS Grid Ref:** E: 546538 N: 168730

**Applicant :** Ms Amanda Rush

**Objections :** YES

### **Description of Development:**

Single storey extension to accommodate 6 new classes, hall learning resource area and ancillary facilities, minor demolition works, new entrance lobby, two new pedestrian entrances located opposite 303 Chipperfield Road and 16 Swan Close, re-instatement of one way vehicular access with exit only gate, reorganisation of onsite parking with 10 new additional spaces, and associated external works to facilitate the expansion of the school from one form entry to two form entry and new nursery play area

Key designations:

Urban Open Space  
Smoke Control SCA 17

### **Proposal**

Planning permission is sought for a single storey extension to accommodate 6 new classes, hall learning resource area and ancillary facilities, minor demolition works, new entrance lobby, two new pedestrian entrances located opposite 303 Chipperfield Road and 16 Swan Close, reinstatement of one way vehicular access with exit only gate, reorganisation of onsite parking with 10 new additional spaces, and associated external works to facilitate the expansion of the school from one form entry to two form entry and new nursery play area.

The existing school has 262 students aged 4 - 11. However the school is seeking to expand from 1 form entry to 2 forms of entry. This will increase the number of pupils by 158 and the total number of pupils will be 420. The applicant advises that there are presently 58 members of staff. The number of staff is predicted to increase to 70. The nursery will also be reinstated for 32 children per sessions. As such, there will be a maximum of 452 children on site at any one time, however it is expected to be lower than this.

A single storey extension is proposed along the southern boundary, abutting the existing hall and linked to the main school building by a corridor. The building footprint kinks at this point, with shared facilities located within this space. The corridor then forms the central spine of the new block with three classrooms to

each side. Materials will include timber cladding with some metal cladding and a sedum roof.

The applicant advises that the overall increase in floor space will be 718sqm (currently 2185sqm). Landscaping works will be carried out around the new block with tarmac paths, timber canopies and planters to soften the overall appearance of the building.

The following additional external works are also proposed:

- A new entrance lobby and seating area
- New access doors to the main hall
- New windows and doors to the nursery wing
- New nursery play area and canopy
- New refuse area
- Photovoltaics on the new extension

Two new pedestrian access points are also proposed - one opposite 303 Chipperfield Road and one opposite Swan Close. These entrances will be available for the school and nursery to use at drop off and pick up times only and will be locked at all other times. The existing main pedestrian access on Leasons Hill will remain in situ. The existing vehicular exit will be reinstated to provide a one way route. 10 additional parking spaces and two additional cycle racks are also proposed.

## **Location**

The application site abuts three road frontages; Silverdale Road to the south west, Leasons Hill to the south and Chipperfield Road to the north east. Residential properties are located opposite the school on all three sides. To the northern boundary, the site abuts a new housing development within Cygnet Close.

Two vehicular accesses are located on the site frontage with Leasons Hill, although currently only the eastern most access is in use with the western access locked. Vehicular access to the site is reserved only for staff, deliveries and refuse collection and is regulated by an intercom. There are 26 car parking spaces on site including one disabled space. 12 of the parking spaces are bay parking spaces and the remainder are parallel parking spaces.

Pedestrian access to the site is via a gate onto Leasons Hill which is again controlled by an intercom system outside of school pick up and drop off times. There is an additional access to the site from Chipperfield Road, however this is currently not in use and the gate remains locked.

The site lies on land designated as Urban Open Space in the Bromley Unitary Development Plan.

## Consultations

Nearby properties were notified, three site notices were erected along the three frontages and a notice was displayed in the local paper. Representations can be summarised as follows:

### Parking and Highways

- Parents don't care where and how they park - cars park across driveways
- Where will these extra cars park?
- Parents park on both sides of Silverdale Road restricting the already narrow road. Emergency services would not be able to get through.
- On Leeson's Hill, parents park opposite the T junction of Silverdale Road and Leeson's Hill and there is a bus stop on the corner. Traffic moves fast on Leeson's Hill Road and there are lots of bends, parking along this road is dangerous and it stops the flow of traffic. Impedes view of the crossing attendant.
- Potential for accidents to occur
- Transport statement drawings are incomplete where no parking is shown on Silverdale Road. Also fails to show the daily problem of parking fully on the pavement.
- Proper monitoring by parking attendants should be in place

### Impact on Amenity

- More litter and junk left outside houses
- Already noise from new houses across the school and this will be increased

### External consultees

Sport England - The proposed development would be sited on an existing area of playing field, locating these aspects of the proposed development on the existing playing field would prejudice the use of the playing field. Sport England therefore strongly objects to this aspect of the proposal.

Sport England raise no objection to the footpath, car park and nursery play area

### Internal consultees

Highways - No objections subject to conditions and an agreement in place to fund the zig-zag markings, signs and traffic management orders.

Tree officer - The Arboricultural Survey & Report supplied in support of the application addresses the tree constraints associated with the proposals well. Sufficient protection measures have been proposed to ensure trees retained are not at risk of damage. No objection subject to condition

Drainage: No objection subject to conditions

Education: Supports expansion. Early Years are supporting this application as the nursery is in the ward of Cray Valley West which has been recognised in the Childcare Sufficiency report as an area where childcare places are required

especially for identified families with children able to access Two Year Old Funding.

## **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.

Relevant UDP policies include the following:

- C1 Community Facilities
- C7 Educational Uses
- G8 Urban Open Space
- T2 Assessment of Transport Effects
- T3 Parking
- T7 Cyclists
- T18 road safety
- BE1 Design of New Developments
- NE7 Development and Trees
- NE9 Hedgerows and Development
- IMP 1 Planning Obligations

### 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 policies include Draft Policies and Designations Policies (2014)

- 6.5 Education
- 6.6 Educational facilities
- 7.1 Parking
- 7.2 Relieving congestion
- 7.3 Access to services for all
- 8.1 General design of development
- 8.7 Nature and trees
- 10.3 Reducing flood risk
- 10.4 Sustainable Urban Drainage Systems
- 10.10 Sustainable design and construction
- 10.11 Carbon reduction, decentralised energy networks and renewable energy

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



In strategic terms the most relevant London Plan 2015 policies are:

3.18 Education

3.19 Sports facilities

5.1-5.7 Climate Change Mitigation and Renewable Energy

5.11 Green roofs and development site environs

5.12 Flood risk management

5.13 Sustainable Drainage

8.2 Planning Obligations

The National Planning Policy Framework 2012 is also relevant. Paragraph 72 states that 'The Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities.' Local authorities should take a proactive, positive and collaborative approach to meeting the requirements, and to development that will widen choice in education. They should give great weight to the need to create, expands or alter schools.'

## **Planning History**

The site has been the subject of numerous previous applications, the most relevant are summarised as follows:

07/03187/FULL1 - Single storey extension comprising replacement boiler/kitchen/canteen addition and single storey detached building for caretaker's office/workshop. Approved 29.10.2007

09/00541/FULL1 - Replacement boundary fence and gates. Approved 01.06.2009

09/00922/FULL1 - 13 additional car parking spaces, footpath, play area and 1.2m high fence

## **Conclusions**

The main issues to be considered are:

Principle of development including;

- Impact on Urban Open Space
- Impact on playing fields
- Impact upon local character
- Impact on the highway network
- Impact on the amenity of occupants of nearby residential properties
- Impact on trees
- Impact on biodiversity

### Impact on Urban Open Space

The site lies within designated Urban Open Space. Under para 216 of the NPPF the emerging Local Plan carries some weight dependent upon the stage of preparation, the extent to which there are unresolved objections and the degree of consistency with the NPPF (see below).

Policy G8 of the UDP permits built development in Urban Open Space where it is related to the existing use and Council will weigh any benefits to the community against a proposed loss of open space. In all cases, the scale siting and size of the proposal should not unduly impair the open nature of the site.

Further The Draft Policies and Designations (Feb 2014) set out the draft Urban Open Space Policy 8.20 which amends the adopted UDP policy (as shown below) to increase the flexibility for school expansions on Urban Open Space sites

"Where there is a demonstrable need for additional education buildings sensitive siting will be sought to ensure that the impact on the open nature of the site is limited as far as possible without compromising the educational requirements. In all other cases, the scale, siting, and size of the proposal should not unduly impair the open nature of the site"

Draft Policy 6.5 defines existing school sites as "Education Land" indicating that education provision of will be achieved by  
...(iii) permitting extensions to existing schools which seek to address local need, subject to Local Plan open space and conservation policies, unless there are demonstrably negative local impacts which substantially outweigh the need for additional education provision, which cannot be addressed through planning conditions or obligations. Proposals for school extensions on land adjacent to Education Land will also be considered favourably"

Additionally the policy notes

"In all cases new development should be sensitively designed to minimise the footprint of buildings and the impact on open space, particularly playing fields, as well as seeking to secure, as far as possible the privacy and amenities of any adjoining properties, whilst delivering the necessary educational infrastructure".

On the basis of the Local Plan Education Background Paper (Sept 2015) the Council consulted on its "Draft Allocations, further policies and designations document" which sets out the Councils proposed allocations to meet educational needs. Table 3 of the consultation document indicates primary school sites, including Leeson's Primary school, identified as having potential for expansion to meet the need, set out in the Primary School Development Plan agreed by the Council (Portfolio Holder) in Jan 2015.

Whilst the single storey development would increase the floorpace of the school by 717sqm, it has been designed to minimise the overall impact of the building on the site. Due to the topography of the site, the building will sit lower than the adjacent road (Leeson's Hill) and will be obscured by existing fencing and tree line. The new entrance lobby will enclose the existing overhang of the building and as such will minimise the overall impact. Furthermore, the use of cladding and the proposed sedum roof will also help to minimise its visual impact. The mass of the building is

articulated at the front elevation to break up the visual appearance and the creation of a feature of the central corridor will be clad in a composite metal cladding.

Landscaping works are proposed around the new block with tarmac pathways, timber canopies and planters to soften the overall appearance of the building. The eastern elevation will host a trellis and planters to allow plants to be grown this façade.

The emerging Local Plan UOS policy facilitates educational development for which there is a need. Whilst the emerging policies for both education expansion (6.5) and for Urban Open Space (8.20) would usually tend towards a building of smaller footprint over more than one storey, the particular nature of this site is such that the impact on the open nature of the site is minimised by a single storey development.

Policy G8 recognises that additions or extensions may be necessary, provided that they are related to and essential for the function of the existing main use. There is a demonstrable need for school places and there is policy support for the proposal to meet education infrastructure. Therefore on balance, given the proposal has been designed to minimise its visual impact, the proposal is considered to be acceptable in this instance.

#### Impact on Playing Fields

The NPPF (para. 74) and the London Plan (Policy 3.19) preclude the loss of open space, sports and recreational land, including playing fields. Existing open spaces and playing fields should not be built on unless the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location or the development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.

Sport England were consulted on the application and have objected to the application on the grounds that the proposed extension would be sited on an existing area of playing field which would prejudice the use of the playing field and does not accord with any of the exceptions to Sport England's playing fields policy or with Paragraph 74 of the NPPF.

The school have discussed their options with Sport England to try and negotiate a mutually acceptable solution. Sport England suggested a way forward would be to relocate the proposed school buildings on one of the areas of playground and convert the garden area into a playground. An alternative would be to create a playground/move the garden area adjacent to the car park entrance.

In response to Sport England's suggestions, the applicant has stated that during the early stages of the design, they considered a range of alternative proposals including building in the playground and a two storey option. The two storey option was considered in order to reduce the building footprint and minimise the impact of the expansion on the lower playing field. However this was not anticipated to be acceptable in planning terms due to the detrimental impact on neighbouring residential properties and the open space.

Further, due to the layout of the existing school, building in the playground required the creation of a central courtyard in order to maintain windows to existing classrooms. As a result, this proposal resulted in extensive circulation which would compromise the functionality of the school. With classrooms and students spread out over a larger area the Head teacher felt this would be difficult to manage and detrimental to the overall sense of community that they had worked hard to create.

In regards to the external sports provision, the current provision will be unaffected by the scheme as there is sufficient space for the existing football pitch to be remarked in a new orientation. The school also has two hard surface netball courts and a large upper playing field and has a main hall with a separate dining hall. As part of the proposal, an additional studio hall will be provided to better utilise the main hall for sports and activities. It is also intended to refurbish the hall with a new floor to further optimise its use.

The applicant states that the large upper playing field is the most frequently used due to its larger size giving greater flexibility. The playgrounds provide a near all-weather surface for a range of sports, best suited to hard courts throughout the year and the hall is used regularly when the weather is poor. The lower field is most frequently used for football but also for athletics which would be unaffected by the proposal.

In discussions with Sport England, a Multi Use Games Area (MUGA) was also suggested, utilising one of the netball courts to improve sporting provision. However concerns were raised from a planning perspective in terms of proximity to residential areas. The required fencing would also further impact upon the visual amenity and sense of openness. Furthermore as the existing hard courts already provide all season playing surfaces, there would not be significant benefits to the school which would outweigh the concerns raised and impact on the open space.

Sport England's comments are noted, however as demonstrated above, the proposed extension is not considered to significantly impact upon the existing sporting facilities at the school. On balance, given the need for the school places and that the proposal does not significantly impact upon the openness, it is considered that this outweighs the loss of the playing field. Given Sport England's objection, should Members be minded to grant planning permission for the development then in accordance with The Town and Country Planning (Consultation) (England) Direction 2009, the application should be referred to the Secretary of State, via the National Planning Casework Unit.

#### Impact upon local character

The proposed extension is single storey in nature, close to the southern edge of the site which is away from local residents. The building is lower than the adjacent road and the existing trees and bank would create a visual and acoustic buffer which minimises the visual impact of the proposal. The proposed use of timber cladding and a green roof provides a contemporary extension which would appear to compliment as well as contrast with the existing building. The carefully considered massing of the extension responds well to the character of this site,

respecting the existing topography and not detracting from views to a significant degree.

### Impact on the highway network

There have been a considerable number of objections to the proposal that have been summarised above. Many have written objecting to the proposed development on highway grounds. The objectors are concerned that the already busy roads will become further congested at school pick up and drop off times due to this proposal. Residents are concerned that additional traffic movements associated with the expanded school will lead to more accidents. In addition there are complaints about inconsiderate parking by parents over driveways which block access for residents.

The applicant has submitted a Transport Assessment (TA) that sets out the impact of the proposed development on the local highways network. The TA assesses the impact of car parking for the school when it is fully functioning with an extra 158 pupils. It should be noted that there will not be a sudden increase in pupil numbers as the additional year groups will be introduced over a four year period.

In terms of staff parking there are 26 existing parking spaces on site. The parking surveys showed that there were 25 occupied on the day of the survey. The travel surveys showed that currently 36 members of staff (62%) drive to work which would imply that up to 10 vehicles are parked on street. If the same modal split is applied to the additional staff then there will be an additional 7 cars. As part of the proposal the existing parking layout will be reconfigured and an additional 10 spaces will be provided. The additional parking proposed is therefore likely to reduce the level of on street parking for staff.

The "hands up" travel survey within the TA showed that the majority of pupils (53%) walked to school and that 29% of pupils travelled to school by car alone and 2% car shared. This would equate to 79 car trips. From the parking surveys carried out there were 43 drop offs in the morning and 35 pick-ups in the afternoon. If the same modal split (29% by car) were applied to the additional pupils there would be a potential additional 52 cars. Using the number of vehicles from the parking survey, there would be an additional 29 cars.

Parking surveys were carried out each quarter of an hour in roads around the school within an approximate 200m walking distance. These were between 7.30 - 9.30 and 14.00 - 18.30 on a day in December. There is already a demand for parking in the roads around the school prior to the school start time and after the finish time from commuters. This is also reflected in the on-street parking which takes place during the school holidays.

The only two roads where drop- offs and pick- ups were seen to take place were Silverdale Road and Leasons Hill. Silverdale Road and Swan Close were identified as having particularly heavy parking. At the peak times the parking caused congestion mainly around the existing access where parents are trying to get as close to the access as possible although there are available spaces further away. A site visit was carried out by Council's highway officer during the afternoon

pick up period and confirmed the parking was generally in line with that shown in the parking surveys. There were vehicles parked in Leasons Hill near the school access and also on the east side of Silverdale Road on the footway.

The proposal includes providing two new pedestrian accesses to the school, one in Silverdale Road and one in Chipperfield Road. The additional accesses will only be open at school pick up and drop off times and are proposed to ease congestion and parking from the existing one entrance at Leasons Hill. The TA indicates that the Chipperfield Road access is likely to attract the most additional vehicle trips. The parking surveys did not extend 200m from the proposed accesses. However the TA also indicates there are spaces in adjoining streets that parents could use that will spread the load on the congested roads and cause minimal impact on the highway network. Nevertheless as is the case with most schools, parents will wish to be as close to the entrances as possible.

The Council's highways officers have reviewed the position of the proposed access with regard to the proposed zig-zag markings and have raised no issues. The applicant will need to fund the installation of the signs, lines and traffic order and this will be dealt with by condition.

The additional pupils will lead to additional trips which will have the potential to add to any existing issues. However there is a Travel Plan in place which is understood to be in the process of being updated to include the proposed expansion and the nursery. Issues have been identified in the Travel Plan including parking on the existing zig zag markings and parking near the gates causing congestion. It is proposed that the Site Manager is present on the road at the drop off and pick up times and this has been reported in the Travel Plan as having a beneficial effect. However, targeting inconsiderate parking should be taken forward and strengthened and other methods to reduce car use should be included in the Travel Plan and a condition requiring the update of the Travel Plan, can be included to any permission.

There is non-school related parking on the roads around the school. As with all schools there are likely to be periods when there is a high degree of associated parking, some inconsiderate or illegal, and with an element of congestion around the site. This school does not appear to currently have any significantly greater problems than other schools. The provision of alternative access points will give parents a choice and should reduce the pressure on the existing access point, spreading the demand for parking over a wider area.

In view of the above it is considered that the evidence of demand for parking and mitigating measures indicate that the highway network can accommodate the additional vehicle parking and activity generated as a result of the development without compromising highway safety and resulting in a significant detrimental impact on the occupants of surrounding streets.

#### Impact on the amenity of occupants

Policy BE1 of the UDP seeks to protect existing residential occupiers from inappropriate development. Issues to consider are the impact of a development

proposal upon neighbouring properties by way of visual impact, general noise and disturbance and traffic and parking impacts.

The impact of the development on nearby residents is likely to be from additional vehicle activity which is dealt with above.

As discussed above the single storey extension is considered acceptable from a visual perspective and given the sufficient setbacks from the boundaries and the nearest properties are separated from the site by Leasons Hill and Chipperfield Road, it is unlikely to have a significant impact on the visual amenities of adjacent residents. Given the single storey nature of the building, there would be no issues of overlooking.

The new nursery play area would be to the south of the nursery block and it is not considered that there would be any adverse impacts on the amenity of the residents in Cygnet Close

#### Impact on trees

No trees are proposed to be removed. Sufficient protection measures have been proposed in the Arboricultural Impact Assessment to ensure that trees to be retained are not at risk of damage.

#### Refuse

It is proposed to relocate the refuse area to the north of the site to reduce traffic and improve safety on Leasons Hill, as well as improving safety risk by separating refuse collection from the main student and staff entrance on Leasons Hill. It was noted on site that given the topography of the site and the fact that there are only steps from the storage area to natural ground level, it would not be feasible to drag large bins from this point to the front of the site on collection days. A proposed solution would be to use a refuse chute to assist the school caretaker but with the majority of bins stored in an enclosed refuse area adjacent. It is proposed to create a refuse area with gated access internally and externally. The internal gates would be locked on refuse collection day to allow the external gates to be unlocked remotely when the refuse collection driver uses the proposed intercom. The gates will be also be fitted with a fire vehicle override key. This Council's highways officers have raised no issues with this arrangement subject to parking/waiting being kept to a minimum. This solution is considered to be acceptable in principle but further details on refuse storage and collection would need to be secured by a condition.

#### Energy and Sustainability Measures

An energy statement has been submitted with the application which presents an overall energy strategy to reduce predicted energy and CO2 requirements, supply energy efficiently and introduce renewable energy. The reduction in energy through on site renewables is achieved through the proposed use of solar photovoltaic panels to the flat roof of the school building. The PV panels can be applied to the building as electrical generating stations that substitute incoming electrical supplies

for communal lighting or heating. The number and location of the PV panels shown on the plans are for indicative purposes only and will need to be confirmed. A condition requiring this information is recommended.

Other measures to ensure that total energy requirements are minimised as much as possible through good building design and construction will include insulation to walls, roofs, floors and windows, low energy LED lights with daylight sensors and absence detection

A sedum roof is also proposed on the extension and a condition will be attached requiring further details.

## **Conclusion**

In assessing this application it is necessary to balance a number of factors. It is considered that the most important factor is the demonstrated need for additional school places for pupils that already attending the school and for rising pupils numbers in the borough. There is both a borough wide need for pupil places as well as a need within this part of the borough.

The proposed built form of the development will result in the school meeting current standards for teaching and support services and will accommodate up to 158 new pupils. It is recognised that there will be an impact on openness of the designated Urban Open Space but it considered that the impact through appropriate design, use of materials and the topography of the site is not so significantly harmful to warrant refusal of this application.

Furthermore, whilst it is acknowledged that there will be some impact upon the highway network and parking, as with any school this is likely to be a peak times during morning drop off and afternoon pick up in term time. The provision of alternative access points will give parents a choice and should reduce the pressure on the existing access. Overall the proposal is not considered to cause significant detriment to warrant refusal in this regard.

Consequently, it is recommended that the application be permitted. Should Members be minded to permit the application, the application will be referable to the Secretary of State in accordance with Section 2(b) of the Town and Country Planning (Consultation)(England) Direction 2009 due Sport England's' objection to the loss of part of the playing field.

**RECOMMENDATION: PERMISSION (subject to any direction by the secretary of state)**

**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 shall be carried out strictly in accordance with the application documents, drawing and plans as detailed below**

**Existing plans: 5459-1000; 5459-1001; 5459-1002; 5459-1010; 5459-101; 5459-1012; 5459-1013;5459-1020;5459-1021;**

**Demolition Plans: 5459-1050; 5459-1051; 5459-1052;**

**Proposed plans: 5459-1100; 5459-1200; 5459-1201; 5459-1202; 5459-1250; 5459-1251; 5459-1253; 5459-1260**

**Supplementary Reports**

**Design and Access Statement by ECD Architects**

**Transport Statement by i-Transport dated 21st January 2016**

**Energy Statement by Abbey Consultants (Southern) Ltd dated 08/12/2015**

**Arboricultural Survey and Report by MWA Arboriculture dated 02.11.2015**

**Flood Risk Assessment by ECD Architects**

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

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

**Reason: To reduce the impact of flooding both to and from the proposed development and third parties**

**5 Before commencement of the use of the land or building hereby permitted parking spaces 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.

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

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

- 7** 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.

- 8** 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.

- 9** The development shall be implemented in accordance with the Arboricultural Survey and Report by MWA Arboriculture dated 02.11.2015 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.

- 10 Before any part of the development hereby permitted is first occupied, bicycle parking (including covered storage facilities where appropriate) shall be provided at the site in accordance with details approved by the Local Planning Authority, 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.

- 11 The development hereby permitted shall incorporate measures to minimise the risk of crime and to meet the specific needs of the application site and the development. 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. 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 Policies H7 and BE1 of the Unitary Development Plan

- 12 The new pedestrian gates on Silverdale Road and Chipperfield Road shall only be available for use between 8am and 4pm on any day and shall remain locked at all other times.

Reason: To comply with Unitary Development Plan Policy BE1 and in the interests of the amenities of residents in Silverdale Road and Chipperfield Road

- 13 Prior to the commencement of works, details of how the refuse will be stored and collected shall be submitted and approved in writing by the Local Planning Authority and shall be permanently retained thereafter.

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

- 14 Prior to the commencement of works, further details of the photovoltaic panels and the implementation of an energy strategy shall be submitted and approved in writing by the Local Planning Authority.

Reason: In order to seek to achieve compliance with the Mayor of London's Energy Strategy and to comply with Policy 4A.7 of The London Plan and Policy ER4 of the Unitary Development Plan.

- 15 Prior to the first use of the new pedestrian accesses on Silverdale Road and Chipperfield Road, works to the highway including the zig zag markings, signs and the Traffic Management Order must be undertaken to the satisfaction of the Local Planning Authority.

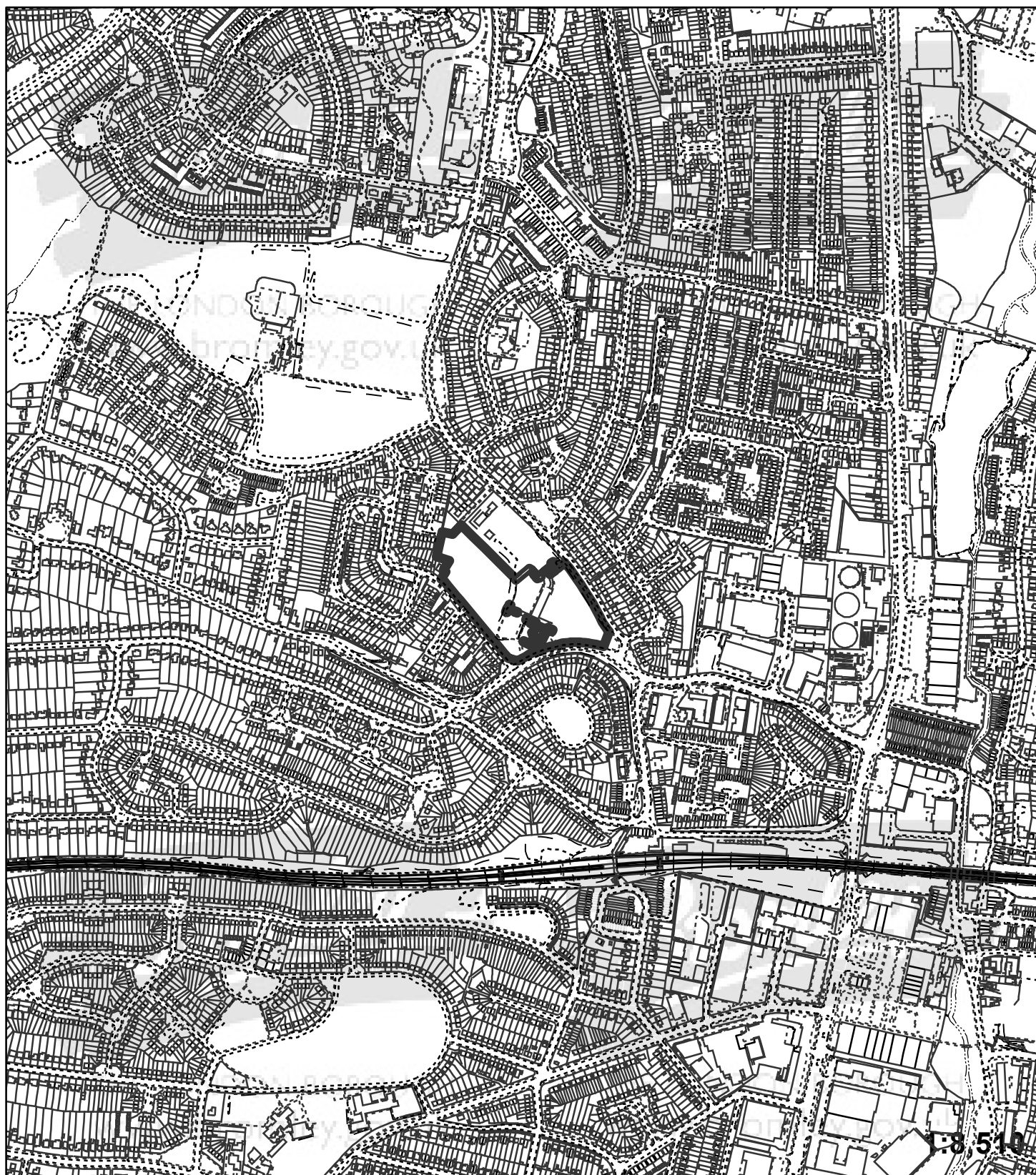
Reason: In the interest of pedestrian and vehicular safety and in order to comply with Policy T18 of the Unitary Development Plan.

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**Application:**16/00311/FULL1

**Address:** Leasons Primary School Leasons Hill Orpington BR5 2GA

**Proposal:** Single storey extension to accommodate 6 new classes, hall learning resource area and ancillary facilities, minor demolition works, new entrance lobby, two new pedestrian entrances located opposite 303 Chipperfield Road and 16 Swan Close, re-instatement of one way



"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 :** 16/00735/FULL1

**Ward:**  
**Crystal Palace**

**Address :** 144 Anerley Road Penge London SE20  
8DL

**OS Grid Ref:** E: 534244 N: 170177

**Applicant :** Mr Michael Huddart

**Objections : No**

### **Description of Development:**

Change of use from A1 (retail) to A4 (micro pub).

Key designations:

Smoke Control SCA 6

### **Proposal**

Planning permission is sought for a change of use from A1 (retail) to A4 (micro pub).

### **Location**

144 Annerley Road is the ground floor unit of a three storey building with residential above. The subject site is located within the Annerley Hill local neighbourhood centre. Most of the ground floor units are vacant or have been converted to residential units. There does not appear to be any planning history for these units.

