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DATE: 22 November 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 1 DECEMBER 2016 AT 7.00 PM

MARK BOWEN
Director of Corporate Services

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

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

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

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

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

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

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

A G E N D A

- 1 **APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS**
- 2 **DECLARATIONS OF INTEREST**
- 3 **CONFIRMATION OF MINUTES OF MEETING HELD ON 6 OCTOBER 2016**
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SECTION 1

(Applications submitted by the London Borough of Bromley)

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SECTION 2

(Applications meriting special consideration)

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4.3	Kelsey and Eden Park	45 - 52	(16/03003/LBC) - The Chinese Garage, Wickham Road, Beckenham, BR3 6RH.
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SECTION 3

(Applications recommended for permission, approval or consent)

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4.8	Crystal Palace	89 - 100	(16/03906/FULL1) - Kelso Court, Anerley Park, Penge, London, SE20 8NZ.
4.9	Bickley	101 - 106	(16/04084/FULL6) - 3 Alpine Copse, Bickley, Bromley, BR1 2AW
4.10	Bromley Common and Keston	107 - 112	(16/04341/FULL6) - 171 Southlands Road, Bromley.
4.11	Chelsfield and Pratts Bottom	113 - 122	(16/04430/FULL1) - 195 Worlds End Lane, Orpington BR6 6AT
4.12	Petts Wood and Knoll	123 - 128	(16/04599/FULL6) - 32 Chesham Aveue, Petts Wood, BR5 1AA

SECTION 4

(Applications recommended for refusal or disapproval of details)

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5 CONTRAVENTIONS AND OTHER ISSUES

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6 TREE PRESERVATION ORDERS

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6.1	Chislehurst	129 - 130	(16/04488/TPO) - 1 Islehurst Close, Chislehurst, BR7 5QU

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PLANS SUB-COMMITTEE NO. 4

Minutes of the meeting held at 7.00 pm on 6 October 2016

Present:

Councillor Richard Scoates (Chairman)
Councillors Nicholas Bennett J.P., Kevin Brooks, Lydia Buttinger,
Simon Fawthrop, Kate Lymer, Russell Mellor, Melanie Stevens
and Michael Turner

Also Present:

Councillors Stephen Carr, Judi Ellis, David Jefferys,
Alexa Michael and Colin Smith

9 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

Apologies for absence were received from Councillors Kathy Bance and Peter Dean; Councillors Kevin Brooks and Nicholas Bennett JP attended as their respective substitutes.

10 DECLARATIONS OF INTEREST

Councillor Nicholas Bennett JP declared a non-pecuniary interest in Item 4.2 – Scotts Park Primary School, as he resided in the local vicinity.

Councillor Melanie Stevens declared a non-pecuniary interest in Item 4.6 – Lilly's Farm, Chelsfield, as she resided in a neighbouring property.

11 CONFIRMATION OF MINUTES OF MEETING HELD ON 11 AUGUST 2016

RESOLVED that the Minutes of the meeting held on 11 August 2016 be confirmed and signed as a correct record.

12 PLANNING APPLICATIONS

SECTION 1

(Applications submitted by the London Borough of Bromley)

12.1 FARNBOROUGH AND CROFTON

(16/02808/REG3) - Small Civic Hall, York Rise, Orpington
Description amended to read – 'Temporary use of site as public car park for 57 spaces (including 6 disabled

bays) for up to 3 years.’.

Comments from Ward Member Councillor Charles Joel were circulated to Members and a copy is attached as Annex 1 to these Minutes. The Planning Officer advised Members the application could not be progressed should they be minded to add the conditions suggested by Councillor Joel.

Comments from Tree Officers were reported at the meeting.

The application had been amended by plans received on 13 September 2016.

Members having considered the report and objections, **RESOLVED that PERMISSION BE GRANTED** as recommended, subject to the conditions set out in the report of the Chief Planner with the deletion of condition 6 and the addition of a further two conditions and an informative to read:-
8 No trees on the site shall be felled, lopped, topped or pruned before or during building operations except with the prior agreement in writing by the Local Planning Authority. Any trees removed or which die through lopping, topping or pruning shall be replaced in the next planting season with trees of such size and species as may be agreed with the Authority.