### **Consultations**

Nearby owners/occupiers were notified of the application and over 80 letter of support have been received which can be summarised as follows:

- This type of bar is exactly what the parade needs to bring in more business
- Will increase natural surveillance of the area and deter anti -social behaviour
- will bring back an unused site into a positive use
- the pop up bar was a success and there was no loud noise of trouble
- great asset to the community
- will create extra footfall

### **Consultee comments:**

Environmental Health officer; With strict planning conditions noise can be mitigated and minimised as far as possible, although there is likely to be some adverse impact from the proposal

Highways: On balance the development would not have a significant impact on the parking in the surrounding road network and no objection raised.

## **Planning Considerations**

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

BE1 Design of New Development

S5 Local neighbourhood centres, parades and individual shops.

S9 food and drink premises

There is no relevant planning history

## **Conclusions**

The main issues relating to the application are the effect that it would have on the character of the area (having regard to its shopping function) and the impact that it would have on the amenities of the occupants of surrounding residential properties.

### Principle of use.

The site lies within the Anerley Hill local neighbourhood shopping parade. Policy S5 of the UDP states that the Council will permit a change of use from Class A1 (shops) to other uses where;

- (i) the proposed use contributes to the range of local services or the provision of local community facilities: and contributes to the vitality of the centre by providing a service or attracting visitors during shopping hours: or
- (ii) it can be demonstrated that there has been a long term vacancy and a lack of demand for Class A1 (shops) uses, as well as a lack of demand for service or community use before other uses are proposed.

In addition, policy S9, which refers to food and drink premises, states that the Council will only permit proposals for additional restaurants and cafes (Class A3), drinking establishments (Class A4) and hot food takeaways (Class A5) where the proposal would have no adverse impact on residential amenity, not cause undue traffic congestion or be detrimental to the safety of other road users and pedestrians, or result in an over concentration of food and drink establishments, out of character with the retailing functioning of the area.

The majority of the units within this parade are either vacant or have been converted to residential. It is therefore considered that the proposed A4 use would encourage the revitalisation of this parade and would therefore comply with Policy S5.

### Impact on residential amenity



The applicants' agent has submitted a management plan in support of the application. The anticipated hours of opening will be 12pm - 11pm everyday day. Last orders will be called 30 minutes before closing each night which will allow time for people to finish their drinks and be ready to leave the property by 11pm.

The bar will have low level music playing for background ambience, although this is not the main focus of the bar. There are no plans at present to have any live music on site. The unit will have seating for 26 people, and standing capacity for approximately another 26. The agent states that based on the 3 month temporary pop up use, flow of customers varied from day to day. On weekdays there were approximately 100 people from 4pm until 11pm and this increased at weekends to around 200 - 300 between 12pm and 11pm.

It is also proposed that signage will be used to remind people they are in a residential area and to respect that by leaving quietly. All staff will be trained and encouraged to ask people to move on if they are loitering outside.

Environmental Health officers have commented that there will be some adverse impact from the proposal as a result of noise. Flats are located on the upper levels of this parade and it would appear that both neighbouring ground floor units are residential, although there is no planning history to this effect. It is reasonable to expect some level of noise from such a use but a number of stringent conditions have been recommended which would mitigate and minimise noise as far as possible in line with planning policy. These relate to opening hours and internal works for sound insulation for ceilings and walls. Live music will also be prohibited. Members may also consider that if permission is granted there is another layer of control through the Licensing Act which could be used in the event the premises caused problems.

#### Highway impact and parking

Anerley Road is a London Distributor Road The site is located within an area of high PTAL rate of 5 (on a scale of 1 - 6, where 6 is the most accessible). Also there are on street parking bays available immediately outside the premises which can be used for servicing and delivery. Given the site is accessible to public transport links, on balance it is considered that there would not be a significant impact on the parking in the surrounding road network.

#### **Summary**

On balance, members may consider that the principle of the use is acceptable, subject to conditions. Members may agree that the opening hours are acceptable, however they may also wish to consider an earlier closing time for a trial period.

**as amended by documents received on 16.06.2016**  
**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 residential amenities of the area

**3** The use hereby permitted shall not operate outside of the hours of 12.00-23.00 on any day.

**Reason:** In the interests of residential amenity and to comply with Policy 7.15 of the London Plan and the NPPF

**4** There shall be no consumption of beverages in any outside areas after 21.00 hours on any day.

**Reason:** In the interests of residential amenity and to comply with Policy 7.15 of the London Plan and the NPPF

**5**  
a.) No development shall commence until full details of adaptations to party walls and/or ceilings between residential and non-domestic uses have been submitted to and approved in writing by the local planning authority. The details shall include relevant drawings and specifications of the proposed works of sounds insulation against airborne noise.

b.) The development shall only be occupied once the soundproofing works as agreed under part (a) have been implemented in accordance with the approved details.

c.) The soundproofing shall be retained permanently in accordance with the approved details.

**Reason:** In the interests of residential amenity and to comply with Policy 7.15 of the London Plan and the NPPF

**6** The premises shall not be used for the performance of live music at any time.

**Reason:** In the interests of residential amenity and to comply with Policy 7.15 of the London Plan and the NPPF

- 7 Any music or amplified sound (including television, films or amplified human speech) played on the premises shall be played through a fixed in-line noise limiter. Technical details of the noise limiter shall be submitted to the Local Planning Authority for written approval prior to the use commencing and the approved noise limiter shall be permanently maintained thereafter (or a suitable alternative by written permission of the Local Planning Authority). The limiter shall be set and sealed to the satisfaction of the Local Planning Authority and permanently maintained as such thereafter.**

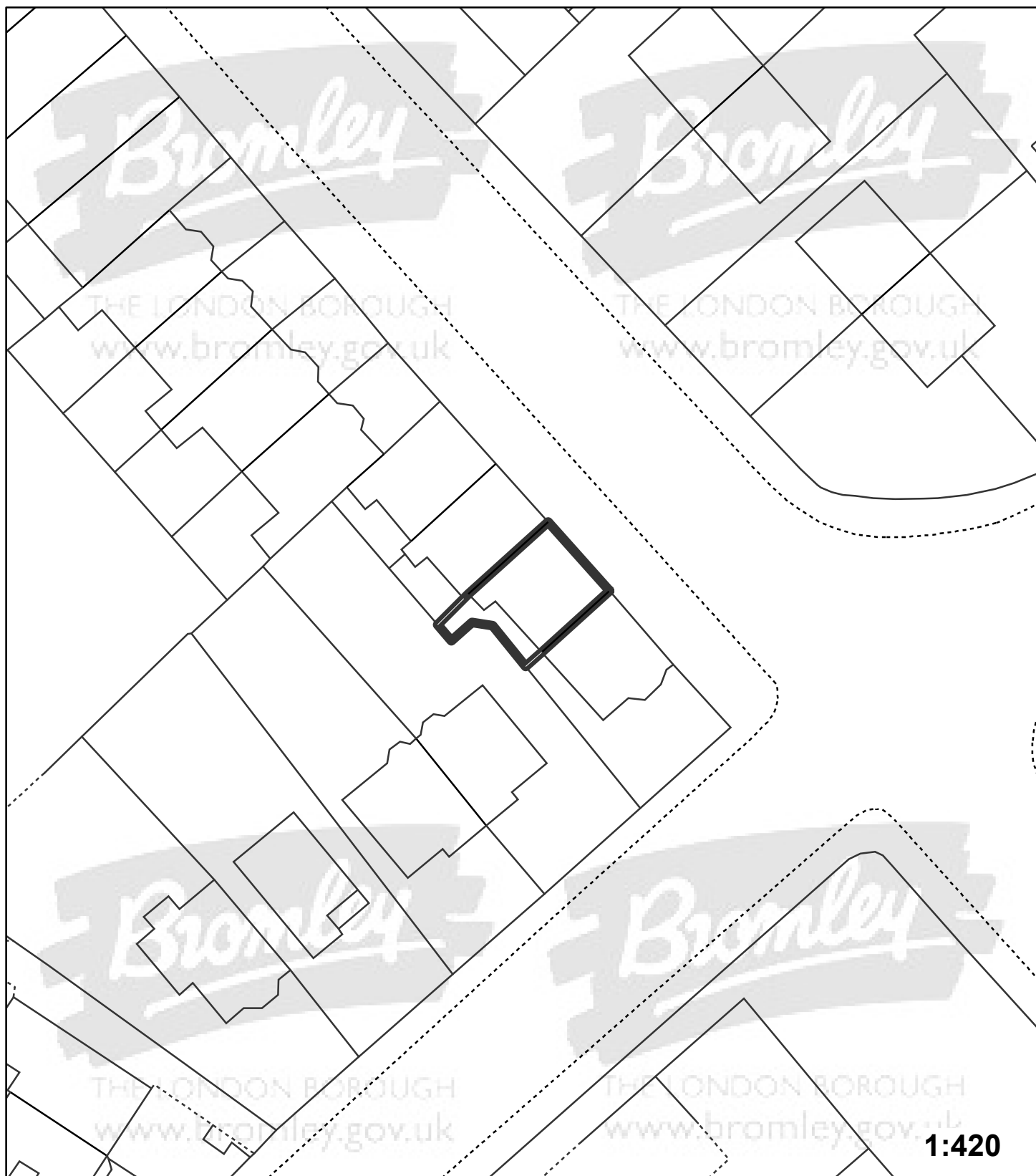
**Reason: In the interests of residential amenity and to comply with Policy 7.15 of the London Plan and the NPPF**

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**Application:**16/00735/FULL1

**Address:** 144 Anerley Road Penge London SE20 8DL

**Proposal:** Change of use from A1 (retail) to A4 (micro pub).



"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 :** 16/00753/FULL1

**Ward:**  
Bromley Common And  
Keston

**Address :** 123A Southborough Lane Bromley BR2  
8AP

**OS Grid Ref:** E: 542214 N: 167586

**Applicant :** Mr Jim Sperring

**Objections :** YES

### **Description of Development:**

Replacement part one/two storey detached building for A1 (retail) use to ground floor and C3 (residential) use to first floor, with balcony to front.

Key designations:

Biggin Hill Safeguarding Area  
London City Airport Safeguarding  
Open Space Deficiency  
Smoke Control SCA 19

### **Proposal**

The site is a detached, single storey commercial building located to the north side of Southborough Lane. There are a cluster of local shops to the south and maisonettes to the north of the site both of which are two storey development. There is a staggered front building line to existing development. This application proposes a replacement part one/two storey detached building for A1 (retail) use to ground floor and a one bedroom C3 (residential) use to first floor, with balcony to the front.

### **Consultations**

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

- Concerns with damage to neighbours wall/pathway and any unsightly repairs
- Concern with scaffolding affecting access to rear garden
- Object to balcony and overlooking into property & being erected on neighbours property
- Loss of light/block light to side windows - increase in need for electric lighting during daylight hours
- Concerned a fence will be re-erected between the two properties
- Noise and disruption & effect on business

Revised plans have been received in response to neighbour and planning concern. Any further neighbour response will be reported verbally to committee.

Highways comments note that the site is located in an area with a low PTAL rate of 1b (on a scale of 1 - 6b, where 6b is the most accessible). No car parking is offered for the development. The proposal is for one 1 bed flat which is unlikely to generate significantly more trips. Furthermore there are free on street spaces available St Augustine's Avenue. Given the scale of the development no highway objections are raised to the application.

## **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:

- BE1 Design of New Development
- H1 Housing Supply
- H7 Housing Density and Design
- H9 Side Space
- T3 Parking
- T7 Cyclists
- T18 Road Safety
- IMP1 Planning Obligations

SPG 1 - General Design Principles

SPG 2 - Residential Design Guidance

London Plan (2015)

- 3.3 Increasing Housing Supply
- 3.4 Optimising Housing Potential
- 3.5 Design and Quality of Housing Developments
- 3.8 Housing Choice
- 5.1 Climate Change
- 5.2 Minimising Carbon Dioxide Emissions
- 5.3 Sustainable Design and Construction
- 6.9 Cycling
- 6.13 Parking

Adoption of Minor Alterations to London Plan (MALP) and Housing SPG (2016)

## **Conclusions**

Key planning considerations include principle of development, the design and appearance of the scheme and the impact of these alterations on the character and appearance of the area and locality, impact on the amenities of neighbouring properties (i.e. relationship to existing buildings, overlooking, noise, disturbance etc.) and impact on the character of the area, the quality of living conditions for future occupiers, highways and traffic issues and sustainability.



## Principle of development

Paragraph 14 of the National Planning Policy Framework (NPPF) sets out the presumption in favour of sustainable development, it is, however, necessary to assess whether or not particular development can be successfully assimilated into its surroundings. In principle the development is acceptable subject to compliance with other policies as assessed below.

## Design 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.

Policy H9 requires for a proposal for two or more storeys in height, a minimum of 1 metre space from the side boundary of the site should be retained for the full height and length of the flank wall of the building. The policy seeks to prevent a cramped appearance and unrelated terracing from occurring.

Two storey development will be introduced to the site which allows a full 1m side space to the west boundary but is set in 1m only for the first floor element to the east boundary. In respect of impact on the street scene, taking into account policy requirements given relationship to existing development the design and siting of the proposed two storey development may not be considered to result in a cramped appearance or impact to such detriment to the street scene as to raise planning concern.

The street scene offers a number of design approaches which include flat roof, side gables, and hipped roof. The proposed design of the scheme offers an approach considered to be broadly in character with surrounding development and will complement the scale of adjacent buildings. Materials proposed include Thermowood wooden cladding board, lead grey (zinc) coloured standing seam metal roof and brick work to ground floor front elevation. A conventional shop front is detailed to the front elevation. On balance, it is considered that two storey development will not result to the detriment of the area and that the proposed design will combine continuity and creativity to provide a positive contribution to the street scene and not harm the character and appearance of the area.

## Impact on the amenities of neighbouring properties

In terms of the impact of the development on neighbouring amenities the staggered building line in the vicinity is noted. Initial concerns were raised by neighbours (summarised above) and revised plans have now been received.

The site is currently solely commercial and that use will remain with the introduction of residential use above. The principle of the introduction of a residential element is not unacceptable and it is not considered that the scheme will result in such a significant element of overlooking as to raise planning concern. Of greatest consideration is how the increased footprint and height of the building will impact on neighbouring amenity.

The existing building is flat roof with an overall height of c 4.5m, with a side space of just over 1m to the west boundary and nil to the east boundary. The footprint of this building is 5.4m wide x 12.6m deep. That of the proposed will be the same width but increased to a depth of c 20.3m.

Revised plans and increased sidespace to the west flank address any concern with impact to the first floor flank window to No. 123 and balcony screening can be introduced to safeguard against any undue degree of overlooking. At the time of the site visit the ground floor flank window to this building was obscured glazed, situated beneath a covered canopy to the side access and had the appearance of being unused.

Due to the staggered building line the scheme will result in a considerable depth of development beyond No 123. The rear yard to No 123 although has an unkempt, rather unused appearance could provide valuable amenity for the residential use to that site as well as access and unloading provision for the commercial use. On balance, it is not considered that the depth and bulk of development proposed, given the mixed commercial/residential nature of the site and the surrounding context, will result in such an undue impact on neighbouring amenity to the west of the site as to warrant a planning refusal ground.

There are maisonettes to the east of the site which have flank windows some of which are primary windows to kitchen areas. Smaller windows to the rear elevation also serve the kitchen areas. The single storey element of the scheme will project c 4m beyond the rear building line of the adjacent maisonettes and the two storey element by c 2.1m; the height of the wall to the boundary reduces from 4.2m to 2.6m for the 8m rear section of the building. A pitch roof over this single storey element, with maximum height of 3.2m, adjoins to the first floor element. Height to the eaves of the two storey element is 5.6m and to the top of the ridge and additional 2m. Although the extent of projection beyond the rear building line of the maisonettes may not be considered unacceptable, the scheme will result in some feeling of enclosure given the sensitive relationship of the flank windows to the proposed development. A separation of 3.4m from the upper maisonette flank window to the proposed first floor flank wall and 2.4m for the ground floor maisonette to the ground floor element with further separation to the first floor element of 1m. The ground floor maisonette, in addition to the secondary window to the rear, has a part glazed (obscure) back door to the kitchen. The garden areas for the maisonettes are split; there is a shed and pedestrian access (for the upper maisonette) leading through to the rear garden area and this is directly adjacent

the boundary with the application site. This results in the garden area for the lower maisonette set away from that boundary. Whilst there is a sensitive relationship, particularly in respect of the flank windows, the impacts, on balance, may not be considered to be so great as to result in a planning ground of refusal.

#### Quality of living conditions for future occupiers

Policy 3.5 of the London Plan states the minimum internal floorspace required for residential units on the basis of the level of occupancy that could be reasonably expected within each unit. Policy BE1 in the Adopted UDP states that the development should respect the amenity of occupiers of future occupants.

The scheme proposes a one bed, two person flat a GIA of 52.91m<sup>2</sup>. Table 3.3 of the London Plan requires a Gross Internal Area of 50m<sup>2</sup> for one bedroom two person flats. With regard to the above it appears that the size of the flat for its intended occupancy would comply with the minimum standards contained in the London Plan unit size standards. On balance this is considered acceptable.

London Plan Policy 3.8 requires for 90% of new housing to meet Part M4 (2) 'accessible and adaptable dwellings' for compliance with Building Regulations Part M. This replaces the previous requirement for 'Lifetime Homes' compliance and wheelchair housing.

The proposed flat has a proposed balcony area. On the basis of the likely occupancy of the flat and the proximity of nearby parks and amenities the lack of on-site outside amenity area may not be considered unacceptable in this particular instance.

#### Highways and traffic issues

No parking provision is provided on site but given Highways comments (above) no objection is raised in this respect.

#### Refuse

All new developments shall have adequate facilities for refuse and recycling. The applicant has provided details of the location of refuse storage for the units.

#### Sustainability and Energy

Limited information has been supplied in this regard except to indicate a range of energy efficiency measures will be incorporated into the construction. However, further information is not mandatory for this type of small development.

#### Summary

Having had regard to the above, and subject to consideration of any further neighbour comments, it is considered, on balance, that the proposed development 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 nor have an adverse impact on highway and local parking conditions.

**as amended by documents received on 19.07.2016**

**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 Before the development hereby permitted is first occupied details of balcony screening to the west flank shall be submitted and approved in writing by or on behalf of the Local Planning Authority and the approved details shall be fully implemented before first occupation and permanently maintained as such thereafter.**

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

- 4 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.**

- 5 No structure, plant, equipment or machinery shall be placed erected or installed on or above the roof or on external walls without the prior approval 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.

**6** The proposed new housing should meet Part M4 (2) 'accessible and adaptable dwellings'. The requirements should be met and completed before any part of the development hereby permitted is first occupied and shall be permanently maintained thereafter

**:** In order to comply with London Plan Policy 3.8 and in the interest of amenities for future occupiers

**7** 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.

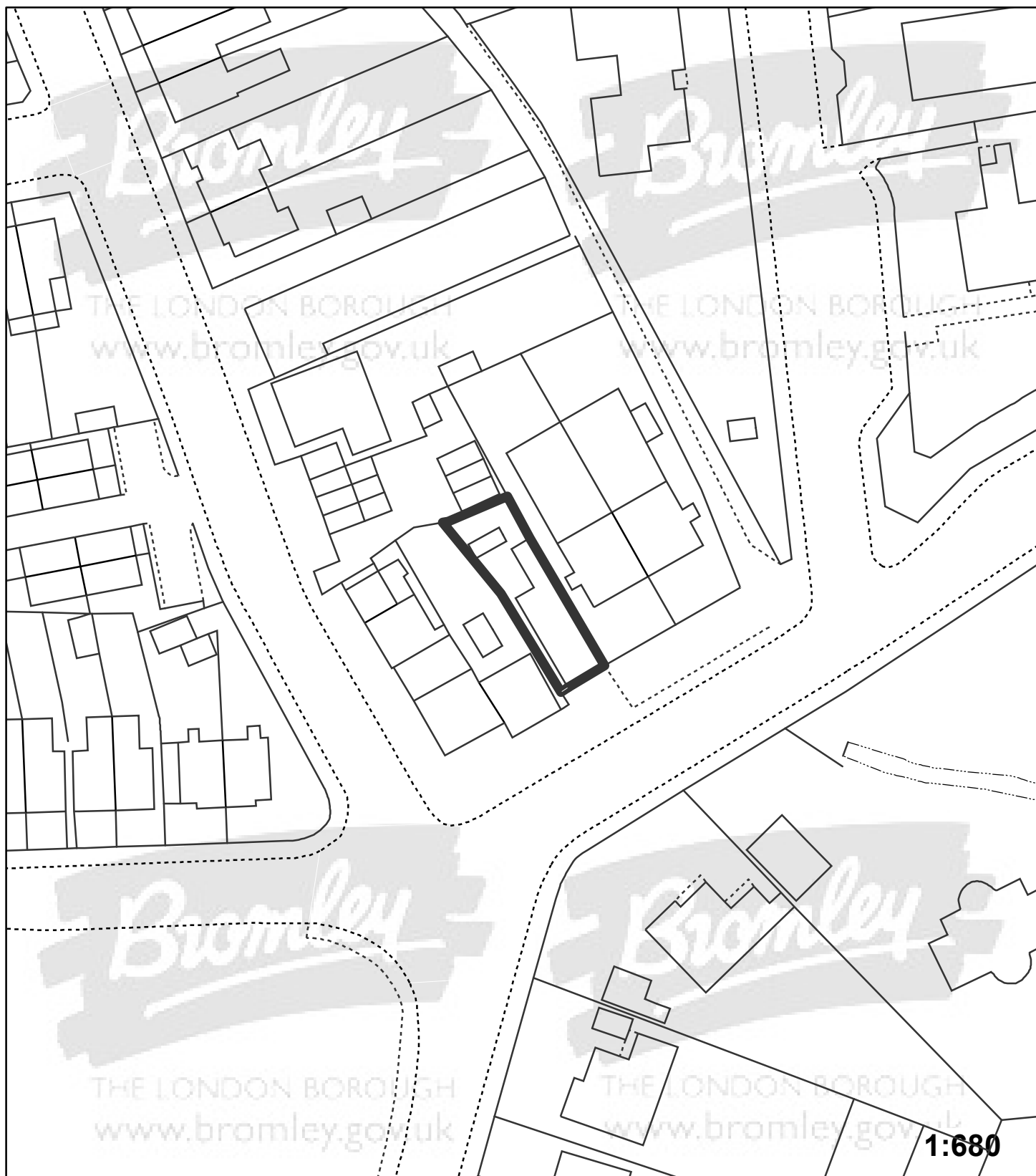
**Reason:** In order to comply with Policy BE1 of the Unitary Development Plan and in the interest of the appearance of the building and the visual amenities of the area.

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**Application:**16/00753/FULL1

**Address:** 123A Southborough Lane Bromley BR2 8AP

**Proposal:** Replacement part one/two storey detached building for A1 (retail) use to ground floor and C3 (residential) use to first floor, with balcony to front.



"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  
Biggin Hill Safeguarding Area  
London City Airport Safeguarding  
Open Space Deficiency  
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 100m<sup>2</sup>, the area of the storage is not shown on the application form however looks similar to the previous application, giving an increase of around 540m<sup>2</sup>.

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 100m<sup>2</sup> 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](mailto: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:

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

Principle of Development.

Housing is a priority use for all London Boroughs 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.

## Residential Amenity

### 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 79m<sup>2</sup> and 86m<sup>2</sup> respectively. The technical Housing Standards document requires a Gross Internal Area of 70m<sup>2</sup> 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 hipping 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.**

**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**

**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.

17 The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) by Quercus Consulting Limited dated July 2016 and the following mitigation measures detailed within the FRA:

1. Access to the Kyd Brook shall be maintained with a minimum distance of 1.5m from the proposed building to the site boundary wall as indicated on drawing ref: 0910.WD.05M.
2. Flood-proofing measures included as detailed on page 6 of the FRA
3. Lower ground finished floor level shall be set no lower than 53.9mAOD

Reason: To allow access for Environment Agency inspection of the Kyd Brook.

2. To reduce the impact of flooding to the proposed development and future occupants
3. To reduce the risk of flooding to the proposed development and future occupants

In accordance with Policy 5.12 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 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.**

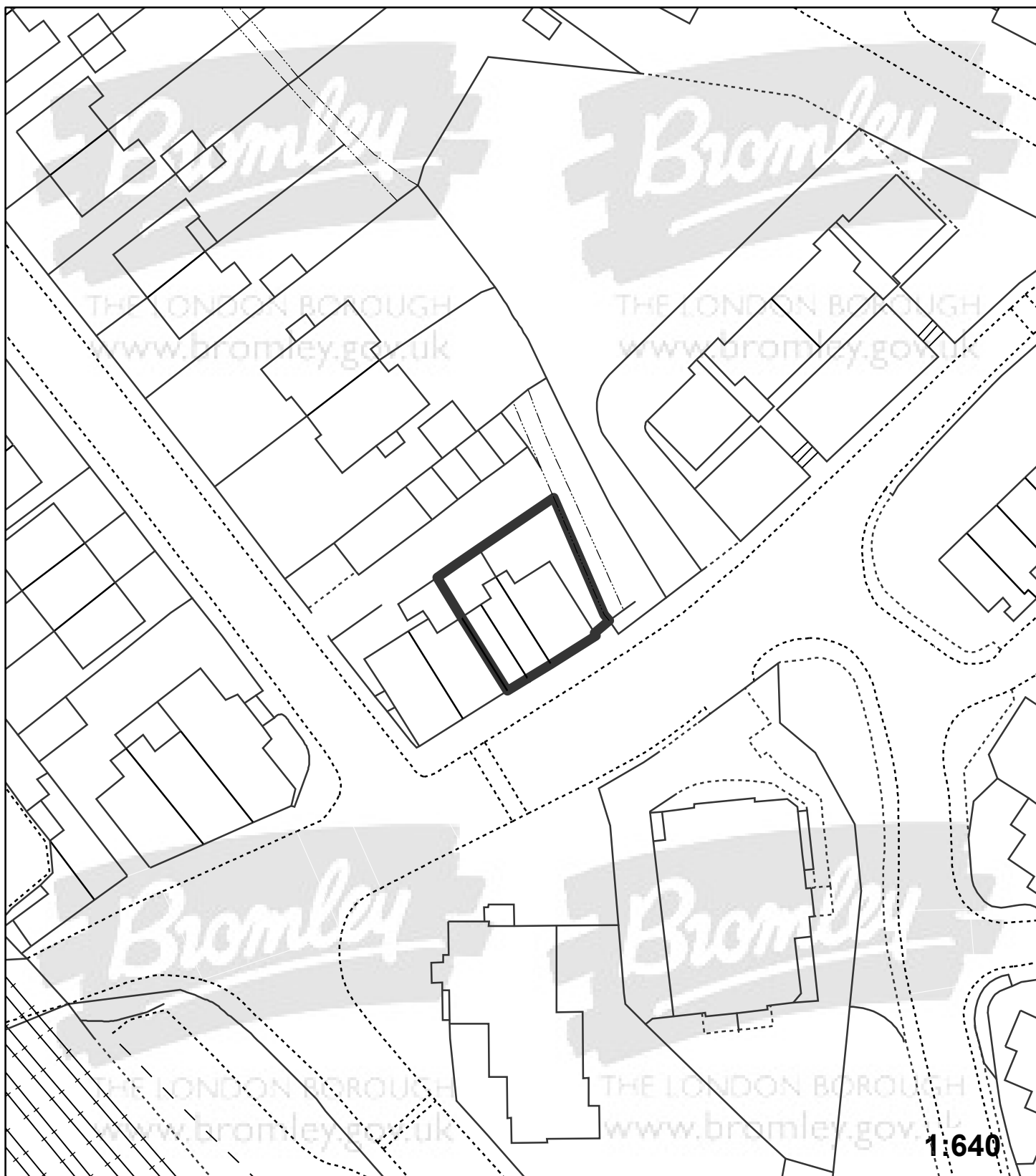
**Further information about Community Infrastructure Levy can be found on attached information note and the Bromley website [www.bromley.gov.uk/CIL](http://www.bromley.gov.uk/CIL)**

- 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)**

**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 :** 16/01091/FULL1

**Ward:**  
**Clock House**

**Address :** 45 Ancaster Road Beckenham BR3 4DZ

**OS Grid Ref:** E: 535783 N: 168685

**Applicant :** William Willoughby (Estates) Ltd

**Objections :** YES

### **Description of Development:**

Demolition of existing bungalow and the construction of a two storey building in order to provide 4no. 2 bedroom flats, together with four off road parking spaces, cycle and refuse storage (amendment to application ref:15/05399)

Key designations:

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

### **Proposal**

Members will recall that this application was presented to Plans Sub Committee No.2 on the 12th May 2016, with an Officer recommendation for approval. Members resolved to defer the application in order to seek a reduction in the size and scale of the rear of the development. The applicant has subsequently decided to appeal this scheme on the grounds of non-determination (Appeal REF APP/G5180/W/16/3150820). Members are therefore asked whether they wish to contest the current appeal.

It should be noted that Members cannot grant or refuse planning permission for this scheme as the decision now rests with the Planning Inspectorate. However, the conditions listed at the end of this report can be suggested to the Planning Inspectorate.

A copy of the report is provided below:

The application seeks consent for the demolition of existing bungalow and the construction of a two-storey building in order to provide 4No two bedroom flats.

Four off-street parking spaces are proposed.

### **Location**

The application site is located on the west side of Ancaster Road. The site currently comprises a detached bungalow with a large rear garden. The building is currently vacant. The existing development within Ancaster Road is characterised

by detached and semi-detached single family dwelling houses. There are a number of architectural styles within the street; including Victorian dwellings, 1950s housing and 1960/70s developments. Generally however semi-detached styles, with hipped rooflines and double height bay windows are common. The dwellings have generous rear gardens and modest gaps between the buildings.

The site is located within Flood Zone 3

The site is not located within a conservation area and the site has a PTAL of 4.

## **Consultations**

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

- The height of the proposed development goes beyond the height of the neighbouring dwellings
- Overdevelopment of such a small plot
- Would appear enormous against neighbouring semi-detached houses
- None of the other properties have been converted into flats
- Owner occupied houses are normally well maintained but there is nothing to stop these from being rented out
- Would set a precedent for other houses on the area.
- Loss of sunlight to neighbouring properties
- Would make neighbouring houses feel claustrophobic
- Harmful to neighbouring visual amenities. Extensions granted permission elsewhere in the street have already resulted in harm to neighbouring properties
- Loss of privacy and overlooking.
- Extension into the garden is out of character with the street
- Size and scale of the proposal is out of character
- Proposed fencing is unacceptable and unsightly. Existing fencing is open and allows for interaction between neighbours.
- Noise pollution from flats as lounges will be at the rear with fully opening patio doors onto the rear garden
- Proposed materials are not in keeping neighbouring buildings including roof material and cedar cladding.
- Insufficient parking for 4 flats.
- Area is already heavily parked and congested by commuters
- The plans are misleading.
- Ancaster Road is a rat run and used by neighbouring streets.
- Concerns about manoeuvrability into and out of the site, including highway and pedestrian safety
- Removal of the sapling to the front is not acceptable. Benefits the streetscene and has environmental benefit. A replacement sapling would take years to establish.
- Noise of construction

- The rear garden of No 45 becomes a pond in heavy rain. Increasing the footprint reduced drainage and will result in more flooding for neighbouring properties
- Storage of materials during construction will be difficult as there is insufficient room to the front
- Loading and unloading of delivery vehicles and construction vehicles will block the road
- Due to the narrow width of Dorset Road, large vehicles have issues turning rounds resulting in safety hazards
- Concerns about drainage
- Loss of light and impact on human rights

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

The applicant has given further details of refuse bins. LBB Waste Service would be able to confirm if the bins are enough to store refuse of 5 flats.

There are some highway trees in front of the house. Consult the Arboricultural Officer to decide if crossover can be constructed without disturbing the tree or if they are prepared to relocate the tree.

A covered and secure cycle storage facility is now provided close to the main entrance and also at the rear of the house. The storage area can store 12 cycles which is satisfactory.

The proposal is to remove the frontage low level wall, extend the dropped kerb and create an open driveway to provide four car parking spaces. Each space is 2.4 metres x 5.0 metres. These four spaces would be for use by the proposed 4 x 2 bedroom apartments. I have seen the swept path Swept Path Analysis which demonstrates that the vehicles can manoeuvre safely and efficiently in and out of the 4 proposed bays and I am satisfied.

Please include the following with any permission:

Condition

H03 (Satisfactory Parking)

H12 Pedestrian Visibility....3.3 x 2.4 x 3.3m visibility splays and no obstruction to visibility in access of 1m in height...

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

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."

Highway Area Inspector - We have no highways issues as such but there are two trees in situ and looking at the plans we would struggle to fit the crossovers whilst they are present but it depends how close we can excavate to the tree. There is also a telegraph pole on the boundary. We have no highways issue as long as the construction is 4.5m away from the rear of the footpath but the trees would be the main issue in my opinion.

Council Arboricultural Officer - No objections subject to appropriate compensation for the removal and relocation of the sapling located on the pavement.

Environment Agency - We have reviewed the proposal and have no objections subject to the following planning condition being imposed on any permission granted:

Condition

The development permitted by this planning permission shall only be carried out in accordance with the approved flood risk assessment (FRA) by UK Flood Risk Consultants, version 1.1, dated February 2016, and the following mitigation measures detailed within the FRA:

1. flood resilient construction measures to be incorporated as detailed within section 4.2;
2. finished ground floor levels to be set no lower than 32.55mAOD as indicated on drawing no. 5289.08C in Appendix A.

Reasons

1. To reduce the impact of flooding to the proposed development and future occupants;
2. To reduce the risk of flooding to the proposed development and future occupants.

The site is situated within flood zone 3, the high risk zone. Residential development is classified as more vulnerable in terms of flood risk under the National Planning Policy Framework (NPPF).

The Proposed Elevations and Sections drawing (Drawing no. 5289.08C) indicates that ground floor finished floor levels are to be set at 32.55mAOD. This is over 300mm above the modelled 1 in 100 year plus climate change flood level according to the submitted FRA. We consider this acceptable.

We would highlight that the proposal includes sleeping accommodation on the ground floor.

We normally advise against placing sleeping accommodation at ground floor level in areas of flood risk as it presents a potential risk to life. We recommend that sleeping accommodation is placed on the first floor or above, or alternatively that ground floor levels are raised to 600mm above the modelled 1 in 100 year plus climate change flood level.

We welcome the flood resilience measures recommended in section 4.2 of the submitted FRA and strongly advise that these are included within the development. Further information on flood resilience can be found on the following link [http://www.planningportal.gov.uk/uploads/br/flood\\_performance.pdf](http://www.planningportal.gov.uk/uploads/br/flood_performance.pdf).

As recommended within the FRA, residents should register with the Environment Agency's flood warning service, 'FloodLine', so that they may prepare themselves in case of a flood event. They can do this by calling 0345 988 1188.

In view of the potential extent of flooding around the property we would highlight to your authority concerns about access and egress to the site and neighbouring properties in the event of a flood. Section 4.3 of the FRA states residents can evacuate via Ancaster Road towards Elmers End as it will remain dry during extreme events. Yet Table 4 of the FRA indicates a flood depth of 32.7mAOD on Ancaster Road, implying it is not a dry escape route.

You may wish to impose a planning condition requiring the submission of an emergency flood plan for approval by your emergency planner. The Environment Agency does not normally comment on or approve the adequacy of flood emergency response procedures, as we do not carry out these roles during a flood.

Please note we are aware of incidents of surface water flooding at the site. Following the Flood and Water Management Act 2010, the responsibility for management of flood risk from surface water runoff, groundwater and ordinary watercourses now sits with the lead local flood authority (LLFA), in this case, the London Borough of Bromley. Please refer to your drainage department for planning advice with respect to surface water management at the site.

Thames Water - No objections

Drainage Officer - Reviewing the submitted FRA carried out by UK Flood Risk with Reference No. QFRA:252 Version 1.2 dated 25/02/2016. I note the following comments: the proposed mitigation measures to increase finished floor levels and incorporating resistance and resilience measures are acceptable, I however do not agree with the applicant saying that the new building will occupy the same footprint of the existing therefore the surface water run-off from the site will not be increased, I refer the applicant to the London Plan and the fact that the site is a brownfield site and attenuation must be provided for the life span of the development.

Environmental Health - I have considered the above and I have no objections in principle however I would recommend that the following conditions are attached:

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

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

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

### **Planning Considerations**

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

BE1 Design of New Development  
BE7 Railings, Boundary Walls and Other Means of Enclosure  
H1 Housing Supply  
H7 Housing Density and Design  
NE7 Development and Trees  
ER10 Light pollution  
T3 Parking  
T7 Cyclists  
T18 Road Safety

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

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

London Plan (July 2015)

Policy 3.3 Increasing Housing Supply.  
Policy 3.4 Optimising Housing Potential  
Policy 3.5 Quality and design of housing developments  
Policy 3.8 Housing choice  
Policy 5.1 Climate change mitigation  
Policy 5.2 Minimising carbon dioxide emissions  
Policy 5.3 Sustainable design and construction  
Policy 5.7 Renewable energy

Policy 5.9 Overheating and cooling  
Policy 5.10 Urban greening  
Policy 5.11 Green roofs and development site environs  
Policy 5.12 Flood risk management  
Policy 5.13 Sustainable drainage  
Policy 5.14 Water quality and wastewater Infrastructure  
Policy 5.15 Water use and supplies  
Policy 6.9 Cycling  
Policy 6.13 Parking  
Policy 7.2 An inclusive environment  
Policy 7.3 Designing out crime  
Policy 7.4 Local character  
Policy 7.6 Architecture  
Policy 8.3 Community infrastructure levy

London Plan Supplementary Planning Guidance (SPG)

Housing: Supplementary Planning Guidance. (2016)

Planning History

15/05399/FULL1 Demolition of existing bungalow and the construction of a two-storey building plus roof space, in order to provide 4No 2 bedroom and 1No 1 bedroom flats, together with associated parking, cycle and refuse storage. Refused in February 2016 for the following reasons:

1. *The proposal would provide a poor standard and poor quality accommodation within flat 5, by virtue of its inadequate head height, restricted outlook and poor ventilation, harmful to the amenities of future occupiers and contrary to Policies H7 and BE1 of Bromley's Unitary Development plan (2006); Policy 3.5 of the London Plan (2015); Housing Supplementary Planning Guidance (2012); Minor Alterations to the London Plan (May 2015) and Draft Housing SPG (2015).*
2. *The proposal would result in unacceptable overlooking and a loss of privacy to neighbouring properties as a result of the proposed balconies, intensification of the site and location of the development contrary to BE1 Design of New Development of the Unitary Development Plan (2006) and Supplementary Planning Guidance No 1 General Design Principles and No 2 Residential Design Guidance.*

## **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 and scale 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. Consideration should also be given to the previous reason for refusal.

## Principle of Development

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

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

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

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

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

The site is currently in residential use and is located adjacent to residential dwellings to the north and south. 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.

## 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 4 giving an indicative density range of 45-130 dwellings per hectare / 200-350 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 250-300 hab rooms/80-120 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 150 habitable rooms per hectare or 50 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.

#### Scale and Layout.

The National Planning Policy Framework (NPPF) states that a key role for planning is to seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. Further to this, paragraph 58 of the NPPF states that planning decisions should aim to ensure that developments function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development; establish a strong sense of place, respond to local character and history, and reflect the identity of local surroundings and materials; and are visually attractive.

The London Plan further reiterates the importance of ensuring good design, and states, in Policy 7.4, that development should improve an area's visual or physical connection with natural features and, in areas of poor or ill-defined character, development should build on the positive elements that can contribute to establishing an enhanced character for the future function of the area. Policy 7.6 of the London Plan also states that development should be of the highest architectural quality, be of a proportion, composition, scale and orientation that enhances, activates and appropriately defines the public realm and should comprise details and materials that complement, not necessarily replicate, the local architectural character.

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 existing development within Ancaster Road is characterised by detached and semi-detached single family dwelling houses. There are a number of architectural

styles within the street; including Victorian dwellings, 1950s housing and 1960/70s developments. Generally however, semi-detached styles with hipped rooflines and double height bay windows are common. The dwellings have generous rear gardens and modest gaps between the buildings.

The proposed building has been designed to appear as semi-detached dwelling when viewed from the front. However, it would include central door, with double height bay windows, and a pitched roof. Its front building line would be similar to neighbouring dwellings and the architectural details are not uncharacteristic of the wider locality. In terms of its materiality, the proposal would have a contemporary appearance with part cedar cladding, however when considering the overall design this is not considered to be harmful to the character and appearance of the wider locality. The proposed building would be similar in height to the neighbouring property at No 47; however the existing bungalow was significantly lower and is generally considered to be more of an incongruous feature within the street scene. In this case, it is considered that the introduction of a two-storey structure would be more in keeping with neighbouring dwellings and uniformity of the street. The surrounding area is residential in character and the proposal and been design to appear as a two-storey semi-detached dwelling, albeit with a central door. The introduction of residential flats would not therefore be significantly out of character with the street and planning permission has been granted for the conversion of 21 Ancaster Road into 3No flats.

The proposal would also include a two-storey rear projection, which would incorporate a pitched roof. The rearward projection and footprint would be marginally out of keeping with the rear building lines of the immediate neighbouring properties, however No's 19-21 and No's 30-32 also include original two-storey rear projections. Two-storey rear extensions are also noted at No's 40 & 42 Ancaster Road. This staggered design is not uncommon for urban/suburban environments and the examples above, depth of the rear garden and more informal architectural arrangement provides some degree of flexibility. In this case it is considered that the rear projection would not be significantly incongruous with, or harmful to, the character and appearance of the wider locality.

Saved Policy H9 also requires proposals of two or more storeys in height to be a minimum of 1m from the side boundary. However, H9(ii) states that 'where higher standards of separation already exist in residential areas, proposals will be expected to provide a more generous side space. Para 4.48 explains that the Council considers that it important to 'prevent a cramped appearance and is necessary to protect the high spatial standards and visual amenity which characterise many of the Borough's residential areas'. In this case the proposal would be significantly larger than the previous bungalow; however the scheme has provided the required 1m side space. The proposed space between the buildings is not dissimilar to neighbouring examples and the overall spatial qualities of the area would not be significantly harmed.

The proposal would also include a parking area to the front. This would require the removal of a front garden wall and landscaping. Whilst the parking area to the front would be greater than neighbouring examples, front drives are not uncommon. In this case the harm to the appearance of the streetscene is not considered to be of

a material degree that could sustain a refusal. Some landscaping is proposed around the front parking area and a Willow tree located at the rear would be retained. A full landscaping strategy could be conditioned should the application be considered acceptable.

Whilst it is acknowledged that the form and scale of the proposed dwelling is larger than the existing bungalow it is not so dissimilar to neighbouring properties that it would cause significant harm to the character and appearance of the wider streetscene. The proposal in terms of its scale and massing would appear similar to neighbouring examples, when viewed from the front. The scheme would provide a level of side space that accords with Saved Policy H9 and would generally maintain the spatial qualities of the area. Given the above, members may therefore consider that the proposal would be acceptable from a design perspective.

#### Standard of Accommodation

The London Plan and London Plan Housing SPG set out minimum floor space standards for dwellings of different sizes. These are based on the minimum gross internal floor space requirements for new homes relative to the number of occupants and taking into account commonly required furniture and spaces needed for different activities and moving around, in line with Lifetime Home Standards. The quality of the proposed accommodation needs to meet these minimum standards.

The layout, as indicated on the plans, demonstrates a form of development which would provide a level of accommodation in accordance with the minimum space standards and overall unit sizes as set out in the London Plan and the Mayor's Housing SPG.

The applicant has removed one flat from the proposed development and would no longer include a unit within the roof slope. This has therefore addressed the previous reason for refusal.

All rooms would receive an acceptable level of light, ventilation and outlook.

#### Neighbouring amenity

Policy BE1 seeks to ensure that new development proposals respect the amenity of occupiers of neighbouring buildings and that their environments are not harmed by noise and disturbance or by inadequate daylight, sunlight or privacy or by overshadowing.

The main impact of the proposal would be on the immediate neighbouring occupiers.

In relation to neighbouring occupiers No 47 is located to the north east of the application site. It benefits from a modest size single-storey rear extension. There are a number of windows located within the flank elevation of No 47, however these windows do not appear to serve habitable rooms. No 39 is located to the south west of the site and includes a small lean to extension at the rear. No windows are located within the flank elevation of this neighbouring property.

The proposed structure would be significantly larger than the existing bungalow, and would also include a two-storey rearward projection. However, in terms of the visual impact the principle harm would come from the bulk of the two-storey rear projection. The harm from the remaining section of the building would be limited, due to the nature of windows within the flank elevations of the neighbouring properties. It is acknowledged that the development would be bulkier than the existing structure; however the scheme has been design to be outside the 45 degree splay for No 39 and No 47. The proposed would include a roof which pitches away from the common side boundary and the rearward projection has also been designed to include a 3m setback. The neighbouring extension at No 47 and depth of the rear gardens also go some way to alleviating the visual harm. Whilst it is accepted there would be some visual incursion from the proposal, including some loss of light and overshadowing from the rear section of the development for No 47, when taking the above factors into account, along the depth of the rear gardens, this harm is not considered to be of a material degree that would warrant a refusal.

Consideration has been given to the revised layout in order to try and minimise overlooking. This includes a reconfiguration of the internal layout with bedrooms located towards the rear on the upper floors. The scheme has also removed the rear balconies and would include high level obscured windows on the flank elevations, which can be conditioned to be obscured glazed and non-opening below 1.7m. There is already an established degree of overlooking towards the rear gardens from neighbouring properties and whilst the proposal would result a marginal increase in overlooking the impact is not considered significant enough to sustain a refusal given the above amendments.

### Highways

The site has a PTAL of 4 which is considered to be a "good" level of accessibility. The London Plan states that "All developments in areas of good public transport accessibility should aim for significantly less than 1 space per unit". In this case the proposal would comply with objectives of Policy 6.13 Parking of the London Plan. The Council's highways officers has also reviewed the scheme and raised no objections on parking grounds, or on pedestrian and highway safety. Given the above the proposal is considered to be acceptable in terms of its highway impact.

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

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

### Trees

Policy NE67 Development and Trees states that proposals for new development will be required to take particular account of existing trees on site and on adjoining land, which in the interests of visual amenity and/or wildlife habitat are considered

desirable to be retained. Tree Preservation Orders will be used to protect trees of environmental importance and visual amenity. Where trees have to be felled, the Council will seek suitable replanting.

There is one small tree located immediately outside the proposed entrance to the site, which would have to be removed. The tree is a relatively young sapling, which is considered to hold limited amenity value at present. However this value would increase as the tree increases in size. The applicant has submitted a Unilateral Undertaking with a payment to facilitate the removal of this tree and replacement within the vicinity. The Council's Arboricultural officer has reviewed the scheme and raised no objections to this arrangement.

#### Flooding

The site is located within Flood Zone 3. The applicant has provided a FRA in support of the application and no objections have been received from the Environment Agency. However the EA have requested a condition relating to compliance with detailed resilience measures outlined with the FRA. This is considered reasonable and necessary to ensure the safety of the dwelling. The proposal would also include a front drive which includes permeable paving. It is considered reasonable to condition the submission of the permeable paving and drainage details to ensure the scheme would not result in unacceptable runoff onto the highway.

#### 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.

Officers consider on balance that the scheme would be acceptable, however Members decided to defer this scheme at the 12th May 2016 committee in order to seek a reduction in the size and scale of the rear development – should these concerns remain and Members wish to contest the appeal, reasons for this would need to be agreed.

#### **RECOMMENDATION: RESOLVE NOT TO CONTEST APPEAL**

**The following conditions be suggested to the Planning Inspectorate:**

- 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** 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.

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

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

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

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

- 6** 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** 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.

- 9** The existing access shall be stopped up at the back edge of the highway before any part of the development hereby permitted is first occupied.

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

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

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

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

**Reason:** To ensure satisfactory means of surface water drainage and to accord with Policy 5.12 Flood Risk Management of the London Plan (2015)

- 12** No loose materials shall be used for surfacing of the parking and turning area hereby permitted

**Reason:** In the interest of highway safety, the amenities of the area and to accord with BE1 Design of New Development and T18 Road Safety of the Unitary Development Plan (2006).

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

Reason: To minimise the effect of the development on local air quality within an Air Quality Management Area in line with the NPPF p124 and Policies 6.13 and 7.14 of the London Plan (2015)

- 14 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

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

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

- 16 The development permitted by this planning permission shall only be carried out in accordance with the approved flood risk assessment (FRA) by UK Flood Risk Consultants, version 1.2a, dated February 2016, and the following mitigation measures detailed within the FRA:

(i) flood resilient construction measures to be incorporated as detailed within section 4.2

Reasons. To reduce the impact of flooding to the proposed development and future occupants and in accordance with Policies 5.12 Flood risk management and 5.13 Sustainable drainage in the London Plan (July 2015)

- 17 The development permitted by this planning permission shall only be carried out in accordance with the approved flood risk assessment (FRA) by UK Flood Risk Consultants, version 1.2a, dated February 2016, and the following mitigation measures detailed within the FRA:

(i) finished ground floor levels to be set no lower than 32.55mAOD as indicated on drawing no. 5289.08C in Appendix A.

Reasons. To reduce the impact of flooding to the proposed development and future occupants and in accordance with Policies 5.12 Flood risk management and 5.13 Sustainable drainage in the London Plan (July 2015)



18 (a) No development shall commence on site until a scheme for surface water management, including a management and maintenance plan for the lifetime of the development, specifications of the surface treatments and sustainable urban drainage solutions, has been submitted to and approved in writing by the local planning authority.

(b) The development shall be carried out in accordance with the approved scheme and thereafter, the approved scheme is to be retained and maintained in perpetuity in accordance with the details approved therein.

Reason: To prevent the increased risk of flooding and to improve water quality in accordance with Policies 5.12 Flood risk management and 5.13 Sustainable drainage in the London Plan (July 2015)

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

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

20 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 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 of the room in which the window is installed 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.

You are further informed that :

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

2 You are advised that 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.**

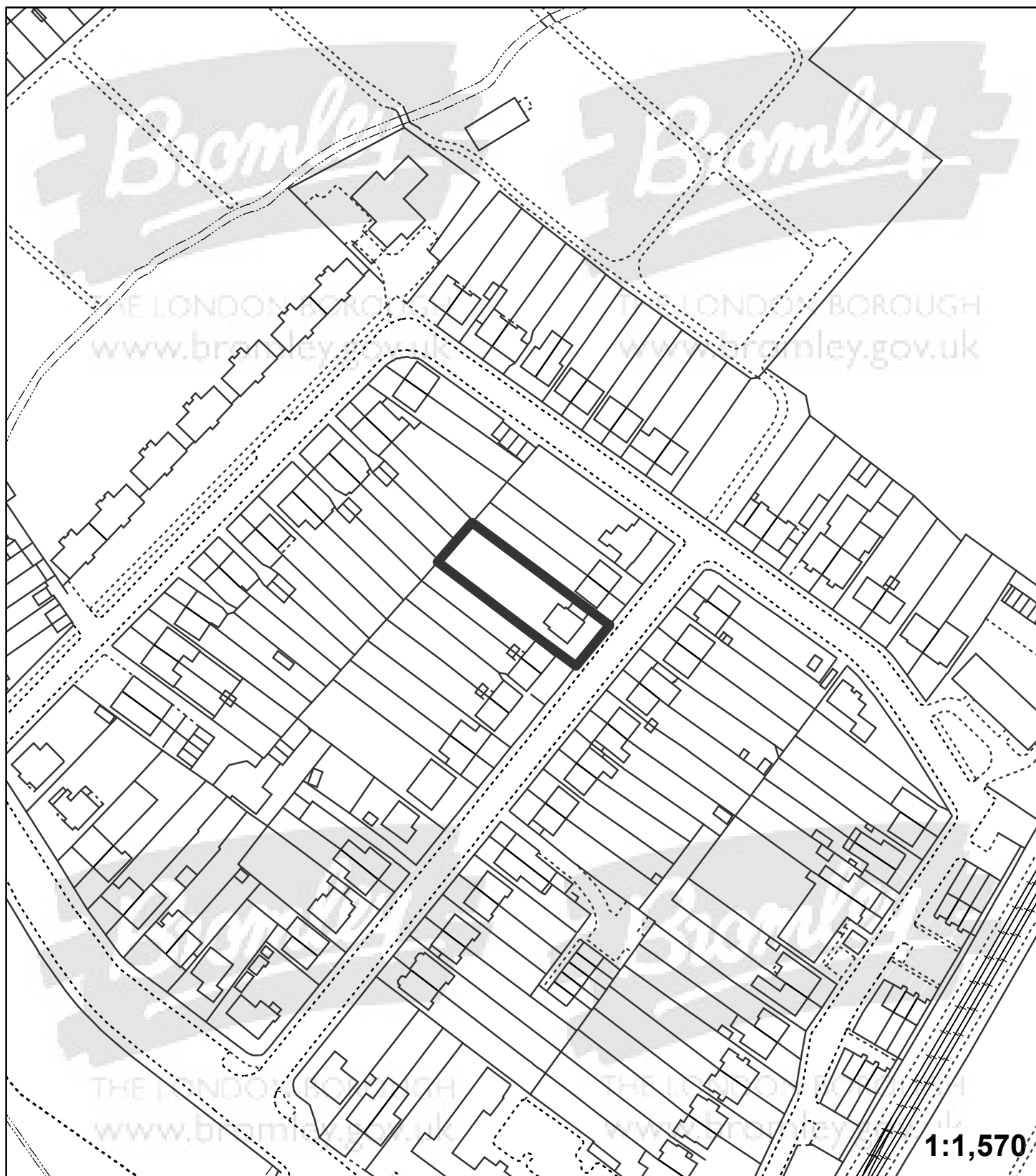
**Further information about Community Infrastructure Levy can be found on attached information note and the Bromley website [www.bromley.gov.uk/CIL](http://www.bromley.gov.uk/CIL)**

- 3 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.**
- 4 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.**

**Application:**16/01091/FULL1

**Address:** 45 Ancaster Road Beckenham BR3 4DZ

**Proposal:** Demolition of existing bungalow and the construction of a two storey building in order to provide 4no. 2 bedroom flats, together with four off road parking spaces, cycle and refuse storage (amendment to application ref:15/05399)



"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 :** 16/01750/FULL3

**Ward:**  
**Penge And Cator**

**Address :** Kent House Tavern Thesiger Road  
Penge London SE20 7NQ

**OS Grid Ref:** E: 536005 N: 170423

**Applicant :** Mr Abdul Ghafar

**Objections :** YES

### **Description of Development:**

Change of use of existing Public house (Class A4) to 3 residential flats (Class C3) ( 2x1 bed and 1X2 bed) and insertion of a door in the west elevation

Key designations:

Biggin Hill Safeguarding Area  
London City Airport Safeguarding  
Smoke Control SCA 33

### **Proposal**

Planning permission is sought for the change of use of existing Public House (Class A4) to 3 residential flats (Class C3) (2 x 1 bed and 1 x 2 bed) and insertion of a door in the west elevation.

### **Location**

The site is located at the fork of Thesiger and Somerville in Penge and is occupied by a public house. The first floor of the building is currently being converted to 6 x 1 bed flats (granted in November 2015 under ref 15/02635/FULL1). The property is a two storey building of masonry construction. It has a clay tiled roof to the main building with flat roof sections to the rear. The property has a garage/storage area and a garden to the left hand elevation of Thesiger Road.

### **Consultations**

Nearby owner/occupiers were notified of the application which can be summarised as follows:

- Do not agree with the loss of the pub. The pub has been vacant for a long time but there is no evidence that the pub has been actively marketed for a pub in its present condition with the approved residential C3 flats in the upper storeys.
- Do not believe there would be any operators willing to take on a lease for the pub use.

- Recent trends shows there is a growing demand for A4 premises in the local area as evidenced by the application for a change of use on Anerley Road to build a micro pub.
- The current proposal would result in 9 units on site (more than the Inspector has already considered inappropriate)
- Increased traffic/lack of parking
- Insufficient outdoor space
- The size of the site and the number of units proposed would exceed the density matrix within Policy 3.5 of the London Plan
- Insufficient space for bins

#### Comments from Consultees

Environmental Health - no objection

Highways - No objection subject to conditions

#### **Planning Considerations**

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

BE1 Design of New Development

H12 Conversion of Non-Residential Buildings to Residential Use

T1 Transport Demand

T3 Parking

T7 Cyclists

T18 Road Safety

#### Bromley Draft Policies and Designations

Section 3 - Visions and Objectives - Health and Wellbeing

Section 6 - Supporting Communities

Draft Policy 6.1 - Community Facilities

Draft Policy 6.7 - Public Houses

#### 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

5.13 Sustainable Drainage

5.15 Water use and supplies, Waste self-sufficiency

5.17 Waste Capacity

6.9 Cycling

6.13 Parking

- 7.2 An Inclusive Environment.
- 7.3 Designing out crime
- 7.4 Local character
- 7.6 Architecture
- 8.3 Community infrastructure levy

London Plan Supplementary Planning Guidance (SPG)

Housing: Supplementary Planning Guidance. (November 2012) London Plan 2011 Implementation Framework

### **Planning History**

- Planning permission was refused in August 2014, (ref 14/01394/ful), for dormer windows to Thesiger Road and Somerville Road elevations and internal alterations to provide 8 one bedroom flats at first floor level and within the roofspace.

The application was refused for the following reasons:

- 1 The proposal would constitute an overdevelopment of the site and would be out of character with the surrounding development, contrary to Policy BE1 of the Unitary Development Plan
- 2 The proposed accommodation will not provide a satisfactory living environment for its occupiers due to its size and layout, contrary to Policy H11 of the Unitary Development Plan and Policy 3.5 of the London Plan.

The application was also dismissed on appeal. Decision dated March 2015.

- Planning permission was refused in October 2014 (ref: 14/03387/FULL1) for internal alterations to provide 3 one bedroom flats and 1 studio flat, cycle and bin store.

The application was refused for the following reasons:

- 1 The proposed development, due to its poor quality, poor standard of provision and conflicts of use with the commercial pub use of the outdoor amenity space and access, would provide an unacceptably poor standard of living accommodation for its occupants. The proposals are therefore contrary to Policy H12 of the Unitary Development Plan and Policy 3.5 of the London Plan.
- 2 The proposed development would fail to provide a satisfactory layout, standard and size of good quality accommodation for future occupiers by reason of its substandard floor space arrangement and internal layout contrary to Policy 3.5 of the London Plan, the London

Plan Supplementary Planning Guidance: Housing and Policy H12 in the adopted Unitary development Plan.