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

9 Details of any lighting proposed (including the appearance, siting and technical details of the orientation and screening of the lights and the means of construction and layout out of the cabling) shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced and the approved scheme shall be implemented before the car park hereby permitted is first used.

Thereafter the approved scheme shall be permanently retained in an efficient working manner and no further lighting shall be installed on the site without the prior approval in writing by the Local Planning Authority.

Reason: In order to comply with Policies BE1 and ER10 of the Unitary Development Plan and in the interest of amenity and public safety.

Informative

The applicant is encouraged to consider the enhancement of landscaping on the site.

**12.2
BICKLEY**

**(16/03698/RECON) - Scotts Park Primary School,
Orchard Road, Bromley BR1 2PR**

Description of application – Variation of Condition 1 of permission 14/03285/RECON granted for erection of a single storey classroom building until 17 October 2018.

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

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

SECTION 2

(Applications meriting special consideration)

**12.3
CRYSTAL PALACE
CONSERVATION AREA**

**(16/01297/FULL1) - 69-71 Church Road, Anerley,
London SE19 2TA**

Description of application – The demolition of the existing retail and rear residential units and the building of a new taller infill structure reinstating the existing shop and rear residential unit, whilst introducing a new part 4, part 3, storey residential block incorporating 7 x self-contained flats, accommodating 2 x 3 bedroom, 3 x 1 bedroom and 2 x 2 bedroom flats with internal and external alterations and demolitions.

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.

**12.4
BROMLEY COMMON AND
KESTON**

(16/02352/FULL1) - 29 Fox Lane, Keston BR2 6AL

Description of application – change of use from Class C3 (dwellinghouse) to Class C2 (residential institution) to allow use of the property as a children's home.

Oral representations in objection to the application were received. Oral representations from Ward Members Councillors Alexa Michael and Stephen Carr in objection to the application were received at the meeting.

Further correspondence from the speaker in objection to the application was received and circulated to Members. Prior to the meeting, the Planning Officer had e-mailed Members with comments concerning

traffic. Comments from Highways Division were reported at the meeting. Correspondence from Heritage Hill and Fox Lane Residents' Association containing a summary of the arguments, illustrative photographs and details of two professional surveys had been received and circulated to Members. A copy would also be added to the planning files. Members having considered the report, objections and representations, **RESOLVED that PERMISSION BE REFUSED** for the following reasons:-

1 The proposal would have inadequate car parking facilities to provide for the needs of the development and as such the proposal would prejudice the free flow of traffic and conditions of general safety along the adjacent highway and increasing the demand for on-street parking on the local roads to the detriment of the amenities of the area contrary to Policies T3 and T18.

2 The proposed development would be detrimental to the amenities that nearby residents might reasonably expect to be able to continue to enjoy by reason of general noise and disturbance associated with the use contrary to Policy BE1.

**12.5
PETTS WOOD AND KNOLL**

(16/02838/FULL6) - 27 West Way, Petts Wood, Orpington BR5 1LN

Description of application – Single storey side extension.

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

The Planning Officer advised that if Members were minded to remove permitted development rights, the applicant may not be able to build the proposed garage which was previously permitted but not completed.

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 and for officers to issue under delegated authority, subject to securing a suitably worded condition to remove further Permitted Development Rights, whilst enabling the recently granted Certificate of Lawfulness to be implemented.

**12.6
CHELSFIELD AND PRATTS
BOTTOM
CONSERVATION AREA**

(16/02901/RECON) - Lilly's Farm, Chelsfield Lane, Orpington BR6 6NN

Description of application – Variation of Condition 11 of planning permission 15/01024 (allowed at appeal)

concerning accordance with the approved plans to enable the construction of basements beneath the permitted dwellings.