- Planning permission was granted in October 2015 for (ref: 15/02635/FULL1) alterations internally and externally to create 6 one bed flats on the first and second floor
- Planning permission was refused in February 2016 (ref: 15/05424/FULL1) for alterations internally and externally including mansard roof extension to create 6 one bed flats on the first and second floor for the following reasons:

The proposed mansard roof in conjunction with the dormer windows by reason of its bulk, mass and design would be an incongruous form of development, detrimental to the character and appearance of the host building and the street scene, contrary to Policy BE1 of the UDP.

## **Conclusions**

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

- The principle of the proposed development
- The design and appearance of the scheme and the impact of these alterations on the character and appearance of the area and locality
- The quality of living conditions for future occupiers
- Impact on the amenity of neighbouring properties
- Highways and traffic issues

### Principle of development

Policy H12 - Conversion of non residential buildings to residential uses states that the Council will permit the conversion of genuinely redundant office and other non residential buildings to residential use, particular above shops, subject to achieving a satisfactory quality of accommodation and amenity.

A marketing report has been submitted in support of the loss of the pub by Pegasus Business Sales. The pub was marketed for A1, A3 or A4 through a number of websites from 10th September 2014 to 20th March 2016. The report states that within this period, there were 132 enquiries expressing interest in the property. Of these enquires were 2 people who expressed further interest and arranged viewings but were not interested due to the location of the site being in a residential street where it would be hard to generate trade for a business to succeed. The report further states that evidence of the advertising is unavailable as all advertisers delete the adverts from the site.

The marketing evidence provided to support the application is not the most detailed; however it is acknowledged that the pub has been vacant for at least 18 months. Given the upper floors have permission to be converted to six flats and the surrounding area is residential, on balance, the loss of the pub may be considered to be acceptable.



## Design

The proposal includes the creation of a new door to allow access for future occupiers of Flat 1 B-C located on the southern elevation. Additionally, a lightwell is proposed towards the north western boundary of the site. The proposed new door is a minor change that would not materially affect the appearance of the building and is therefore considered to be acceptable.

## Standard of accommodation

Three flats are proposed consisting of 1 x 2 bed and 2 x 1 bed. All units are of an adequate size and comply within internal floorspaces within the London Plan. All units will have an adequate level of outlook /sunlight and daylight for future occupants and are dual aspect where possible.

The covered bin store that was approved in 15/02635/FULL1 is considered to be adequate for the additional 3 units. This has been confirmed by Council's waste officer.

In regards to the lack of amenity space, the previous Inspector's decision (APP/G5180/A/14/2227088) for 8 one bedroom units, considered that there would not be much outdoor amenity space for the occupants of the proposed flats. The Inspector found that

'The building takes up a large proportion of the site in a tight knit area. A small external area to the south western end is enclosed by a fence and by an outbuilding proposed for cycle storage. There would be very little outdoor amenity space for the occupants of the proposed flats. This would not provide much external space for between 8 and 16 residents. The area would also continue to be accessed by the ground floor commercial use which would require deliveries and refuse collections'.

He went on further to say

'Whilst I note that there is another entrance off of Somerville Road, there would be scope for conflict between occupants of the flats with the users of the ground floor as suggested by the Council. The intensity of the development together with the lack of a significant area of outdoor space could increase the chances of such problems occurring'.

The applicant's submission refers to the availability of public open space nearby which would be easily accessible. Their further justification for no on site amenity provision is that the type of accommodation being 1 and 2 bed units is likely to attract single professionals, students or couples who do not require as much private amenity space as families with children. Further, they states that the proposed flats would be furnished with a washing machine/ tumble dryer and the occupiers would benefit from refuse and bicycle storage areas on the ground floor.

Whilst this application does not provide any on site amenity space provision the Inspectors decision related to 8 units on the first floor. The total number of flats

within the building will now be nine but this will be spread across two floors. Given the proposal provides a good standard of accommodation for each unit, on balance the lack of provision for private open space may be considered acceptable in this instance.

#### Impact upon adjoining residential amenity

The proposed development is considered acceptable in terms of its impact upon the amenities of neighbouring occupants, the outlook of windows will remain to the front and flank of the building and given they are at ground level there would appear to be no issues with regards to overlooking.

#### Highways

The development is located on the corner of Somerville Road and Thesiger Road. Also the site is within a medium PTAL rate of 3. There are on street parking spaces available within walking distance of the site. No off street parking is offered. Nonetheless, the site is considered accessible to public transport links, being within walking distance of bus routes and a Rail Station.

As there is a correlation of car ownership and type of dwelling people reside (1 bed flat), this suggests that not all occupiers will own car (s). Furthermore the applicant has provided a parking stress survey carried out on 18th and 19th June 2014, indicating that there are on-street parking spaces available for additional demand during the hours of maximum residential parking demand.

A covered and secure cycle storage facility must be provided to encourage cycling as a sustainable transport alternative.

In this case, there will be some impact on nearby properties as a result of this proposal and a judgement needs to be made about whether the impact is unduly harmful. Members may consider that, on balance, the scheme may not cause such harm to the character of the area or result in a significant loss of amenity to local residents as to warrant a planning refusal

#### **RECOMMENDATION: PERMISSION**

##### **Subject to the following conditions:**

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

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

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

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

- 3 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.**

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**Application:**16/01750/FULL3

**Address:** Kent House Tavern Thesiger Road Penge London SE20 7NQ

**Proposal:** Change of use of existing Public house (Class A4) to 3 residential flats (Class C3) ( 2x1 bed and 1X2 bed) and insertion of a door in the west elevation



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

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## **SECTION '2' – Applications meriting special consideration**

**Application No :** 16/02352/FULL1

**Ward:**  
**Bromley Common And**  
**Keston**

**Address :** 29 Fox Lane Keston BR2 6AL

**OS Grid Ref:** E: 541049 N: 164316

**Applicant :** Ms Emily Graham

**Objections :** YES

### **Description of Development:**

Change of use from Class C3 (dwellinghouse) to Class C2 (residential institution) to allow use of the property as a childrens home.

Key designations:

Areas of Archeological Significance  
Biggin Hill Safeguarding Area  
London City Airport Safeguarding  
Smoke Control SCA 22

### **Proposal**

Change of use from Class C3 (dwellinghouse) to Class C2 (residential institution) to allow use of the property as a childrens home.

The home that is proposed is for abused children or young people who have learning difficulties. Acorn Homes do not accept children who come from a background of gangs, violence or drugs. There will be up to four children, aged between 8 and 16, with two to three members of staff on shift when all children are at home.

No external works are proposed to the exiting property.

### **Location**

Detached four bedroom dwellinghouse on the corner of Fox Lane and Heritage Hill. The property has an existing two storey side/rear extension and a detached garage to the rear.

The property is surrounded by residential properties with green belt to the north of the site.

### **Consultations**

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

- Dangerous steep hill and a number of hazardous blind spots
- Logistical problems of transporting children
- Anti social behaviour
- Existing limited parking
- Fox lane frequently used at high speeds - dangerous for children
- There are no parks, playgrounds or sports facilities near the development and no real amenities
- Limited garden area
- No walkways on Fox Lane
- Overcrowding school in Keston
- Noise and disturbance
- This business is not suited to a residential area

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

Highways: There is a double garage and hardstanding to park more cars - no objection subject to conditions

### **Planning Considerations**

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

BE1 Design of New Development

C6 Residential proposals for people with particular accommodation requirements

T3 Parking

No relevant planning history

### **Conclusions**

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

#### Principle of change of use

Policy C5 states that the Council will permit proposals meeting the requirements of vulnerable groups except where it can be demonstrated that such development would have a significant adverse effect on residential amenity.

The children's home proposed is for abused children at risk of sexual exploitation. Acorn Homes do not accept children who come from a background of gangs, violence or drugs. There will be up to four children, aged between 8 and 16, with two to three members of staff on shift when all children are at home. Children will



be at a local school Monday to Friday, therefore only two members of staff will be on site during the day. It is common for children to go home at the weekend and, Acorn Homes is a sports and activities based organisation, who believe it is vital to take children out of the home and keep them active.

The applicants agent has stated that they will be looking to employ nine people from the local community. This will consist of a Registered Manager, a Deputy Manager, two Team Leaders and five Support Workers. The role of the staff team is to ensure the children have the best possible upbringing and lead them in to semi-independence. All staff are given a vast variety of training to allow them to understand and help the young people in all ways possible. One company vehicle will be purchased that would be used to take the children to activities and school. Staff are encouraged to use public transport as much as possible, but there will only be 3 or 4 cars parked on site at any one time. The only exception to this would be if there was an important meeting at the house, where visitors would park on the road for a short period of time.

This subject site was chosen from due to its size and location within an established residential neighbourhood. It is a rural out of town environment which gives options for therapy, and a chance to break cycles of behaviour. The house is considered to meet the core aims of the applicants requirements in relation to the type of building considered suitable i.e. a large domestic style home and was also considered suitable as no structural alterations are required to accommodate this use.

The physical characteristics of the property will not change and therefore it would retain the capability of use as a dwelling in the future.

The site is located within a residential area, characterised by family housing. The proposed use is therefore considered appropriate in this location.

#### Impact upon character and appearance of the street scene

No external changes are proposed to the property and therefore there would be no impact upon the character and appearance of the street scene or the adjacent green belt.

#### Impact upon neighbouring amenities

No works are proposed to the existing building and there will therefore be no issues with regards to loss of privacy, outlook or sunlight/daylight to the neighbouring properties. A number of the objections received, relate to noise and disturbance. In many ways the proposed use is not significantly different from a relatively large family living in the house and this is considered entirely appropriate in a residential area such as this. There will be at least two trained carers on the premises. It is therefore not anticipated that the level of activity albeit four young people, would result in unacceptable noise or general disturbance to the neighbourhood. It is considered appropriate to limit the use to that described in the application and the number of children to a maximum of four. This can be controlled by a planning condition. The site is located within a residential area

which is characterised by family housing and it is not considered that four children will cause undue noise and disturbance to the existing residents.

### Highways and parking

The property has a double garage and additional hardstanding in front, to the rear of the property. This is considered adequate and Council's highways officer raise no objection.

The agent has confirmed that there will only be three to four cars parked onsite at any one time as this meets the normal expected traffic use and access faced by other large properties. The site has good access and visibility and the number of vehicle movements will be low and unlikely to lead to any more potential disturbance than if the property were occupied by a large family.

### **Conclusion**

The proposed use as a children's home is considered appropriate in a residential area and there are adequate amenities nearby for occupants. The use is not expected to harm the amenity of neighbours by unacceptable noise and disturbance nor will it generate excessive or hazardous traffic movements. The proposal therefore complies with Policies BE1, C6 and T3 of the UDP.

Having had regard to the above, members may consider that the proposed use would not result in a significant loss of amenity to local residents nor impact detrimentally on the character of the area or the adjacent green belt.

### **RECOMMENDATION: PERMISSION**

#### **Subject to the following conditions:**

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

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

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

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

- 3 The premises shall be used for a children's home ; and for no other purpose (including any other purpose in Class C2; of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in**

**provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification**

**Reason: In order that the Council may consider any other changes to the use, given the property's location and in the interests of the residential amenities of the locality.**

- 4 No more than four children may be accommodated at the property at any one time.**

**Reason: In order to comply with the terms of the application and to prevent an over intensive use of the site in the interests of the residential amenities of the locality.**

- 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.**

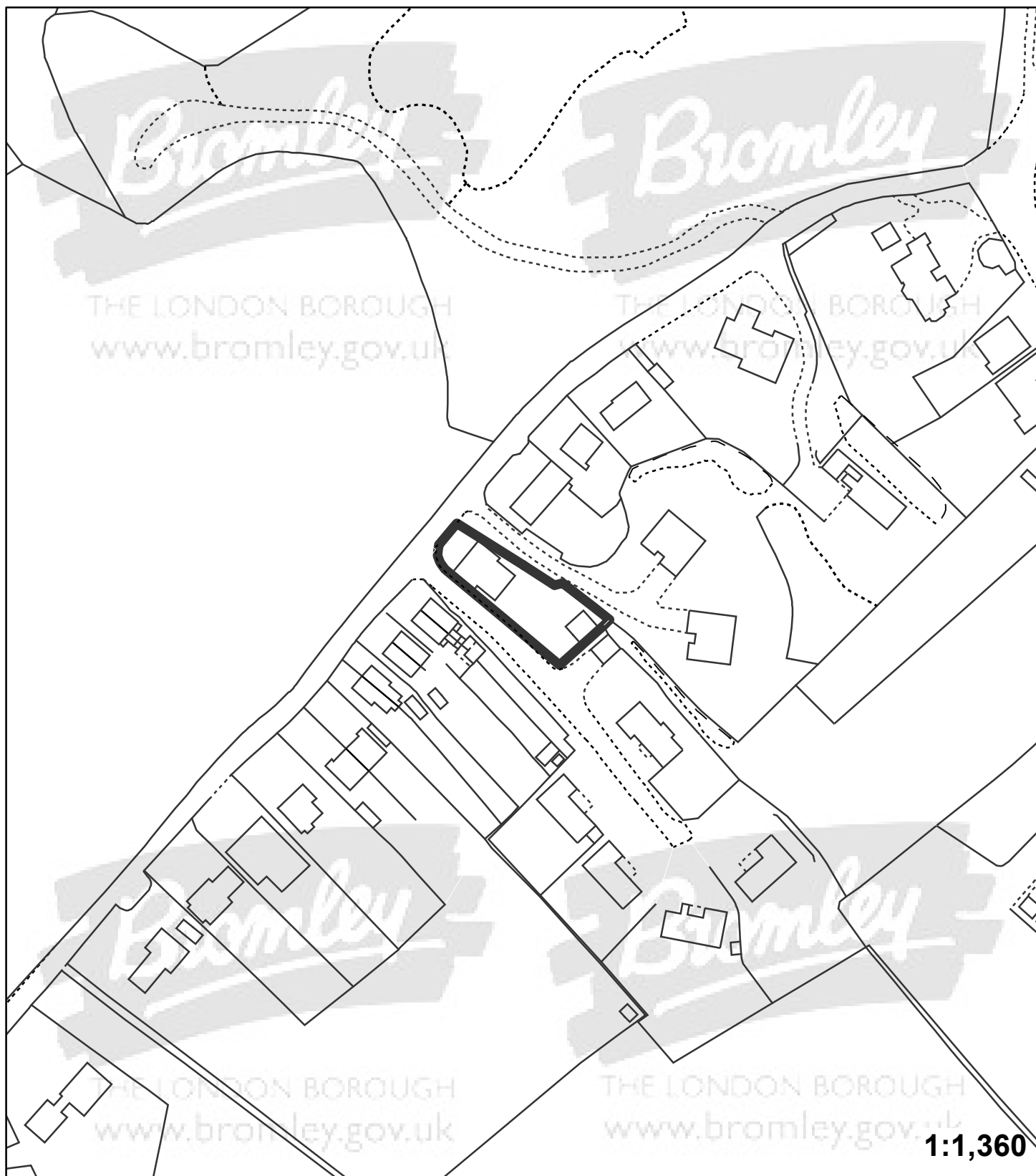
**Reason: In order to comply with Policy T3 of the Unitary Development Plan and to avoid development without adequate parking or garage provision, which is likely to lead to parking inconvenient to other road users and would be detrimental to amenities and prejudicial to road safety.**

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**Application:**16/02352/FULL1

**Address:** 29 Fox Lane Keston BR2 6AL

**Proposal:** Change of use from Class C3 (dwellinghouse) to Class C2 (residential institution) to allow use of the property as a childrens home.



"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 :** 16/02565/FULL1

**Ward:**  
Cray Valley West

**Address :** 2 Oak Cottages Leasons Hill Orpington  
BR5 2LH

**OS Grid Ref:** E: 546974 N: 168546

**Applicant :** Mr J Brown

**Objections :** YES

### **Description of Development:**

Erection of detached two storey 2-bedroom house at land at side of 2 Oak Cottages. Alteration to porch at 2 Oak Cottages

Key designations:

Areas of Archeological Significance  
Biggin Hill Safeguarding Area  
London City Airport Safeguarding  
Open Space Deficiency  
Smoke Control SCA 20

### **Proposal**

The proposed dwelling will be situated to the west of No 2 Oak Cottage and occupy an area currently occupied by part of the side garden of No 2 and a detached garage. Two existing off-street parking spaces situated to the SW of the existing house will be retained which will be shared between the existing and proposed dwellings.

The proposed dwelling will measure 7.2m(l) x 5.0m(w) with a ridge height of approximately 7.4m. This will incorporate two bedrooms and will be of conventional two-storey design with a pitched roof. In addition, the side porch within the existing dwelling will be modified.

The application is accompanied by a Design & Access Statement and a Parking Survey.

### **Location**

The application site is situated along the northern side of Leasons Hill, approximately 90 metres to the west of its junction with Sevenoaks Way. The site is occupied by one half of a pair of two-storey semi-detached house, part of the side garden area and a detached garage to the west of the dwelling. The site will be partitioned to form a separate plot for the proposed dwelling.

## **Consultations**

### Comments from local residents

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

- confirmation sought that access to neighbouring premises will not be hindered during building works

### Comments from consultees

From a Highways perspective, it is noted that parking stress surveys have been undertaken. These were carried out at three times during the day and at 5am which was accepted as an overnight survey. These show that there is a high demand for parking in the area - some roads are 100% and over 100%. The proposal is for a 2 bedroom unit with one parking space each for the existing and proposed units so there is a possible shortfall of 1 - 2 spaces. There were spaces available during the survey periods and, given the scale of the proposal, the proposed parking provision is considered to be acceptable. Given the location, there will need to be control on delivery times etc during the construction phase and so there will need to be a detailed construction management plan.

No Drainage objection has been received, subject to the imposition a drainage-related condition.

No objection has been raised by Thames Water.

## **Planning Considerations**

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

BE1 Design of New Development  
H7 Housing Density and Design  
H9 Side Space  
T11 New Accesses  
T18 Road Safety

5.12; 5.13 London Plan

London Plan Housing SPG

The following Council adopted SPG guidance is also a consideration:

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

The above policies are considered consistent with the objectives and principles of the National Planning Policy Framework 2012.



## **Planning history**

Under ref. 15/03210 an application for a two-bedroom house was refused in October 2015 on the following grounds:

"The proposed means of vehicular access would result in dangerous reversing manoeuvres on to Leasons Hill and would lack adequate sightlines, thereby prejudicial to the free flow of traffic and general conditions of road safety, contrary to Policies T11 and T18 of the Unitary Development Plan."

"A disproportionate amount of the site area would be covered by buildings and hard surfaces so that the development would be devoid of adequate outdoor amenity space, thus creating an unsatisfactory environment for the occupants of the proposed house, contrary to Policies BE1 and H7 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 its effect on local highways conditions, including in respect of car parking provision.

The proposed dwelling would occupy part of the side garden area serving No 2 Oak Cottages and an area partially occupied by a detached garage. Two existing off-street parking spaces would be retained. Leasons Hill itself is a classified road, and a local distributor road.

Taking account of the site characteristics, including the plot width of the donor property, the spatial standards associated with Nos. 1 and 2 Oak Cottages and the relationship between the proposed and neighbouring dwellings, no objection is raised on the principle of harm to local character or neighbouring amenity, subject to achieving a desirable level of outdoor amenity space and not undermining local highway conditions.

This application has been submitted following the Council's decision to refuse an earlier proposal for a two bedroom house under ref. 15/03210 in October 2015. That was on the basis that the proposed means of vehicular access would result in dangerous reversing manoeuvres on to Leasons Hill and would lack adequate sightlines, and that a disproportionate amount of the site area would be covered by buildings and hard surfaces so that the development would be devoid of adequate outdoor amenity space, thus creating an unsatisfactory environment for the occupants of the proposed house.

In comparison to the previous proposal, the scheme has been revised with the removal of two additional off-street parking spaces that were previously proposed and associated changes to the vehicular access, meaning that the two existing off-street parking spaces to the SW side of the existing dwelling will be retained and used between the existing and proposed houses. On this basis, the previous refusal relating to the width of the parking access and its hazardous location adjacent to this local distributor road has been addressed, and the existing

arrangements will remain largely unchanged. The proposal is also now accompanied by a Parking Assessment, and it is concluded by the Council's Highways Engineers that one additional dwelling could reasonably be built without significantly undermining existing parking stress levels in the vicinity. Consequently, the previous highways objections have been overcome, subject to the inclusion of conditions relating to satisfactory sightlines and provision of a construction management plan to address traffic associated with the construction process.

The western wall of the proposed dwelling will maintain a separation of 0.6m to the flank boundary - under the minimum 1m separation prescribed by UDP Policy H9. However, given that this boundary adjoins an open area and the entrance to an adjoining service area, it is not considered that local spatial standards will be undermined or that there will be any prospect of terracing or lead to a cramped appearance. It is considered that the proposed dwelling will sit comfortably within the wider street scene; furthermore, the separation and relationship between the proposed and existing dwellings should ensure that neighbouring amenity is not visually affected as a result of overlooking or visual impact. In addition, as a result of the reduction of the parking area previously proposed, a larger outdoor amenity area will be provided for both dwellings. This conforms to the London Plan housing standards.

Policy 3.5 of the London Plan and the Housing SPG (2016) state the minimum internal floorspace required for residential units on the basis of the level of occupancy that could be reasonably expected within each unit. This should also comply with the nationally described Housing Standards (2015). In this case, the proposed dwelling includes two bedrooms which each incorporate one bed space. The floor space size of the proposed dwelling is 60.3m<sup>2</sup>. The nationally described space standard requires a 58m<sup>2</sup> of gross internal floor area in relation to a two person two storey house. On this basis, the floorspace provision for the dwelling is compliant with the required standards and is considered acceptable. The shape and room sizes in the proposed building are considered satisfactory and none of the rooms would have a particularly convoluted shape which would limit their specific use.

Taking account of the above changes as well as the additional information, it is considered that previous concerns have now been satisfactorily addressed. Having regard to the above it is considered that the development in the manner proposed is acceptable in that it would not result in a significant loss of amenity to local residents nor impact detrimentally on the character of the area.

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

## **RECOMMENDATION: PERMISSION**

### **Subject to the following conditions:**

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

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

- 2** 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. In order to check that the proposed storm water system meets the Council's requirements the following information shall be provided:
  - a clearly labelled drainage layout plan showing pipe networks and any attenuation soakaways
  - where infiltration forms part of the proposed storm water system such as soakaways, soakage
  - test results and test locations are to be submitted in accordance with BRE digest 365

Calculations should demonstrate how the system operates during the 1 in 30 year critical duration storm event and climate changes.

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

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

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

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

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

- 5** 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.

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

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

- 7** Before any part of the development hereby permitted is first occupied that part of a sight line of 43m x 2.4m x 43m which can be accommodated within the site shall be provided in both directions at the access 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.

- 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 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: To prevent an overdevelopment of the site in the interest of neighbouring amenity, and to accord with Policies BE1 and H7 of the Unitary Development Plan.**

**10 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.**

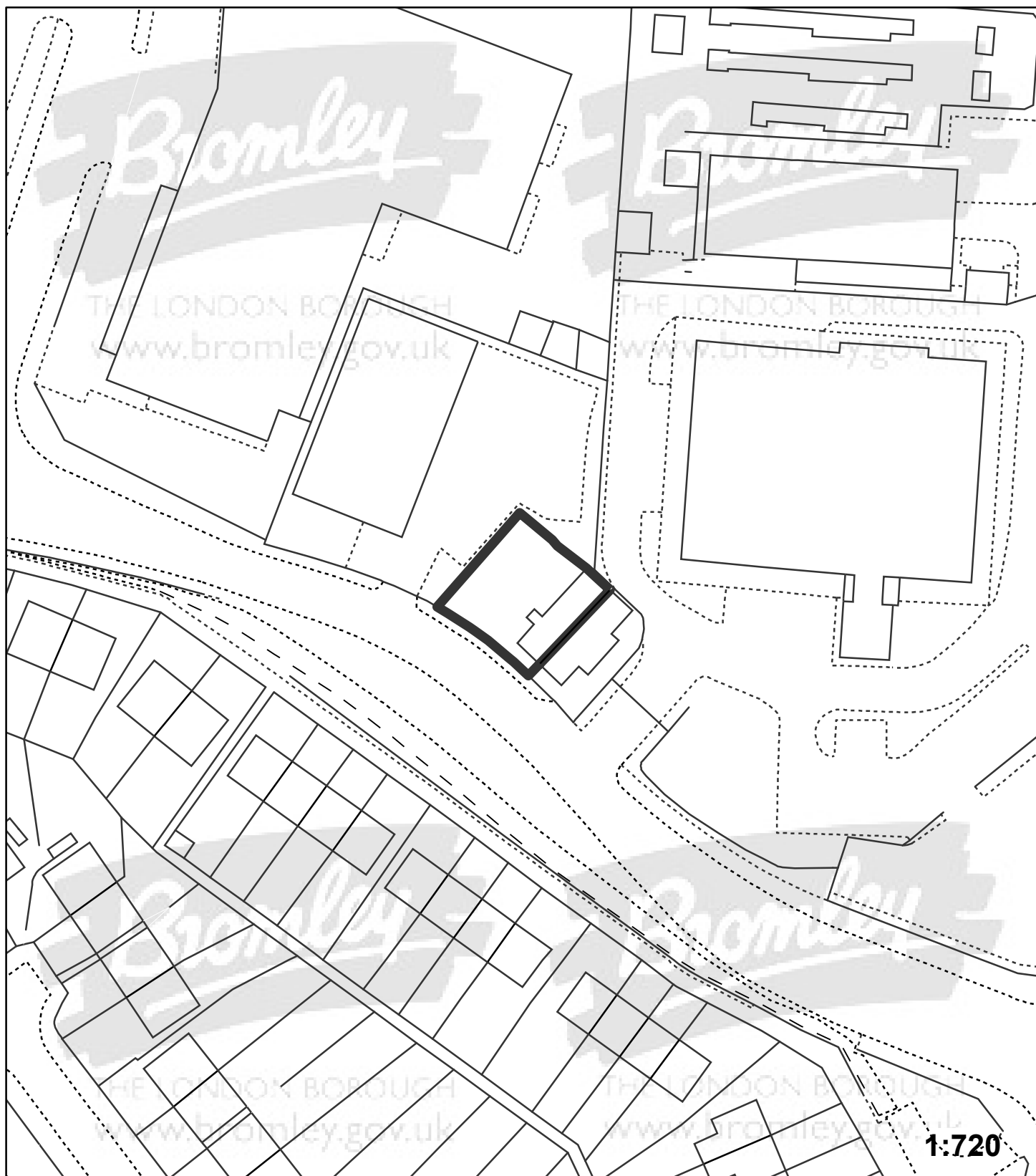
**Reason: In order to comply with Policy BE1 of the Unitary Development Plan and in the interest of the appearance of the building and the visual amenities of the area.**

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**Application:**16/02565/FULL1

**Address:** 2 Oak Cottages Leeson's Hill Orpington BR5 2LH

**Proposal:** Erection of detached two storey 2-bedroom house at land at side of 2 Oak Cottages. Alteration to porch at 2 Oak Cottages



"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 :** 16/02137/FULL1

**Ward:**  
Petts Wood And Knoll

**Address :** 2 Lakeswood Road Petts Wood  
Orpington BR5 1BJ

**OS Grid Ref:** E: 544083 N: 167477

**Applicant :** Mr J Sleeper

**Objections :** YES

### **Description of Development:**

Demolition of existing detached bungalow and erection of pair of two storey 4 bedroom semi-detached dwellings with vehicular accesses, 4 car parking spaces, cycle storage sheds and bin stores

Key designations:

Biggin Hill Safeguarding Area  
London City Airport Safeguarding  
Open Space Deficiency  
Smoke Control SCA 8

### **Proposal**

Planning permission is sought for the demolition of existing single storey detached bungalow and the construction of a pair of two storey semi-detached four bedroom dwellings with vehicular accesses onto Lakeswood Road and associated car parking.

The proposed building would have a maximum height of 8.5m to the top of the ridge, and 5m to the eaves. Each house will be provided with a private garden to the rear and a small shed and cycle storage space.

The site is currently occupied by a single storey dwelling measuring a total height of 5.5m. The site is to the northern side of the road and is sited between the junction with Nightingale Road and Queensway. The site at present has an access into the site from the frontage, and it is noted that there are access roads along each flank boundary of the site which are not included within the development site.

### **Consultations**

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

- Excessive height of development in close proximity to neighbouring housing

- Potential for roof accommodation and windows to be added that would result in overlooking
- Impact on privacy and overlooking of neighbouring gardens.
- Oppressive form of development - visual impact and loss of outlook
- Unsuitable size of site and cramped form of development
- Loss of on-street parking spaces would lead to extra parking demand
- Access roads to the side of the site should not be used for construction purposes.
- Increase in noise and disturbance, which should also be reduced to suitable working hours
- Permitted development rights should be removed

The Petts Wood and District Residents association has objected on the grounds of loss of privacy and the development being out of character with the form and plot sizes of neighbouring sites.

A further statement has been received from the applicant in support of the application.

Highways - concern is raised over potential reversing manoeuvres onto Lakeswood Road as turning area on site is insufficient, however it is not considered that a refusal ground could be warranted on this basis. Standard conditions are suggested.

Thames Water- no objections subject to suggested informatives

The Council's Tree Officer raises no objection 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  
 H7 Housing Density and Design  
 H8 Residential Extensions  
 H9 Side Space  
 T3 Parking  
 T11 New Accesses  
 T18 Road Safety

London Plan:

3.3 Increasing housing supply  
 3.4 Optimising housing potential  
 3.5 Quality and design of housing developments  
 3.8 Housing choice  
 3.9 Mixed and balanced communities  
 5.3 Sustainable Design and Construction  
 5.13 Sustainable Drainage

## 7.4 Local Character

The Mayor's Supplementary Planning Guidance: Housing

Housing Standards Policy Transition Statement (Oct 2015)

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

Technical Housing standards (March 2015)

All other material considerations shall also be taken into account

Under ref. 12/02628, planning permission was granted for a single store rear and infill side extensions to the property.

Under ref. 15/05495, planning permission was refused for demolition of existing single storey detached bungalow and construction of a two storey detached block with additional roof storey accommodation to provide 5 two bedroom flats with associated off street parking and amenity space. The refusal grounds were as follows:

'1 The proposal, by reason of its scale, height and proximity to boundaries, would result in a cramped overdevelopment of the site and an incongruous addition to the streetscene which would be significantly harmful to the character and visual amenities of the local area, and would fail to provide a satisfactory quality of accommodation for future occupiers, thereby contrary to Policies BE1, H7 and H9 of the Unitary Development Plan, Policy 3.5 of the London Plan and the NPPF (2012).

2 The proposed building, given its height and proposed first and second floor windows, would have a seriously detrimental impact on the amenities of adjoining residents by reason of privacy and outlook, thereby contrary to Policy BE1 of the Unitary Development Plan.

3 In the absence of information to the contrary, the proposed development would lack adequate car parking at the site which would lead to an increased demand of on-street car parking in the area, thereby contrary to Policy T3 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 and the standard of accommodation for future occupants are also considerations.

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 National Planning Policy Framework (NPPF) makes it clear that, whilst it is important for the full and effective use of land to be made for housing purposes and that there is a presumption in favour of sustainable development, there is no presumption that garden land is necessarily suitable for housing. Indeed paragraph 53 of the NPPF states "local planning authorities should consider the case for setting out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area". The Council has such a policy in place in the form of Policy H7 of the Unitary Development Plan (UDP), which in turn is fully supported by Policy 3.5 of the London Plan.

Policy H7 of the UDP which outlines the criteria applications for new housing must meet requires, inter alia, that the site layout, buildings and space about buildings recognises and complements the qualities of the surrounding areas. Paragraph 4.39 of the UDP, one of the explanatory paragraphs to Policy H7 states "many residential areas are characterised by spacious rear gardens and well separated buildings. The Council will therefore resist proposals which would tend to undermine the character or which would be likely to result in detriment to existing residential amenities.

Section 6 of the NPPF requires that the design of new housing significantly enhances its immediate setting and should be sensitive to the defining characteristics of the local area. Section 7 further states that permission should be refused where a development fails to improve the character and quality of an area.

The site is within a suburban setting with a moderate PTAL of 4. The London Plan gives an indicative density range of 45-90 units/hectare as appropriate for this type of site within a suburban setting 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 Council's Supplementary Planning Guidance No1 - General Design and No.2 - Residential Design Guidance have similar design objectives to these policies and the NPPF. The proposed density of the development would equate to approximately 28 units per hectare which is lower than the minimum density.

Development plan policies related to density are intended to optimise not maximise development and as discussed above 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. In this instance, the previously proposed block of flats has been replaced under this application with a pair of semi-detached dwellings. The principle of the development is considered to be in context with the type of dwellings in the nearby area. The proposed dwellings would be of a size and scale similar to the surrounding developments, and would result in a suitable development type for the locality. It would therefore be considered unsuitable to provide a higher density in this case, and the low density is therefore justified under the Housing SPG guidance.

The London Plan suggests that the minimum size of a four bedroom six person three storey house should be 106sq.m. The submitted plans indicate a floor area of 122sqm for each of the two proposed houses and therefore the dwellings are considered to comply with the requirements of the Technical Space Standards. The dwellings will be provided with private outdoor amenity spaces that, although smaller than the prevailing local character, are adequate for a family dwelling. Bedroom and living area floor areas are also considered to be suitable and in line with the Housing SPG guidance.

The proposed building is shown to have in excess of 1m space retained between the proposed building and the adjoining boundaries which would be adequate to comply with the minimum requirement as set out in Policy H9. Whilst the previously proposed block of flats was considered to be cramped within the limited plot size, the current proposal appears more comfortable and does not overdevelop the site, providing space for parking, access, landscaping and amenity space around the buildings.

With regards to the proposed scale and design of the building, the building would be two storey in scale, with a pitched roof with no accommodation within the roof. The proposed building focusses the tallest and bulkiest parts of the building towards the centre of the frontage, stepping down to a lower roof height towards both flank boundaries. In light of the relatively open nature of the site in relation to the rear gardens of the adjacent properties to the west and single storey church hall to the east, the proposed height and scale is sympathetic to its immediate surroundings whilst being reflective of two storey development in this part of Petts Wood. The scale of the building would therefore appear in character within the wider street scene and would not exceed the bulk and height of other two storey residential development in the locality.

In terms of the proposed access to the site, a number of residents have raised concerns over the ownership and right of way over the access road to the rear of 1-11 Nightingale Road and the access road which runs alongside Lakeswood Hall. Whilst the private right of way is primarily a private legal matter, the Council's Highways engineer states that both of these roads are private and are not in the ownership of the Council. It is also stated that there is no indication that the applicant has a right of way along these roads. Whilst the parking spaces provided would be in line with the standards outlined in the UDP, they would not provide for adequate turning area and would therefore lead to reversing onto the highway. Whilst not a classified road, Lakeswood Road is a busy highway, however this aspect in isolation would not warrant refusal.

The previous application for flatted development was refused partly due to the degree of overlooking of neighbouring properties, as a result of the proposed three storey height and first and second floor rear windows. The current scheme proposes no second floor rear windows and therefore the degree of overlooking to properties to the rear of the site would be significantly reduced as a consequence. The proposed first floor windows will be sited 33m from properties on Nightingale Road and 36m from properties on Queensway behind the adjacent Lakeswood Hall. As a result of these separations and the reduction in elevated vantage points, it is considered that the relationship with neighbouring properties in terms of

privacy and separation would be typical of the area and not harmful to neighbouring amenities.

Having had regard to the above it was considered that the development in the manner proposed is acceptable in that it would not impact detrimentally on the character of the area and would not be detrimental to the amenities of adjoining neighbours. No impact on highway safety would result and the standard of accommodation provided for future occupants would be suitable.

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

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

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

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

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

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

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

**REASON:** To ensure a satisfactory means of surface water drainage and to accord with Policy 5.13 of the London Plan.

- 9** A side space of 1 metre shall be provided between the western and eastern flank wall of the extension hereby permitted and the flank boundary of the property

**Reason:** In order to comply with Policy H9 of the Unitary Development Plan and in the interest of the visual amenities of the area.

- 10** 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 comply with Policy BE1 of the unitary Development Plan and in order to prevent the overdevelopment of the site.

- 11 Before the development hereby permitted is first occupied, the proposed window(s) in the first floor flank elevations 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.

- 12 No windows or doors additional to those shown on the permitted drawing(s) shall at any time be inserted in the flank elevation(s) of the development 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 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.

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

**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 1. The development shall be implemented in accordance with Tree Protection Plan (TPP) approved as part of the planning application, 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.

You are further informed that :

- 0 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.



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

Conditions imposed on this planning permission require compliance with Part M4 of the Building Regulations. The developer is required to notify Building Control or their Approved Inspector of the requirements of these conditions prior to the commencement of development.

- 0 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.

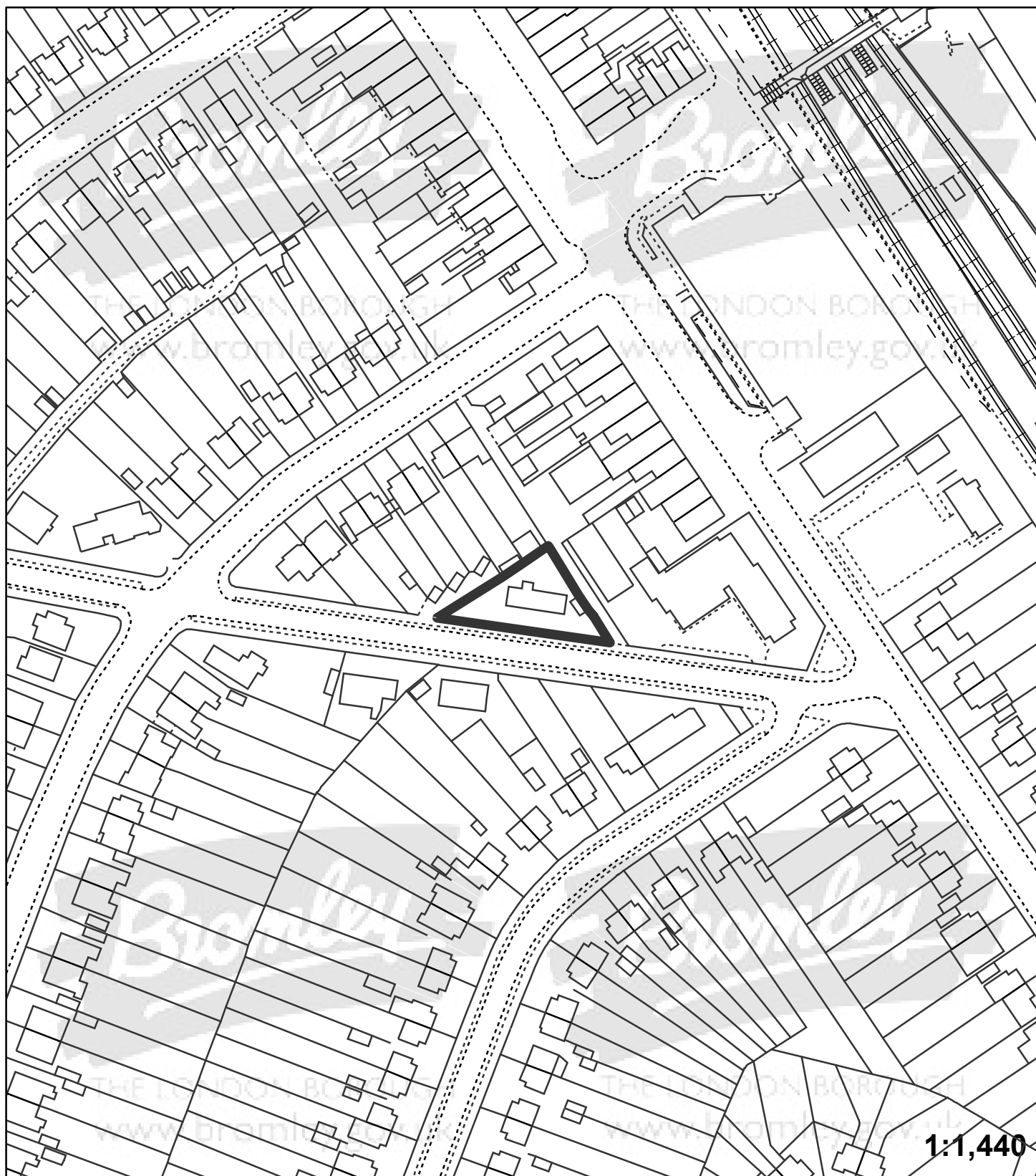
Further information about Community Infrastructure Levy can be found on attached information note and the Bromley website [www.bromley.gov.uk/CIL](http://www.bromley.gov.uk/CIL)

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**Application:**16/02137/FULL1

**Address:** 2 Lakeswood Road Petts Wood Orpington BR5 1BJ

**Proposal:** Demolition of existing detached bungalow and erection of pair of two storey 4 bedroom semi-detached dwellings with vehicular accesses, 4 car parking spaces, cycle storage sheds and bin stores



"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 :** 16/02179/FULL1

**Ward:**  
Copers Cope

**Address :** Conifer House 44 Southend Road  
Beckenham BR3 1SL

**OS Grid Ref:** E: 537567 N: 170617

**Applicant :** Aggarwal

**Objections :** YES

### **Description of Development:**

Construction of four storey rear extensions, four storey front extensions and roof alterations to add an additional storey to the existing building forming an additional 9 flats (18 flats total) comprising one 1 bedroom, four 2 bedroom and three 3 bedroom flats within the extended sections of the building in connection with revised flat layouts in the existing building forming two 1 bedroom, six 2 bedroom and two 3 bedroom flats. Provision of front, rear and flank parking with in/out access driveway, amenity space, balconies, refuse and cycle storage and associated landscaping

Key designations:

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

### **Proposal**

Planning permission is sought for the construction of four storey rear extensions, four storey front extensions and roof alterations to add an additional storey to the existing building forming an additional 9 flats (18 flats total) comprising one 1 bedroom, four 2 bedroom and three 3 bedroom flats within the extended sections of the building in connection with revised flat layouts in the existing building forming two 1 bedroom, six 2 bedroom and two 3 bedroom flats.

Externally planning permission is sought for the provision of front, rear and flank parking with an in/out access driveway, amenity space, balconies, refuse and cycle storage and associated landscaping.

The rear extension will have a footprint of approximately 10.3m depth by 18.2m width at its maximum extents and will be contained within the width of the existing building. Substantial recessed areas at a minimum 4.5m recess on each side of the building are incorporated in to the resultant building footprint. Separation distances of approximately 10.2m and 9m are maintained to the south and north flank property boundaries respectively.

The front extensions are 1.3m depth and 2.5m depth respectively. The rear extensions to the original building are 1.3m and 3.2m depth respectively. An additional upper storey will be situated across the existing and extended sections of the building set back from the extended front elevation by 1.8m. The resultant height of the building will be approximately 12m.

An in and out circular parking system is shown utilising the existing highway crossover points to provide vehicle access to parking areas for 25 vehicles distributed to the rear, front and side of the building.

In terms of materials the front extensions have been designed as red brick elements contrasting with the existing walls formed from yellow stock brick. To the rear and flank walls is a mixture of red facing brick and yellow facing brick to match existing with banding and rendered feature detailing.

All new flats have balconies or access to the private amenity area.

## **Location**

The site is located on the east side of Southend Road and currently comprises a three story purpose built residential block of nine flats dating from the 1960's constructed of yellow stock bricks with a tiled pitch roof.

Southend Road is varied in character with single dwelling houses and larger flatted developments, mostly on the eastern side of the road. The road rises gently from south to north such that the building to the north, Lloyd House, is sited at a slightly higher land level than the application building. Shannon Way, to the south, features four storey blocks of flats with front balconies and a flat roof design. The buildings along Southend Road are generally set a significant distance from the road, and there are mature trees and dense vegetation along the front and side boundaries giving the area a spacious and pleasant appearance.

The site is not located within a conservation area nor is the building Listed.

## **Consultations**

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

Objections:

- A serious overdevelopment of the site.
- Out of character. Does not reflect modest scale of development in surrounding area.
- Loss of privacy and amenity to residents in Shannon Way from proposed windows and balconies.
- Concerns regarding the effect to trees.
- Concerns regarding effects to neighbouring building foundations.
- Concerns regarding noise and disturbance from construction works.

- Fourth storey and front extensions will result in loss of natural light and privacy to adjacent property in Shannon Way.
- Location of bin store will be unsightly.
- Will neighbours be compensated for inconvenience?

Support:

- Redevelopment will improve the security in the area.

### **Internal Consultations**

Technical highways (summary):

The site is located to the north of Southend Road Beckenham; Southend Road (A2015) is a London Distributor Road. The development is in PTAL area of 2 (on a scale of 1 - 6, where 6b is the most accessible). The applicant is utilising the existing accesses leading to the proposed car parking area. This is satisfactory. The applicant is also showing a one way working in operation. This is welcomed. Twenty five car parking spaces would be provided which is acceptable. Eighteen cycle spaces are shown, however 33 cycle parking spaces are required. This can be achieved by condition. Location of refuse store is acceptable.

Environmental Health - Pollution (summary):

No objections in principle however the site is located on a fairly busy road and as such it is recommended that an acoustic assessment is required to determine whether any noise mitigations are necessary to achieve a good standard of amenity internally.

The Council's Environmental Health complaint history for the site highlights a recent history of significant fly-tipping and reports relating to burning of hazardous materials. This was confirmed by a visit from Environmental Health Officers. It is therefore recommended that a standard land contamination condition would need to be attached to cover an initial contaminated land assessment.

The application site is within an Air Quality Management Area declared for NO<sub>x</sub> and may lead to significant traffic generation. There is concern that the living area and/or bedroom for five of the flats (flats 4, 7, 10, 11 and 12) have only front facing windows without any alternate means of ventilation. It is recommended that a request an air quality assessment is required to determine whether the current design will lead to unacceptable exposure to poor air quality as detailed in 7.14 of the London Plan.

Drainage:

Contrary to the applicants answer to the question on the form, there is no public surface water sewer near to this site. Surface water will therefore have to be drained to soakaways. This site is within the area in which the Environment Agency - Thames region require restrictions on the rate of discharge of surface water from new developments into the River Ravensbourne or its tributaries. This site appears

to be suitable for an assessment to be made of its potential for a SUDS scheme to be developed for the disposal of surface water.

Arboriculture:

The proposed development will sit largely within the existing building footprint. The addition proposed to the rear will not have an adverse impact upon retained trees, limited to the periphery of the application site. I am satisfied with the methods statement referred to within the arboricultural report.

Environmental Health - Housing (summary):

Combined living and kitchen space is not desirable due to risk of accidents. Concerns regarding lack of adequate natural ventilation due to limited sizes of window and incomplete access to terraces.

Officer response: Amended plans have now been received to address the concerns of the Housing Officer and are now considered acceptable.

### **External consultations**

Thames Water:

No objections with regard to sewerage infrastructure capacity or water infrastructure capacity.

Crime prevention:

The application should be able to achieve the security requirements of Secured by Design with the guidance of Secured by Design New Homes 2014, and the adoption of these standards will help to reduce the opportunity for crime, creating a safer, more secure and sustainable environment.

### **Planning Considerations**

London Plan 2015:

- 3.3 Increasing Housing Supply
- 3.4 Optimising Housing Potential
- 3.5 Quality and Design of Housing Developments
- 3.8 Housing Choice
- 3.9 Mixed and Balanced Communities
- 5.1 Climate change mitigation
- 5.2 Minimising Carbon Dioxide Emissions
- 5.3 Sustainable Design and Construction
- 5.7 Renewable Energy
- 5.10 Urban Greening
- 5.11 Green Roofs and Development Site Environs
- 5.12 Flood Risk Management
- 5.13 Sustainable Drainage



- 5.14 Water quality and wastewater Infrastructure
- 5.15 Water use and supplies
- 5.16 Waste self-sufficiency
- 5.17 Waste capacity
- 5.18 Construction, excavation and demolition waste
- 5.21 Contaminated land
- 6.3 Assessing Effects of Development on Transport Capacity
- 6.5 Funding Crossrail and other strategically important transport infrastructure
- 6.9 Cycling
- 6.13 Parking
- 7.1 Lifetime Neighbourhoods
- 7.2 An Inclusive Environment
- 7.3 Designing Out Crime
- 7.4 Local Character
- 7.5 Public Realm
- 7.6 Architecture
- 7.14 Improving Air Quality
- 7.15 Reducing and Managing Noise, Improving and Enhancing the Acoustic Environment and Promoting Appropriate Soundscapes.
- 8.3 Community Infrastructure Levy

Housing: Supplementary Planning Guidance. (March 2016)

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

Unitary Development Plan:

- BE1 Design of New Development
- BE7 Railings, Boundary Walls and Other Means of Enclosure
- ER7 Contaminated Land
- H1 Housing Supply
- H7 Housing Density and Design
- H8 Residential Extensions
- H9 Side Space
- NE7 Development and Trees
- T3 Parking
- T5 Access for People with Restricted Mobility
- T6 Pedestrians
- T7 Cyclists
- T16 Traffic Management and Sensitive Environments
- T18 Road Safety

Supplementary Planning Guidance 1: General Design Principles

Supplementary Planning Guidance 2: Residential Design Guidance

Emerging Bromley Local Plan:

A consultation on the 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.

Draft Policy - Housing supply  
Draft Policy - Housing design  
Draft Policy - Side Space  
Draft Policy - Parking  
Draft Policy - General design of development  
Draft Policy - Landscape Quality and Character  
Draft Policy - Sustainable waste management  
Draft Policy - New Waste Management Facilities and Extensions and Alterations to  
Draft Policy - Existing Sites  
Draft Policy - Reducing flood risk  
Draft Policy - Sustainable Urban Drainage Systems  
Draft Policy - Water and Wastewater Infrastructure Capacity  
Draft Policy - Contaminated Land  
Draft Policy - Noise pollution  
Draft Policy - Air Quality  
Draft Policy - Sustainable Design and Construction  
Draft Policy - Development and Trees  
Draft Policy - Carbon dioxide reduction, Decentralise Energy networks and Renewable Energy

## **Planning History**

There is no relevant planning history relating to the site.

## **Conclusions**

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

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

### Principle of development

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

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

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

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

Policy H7 of the UDP advises that new housing developments will be expected to meet all of the following criteria in respect of; density; a mix of housing types and sizes, or provides house types to address a local shortage; the site layout, buildings and space about buildings are designed to a high quality and recognise as well as complement the qualities of the surrounding areas; off street parking is provided; the layout is designed to give priority to pedestrians and cyclists over the movement and parking of vehicles; and security and crime prevention measures are included in the design and layout of buildings and public areas.

Residential dwellings surround the site on all sides. The site is currently developed for a less dense residential use. Therefore, in this location the Council will consider a higher density residential infill development provided that it is designed to complement the character of surrounding developments, the design and layout make suitable residential accommodation, and it provides for garden and amenity space. Any adverse impact on neighbouring amenity, conservation and historic issues, biodiversity or open space will need to be addressed. Therefore the provision of an extended residential block 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 Chapter 7 of the plan, 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).

The site has a PTAL rating of 2 and is within an urban setting. In accordance with Table 3.2, the recommended density range for the site would be 55-145 dwellings

per hectare. The proposed development would have a density of 60 dwellings per hectare.

Whilst the proposed development would sit within these ranges, a numerical calculation of density is only one aspect in assessing the acceptability of a residential development. Policy 3.4 is clear that in optimising housing potential, developments should take account of local context and character, design principles and public transport capacity. Subject to more detailed consideration of the design and layout of the scheme and the quality of residential accommodation proposed, the proposed residential density is acceptable.

#### Design, Siting and Layout.

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.

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

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

Policy H8 in its justification details that proposals for an additional storey on a block of flats should comply with the Council's requirements for new development, including car parking.

Policy BE1 of the UDP requires new extensions to complement the scale, form, layout and materials of adjacent buildings and areas, and seeks to protect the amenities of neighbouring properties.

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.

With respect to the impact of the proposed extensions on the character and appearance of the building, policy as detailed above requires new extensions to complement the scale, form, layout and materials of adjacent buildings and areas.

The proposed extension to the rear of the building would increase the maximum depth of the building, however, the extension itself would not represent a disproportionate addition to the existing building. The surrounding plots include blocks of flats sited further to the rear of plots of equal depth, with a number of cul-de-sacs also extending eastwards from Southend Road. Taking this established pattern of development into account and the relative increase in the depth of the building, it is considered that the increased depth of the building would not result in the building appearing overly deep or prominent in the locality. With regard to the formation of an additional storey, the blocks of flats to the east along Shannon Way are partly three, partly four storey in height with a flat roof design. Lloyd House, to the north, is sited on a higher land level and therefore appears taller than the application site. The resultant building would not exceed the height of Lloyd House and therefore would not appear overly tall when viewed from the street. Furthermore, there are numerous examples of other blocks of flats in the locality which incorporate flat roofs, most notably the blocks along Shannon Way and therefore the flat roof design would not appear out of character with the area.

In terms of the spatial relationship to adjoining property, adequate separation is considered to be demonstrated to maintain the current standards within the area. Accordingly Members may consider that Policy H9 is satisfied in relation to this proposal.

In terms of the design, the proposed elevations encompass a varied and complimentary palette of materials. It is considered that the external appearance of the resultant building would not be detrimental to the character of the area. The design would feature red brick projections, a central inset rendered element and slate grey cladding to the upper storey, in addition to the retention of some of the existing walls formed of yellow stock brick. The neighbouring buildings in the locality feature a variety of finishes and it is therefore considered that the proposed materials would not appear prominent in the street scene. In addition, the use of different materials, along with the addition of subordinate front projections, breaks up the front elevation and ensures that a suitable solid to void ratio is achieved and that the streetscene elevation does not appear overly blocky. As such it is considered that the proposal would respect the established pattern of development of the locality and would not detract from the character and appearance of the area.

#### Standard of Residential Accommodation

Policy 3.5 of the London Plan and the Housing SPG (2016) states the minimum internal floorspace required for residential units on the basis of the level of occupancy that could be reasonably expected within each unit should comply with Nationally Described Housing Standards (2015).

The floor space size of each of the proposed units in the existing and proposed sections of the building ranges between 50m<sup>2</sup> and up to 86m<sup>2</sup> respectively. The nationally described space standard requires various sizes of internal areas in relation to the number of persons and bedrooms provided in each unit. On this basis, the floorspace provision for all of the units is compliant with the required standards and is considered acceptable.

The shape and room size in the proposed section and converted sections of the resultant building is considered satisfactory. None of the rooms would have a particularly convoluted shape which would limit their specific use. Separate lifts are also incorporated within the new and existing sections of the building to provide level access to all levels.

The applicant has stated that all units meet Lifetime Home Standards and has provided layout plans that demonstrate compliance in this respect. However, this is no longer a relevant standard and in accordance with Standard 11 of Housing: Supplementary Planning Guidance. (March 2016) of the London Plan 90% of all new dwellings should meet building regulation M4(2) 'accessible and adaptable dwellings'. It is recommended that compliance with this standard is secured by condition.

### Amenity Space

In terms of amenity space, provision is provided communally by way of a large garden area that is indicated to the rear to be landscaped, with mature trees retained. This will be for use by all residents and is accessed from the main pedestrian entrances to the building. Balconies have also been provided to all flats to create private areas of amenity space. The size of these areas is generally in compliance with the requirements of the London Plan guidelines. Therefore the total provision is considered acceptable at this location given the additional large communal area provided.

### Impact on Adjoining Properties

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

The blocks of flats to the north and south of Conifer House both incorporate a large number of windows facing into the site on all storeys. The proposed extension to the rear of the building would extend beyond the rear of both neighbouring buildings. However, the windows in the neighbouring buildings face onto the existing built form, with the extension facing onto the gap between blocks. To the south a gap of 11.5m is maintained as existing to 1-12 Shannon Way from the existing section of the building. The new rear section will face the gap between 1-12 and 13-27 Shannon Way. To the north the existing flank windows will remain to face Lloyd House at a minimal distance of 16m with the new rear section facing

between Lloyd House and Thurston House. Taking into account the siting of the extension to the rear in relation to the surrounding blocks, and considering the distance of the extension from the side boundaries of the site, it is considered that a reason for refusal based on the impact on outlook from these windows of the neighbouring flats could not be sustained.

In terms of outlook from the resultant building, the fenestration arrangement will provide generally front, rear and flank outlook for the units in the front original section of the building and flank outlook for the central and rear sections of the extended building overlooking amenity space or overlooking the street for both bedrooms and living and dining spaces. As detailed above with respect to the outlook from neighbouring properties the siting of the building and generous separation gaps maintained on site to neighbouring buildings reduces the impact in terms of any direct overlooking of neighbouring property or loss of privacy to within acceptable limits.

#### Highways and Car parking

The Council's Highway Officer has reviewed the current application and not raised any objection in this regard. 25 spaces are to be provided on site utilising existing vehicular access points which is considered satisfactory. Therefore, the proposal is considered generally acceptable from a highways safety perspective subject to appropriate planning conditions.

#### Cycle parking

Cycle parking is required to be 1 space per studio and 1 bedroom flats and 2 spaces for all other dwellings. The applicant has provided details of a location for cycle storage for the units comprising of 18 spaces. Additional spaces have been requested by the Council's Highway Officer. Further details in this regard are recommended by condition.

#### Refuse

All new developments shall have adequate facilities for refuse and recycling. The applicant has provided details of refuse storage for the units in the front curtilage accessed from the existing crossover from Southend Road. The location point is considered acceptable within close proximity of the highway. Further details in this regard are recommended by condition in relation to capacity and a containment structure.

#### 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 stated that the scheme includes the option for roof mounted photovoltaic panels which are located on the flat roof of the building. This approach is welcomed.

### Trees and Landscaping

An indicative landscaping layout has been submitted as shown on the proposed site plan drawing that details the areas given over to garden for external amenity for future occupiers. The Council's Arboricultural Officer has reviewed the scheme and raised no objections to the impact to trees subject to standard planning conditions. Notwithstanding this full detail of hard and soft landscaping and boundary treatment is also recommended to be sought by condition as necessary.