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

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

1 The proposed intensification of the previously permitted development by reason of the increase in floorspace would constitute inappropriate development in the Green Belt resulting in harm to openness and would fail to preserve or enhance the character and appearance of the Conservation Area. No very special circumstances exist to outweigh the harm to the Green Belt by reason of inappropriateness and the other harm identified and the proposal is therefore contrary to Policies G1 and BE11 of the Unitary Development Plan, Policy 7.16 of the London Plan and Section 9 – Protecting Green Belt Land – of the National Planning Policy Framework.

**12.7
BICKLEY**

(16/03000/FULL1) - 6 Beaconsfield Road, Bickley, Bromley BR1 2BP

Description of application – Demolition of existing building and erection of 3 two storey three bedroom terraced houses with accommodation in roof space and associated car parking, cycle and refuse stores and landscaping.

Oral representations in objection to and in support of the application were received. Oral representations from Ward Member Councillor Colin Smith were received at the meeting.

The Planning Officer reported that a previously refused application was currently at the appeal stage. It was reported that further objections to the application had been received. Tree Officers raised no objections. The application was amended by plans received on 6 October 2016.

Members were reminded that the Council did not have an adequate five year Housing Land Supply.

The site plan indicated that individual refuse stores would be allocated to each property.

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

1 The proposal, as a result of its design, considerable bulk and mass and projection beyond the established front building line, is considered to represent an overdevelopment of the site that would be out of character with the streetscene and result in a diminution of spatial standards that would be harmful to the area and would result in overlooking and a loss of privacy to neighbouring properties, thereby contrary to Policies BE1 and H7 of the Unitary Development Plan (2006).

2 The proposed development, by virtue of the loss of green amenity space, is considered to adversely impact upon the verdant character of the wider locality contrary to Policy BE1 of the Unitary Development Plan (2006).

3 The car parking provided for each dwelling would be insufficient to meet the needs of the development and the proposal would therefore generate an unacceptable increase in the demand for on-street car parking prejudicial to the free flow of traffic and conditions of general safety in the highway, contrary to Policies T3 and T18 of the Unitary Development Plan.

Councillor Bennett's vote against refusal was noted.

**12.8
CRAY VALLEY EAST
CONSERVATION AREA**

(16/03241/FULL1) - Old School Studio, Main Road, St Pauls Cray, Orpington BR5 3HQ

Description of application – proposed conversion of building to form three residential apartments comprising 1 x 3 bed, 1 x 2 bed and 1 x studio. Demolition and re-build of boundary outbuilding, raising of the ridge and new clerestory dormer with elevational alterations and access ramp.

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

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

**12.9
PLAISTOW AND
SUNDRIDGE**

(16/03358/FULL6) - 6 Lawn Close, Bromley BR1 3NA

Description of application – Single storey front and rear extension.

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

1. The proposal by reason of its siting would result in an overdevelopment of the site and be out of scale and form of adjacent buildings detrimental to the host dwelling, the street scene, character of the area and neighbouring residential amenity thereby contrary to Policies H8 and BE1 of Bromley's Unitary Development Plan and Policy 7.4 of the London Plan

**12.10
WEST WICKHAM**

**(16/03424/FULL6) - 15 The Drive, West Wickham
BR4 0EP**

Description of application – roof extensions incorporating dormer windows to front and rear and rooflights to all elevations and part one/two storey side, single storey front, first floor side and rear extensions and conversion of garage to habitable accommodation.

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

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

**12.11
SHORTLANDS
CONSERVATION AREA**

**(16/03621/FULL6) - 36A Elwill Way, Beckenham
BR3 6RZ**

Description of application – Roof alterations to incorporate rear dormer, part one/two storey rear extension and porch canopy.

Oral representations in objection to the application were received at the meeting. Comments from the applicant and from Ward Member, Mary Cooke, together with a letter from the objector had been received and circulated to Members.

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

**12.12
BROMLEY COMMON AND
KESTON CONSERVATION
AREA**

**(16/03654/FULL1) - Woodlands, Holwood Park
Avenue, Keston BR6 8NQ**

Description of application – Demolition of existing dwelling and construction of a replacement two storey 7 bedroom dwelling with additional roofspace and basement accommodation, associated landscaping and parking.