### Community Infrastructure Levy

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

### Summary

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

### **RECOMMENDATION: PERMISSION**

#### **Subject to the following conditions:**

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

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

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

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



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

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

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

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

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

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

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

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

**7** No part of the development hereby permitted shall be commenced prior to a contaminated land assessment and associated remedial strategy, together with a timetable of works, being submitted to and approved in writing by the Local Planning Authority.

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

desk study. The strategy shall be approved in writing by the Local Planning Authority prior to investigations commencing on site.

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

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

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

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

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

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

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

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

9 An acoustic assessment shall be submitted to the Local Planning Authority for approval in writing prior to commencement of the development. The assessment shall determine the worst case day time and night time ambient background noise levels affecting this location and predict the internal levels in the proposed residential dwelling. A scheme

of mitigation, as necessary in light of the results of the assessment, (covering façade, glazing and ventilation specifications to achieve suitable internal noise levels in line with guidance in BS8233:2014) shall be submitted to the Local Planning Authority for written approval prior to commencement of the development and once approved shall be installed fully in accordance with the approved scheme and permanently maintained thereafter.

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

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

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

**11** 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.

**12** An Air Quality Assessment shall be submitted to the Local Planning Authority for approval in writing prior to commencement of the development in respect of all flats facing Southend Road. The Air Quality Assessment will need to utilise an appropriate air quality model and/or emissions assessment tool to predict air quality concentrations at appropriate receptor locations.

**Reason:** In order that the local planning authority may be satisfied that the development is not going to result in significant health impacts to existing and future residents from a deterioration in local air quality in accordance with Policy 7.14 of the London Plan.

**13** 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.

**14** 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.

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

**Reason:** 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.

**16** Before any part of the development hereby permitted is first occupied, bicycle parking for 33 spaces (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.

**17** 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.

**18** The development shall be implemented in accordance with the Arboricultural Appraisal and Implications and Tree Protection Methods 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.

**19** No loose materials shall be used for surfacing of the parking and turning area hereby permitted.

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

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

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

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

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

**22** Notwithstanding the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking, re-enacting or modifying that Order), no plumbing or pipes, other than rainwater pipes, shall be fixed on the external elevations of the building.

**Reason:** It is considered that such plumbing or pipes would seriously detract from the appearance of the buildings and to comply with Policy BE1 and BE11 of the Unitary Development Plan.

**23** The whole of the rear amenity space as shown on Drawing No 6422-PL101 hereby approved shall be retained permanently for the benefit of the occupiers of the residential units hereby permitted.

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

**24** The development hereby permitted shall be built in accordance with the criteria set out in Building Regulations M4(2) 'accessible and adaptable dwellings' and shall be permanently retained 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.

25 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.

**You are further informed that:**

- 1 The applicant is advised that any works associated with the implementation of this permission (including the demolition of any existing buildings or structures) will constitute commencement of development. Further, all pre commencement conditions attached to this permission must be discharged, by way of a written approval in the form of an application to the Planning Authority, before any such works of demolition take place.
- 2 You should consult the Land Charges and Street Naming/Numbering Section at the Civic Centre on 020 8313 4742 or e-mail: [address.management@bromley.gov.uk](mailto: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](http://www.bromley.gov.uk)
- 3 You are advised that this application may be liable for the payment of the Mayoral Community Infrastructure Levy under the Community Infrastructure Levy Regulations (2010) and the Planning Act 2008. The London Borough of Bromley is the Collecting Authority for the Mayor and this Levy is payable on the commencement of development (defined in Part 2, para 7 of the Community Infrastructure Levy Regulations (2010)). It is the responsibility of the owner and /or person(s) who have a material interest in the relevant land to pay the Levy (defined under Part 2, para 4(2) of the Community Infrastructure Levy Regulations (2010)).

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

Further information about Community Infrastructure Levy can be found on attached information note and the Bromley website [www.bromley.gov.uk/CIL](http://www.bromley.gov.uk/CIL)

- 4 Conditions imposed on this planning permission require compliance with Part M4 of the Building Regulations. The developer is required to notify Building Control or their Approved Inspector of the requirements of these conditions prior to the commencement of development.
- 5 You should contact extension 4621 (020 8313 4621 direct line) at the Environmental Services Department at the Civic Centre with regard to the laying out of the crossover(s) and/or reinstatement of the existing crossover(s) as footway. A fee is payable for the estimate for the work

which is refundable when the crossover (or other work) is carried out. A form to apply for an estimate for the work can be obtained by telephoning the Highways Customer Services Desk on the above number.

- 6 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 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.
- 8 It is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0800 009 3921. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.
- 9 Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

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**Application:**16/02179/FULL1

**Address:** Conifer House 44 Southend Road Beckenham BR3 1SL

**Proposal:** Construction of four storey rear extensions, four storey front extensions and roof alterations to add an additional storey to the existing building forming an additional 9 flats (18 flats total) comprising one 1 bedroom, four 2 bedroom and three 3 bedroom flats within the extended



"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 :** 16/02275/FULL6

**Ward:**  
**Chelsfield And Pratts**  
**Bottom**

**Address :** 8 Stephen Close Orpington BR6 9TZ

**OS Grid Ref:** E: 545540 N: 165146

**Applicant :** Mr & Mrs Huang

**Objections :** YES

### **Description of Development:**

Two storey rear, first floor side and single storey front extension and conversion of garage to habitable accommodation

Key designations:

Biggin Hill Safeguarding Area  
London City Airport Safeguarding  
Open Space Deficiency  
Smoke Control SCA 14

### **Proposal**

Members will recall that this application was submitted to Plans Sub Committee 2 on 14th July 2016 where members resolved to defer the application, without prejudice to seek a reduction in scale of the extensions.

The applicant has considered the request of the Committee and has submitted a revised plan which was received on 26th July 2016 which reduces the first floor rear extension by 0.35m and reduces the width of the front extension by 2.5m.

The application proposes a two storey rear extension that would have a depth of 2m, by a width of 8.15m at ground floor, which is a reduction in width to the overall dwelling at the rear and a width of 5.4m at first floor. It would have an eaves height of 5.1m and a ridge height of 7.2m.

The report as previous is set about below and suitably amended.

The first floor side extension would have a depth of 8.4m by a width of 2.5m and would have an eaves height of 5.1m and a ridge height of 8.4m.

The single storey front extension would measure 1m in depth, by 2.7m in width and would have an eaves height of 2.5m and a ridge height of 3.6m.

The application site hosts a two storey detached dwelling on the South Eastern side of Stephen Close, Orpington

## Consultations

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

- Only overcomes side space reason for refusal
- Bedrooms are too small
- New brick wall will be claustrophobic
- Rear extension is less than 10m from boundary with number 2 Marcellina Way
- Previous application in BR6 was refused for being less than 10m from the boundary
- Front extension will be out of character by changing the building line
- Front extensions near the site on this estate have been refused in the past
- If occupancy increases this will exacerbate parking issues
- First floor extension is excessive
- Previous refused application concluded that there would be no impact on number 7 or 9, this is felt to be inaccurate
- Loss of light
- Extension intersects 45 degree line
- Loss of outlook
- Development is unprecedented
- Objections from previous application are still valid

Highways raised no objection but asked for Condition H03 to be added to any permission.

## 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

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

SPG No1 - General Design Principles  
SPG No2 - Residential Design Guidance

Under planning reference 88/00514 permission was granted for a single storey side extension.

Under planning reference 16/00406 permission was refused for a Two storey rear extension, first floor side and single storey front extensions and conversion of garage to habitable accommodation for the following reason:

"The proposal does not comply with the Council's requirement for a minimum 1 metre side space to be maintained to the flank boundary in respect of two-storey development in the absence of which the extension would constitute a cramped form of development, out of character with the street scene and contrary to Policy H9 of the Unitary Development Plan."

## **Conclusions**

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

The application seeks to overcome the previous refusal under planning reference 16/00406 which was refused for the lack of side space. There is now a minimum of 1m side space proposed at both ground and first floor.

The two storey rear extension is of minimal projection and due to the position of the extension closest to the boundary with number 7 and the nature of number 7 being set further back than the host dwelling it is considered that there would be little impact on this adjoining dwelling.

The overall width of the dwelling is to be reduced, and so the extension at ground floor would be further from the property at number 9 than at present, although the depth is increased this extension would not have a significant detrimental impact on this adjoining owner.

The first floor side extension would be built above the existing garage, which is to be reduced in width to allow for a minimum of 1m side space, this therefore overcomes the reason for refusal under reference 16/00406 and complies with Policy H9 of the UDP.

The single storey front extension would only bring the front building line forward by 1m, however given the uniformity within the close, and the wider estate in this area it is considered that this would significantly harm the character and appearance of the host dwelling and the street scene, however this is not considered so detrimental as to warrant a refusal.

The conversion of the garage to a habitable room along with the front extension would not significantly harm the amenities of any adjoining owners, nor impact on the character of the area.

## **RECOMMENDATION: PERMISSION**

### **Subject to the following conditions:**

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

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

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

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

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

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

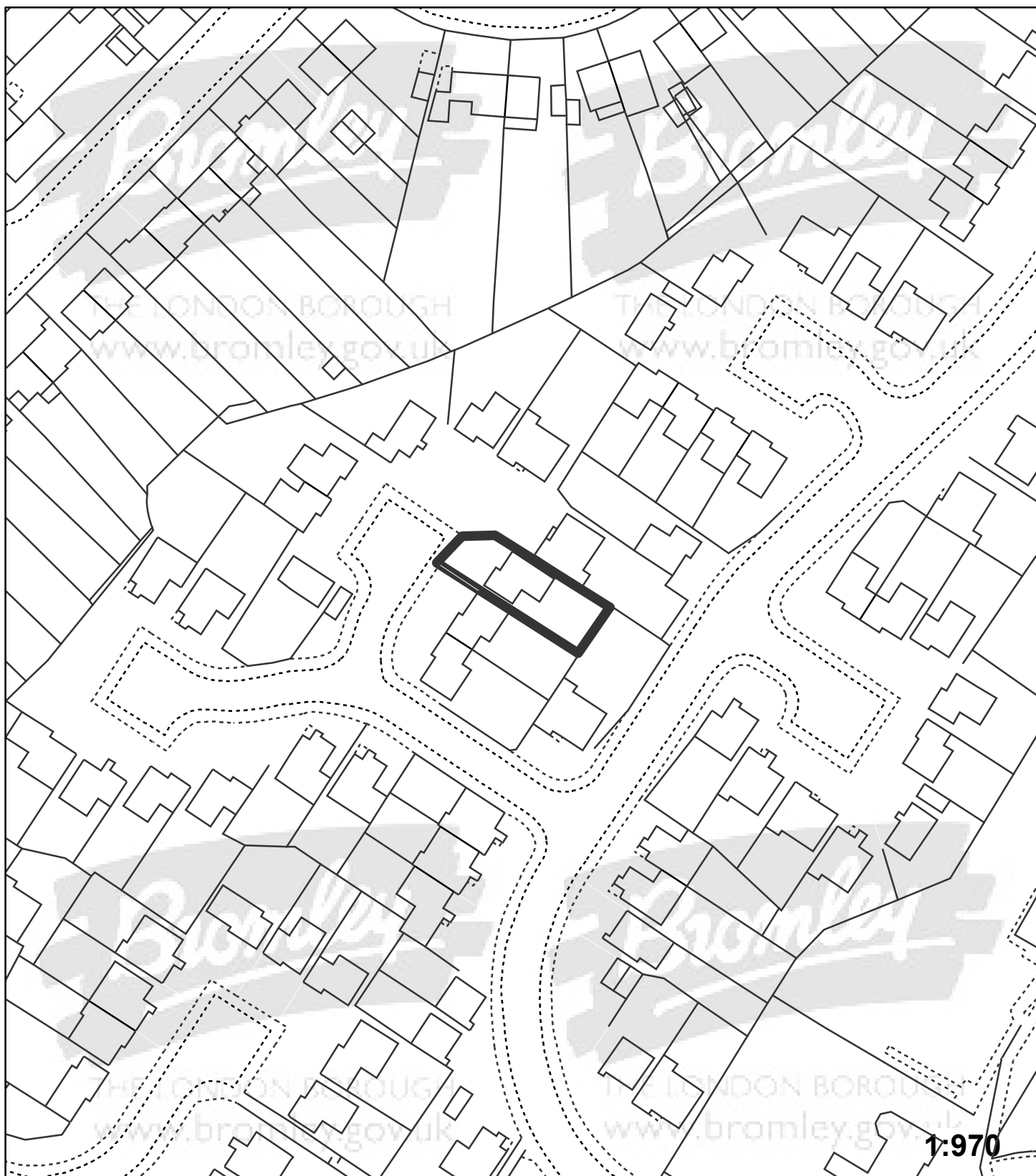
- 4 Before commencement of the use of the land or building hereby permitted parking spaces and/or garages and turning space shall be completed in accordance with the approved details and thereafter shall be kept available for such use and no permitted development whether permitted by the Town and Country 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.**

**Application:**16/02275/FULL6

**Address:** 8 Stephen Close Orpington BR6 9TZ

**Proposal:** Two storey rear, first floor side and single storey front extension and conversion of garage to habitable accommodation



"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 :** 16/02453/FULL6

**Ward:**  
Petts Wood And Knoll

**Address :** 4 Ryecroft Road Petts Wood Orpington  
BR5 1DR

**OS Grid Ref:** E: 544534 N: 167186

**Applicant :** Mrs Gail Gulvin

**Objections :** YES

### **Description of Development:**

Single storey front and first floor side extensions

Key designations:

Biggin Hill Safeguarding Area  
London City Airport Safeguarding  
River Centre Line  
Smoke Control SCA 8

### **Proposal**

The application seeks permission for the addition of a single storey front and a first floor side extension. The front extension would have a maximum depth of 1.7m and would have a width of 5.4m to provide a larger office and front porch. The proposed first floor extension would have a depth of 4.1m and with of 2.9m. It would be set back from the front of the property and would project 1.2m beyond the rear of the existing first floor elevation.

### **Location**

The application site is a corner plot which hosts a two storey semi-detached dwelling on the western side of Ryecroft Road, at the junction with Kenilworth Road. The site is not located within a Conservation Area, nor is it Listed.

### **Consultations**

Comments from Local Residents

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

### **Planning Considerations**

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

BE1 Design of New Development  
H8 Residential Extensions  
H9 Side Space

## **Planning History**

The site has previously been the subject of the following applications;

- 87/00266/FUL - Single storey side extension for granny annexe - Permitted 04.03.1987
- 03/00228/FULL6 - Single storey rear extension - Permitted 26.02.2003

## **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 front extension would have a maximum depth of 1.7m and would have a width of 5.4m to provide a larger office and front porch. It would have a pitched roof with a maximum height of 3.5m and an eaves height of 3m. The front extension would not project significantly beyond the existing bay window and would therefore not be highly visible from the neighbouring property at No.2. The proposed materials would match the existing dwelling, and given its modest projection and height it would not be considered to result in any significant harm to neighbouring properties or the streetscene in general.

The proposed first floor extension would have a depth of 4.1m and a width of 2.9m. It would provide a continuation of the existing eaves height, however would have a much lower ridge height to maintain a subservient appearance to the main dwelling. The extension would be set back from the front of the property by approximately 4m at first floor level, and 5m at ground floor level.

It would project 1.2m beyond the rear of the existing first floor elevation, and this element of the extension would be visible from the neighbouring property at No.2. However, it would provide a distance of 5.8m to the shared boundary with this neighbour and the flank walls would be blank. Given this distance to the neighbour and the modest rearward projection the proposed extension is not considered to result in any significant harm with regards to loss of light, outlook and privacy above that which already exists.

Policy H9 requires a minimum of 1m side space to be provided for proposals of two or more storeys in height, and this should be retained for the full height and length of the flank wall or building. Furthermore, where higher standards of separation

exist proposals are expected to provide a more generous side space. This would be the case on some corner properties, such as the application site.

The existing single storey side element provides a side space of 0.382m at the front of the property, and the proposed single storey front extension would result in an extension which abuts the boundary. The first floor extension is set back approximately 5m from the front of the proposed single storey extension and is set in 0.6m from the flank wall of the single storey element. The boundary tapers away from the front of the property and as such the first floor extension would provide a minimum side space of 1.9m, and a maximum of 2.9m from the rearmost part.

In this case Policy H9 would therefore not strictly be adhered to given that the first floor extension is sited above the single storey element which abuts the boundary. However, the first floor element provides a side space of between 1.9m and 2.9m to the boundary and is significantly set back from the front of the property. The proposed materials would match the existing dwelling, and it would maintain a lower ridge height to provide a subservient appearance. As such the extension would not result in a cramped appearance and is not considered to have a detrimental impact on the appearance of the host dwelling, the spatial standards of the area, 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.

**as amended by documents received on 18.07.2016**  
**RECOMMENDATION: PERMISSION**

**Subject to the following conditions:**

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

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

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

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

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

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

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

**REASON:** In order to comply with Policies BE1 and H8 of the Unitary Development Plan and in the interest of the amenities of the adjacent properties.

**Application:** 16/02453/FULL6

**Address:** 4 Ryecroft Road Petts Wood Orpington BR5 1DR

**Proposal:** Single storey front and first floor side extensions



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

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

**Application No :** 16/02584/FULL6

**Ward:**  
**Bromley Common And  
Keston**

**Address :** 51 Lakes Road Keston BR2 6BN

**OS Grid Ref:** E: 541515 N: 164497

**Applicant :** Mr & Mrs Mace

**Objections : NO**

### **Description of Development:**

First floor front extension, part two storey/first floor front/side extension, part one/two storey rear extension, alterations to roof and replacement porch canopy

### **Key designations:**

Areas of Archeological Significance  
Biggin Hill Safeguarding Area  
London City Airport Safeguarding  
Smoke Control SCA 22

### **Proposal**

The application seeks permission for a first floor front extension, part two storey/first floor front/side extension, part one/two storey rear extension, alterations to roof and replacement porch canopy.

The first floor front extension will sit above an existing ground floor front extension to the western side of the property. It will be set in from the flank wall of the main house and retain a distance of approximately 1.3m to the side boundary with no. 49. This first floor front extension will have a pitched roof which will extend to the height of the main roof and adjoin the new roof for the part two storey/first floor front/side extension.

The part two storey/first floor front/side extension will be located to the eastern side of the property. It will replace the existing single storey element to this side of the property with a two storey structure measuring a length of approximately 9.4m for a width of 2.65m (the same width as the existing single storey element). The extension will retain a distance of 1m to the side boundary with no. 53.

The proposal also includes a new pitched roof front porch canopy above the main entrance door.

To the rear, the proposed part one/two storey extension will extend 3m in depth at two storey for a length of 6.66m, with the single storey element located to the western side of two storey section adjacent to no. 49.

## Location

The application site is a two storey detached property on the northern side of Lakes Road, Keston. The property lies to the end of the road, close to where Lakes Road leads round onto Keston Avenue. This section of the road consists of mainly detached properties, whilst the remainder of the road is predominantly terraced.

## Consultations

### Comments from Local Residents

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

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

### Comments from Consultees

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

## Planning Considerations

### Planning Considerations

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

BE1 Design of New Development  
H8 Residential Extensions  
H9 Side Space

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

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

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

### Planning History

Under ref: 97/00234/FUL planning permission was granted for a single storey front extension. A further permission, under ref: 05/00601/FULL6 was granted for 1.1m high railings on the flat roof of the single storey front extension.

Under ref: 03/01740/FULL6 planning permission was granted for a first floor front extension and pitched roof over existing single storey side extension.



More recently planning permission was granted, under ref: 14/03540/FULL6, for a First floor front extension, part two storey/first floor front/side extension, single storey rear extension, alterations to roof and replacement porch canopy.

A further application under ref: 15/03620/FULL6, for a Part two storey/first floor front/side extension, first floor front and two storey rear extensions, was refused for the following reason;

"The proposed two storey rear extension would, by way of its excessive depth, height and proximity to the boundaries, result in an unacceptable form of development, out of character with the surrounding manner of development and leading to a loss of light, outlook and prospect, detrimental to the amenities that this neighbouring properties currently enjoy, and contrary Policies BE1 and H8 of the Unitary Development Plan".

This application was subsequently dismissed at appeal.

Under ref: 16/01853/PLUD, an application for a lawful development certificate for the Erection of a three metre two storey rear extension to existing detached house was granted.

## **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.

Policies H8, BE1 and the Council's Supplementary design guidance seek to ensure that new development, including residential extensions are of a high quality design that respect the scale and form of the host dwelling and are compatible with surrounding development. Policy BE1 also seeks to ensure that new development proposals, including residential extensions respect the amenity of occupiers of neighbouring buildings and that their environments are not harmed by noise and disturbance or by inadequate daylight, sunlight or privacy or by overshadowing.

A similar application at the property was granted planning permission under ref: 14/03540/FULL6 which included a first floor front extension, part two storey/first floor front/side extension, single storey rear extension, alterations to roof and replacement porch canopy. This application was not implemented and a further application was submitted by the applicant to include the same proposal with the addition of a 3.5m deep two storey rear extension, under ref: 15/03620/FULL6. This application was refused by the Council due to the impact on the character of the area and neighbouring amenity. This 2015 application was subsequently dismissed at appeal with the Appeal Inspector concluding that whilst they did not consider the proposal to a "have a harmful effect on the character and appearance of the surrounding area, this is outweighed by the harmful impact to the living conditions of neighbours at Nos 49 and 51a".

Since this application, the applicant submitted a lawful development certificate under ref: 16/01853/PLUD for the erection of a 3m two storey rear extension. The application was determined to be lawful and was granted.

This current scheme, which is the subject of this application, proposes a similar development to the front and side as that which could be constructed under planning application ref: 14/03540/FULL6, and to the rear as approved under lawful development certificate ref: 16/01853/PLUD. However, two additional elements are proposed (which have not been granted by these previous applications). These revisions include an additional 3m at first floor and 1.3m at ground floor to the rearward length of the proposed part two storey/first floor front/side extension to the eastern side of the property, and a single storey rear element to the proposed rear extension, projecting 3m in depth from the western flank wall of the existing property to adjoin the proposed two storey element. Members will need to consider the additional impact of these elements of the proposal, taking into account that the remainder of the scheme has been established by past applications.

The single storey element of the rear element of the proposed extension would project 3m in depth with a pitched roof sloping to the sides and rear from a maximum height of approximately 3.8m to an eaves height of 3.1m. It will extend in line with the existing flank wall of the property to retain a separation of 0.9m from the side boundary shared with no. 49. It is acknowledged that application ref: 14/03540/FULL6 granted planning permission for a 3.5m deep rear extension in this location with a flat roof to a height of 3.2m. As such, this proposal would result in a single storey rear element in this location of a lesser depth and the pitched roof design would also reduce the bulk of the extension compared to a flat roof. Accordingly, this part of the proposal is not considered to result in any additional impact to the amenities of the neighbouring property adjacent, at no. 49, than would occur from the previous permissions and as such Members may consider it acceptable.

The main consideration in respect of the increase to the rearward projection of the two storey side element of the proposal, would be the impact of the residential amenities of the neighbouring property at no. 53. This proposed amendment to the scheme approved under ref: 14/03540/FULL6, would not result in this part of the extension projecting any further to the rear than the existing dwelling. It can be seen that there are three first floor windows located within the flank elevation of no. 53 which face the site. These windows are somewhat enclosed by the existing property at no. 51 and the width of the extension would bring the flank wall of the dwelling only 1m closer than existing, with a 1m side space retained. Accordingly, Members may consider that there would be no undue harm caused to the light or outlook of these windows. A first floor flank window is proposed within the extension; however, it is shown to be obscure glazed and non-opening below 1.7m from internal floor level which would help prevent overlooking and loss of privacy from occurring.

Taking all the above into account, Member's may consider that, on balance, 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 host dwelling or area in general.

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

**RECOMMENDATION: PERMISSION**

**Subject to the following conditions:**

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

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

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

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

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

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

- 4 A side space of 1 metre shall be provided between the eastern flank wall of the first floor front extension hereby permitted and the flank boundary of the property**

**Reason: In order to comply with Policy H9 of the Unitary Development Plan and in the interest of the visual amenities of the area.**

- 5 A side space of 1 metre shall be provided between the western flank wall of the part two storey/first floor front/side extension hereby permitted and the flank boundary of the property**

**Reason: In order to comply with Policy H9 of the Unitary Development Plan and in the interest of the visual amenities of the area.**

- 6** Before the development hereby permitted is first occupied the proposed window in the first floor western flank elevation shall be obscure glazed to a minimum of Pilkington privacy Level 3 and shall be non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed and the window (s) shall subsequently be permanently retained in accordance as such.

**Reason:** In the interests of the amenities of nearby residential properties and to accord with Policies BE1 and H8 of the Unitary Development Plan

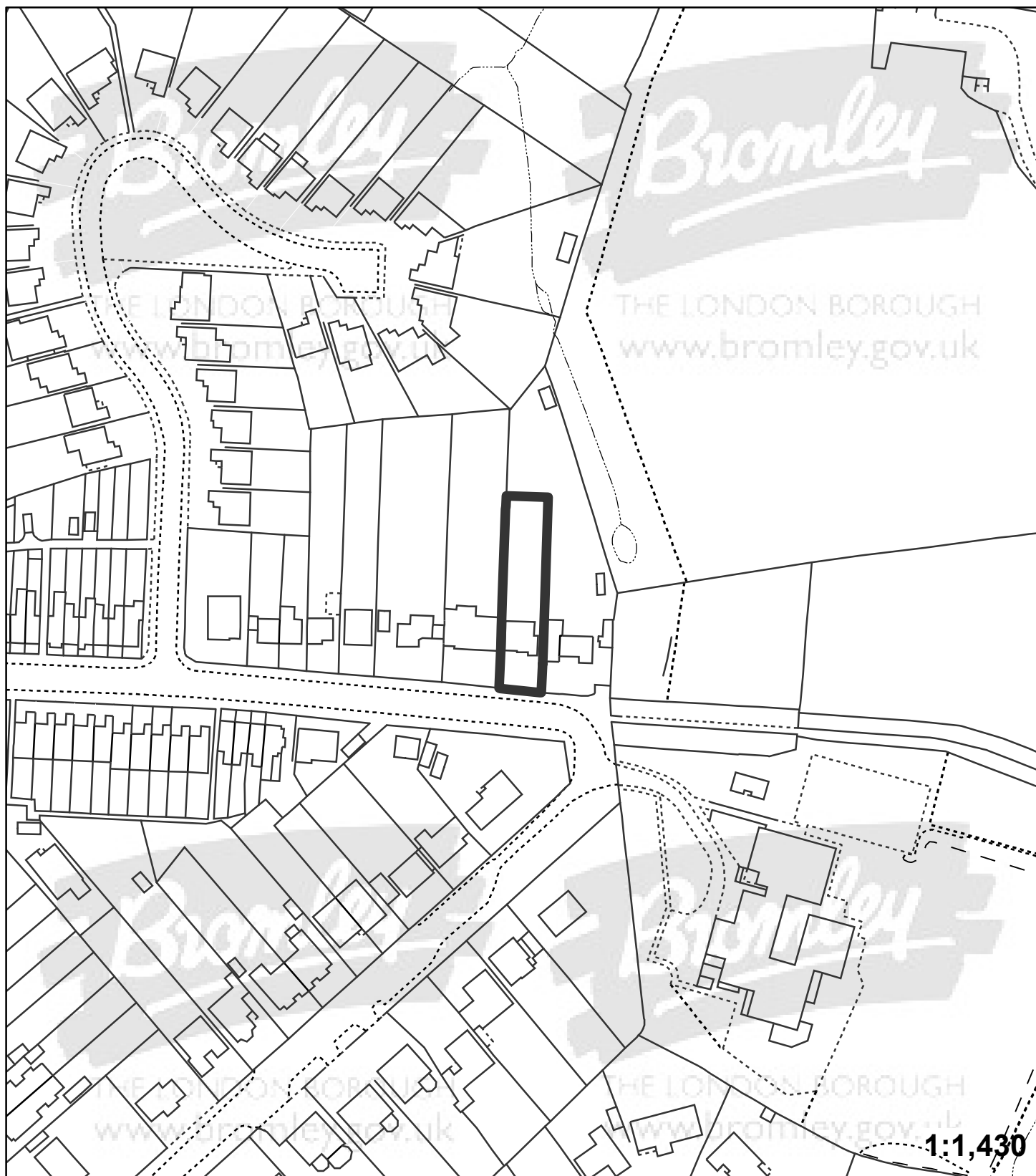
- 7** No additional windows or doors shall at any time be inserted in the flank elevations of the extensions hereby permitted, without the prior approval in writing of the Local Planning Authority.

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

**Application:**16/02584/FULL6

**Address:** 51 Lakes Road Keston BR2 6BN

**Proposal:** First floor front extension, part two storey/first floor front/side extension, part one/two storey rear extension, alterations to roof and replacement porch canopy



"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 :** 16/02597/FULL1

**Ward:**  
**Clock House**

**Address :** 45 Ancaster Road Beckenham BR3 4DZ

**OS Grid Ref:** E: 535783 N: 168685

**Applicant :** William Willoughby (Estates) Ltd

**Objections :** YES

### **Description of Development:**

Demolition of the existing bungalow and the construction of a two storey building to provide 2No 2 bedroom flats and 2No one bedroom flats, together with off street parking, cycle and refuse storage.

Key designations:

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

### **Proposal**

The application seeks consent for the demolition of existing bungalow and the construction of a two-storey building in order to provide 2No two bedroom flats and 2No one bedroom flats.

The revisions made to the current application following DC/16/01091 include a reduction in the depth and size of the first floor rear projection. This has been reduced from 5.1m to 3m (2.2m reduction). The first floor units have also been reduced to now provide 2No one bedroom flats instead of 2No two bedroom flats at first floor level. The ground floor layout remains as the previous scheme.

Four off-street parking spaces are proposed.

### **Location**

The application site is located on the west side of Ancaster Road. The site currently comprises a detached bungalow with a large rear garden. The building is currently vacant. The existing development within Ancaster Road is characterised by detached and semi-detached single family dwelling houses. There are a number of architectural styles within the street; including Victorian dwellings, 1950s housing and 1960/70s developments. Generally however semi-detached styles, with hipped rooflines and double height bay windows are common. The dwellings have generous rear gardens and modest gaps between the buildings.

The site is located within Flood Zone 3

The site is not located within a conservation area and the site has a PTAL of 4.

## Consultations

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

- Continue to oppose the application
- Overdevelopment of a small plot, where there is no precedent to support or justify the size and scale of the proposal.
- Developer has not taken into account concerns of the planning committee or residents. The footprint is remains too large and is an issue for neighbouring residents
- The planning officer states that there are already two-storey extensions in the road but this is not at the end of the road, nor within sight and not to full roof height.
- It appears the first floor extends 4m past No 47 and slightly less for No 39. This is just 1m metre short of the entire length of No 39.
- Concerns about 2 living areas opening up onto the gardens. A normal house would not need internal fencing
- Proposed boundary fencing would make it feel like a prison
- Insufficient car parking
- Inaccurate descriptions provided by the applicant. Ancaster Road is not 'relatively quiet'.
- Not appropriate or compatible with existing properties
- Size and scale out of proportion
- Will appear enormous in relation to other buildings
- The character of the this part of Ancaster Road are just semi-detached houses, none have been converted into flats
- Would set a precedent for conversion
- Loss of sunlight and daylight to neighbouring properties, particularly due to height and extent of building
- Neighbouring properties will feel claustrophobic
- Neighbouring properties with single-storey rear extensions have already caused loss of light and overshadowing
- Overlooking and loss of privacy
- Windows in the side elevation - what can be done to stop them converting them from obscured glazing.
- Materials not in keeping with the area and other buildings
- Wood cladding could be very noisy
- Existing street very congested with cars
- Will result in the loss of 3 off-street parking spaces
- Other applications for double dropped kerbs have been rejected, why is this acceptable
- Ancaster Road is a cut through with heavy traffic and is very narrow
- Pedestrian and vehicular safety concerns.
- Will result in the removal of a 'small sapling'. Replacement tree will take years to establish.



- Front garden has been left overgrown, which has ruined neighbouring gardens
- Breach of human rights
- Neighbours not being considered
- Consultation letters have taken a very long time to reach neighbours and additional time should be provided for review.
- Noise during construction
- Noise due to intensification of site
- Impact on a telecommunications pole
- Poor drainage in the area and surface water flooding, which will be exacerbated by the development
- Restricted access to the road for emergency vehicles
- Problems with neighbouring properties running businesses from their houses
- Smells
- Their needs to be a nature conservation sweep of the land - an application on Dorest Road had slow worms, which is protected. Stag Beetles also present

Highways Officer - Previous application 16/01091 was to demolish existing bungalow and construct a two storey building providing 4 x 2 bedroom flats with 4 x off road parking spaces, cycle and refuse storage. The developer in this application has reduced the size of units and now providing 2 x 2 bedroom flats and 2 x 1 bedroom flats which is acceptable.

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

LBB Waste Service would be able to confirm if the bins are enough to store refuse of these flats.

There are some highway trees in front of the house. The Arboricultural Officer should be consulted to see if crossover can be constructed without disturbing the tree or if they are prepared to relocate the tree.

A covered and secure cycle storage facility is provided close to the main entrance and also at the rear of the house. The storage area can store 6 cycles which is satisfactory.

The proposal is to remove the frontage low level wall, extend the dropped kerb and create an open driveway to provide four car parking spaces. Each space is 2.4 metres x 5.0 metres. These four spaces would be for use by the proposed 4 x 2 bedroom apartments. The swept path Swept Path Analysis which demonstrates that the vehicles can manoeuvre safely and efficiently in and out of the 4 proposed bays and is satisfactory

Please include the following with any permission:

Condition

H03 (Satisfactory Parking)

H12 Pedestrian Visibility...3.3 x 2.4 x 3.3m visibility splays and no obstruction to visibility in access of 1m in height...

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

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."

Highway Area Inspector - We have no highways issues as such but there are two trees in situ and looking at the plans we would struggle to fit the crossovers whilst they are present but it depends how close we can excavate to the tree. There is also a telegraph pole on the boundary. We have no highways issue as long as the construction is 4.5m away from the rear of the footpath but the trees would be the main issue in my opinion.

Council Arboricultural Officer - No objections subject to appropriate compensation for the removal and relocation of the sapling located on the pavement.

Environment Agency - No additional comments have been received in response to the amendment. However the following comments were received in conjunction with the previous application. 'We have reviewed the proposal and have no objections subject to the following planning condition being imposed on any permission granted:

Condition

The development permitted by this planning permission shall only be carried out in accordance with the approved flood risk assessment (FRA) by UK Flood Risk Consultants, version 1.2a, dated February 2016(amended 26 April 2016), and the following mitigation measures detailed within the FRA:

1. flood resilient construction measures to be incorporated as detailed within section 4.2;
2. finished ground floor levels to be set no lower than 32.55mAOD as indicated on drawing no. 5289.08D.

## Reasons

1. To reduce the impact of flooding to the proposed development and future occupants;
2. To reduce the risk of flooding to the proposed development and future occupants.

The site is situated within flood zone 3, the high risk zone. Residential development is classified as more vulnerable in terms of flood risk under the National Planning Policy Framework (NPPF).

The Proposed Elevations and Sections drawing (Drawing no. 5289.08D) indicates that ground floor finished floor levels are to be set at 32.55mAOD. This is over 300mm above the modelled 1 in 100 year plus climate change flood level according to the submitted FRA. We consider this acceptable.

We would highlight that the proposal includes sleeping accommodation on the ground floor. We normally advise against placing sleeping accommodation at ground floor level in areas of flood risk as it presents a potential risk to life. We recommend that sleeping accommodation is placed on the first floor or above, or alternatively that ground floor levels are raised to 600mm above the modelled 1 in 100 year plus climate change flood level.

We welcome the flood resilience measures recommended in section 4.2 of the submitted FRA and strongly advise that these are included within the development. Further information on flood resilience can be found on the following link [http://www.planningportal.gov.uk/uploads/br/flood\\_performance.pdf](http://www.planningportal.gov.uk/uploads/br/flood_performance.pdf).

As recommended within the FRA, residents should register with the Environment Agency's flood warning service, 'FloodLine', so that they may prepare themselves in case of a flood event. They can do this by calling 0345 988 1188.

In view of the potential extent of flooding around the property we would highlight to your authority concerns about access and egress to the site and neighbouring properties in the event of a flood. Section 4.3 of the FRA states residents can evacuate via Ancaster Road towards Elmers End as it will remain dry during extreme events. Yet Table 4 of the FRA indicates a flood depth of 32.7mAOD on Ancaster Road, implying it is not a dry escape route. You may wish to impose a planning condition requiring the submission of an emergency flood plan for approval by your emergency planner. The Environment Agency does not normally comment on or approve the adequacy of flood emergency response procedures, as we do not carry out these roles during a flood.

Please note we are aware of incidents of surface water flooding at the site. Following the Flood and Water Management Act 2010, the responsibility for management of flood risk from surface water runoff, groundwater and ordinary watercourses now sits with the lead local flood authority (LLFA), in this case, the London Borough of Bromley. Please refer to your drainage department for planning advice with respect to surface water management at the site.'

Thames Water - No comments received, but no objections received to the previous application.

Drainage Officer - Reviewing the submitted FRA carried out by UK Flood Risk with Reference No. QFRA:252 Version 1.2 dated 25/02/2016. I note the following comments: the proposed mitigation measures to increase finished floor levels and incorporating resistance and resilience measures are acceptable, I however do not agree with the applicant saying that the new building will occupy the same footprint of the existing therefore the surface water run-off from the site will not be increased, I refer the applicant to the London Plan and the fact that the site is a brownfield site and attenuation must be provided for the life span of the development. Condition: The development permitted by this planning permission shall not commence until a surface water drainage scheme for the site based on sustainable drainage principles, and an assessment of the hydrological and hydro geological context of the development has been submitted to, and approved by, the Local Planning Authority. The surface water drainage strategy should seek to implement a SUDS hierarchy that achieves reductions in surface water run-off rates to Greenfield rates in line with the Preferred Standard of the Mayor's London Plan. Reason: To reduce the impact of flooding both to and from the proposed development and third parties

### **Planning Considerations**

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

BE1 Design of New Development  
BE7 Railings, Boundary Walls and Other Means of Enclosure  
H1 Housing Supply  
H7 Housing Density and Design  
NE7 Development and Trees  
ER10 Light pollution  
T3 Parking  
T7 Cyclists  
T18 Road Safety

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

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

London Plan (July 2015)

Policy 3.3 Increasing Housing Supply.  
Policy 3.4 Optimising Housing Potential  
Policy 3.5 Quality and design of housing developments  
Policy 3.8 Housing choice  
Policy 5.1 Climate change mitigation  
Policy 5.2 Minimising carbon dioxide emissions

Policy 5.3 Sustainable design and construction  
Policy 5.7 Renewable energy  
Policy 5.9 Overheating and cooling  
Policy 5.10 Urban greening  
Policy 5.11 Green roofs and development site environs  
Policy 5.12 Flood risk management  
Policy 5.13 Sustainable drainage  
Policy 5.14 Water quality and wastewater Infrastructure  
Policy 5.15 Water use and supplies  
Policy 6.9 Cycling  
Policy 6.13 Parking  
Policy 7.2 An inclusive environment  
Policy 7.3 Designing out crime  
Policy 7.4 Local character  
Policy 7.6 Architecture  
Policy 8.3 Community infrastructure levy

London Plan Supplementary Planning Guidance (SPG)

Housing: Supplementary Planning Guidance. (2016)

DCLG Technical Housing Standards (2015)

Planning History

15/05399/FULL1 Demolition of existing bungalow and the construction of a two-storey building plus roof space, in order to provide 4No 2 bedroom and 1No 1 bedroom flats, together with associated parking, cycle and refuse storage. Refused in February 2016 for the following reasons:

1. The proposal would provide a poor standard and poor quality accommodation within flat 5, by virtue of its inadequate head height, restricted outlook and poor ventilation, harmful to the amenities of future occupiers and contrary to Policies H7 and BE1 of Bromley's Unitary Development plan (2006); Policy 3.5 of the London Plan (2015); Housing Supplementary Planning Guidance (2012); Minor Alterations to the London Plan (May 2015) and Draft Housing SPG (2015).
2. The proposal would result in unacceptable overlooking and a loss of privacy to neighbouring properties as a result of the proposed balconies, intensification of the site and location of the development contrary to BE1 Design of New Development of the Unitary Development Plan (2006) and Supplementary Planning Guidance No 1 General Design Principles and No 2 Residential Design Guidance.

16/01091/FULL1 - Demolition of existing bungalow and the construction of a two-storey building in order to provide 2No 2 bedroom flats, together with four off road parking spaces, cycle and refuse storage. This case was presented to Members at Plans Sub Committee No 2 on the 12 May 2016 with an Officer recommendation for approval. Members resolved to defer the application in order to seek a

reduction in the size and scale of the rear of the development'. Subsequent to this the applicant lodges a planning appeal for non-determination. This appeal has not yet been determined.

## **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 and scale 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. Consideration should also be given to the previous reason for refusal.

### **Principle of Development**

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

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

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

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

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

The site is currently in residential use and is located adjacent to residential dwellings to the north and south. 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.

#### Scale and Layout.

The National Planning Policy Framework (NPPF) states that a key role for planning is to seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. Further to this, paragraph 58 of the NPPF states that planning decisions should aim to ensure that developments function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development; establish a strong sense of place, respond to local character and history, and reflect the identity of local surroundings and materials; and are visually attractive.

The London Plan further reiterates the importance of ensuring good design, and states, in Policy 7.4, that development should improve an area's visual or physical connection with natural features and, in areas of poor or ill-defined character, development should build on the positive elements that can contribute to establishing an enhanced character for the future function of the area. Policy 7.6 of the London Plan also states that development should be of the highest architectural quality, be of a proportion, composition, scale and orientation that enhances, activates and appropriately defines the public realm and should comprise details and materials that complement, not necessarily replicate, the local architectural character.

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 existing development within Ancaster Road is characterised by detached and semi-detached single family dwelling houses. There are a number of architectural styles within the street; including Victorian dwellings, 1950s housing and 1960/70s developments. Generally however, semi-detached styles with hipped rooflines and double height bay windows are common. The dwellings have generous rear gardens and modest gaps between the buildings.

The proposed building has been designed to appear as semi-detached dwelling when viewed from the front. However, it would include central door, with double height bay windows, and a pitched roof. Its front building line would be similar to neighbouring dwellings and the architectural details are not uncharacteristic of the wider locality. In terms of its materiality, the proposal would have a contemporary

appearance with part cedar cladding, however when considering the overall design this is not considered to be harmful to the character and appearance of the wider locality. The proposed building would be similar in height to the neighbouring property at No 47; however the existing bungalow was significantly lower and is generally considered to be more of an incongruous feature within the street scene. In this case, it is considered that the introduction of a two-storey structure would be more in keeping with neighbouring dwellings and uniformity of the street. The surrounding area is residential in character and the proposal and been design to appear as a two-storey semi-detached dwelling, albeit with a central door. The introduction of residential flats would not therefore be significantly out of character with the street and planning permission has been granted for the conversion of 21 Ancaster Road into 3No flats.

The proposal would also include a part one/part two-storey rear projection, which would incorporate a pitched roof. This two-storey rear element has been revised since the scheme submitted under 16/01091 and reduced at first floor level by 2.2m. The rearward projection and footprint would be marginally out of keeping with the rear building lines of the immediate neighbouring properties, however No's 19-21 and No's 30-32 also include original two-storey rear projections. Two-storey rear extensions are also noted at No's 40 & 42 Ancaster Road. This staggered design is not uncommon for urban/suburban environments and the examples above, depth of the rear garden and more informal architectural arrangement provides some degree of flexibility. In this case it is considered that the rear projection would not be significantly incongruous with, or harmful to, the character and appearance of the wider locality.

Saved Policy H9 also requires proposals of two or more storeys in height to be a minimum of 1m from the side boundary. However, H9(ii) states that 'where higher standards of separation already exist in residential areas, proposals will be expected to provide a more generous side space. Para 4.48 explains that the Council considers that it important to 'prevent a cramped appearance and is necessary to protect the high spatial standards and visual amenity which characterise many of the Borough's residential areas'. In this case the proposal would be significantly larger than the previous bungalow; however the scheme has provided the required 1m side space. The proposed space between the buildings is not dissimilar to neighbouring examples and the overall spatial qualities of the area would not be significantly harmed.

The proposal would also include a parking area to the front. This would require the removal of a front garden wall and landscaping. Whilst the parking area to the front would be greater than neighbouring examples, front drives are not uncommon. In this case the harm to the appearance of the streetscene is not considered to be of a material degree that could sustain a refusal. Some landscaping is proposed around the front parking area and a Willow tree located at the rear would be retained. A full landscaping strategy could be conditioned should the application be considered acceptable.

Whilst it is acknowledged that the form and scale of the proposed dwelling is larger than the existing bungalow it is not so dissimilar to neighbouring properties that it would cause significant harm to the character and appearance of the wider



streetscene. The proposal in terms of its scale and massing would appear similar to neighbouring examples, when viewed from the front. The scheme would provide a level of side space that accords with Saved Policy H9 and would generally maintain the spatial qualities of the area. Given the above, members may therefore consider that the proposal would be acceptable from a design perspective.

#### Standard of Accommodation

The London Plan and London Plan Housing SPG set out minimum floor space standards for dwellings of different sizes. These are based on the minimum gross internal floor space requirements for new homes relative to the number of occupants and taking into account commonly required furniture and spaces needed for different activities and moving around, in line with Lifetime Home Standards. The quality of the proposed accommodation needs to meet these minimum standards.

The layout, as indicated on the plans, demonstrates a form of development which would provide a level of accommodation in accordance with the minimum space standards and overall unit sizes as set out in the London Plan and the Mayor's Housing SPG.

The applicant has removed one flat from the proposed development and would no longer include a unit within the roof slope. This has therefore addressed the previous reasons for refusal.

All rooms would receive an acceptable level of light, ventilation and outlook.

#### Neighbouring amenity

Policy BE1 seeks to ensure that new development proposals respect the amenity of occupiers of neighbouring buildings and that their environments are not harmed by noise and disturbance or by inadequate daylight, sunlight or privacy or by overshadowing.

The main impact of the proposal would be on the immediate neighbouring occupiers.

In relation to neighbouring occupiers No 47 is located to the north east of the application site. It benefits from a modest size single-storey rear extension. There are a number of windows located within the flank elevation of No 47, however these windows do not appear to serve habitable rooms. No 39 is located to the south west of the site and includes a small lean to extension at the rear. No windows are located within the flank elevation of this neighbouring property.

The proposed structure would be significantly larger than the existing bungalow, and would also include a part one/part two-storey rearward projection. However, in terms of the visual impact the principle harm would come from the bulk of the rear projection. The harm from the remaining section of the building would be limited, due to the nature of windows within the flank elevations of the neighbouring properties. It is acknowledged that the development would be bulkier than the existing structure; however the scheme has been design to be outside the 45

degree splay for No 39 and No 47. The proposed would include a roof which pitches away from the common side boundary and the rearward projection has also been designed to include a 3m setback. The application has also been revised, with a reduction in depth of the rear projection at first floor level since the previous scheme (DC/16/01091). At ground floor level, the depth of the proposal would remain as previously submitted, however the first floor element has been reduced to 2.9m in depth. This would project approximately 0.8m past the rear elevation of the ground floor extension at No 47 and 3.5m beyond the rear elevation of No 39, which is located to the south west. However, as stated above the primary bulk would be set 3m away from the common side boundary. Whilst it is accepted there would be some visual incursion from the proposal, including some loss of light and overshadowing from the rear section of the development for No 47, when taking the above factors into account, along the depth of the rear gardens, this harm is on balance not considered to be of a material degree that would warrant a refusal.

Consideration has been given to the layout in order to try and minimise overlooking in light of previous reasons for refusal. This includes a reconfiguration of the internal layout with bedrooms located towards the rear on the upper floors. The scheme has also removed the rear balconies and would include high level obscured windows on the flank elevations, which can be conditioned to be obscured glazed and non-opening below 1.7m. There is already an established degree of overlooking towards the rear gardens from neighbouring properties and whilst the proposal would result a marginal increase in overlooking the impact is not considered significant enough to sustain a refusal given the above amendments.

#### Highways

The site has a PTAL of 4 which is considered to be a "good" level of accessibility. The London Plan states that "All developments in areas of good public transport accessibility should aim for significantly less than 1 space per unit". In this case the proposal would comply with objectives of Policy 6.13 Parking of the London Plan. The Council's highways officers has also reviewed the scheme and raised no objections on parking grounds, or on pedestrian and highway safety. Given the above the proposal is considered to be acceptable in terms of its highway impact.

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

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

#### Trees and ecology

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

environmental importance and visual amenity. Where trees have to be felled, the Council will seek suitable replanting.

There is one small tree located immediately outside the proposed entrance to the site, which would have to be removed. The tree is a relatively young sapling, which is considered to hold limited amenity value at present. However this value would increase as the tree increases in size. The applicant has submitted a Unilateral Undertaking with a payment to facilitate the removal of this tree and replacement within the vicinity. The Council's Arboricultural officer has reviewed the scheme and raised no objections to this arrangement.

Comments have been received regarding the possible presence of Slow Worms and Stag Beetles. Slow Worms are protected in the UK under the Wildlife and Countryside Act 1981 and their habitats can include urban rear gardens. The footprint of the development is larger than the existing building; however this would not cover the whole of the rear garden, and is principally found in place of the existing built development. However taking into account the Natural England Standing Advice it is considered reasonable to condition a survey of the site prior to commencement of works to ensure suitable mitigation can be put in place if evidence of Slow Worms is found.

#### Flooding

The site is located within Flood Zone 3. The applicant has provided a FRA in support of the application and no objections have been received from the Environment Agency. However the EA have requested a condition relating to compliance with detailed resilience measures outlined with the FRA. This is considered reasonable and necessary to ensure the safety of the dwelling. The proposal would also include a front drive which includes permeable paving. It is considered reasonable to condition the submission of the permeable paving and drainage details to ensure the scheme would not result in unacceptable runoff onto the highway.

#### 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.

On balance the application appears to be acceptable and all material considerations and objections have been considered and taken into account.

### **RECOMMENDATION: PERMISSION SUBJECT TO UNILATERAL UNDERTAKING.**

#### **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** 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.

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

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

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

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

- 6** 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 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.

- 9 The existing access shall be stopped up at the back edge of the highway before any part of the development hereby permitted is first occupied.

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

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

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

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

**Reason:**To ensure satisfactory means of surface water drainage and to accord with Policy 5.12 Flood Risk Management of the London Plan (2015)

- 12 No loose materials shall be used for surfacing of the parking and turning area hereby permitted

**Reason:** In the interest of highway safety, the amenities of the area and to accord with BE1 Design of New Development and T18 Road Safety of the Unitary Development Plan (2006).

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

**Reason:** To minimise the effect of the development on local air quality within an Air Quality Management Area in line with the NPPF p124 and Policies 6.13 and 7.14 of the London Plan (2015)

- 14** 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

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

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

- 16** The development permitted by this planning permission shall only be carried out in accordance with the approved flood risk assessment (FRA) by UK Flood Risk Consultants, version 1.2a, dated February 2016, and the following mitigation measures detailed within the FRA:

(i) flood resilient construction measures to be incorporated as detailed within section 4.2

**Reasons.** To reduce the impact of flooding to the proposed development and future occupants and in accordance with Policies 5.12 Flood risk management and 5.13 Sustainable drainage in the London Plan (July 2015)

- 17** The development permitted by this planning permission shall only be carried out in accordance with the approved flood risk assessment (FRA) by UK Flood Risk Consultants, version 1.2a, dated February 2016, and the following mitigation measures detailed within the FRA:

(i) finished ground floor levels to be set no lower than 32.55mAOD as indicated on drawing no. 5289.08D..

**Reasons.** To reduce the impact of flooding to the proposed development and future occupants and in accordance with Policies 5.12 Flood risk management and 5.13 Sustainable drainage in the London Plan (July 2015)

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

**Reason:** To prevent the increased risk of flooding both to and from the proposed development and third parties in accordance with Policies 5.12 Flood risk management and 5.13 Sustainable drainage of the London Plan (July 2015)

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

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

- 20 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 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 of the room in which the window is installed 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.

- 21 No demolition shall take place until a survey has been carried out to ascertain if any Slow Worms are present on site. If any Slow Worms are discovered, details shall be submitted to and approved in writing by the Local Planning Authority of the timing of the works and any necessary mitigation measures. The works shall be carried out in accordance with the approved timing and mitigation measures.

**Reason:** In order to comply with Policy NE3 of the Unitary Development Plan and in order to safeguard the interests and well-being of Slow Worms

on the site which are specifically protected by the Wildlife and Countryside Act 1981 (as amended).

You are further informed that :

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

- 3 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.

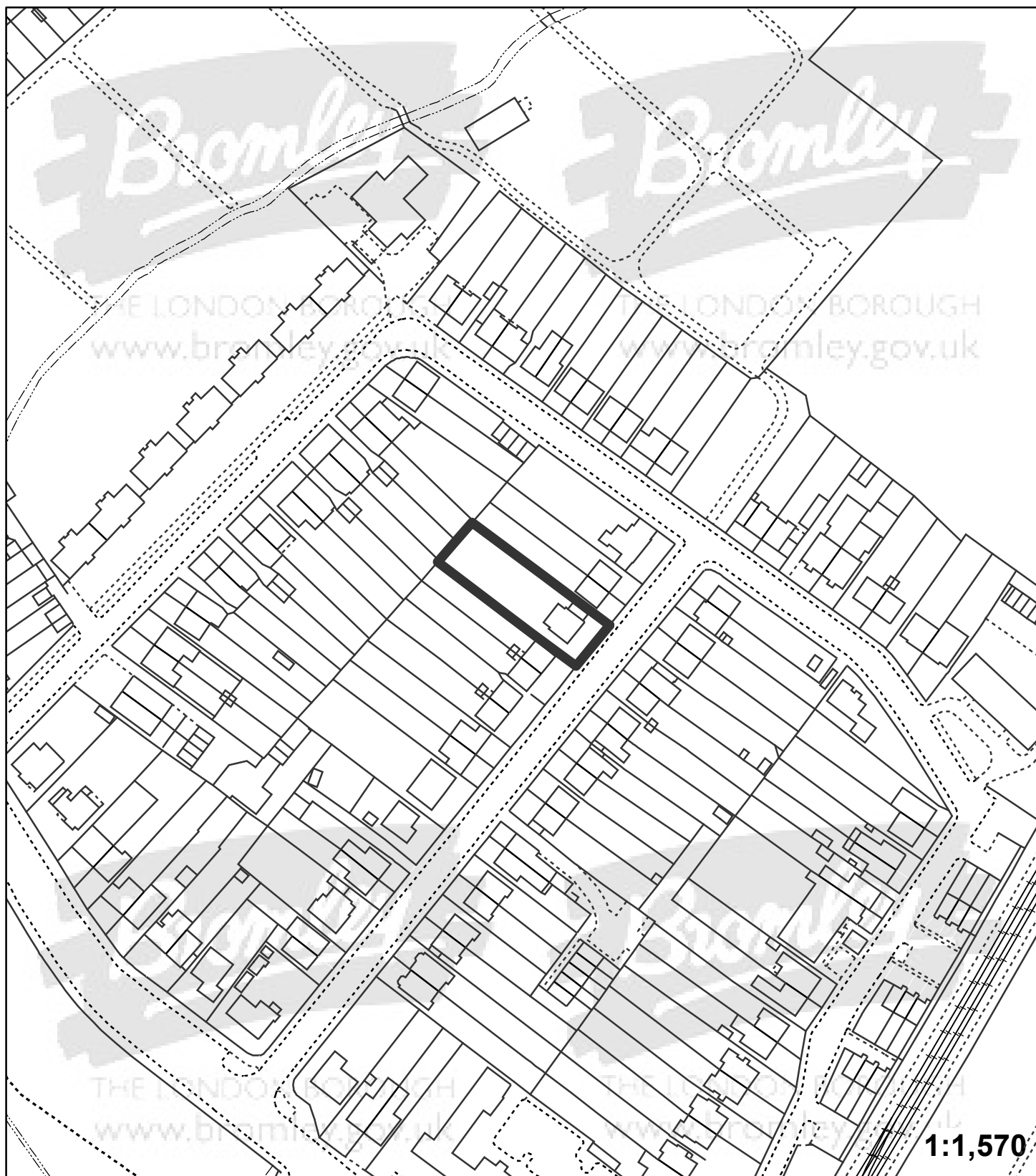
- 4 Street furniture/ Statutory Undertaker's apparatus "Any repositioning, alteration and/ or adjustment to street furniture or Statutory Undertaker's apparatus, considered necessary and practical to help with the modification of vehicular crossover hereby permitted, shall be undertaken at the cost of the applicant.



**Application:**16/02597/FULL1

**Address:** 45 Ancaster Road Beckenham BR3 4DZ

**Proposal:** Demolition of the existing bungalow and the construction of a two storey building to provide 2No 2 bedroom flats and 2No one bedroom flats, together with off street parking, cycle and refuse storage.



"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 :** 16/02810/FULL6

**Ward:**  
Kelsey And Eden Park

**Address :** 33 Greenways Beckenham BR3 3NQ

**OS Grid Ref:** E: 537381 N: 168994

**Applicant :** Mr Novica Jevric

**Objections :** YES

### **Description of Development:**

Roof alterations to incorporate rear dormer and three roof lights to front roof slope, single storey rear extension, first floor side extension and elevational alterations.

Key designations:

Biggin Hill Safeguarding Area  
London City Airport Safeguarding  
Smoke Control SCA 18

### **Proposal**

Planning permission is sought for roof alterations to incorporate first floor side extension, three roof lights to front roof slope, single storey rear extension and rear dormer extension. Demolition of the existing conservatory, garage and car port is also proposed.

The proposed first floor extension would be situated above the existing study and would span the full depth of the host dwelling and would incorporate a hipped roof at a 60 degree angle. The rear dormer extension would measure 3m in depth x 5.1m in width x 2.5m in height. The proposed single storey rear extension is L-shaped and would measure 3.6m in depth & 2.8m (closest to the adjoining neighbour), 9.1m in width x 3.7m in height.

### **Location**

The application site comprises one half of a pair of two storey semi-detached properties located on the north eastern side of Greenways, Beckenham. The property is of brick and tile construction and benefits from a front drive and car port. The surrounding area is residential in character with housing of varying architectural styles.

The application is a revised scheme following the refusal of planning permission under planning application reference:- 15/04063.

### **Consultations**

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

- the plans submitted in this new application are not materially changed. We object on the following basis: 1. The plans submitted are a refresh of the previously refused application & the developer has not addressed the council conclusion that 'the proposed first floor side extension & roof alterations by reason of its design, prominent siting, scale & mass would harm the open & spacious setting of the street scene & would unbalance the symmetrical appearance of the host & adjoining dwelling contrary Policies BE1 & H8 of the Unitary Development Plan & SPG1 General Design principles & SPG2 Residential Design Guidance'.
- The new plans additionally introduce 3 front facing rooflight velux windows at the street side of the house which are untypical in the traditional style & character of the house & are not in keeping with the street scene.
- The council 'Delegated Decision' report on the previous application (dated 13th January 2016) specifically highlights areas of concern, aligned to various neighbour objections: The proposed side first floor extension '...would narrow the gap between the neighbouring buildings to an unacceptable degree, harmful to the spacious & open setting of the street scene'. The change of roofline & side extension '... would unbalance the symmetry of the property with its neighbour which is an intrinsic character of the building whole'. The design & mass of the proposed plans relating to the side extension & roof profile from the street view have not changed & remain out of keeping with the building & the street scene.
- The development proposed is to one half of the host building; the left side of a semi-detached property of matched symmetry. No plans/drawings to highlight the change/impact or context in relation to the whole building have been submitted. The change in mass and style of No.33 would result in its mismatching the other half of the semi-detached as well as the existing street scene, character and appearance.
- The boundary lines between No. 31 and No. 33 are unusual due to a long ago sale of a slim parcel of land only between the houses (to facilitate improved side access for No. 33). This does not extend to either front or rear gardens and accordingly the boundary angles in favour of No.31 both in front of and behind No 33. The plans do not clarify nor give reference/measurement points to establish impact of the proposed rear extension development on the actual boundary (e.g. proximity of proposed extended full width rear extension to boundary at point of extension). Relevant as both gardens have a steep incline downwards from the houses, meaning in real terms the rear extension will be significantly higher (level footing to house estimated as circa 1 metre above ground height). No height measurement of the proposed extended full width ground floor rear extension is given in the plans.
- The proposed development continues to feature a significant side extension at first floor level (to fill-in the 1930's chalet style roof shape & extend the existing ground level narrow 'porch' like ground floor side: Front corner of house changed to full house height, protruding circa 1 metre out in front of No 31, breaching the house line of the street and significantly changing visual separation of the houses. Vast expanse of flat wall (over 9.3 metres

long at full house height with an additional ground floor 3.6 metre deep rear extension) out of keeping with the street style and scale of other houses, which will dominate the view in approach up street. Addition of 1st floor level and a standard roof shape will directly result in overshadowing of neighbours, taking light from existing windows & a repositioning of the existing recessed window to new extended wall line will bring this an estimated 2.5 metres closer to directly face into existing windows of No.31 and significantly impact privacy Closing of the gap between the houses not only changes the character and style but also means a loss of daylight and direct sunlight which will darken and put into shadow the North Eastern facing back of our house and the garden

- The proposed 2nd floor rear roof extension is also overbearing, using the side changes to facilitate an even greater expansion to the roof overlooking all our gardens. This contributes to the general massing of the proposed new building and disproportionate domination of the space adjacent to our house. The proposed change to the roofline is not in keeping with the tradition of the house style; no other such extensions are visible from street/our gardens and of concern is that this additionally risks setting an uncomfortable precedence out of keeping with the character and appearance of the street which has been stalwartly maintained to date. We would also highlight that the proposed rear extension seems to similarly extend further out than other extensions for the same reason. We would ask that this aspect be considered in the overall review.
- The changes proposed to No.33 are excessive and the scale of change to the property in itself is cause for objection as it seems disproportionate & will overwhelm the other side of the semi detached. It also raises question of appropriateness in a densely populated area where parking is a problem and water run-off is material.
- I am pleased that the previous application was rejected on the grounds stated. This one is better although it will affect the symmetry with the neighbouring house and the character of the street. I do object to the Velux Windows in the front roof. Although this is not a conservation area, I feel it is important that development keeps to the style and character of the street. Velux windows to the front are not appropriate.

Highways - the site is location has a PTAL rating of 3 (moderate) and the proposal would not alter the amount of off-street parking, at least 3 spaces, available on the site. There are no objections from a highway point of view.

### **Planning Considerations**

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

BE1 Design of New Development  
H8 Residential Extensions  
H9 Side Space

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

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

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

### Planning History

Under planning application reference: 15/04063 planning permission was refused for roof extension to incorporate rear dormer and single storey rear extension. The application was refused for the following reason:-

*"The proposed first floor side extension and roof alterations by reason of its design, prominent siting, scale and mass would harm the open and spacious setting of the streetscene and would unbalance the symmetrical appearance of the host and adjoining dwelling contrary Policies BE1 and H8 of the Unitary Development Plan and SPG 1 General Design Principles & SPG 2 Residential Design Guidance".*

### Conclusions

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

Following the refusal of the previous planning permission (reference:- 15/04063) the applicant has made several changes to the proposal; hipping the roof in so it appears more symmetrical with the existing roof profile and that of the neighbours at No.35; reducing the size of the rear dormer extension bringing the height down from the ridge and up from the eaves but now appearing wider. The single storey rear extension has also been reduced in depth from 3.9m to 3.7m nearest to the common boundary with No.31. A depth of 2.8m is the same to the common boundary with No.35.

Policy BE1 of the UDP requires new buildings to complement the scale, form, layout and materials of adjacent buildings and areas, and seeks to protect the amenities of neighbouring properties.

Policy H8 of the UDP requires residential extensions to blend with the style and materials of the host dwelling, and ensure that spaces or gaps between buildings are respected where these contribute to the character of the area.

Policy H9 of the UDP requires that when considering applications for new residential development, including extensions, the Council will normally require for a proposal of two or more storeys in height, a minimum 1 metre space from the side boundary of the site should be retained for the full height and length of the flank wall of the building or where higher standards of separation already exist within residential areas, proposals will be expected to provide a more generous side space. This will be the case on some corner properties.

## Design

As a semi-detached property it is important to consider whether the proposal would unbalance the pair of semi-detached dwellings or appear unduly bulky and top heavy in the context of the host dwelling. The proposed first floor side extension would be situated above the existing study and would be flush with the existing front building line. The changes to the roof design are now considered to more closely resemble that of a hipped roof design and in character with that of the other semi-detached property.

On balance it is considered that the roof design would not have a significantly adverse impact on the appearance of the pair of semi-detached dwellings or the visual amenities of the street scene such that would warrant the refusal of planning permission. It is however noted from the site visit that surrounding properties remain unextended at first floor level.

The proposed single storey extension would be located to the rear and the property not visible from the public realm. The overall size and design is considered acceptable and in keeping with the host dwelling. In relation to the proposed dormer extension this too is located to the rear and the dimensions proposed are considered acceptable.

## Neighbouring amenity

Policy BE1 seeks to ensure that new development proposals, including residential extensions respect the amenity of occupiers of neighbouring buildings and that their environments are not harmed by noise and disturbance or by inadequate daylight, sunlight or privacy or by overshadowing.

The main impact of the proposal would be on No 35 Greenways which is located to the south of the application site. The proposed rear extension would abut the common boundary with this property; however the depth of the extension on this side is modest at 2.8m. The single storey extension would not be significantly deeper than the existing conservatory at the host dwelling.

The first floor of the proposed first floor extension would be set away from the flank party boundary with sufficient separation retained to limit the impact of this part of the proposals on the residential amenities of the adjoining dwelling No.31.

Whilst a new window is proposed to the side at first floor this can be obscure glazed being a bathroom. The size and position of the first floor addition would add additional bulk and mass to the property but on balance isn't considered to give rise to a loss of privacy or overlooking. In relation to the rear dormer extension, there is already an established degree of overlooking from the rear first floor windows and the additional dormer would not give rise to a greater degree of overlooking.

**RECOMMENDATION: PERMISSION**

**Subject to the following conditions:**

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

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

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

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

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

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

- 4** Before 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.

- 5** Before the development hereby permitted is first occupied, the proposed window(s) shall be obscure glazed in accordance with details to be submitted to and approved in writing by the Local Planning Authority and shall subsequently be permanently retained as such.

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



**Application:**16/02810/FULL6

**Address:** 33 Greenways Beckenham BR3 3NQ

**Proposal:** Roof alterations to incorporate rear dormer and three roof lights to front roof slope, single storey rear extension, first floor side extension and elevational 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 :** 16/03056/FULL6

**Ward:**  
Copers Cope

**Address :** 51 Oakwood Avenue Beckenham BR3  
6PT

**OS Grid Ref:** E: 538526 N: 169074

**Applicant :** Mr & Mrs ANNA MAHER

**Objections :** NO

### **Description of Development:**

Part one/two storey side extension and conversion of garage to habitable accommodation

### **Key designations:**

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

### **Proposal**

The application seeks planning permission for a Part one/two storey side extension and conversion of garage to habitable accommodation.

### **Location**

The application site comprises a two storey detached dwellinghouse located on the northern side of Oakwood Avenue, Beckenham.

### **Consultations**

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

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

The Council's Highways Engineers raise no objection.

### **Planning Considerations**

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

BE1 Design of New Development  
H8 Residential Extensions  
H9 Side Space

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

## **Planning History**

Under ref: 16/01957/FULL6, planning permission was refused for a Single storey front/side and first floor side extensions and conversion of garage to habitable room for the following reason;

"The proposal does not comply with the Council's requirement for adequate side space to be maintained to the flank boundary in respect of two-storey development in the absence of which the extension would constitute a cramped form of development, conducive to a retrograde lowering of the spatial standards to which the area is at present developed and detrimental to the visual amenities of the street scene, thereby contrary to Policy H9 of the Unitary Development Plan."

## **Conclusions**

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

Policies H8, BE1 and the Council's Supplementary design guidance seek to ensure that new development, including residential extensions are of a high quality design that respect the scale and form of the host dwelling and are compatible with surrounding development. Policy BE1 also seeks to ensure that new development proposals, including residential extensions respect the amenity of occupiers of neighbouring buildings and that their environments are not harmed by noise and disturbance or by inadequate daylight, sunlight or privacy or by loss of outlook or overshadowing.

The refusal ground of the recently refused application, ref: 16/01957, concerns the lack of a 1m side space for the extension, particularly at first floor. This application proposes a similar to first floor extension to the eastern side of the property above the existing single storey attached garage, but with a side space of 1m now being provided at first floor. The ground floor will abut the side boundary (as is existing). However, the first floor extension will be set back from the front building line of the dwelling by 3.8m and will have a hipped roof set lower than the main roof of the dwelling. Accordingly, the subservience of the first floor side extension along with the increase of side space to maintain 1m at first floor level would maintain the spatial standards of the area by mitigating the visual impact of the first floor element upon the streetscene. Furthermore, the main part of the neighbouring dwelling at no. 53 is set away from the common boundary with the application property and further forward towards the highway. It is also considerably larger in form than no. 51. Accordingly, this existing relationship would ensure than the

amenities of this neighbouring property are adequately safeguarded. On this basis, it is considered that the proposed first floor extension would overcome the harm that Policy H9 seeks to prevent.

The single storey front/side element of the extension would be as previously submitted as part of application 16/01957/FULL6. During the assessment of this previous application, this element of the proposal was considered acceptable in principle and did not form part of the reason for refusal. It is a modest size and would not project any further forward than the main part of the existing dwelling. The design and materials would respect the existing property, and as such it would not result in any undue harm to the character and appearance of the host dwelling or area in general nor to the amenities of the neighbouring residential properties.

With regards to the loss of the existing garage by way of the single storey front/side extension and conversion to a play room, the impact of this on parking must also be considered. However, there is space within the curtilage of the dwelling to park cars and as such there is not considered to be any significant impact to parking within the area.

Taking all the above into account, Member's may consider that the development in the manner proposed is acceptable and would comply with the overarching aims and objectives of Policies BE1, H8 and H9 of the UDP, in that it would not result in a significant loss of amenity to local residents nor impact detrimentally on the character of the host dwelling or area in general.

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

## **RECOMMENDATION: PERMISSION**

### **Subject to the following conditions:**

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

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

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

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

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

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

- 4** No windows or doors shall at any time be inserted in the flank elevations of the extensions hereby permitted, without the prior approval in writing of the Local Planning Authority.

**REASON:** In order to comply with Policies BE1 of the Unitary Development Plan and in the interest of the amenities of the adjacent properties.

**Application:**16/03056/FULL6

**Address:** 51 Oakwood Avenue Beckenham BR3 6PT

**Proposal:** Part one/two storey side extension and conversion of garage to habitable accommodation



"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 :** 16/03124/FULL1

**Ward:**  
Clock House

**Address :** County House 241 Beckenham Road  
Beckenham

**OS Grid Ref:** E: 536075 N: 169640

**Applicant :** Mr M. Schwimmer

**Objections :** YES

### **Description of Development:**

Erection of 6th floor extension to provide 4 two bedroom flats

Key designations:

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

### **Proposal**

Planning permission is sought for an extension to the existing building to provide an additional storey of residential accommodation comprising 4 two bedroom flats.

The proposed extension would be largely inset from the main elevations and would project by approx. 3.1m above the existing flat roof. The extension would be externally clad in grey panels and would incorporate a flat roof with a canopy/roof overhang to the south and west facing elevations above the terrace. Grey aluminium frame windows are proposed.

A separation of 4.5m would be retained between the south western elevation of Flat 1 and the projecting south western elevation of the main building below. 3.2m separation is retained between the south western elevation of flats 2, 3 and 4 and the main building below. At the front, the proposed extension incorporates a long corridor, and the front elevation of the extension would be set back a minimum of 3m from the elevation facing Beckenham Road, with increased separation to the front projection.

The flats would incorporate doors leading onto a private terrace area which would lie between the south western elevation of the extension and the main south western elevation of the building. The terraces would be edged by a 1.5m high obscure glazed balustrade.

No car parking spaces additional to those already provided on site and as part of the previous planning applications.

## **Location**

The site lies on the southwestern side of Beckenham Road, at the junction with Mackenzie Road.

It is bounded to the southeast by the railway line and lies opposite a petrol filling station beyond which is the Barnmead Road Conservation Area. To the south west are residential dwellings fronting Mackenzie Road.

The area is generally characterised by modest Victorian dwelling houses sited within the side roads and more imposing development on the main road frontage, generally not exceeding 3 storeys in height.

The host building is significantly prominent in the street scene and from the residential streets surrounding the site as a consequence of its height and bulk.

The main building is currently in the process of conversion into residential use following the granting of prior approval for the change of use from B1 office to residential flats. A total of 76 flats are being provided over the 6 existing storeys of development, with parking provided behind the site and in an undercroft location.

The site is not within a designated Flood Zone.

The application is accompanied by a Transport Technical Note, a Design and Access Statement and the CIL form has been completed.

## **Consultations**

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

- The new floor would be visible from the conservation area around Barnmead Road
- There will be a loss of light to properties in Mackenzie Road
- At least 4 new car parking spaces would be required for the additional floor and the property lack capacity for 80 dwellings and their vehicles.
- A car parking space has been lost to the installation of a generator
- The opposite property at 243 - 249 Beckenham Road has been converted
- Construction work carries on 7 days a week
- Mackenzie Road has a number of driveways and nowhere for the County House residents to park so it is anticipated that they will park in Blandford Road
- The parking restriction in Blandford Road is only valid Monday to Friday so parking at weekends is already very difficult for residents
- The plans include balconies which will overlook straight into gardens in Blandford Road and would result in noise from the terraces. The terraces should be on the front elevation
- Parking restrictions locally should be increased to 7 days a week.

## Technical comments

### Highways

Beckenham Road is a London Distributor Road. The development is in an area with a high PTAL rate of 5 (on a scale of 1 - 6 where 6 is the most accessible). As a result of this proposal the overall development would comprise 80 residential units accompanied by 76 car parking spaces on site. The overall level of parking provision would therefore equate to 0.95 spaces per unit.

The traffic generation from the site would not alter significantly and given the urban nature of the site any increase would not have a significant impact upon highway safety and parking demand within the local road network. A condition relating to the provision of cycle parking is recommended if permission is granted.

### Environmental Health

Comments received refer to the bathrooms and en-suites not being provided with natural ventilation and the potential need for mechanical ventilation. The bedrooms to the flats do not appear to be provided with openable windows. To ventilate the rooms the doors to the terrace would need to be left open which is unsatisfactory in terms of ventilation and security. The bedrooms should be able to be adequately ventilated without compromising security by having to leave the doors open, especially at night. The comments are available on file.

### **Planning Considerations**

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

H1 Housing Supply  
H7 Housing Density and Design  
BE1 Design of New Development  
BE13 Development Adjacent to a conservation area  
T3 Parking  
T7 Access

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

Supplementary Planning Guidance for the Barnmead Road Conservation Area would also be relevant in view of the prominence of the host building and the extent to which it is appreciable from within the Conservation Area.

### London Plan Policies:

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
- 7.3 Designing out Crime
- 7.4 Local Character
- 7.6 Architecture
- 7.15 Reducing noise and enhancing soundscapes

## **Planning History**

The relevant planning history is summarised as follows:

Under reference 92/02339 planning permission was granted for the installation of plant equipment on the roof. Under reference 97/00780 permission was granted for a generator flue and brick enclosure on the roof.

Under reference 92/00506, 95/00278, 99/01407, 99/03162, 00/02411, 00/03632, 00/03873, 01/00734, 05/02308, 06/021998 permission/approval was granted for the installation of telecommunications dishes and antennae on the roof.

Permission was granted under reference 07/02185 for a new generator in the car park and 2 condensers on the roof.

Under reference 07/03136 permission was refused for a ground floor front extension for use as a staff café.

Residential prior approval was refused, but subsequently granted on appeal under reference 14/00449 for the change of use of the ground, first, second, third, fourth and fifth floors from offices to a total of 75 flats.

Under reference 14/04697 permission was refused for external elevational alterations, replacement cladding and the rendering of the building. A subsequent application was granted planning permission under reference 15/00534 with permission also granted for external elevational alterations and replacement of windows and doors under reference 15/02984.

Residential prior approval was granted under reference 16/00514 for the conversion of a small caretakers office to a studio flat, bringing the total number of flats for which residential prior approval was granted to 76.

## **Conclusions**

The main issues relating to the application are the effect that it would have on the character of the area, including the character and appearance of the adjacent conservation area and the impact that it would have on the amenities of the occupants of surrounding residential properties. Of further consideration is the extent to which the cumulative residential development on the site would provide adequate parking to serve the needs of the occupants, and the extent to which the proposal would provide residential accommodation of a satisfactory standard.

### Principle of development

Housing is a priority use for all London Boroughs. The National Planning Policy Framework (NPPF) states that planning should encourage the effective use of land by reusing land that has been previously developed (brownfield land) provided that it is not of high environmental value. London Plan Policy 3.4 states that development should optimise housing output for different types of location taking into account local context and character, design principles and public transport capacity.

It is therefore considered that subject to the proposal having an acceptable impact on the visual and residential amenities of the area and providing a high standard of accommodation, the principle of the residential development on the roof of the building is acceptable.

### Impact of the proposal on visual amenities, including the adjacent Barnmead Road Conservation Area

The proposed additional floor of accommodation would be set back from the main elevations of the building and incorporates a reasonably low level flat roof which would limit the extent to which the development would be readily appreciable from the surrounding area. Views of the development would be limited as a result of the perspective associated with the height above street level to wider long range views, from the rise of the hill in Mackenzie Road, from Beckenham Road on the other side of the railway bridge and from the direction of Kent House, including from within the Barnmead Road Conservation Area.

The visual impact of the development in terms of the views from the Barnmead Road Conservation Area falls to be carefully considered in context with Policy BE13 which specifically refers to the need to ensure that development adjacent to conservation areas should not detract from views into or out of the area.

The existing building is unusually high and imposing in the street scene, juxtaposed with development which is more modest in scale. The topography of the area affords views of the building in context with its surroundings but results in the visual impact of the existing structure varying depending on the vantage point.

The proposed extension would replace existing somewhat discordant and piecemeal plant and structures on the roof. It would be of a design and materials to complement the host building. As such it is considered that while the proposal would be visible from the conservation area, it would not detract from views out of or into the conservation area when regard is had to the existing appearance of the roof development. The north east facing elevation shows the development front-on, with no adjustment for perspective to take into account the angle of vision. In reality, the impact would be more limited, with the main increase in bulk being related to the infilling between existing roof structures which themselves lend a less streamlined appearance than the development currently proposed. The extension would be set back by approx. 3m from the main front elevation and it is not proposed that the flat roof area in front of the extension would be used for a

balcony or terrace which might result in clutter or paraphernalia at high level. Fenestration to the north east elevation would be similar in appearance and position within the elevation to that of the main building below and would not appear cluttered, incongruous or overly conspicuous. On balance it is considered that the proposed extension would not have a detrimental impact on the visual amenities of the area in general and views from the Barnmead Road Conservation Area.

#### Impact of the proposal on the residential amenities of the area.

Unitary Development Plan policies BE1 and H7 seek to protect neighbouring residential properties against the loss of amenity.

The additional storey of accommodation would not result in significantly increased overlooking associated with the windows in the external elevation of the development taking into account the existing residential development on the lower floors. The provision of the roof terraces has elicited some concern from local residents with regards to loss of privacy and potential noise and disturbance associated with their use. These concerns are noted. However in view of the position of the terraces some distance from neighbouring residential development at a very elevated level relative to neighbouring property it is not considered that the proposal would result in a loss of privacy to the neighbouring dwellings. The proposal incorporates the provision of screening to the terraces which would be positioned so as to minimise overlooking to the Mackenzie Road properties. The terrace to flat 1 would be set approx. 30m from the back of gardens of dwellings fronting Blandford Road, on the other side of the railway line. The terraces themselves are inset by approx. 1m from the main elevations.

On balance, in the context of the railway line, the noise from the road and the surrounding soundscape of the area it is not considered that the use of the terraces would be significantly harmful in terms of noise and disturbance to neighbouring residents so as to warrant the refusal of planning permission on the grounds of impact on residential amenity. If permission is granted it would be appropriate to require by way of condition greater detail of the screening.

The noise resulting from the construction of the development is not a material planning consideration.

#### Residential amenities of prospective occupants

The accommodation proposed would meet the minimum space standards for residential flats of this size. The proposals incorporate private amenity space and it is considered that the flats would provide accommodation of a satisfactory level of residential amenity.

The comments received regarding the ventilation of the flats are noted and it is considered that if in all other respects the development is considered acceptable, a suitably worded condition requiring the submission of details of the fenestration for approval would adequately address this matter. With regards to the mechanical

ventilation of bathrooms/en-suites, this would be dealt with under the Building Regulations.

### Parking provision

The concerns raised regarding the parking demand within the locality and the lack of on-site parking to provide 1 space per unit for the total number of flats at County House are acknowledged. However, there are no technical objections from a highways perspective, taking into account the public transport accessibility of the site and the level of parking provision for the development as a whole, where 76 car parking spaces would be provided for the resultant 80 flats. It is not therefore considered that the proposed provision of 4 additional two bedroom flats would have a significantly detrimental impact on parking demand and conditions of highway safety in the locality.

### Conclusion

The proposed extension would provide additional residential units of a satisfactory standard of accommodation which would assist in meeting the housing needs of the Borough.

The extension would be visible from the wider locality as a consequence of its elevated position set upon a highly prominent building, taking into account the topography of the area. However, it would replace existing structures on the roof. While the proposal would infill existing gaps between roof level structures, in view of the design of the development incorporating a streamlined flat roof with the main bulk of the extension set back from the main elevations of the building, it is not considered that the proposed extension would appear unacceptably bulky or visually dominant in context with the host building.

The extension would be partially visible from vantage points within the Barnmead Road Conservation Area. On balance it is not considered that the fact that the extension would be appreciable from the conservation area is inherently unacceptable, taking into account the existing roof structures and the relationship in built form and materials between the proposed extension and the host building.

While the proposal would result in a total of 80 flats with only 76 parking spaces provided within the site, in view of the lack of technical highways objections and the high public transport accessibility of the site it is not considered that the level of parking provision would be unacceptable, resulting in significant on street parking demand or being detrimental to conditions of safety and the free flow of traffic in the locality.

With regards to the impact of the proposal on residential amenity, it is considered as a consequence of the siting and elevated position of the extension and the associated terraces that the proposal would not have a significantly adverse impact on the privacy and amenity of neighbouring residents.

**RECOMMENDATION: PERMISSION**

**Subject to the following conditions:**

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

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

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

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

- 3 Details of 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.**

- 4 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.**

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



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

- 6 The flat roof area between the north east elevation of the extension and the north east elevation of the main building shall not be used as a balcony or sitting out area and there shall be no access to the roof area.**

**Reason: In the interest of the visual amenities of the area and to accord with Policies BE1 and BE13 of the Unitary Development Plan.**

**You are further informed that :**

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

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

**Further information about Community Infrastructure Levy can be found on attached information note and the Bromley website [www.bromley.gov.uk/CIL](http://www.bromley.gov.uk/CIL)**

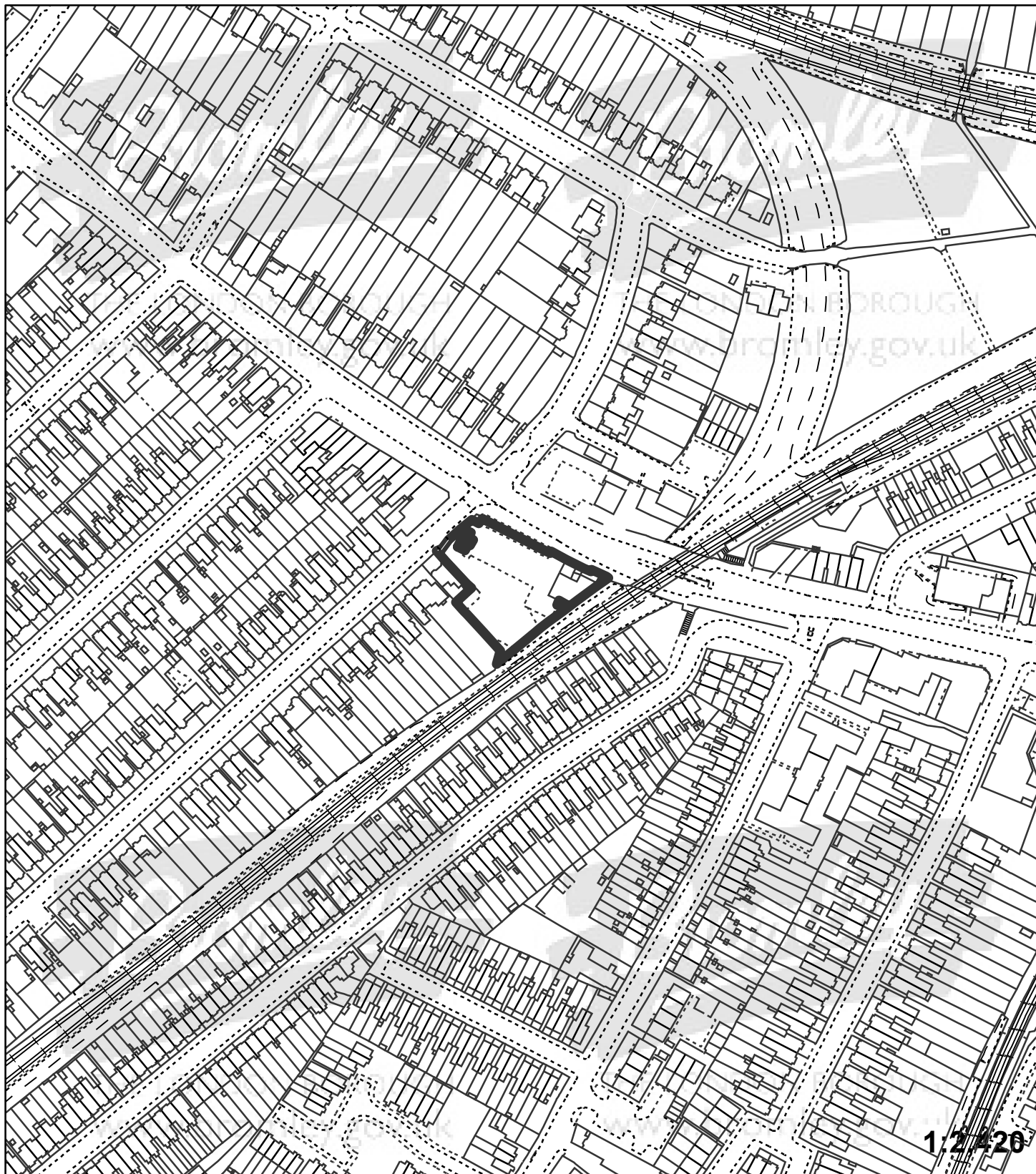
- 2 You should consult the Land Charges and Street Naming/Numbering Section at the Civic Centre on 020 8313 4742 or e-mail: [address.management@bromley.gov.uk](mailto:address.management@bromley.gov.uk) regarding Street Naming and Numbering. Fees and application forms are available on the Council's website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

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**Application:** 16/03124/FULL1

**Address:** County House 241 Beckenham Road Beckenham

**Proposal:** Erection of 6th floor extension to provide 4 two bedroom flats



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

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