Oral representations in support of the application were

received at the meeting.

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

“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 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.

10. 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.”

SECTION 3

(Applications recommended for permission, approval or consent)

12.13 PENGE AND CATOR

(16/02531/FULL1) - 40A Jasmine Grove, Penge, London SE20 8JW

Description of application – Elevational alterations and change of use of middle building from workshop/storage building to include class D1 use to allow use as a place of worship.

A replacement plan was circulated to Members identifying the correct site. It was reported that Highways Division had no objection to the application. Ward Member, Councillor Kevin Brooks, objected to the application and referred to his local knowledge of traffic and parking issues in the immediate vicinity. He also had concerns at the potential loss of office use and noise.

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

1. The proposal would generate a significant demand

for parking which cannot be accommodated within the site, and would therefore result in an unacceptable increase in pressure to on-street car parking which would be prejudicial to the free flow of traffic and conditions of general safety in the highway and detrimental to the amenities of adjacent residential properties particularly by reason of general noise and disturbance, contrary to Policies T3, T18 and BE1 of the Unitary Development Plan.

**12.14
WEST WICKHAM**

**(16/02605/FULL1) - 60 The Alders, West Wickham
BR4 9PG**

Description of application – Demolition of existing dwelling and construction of a pair of two storey five bedroom semi-detached dwellings with roofspace accommodation, together with front rooflights and rear dormers, associated parking, additional vehicular access and amenity space.

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 with 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.”

**12.15
SHORTLANDS**

**(16/03296/FULL1) - 143 Westmoreland Road,
Bromley BR2 0TY**

Description of application – erection of storage container (RETROSPECTIVE) with associated increase in height of boundary wall to provide screening.

Oral representations in support of the application were received at the meeting. Oral representations from Ward Member, Councillor David Jefferys, in objection to the application were received at the meeting. In Councillor Jefferys' opinion the container was out of keeping in the area and children may be attracted to play on its roof and fall in the gap between the wall and the container. Comments from Ward Member, Councillor Mary Cooke, in objection to the application

had been received and circulated to Members. It was noted that the local Residents' Association also objected to the application.

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

1. The prefabricated and temporary appearance of the storage container has a detrimental impact on the character and appearance of the street scene and the quality and distinctiveness of the surrounding predominantly residential area, appearing as an unduly conspicuous and incongruous feature, thereby contrary to Policy BE1 of the Unitary Development Plan, Policy 7.4 of the London Plan and the National Planning Policy Framework.

It was noted that enforcement action for the removal of the container had previously been authorised and Members requested that this be accelerated.

**12.16
CRAY VALLEY WEST**

**(16/03526/FULL6) - 7 Sherborne Road, Orpington
BR5 1GX**

Description of application – creation of basement, roof alterations to include partial hip to gable and rear dormer, demolition of garage and erection of two storey front/side extension, elevational alterations and terrace with steps to rear.

Oral representations in objection to the application were received. Oral representations from Ward Member, Councillor Judi Ellis, were received at the meeting. She was not aware of any basements in the area being a quiet road of mainly detached houses with cat slide rooves. She was concerned that the proposed development would cause immense disruption to those living nearby and although she was not opposed to the enhancement of properties, she felt it a step too far to permit the proposed development as it could set a precedent.

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

Members having considered the report, objections and representations, **RESOLVED that the application BE DEFERRED**, without prejudice to any future consideration to seek a reduction in the bulk of the roof of the proposed development and to give

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further consideration to the forward projection
proposed.

**ANNEX TO MINUTE - ITEM 4.1 - SMALL CIVIC HALL, YORK RISE, ORPINGTON -
COMMENTS FROM COUNCILLOR JOEL**

The Meeting ended at 9.25 pm

Chairman

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ANNEX 1

Comments reported from Ward Member Councillor Charles Joel in relation to Item 4.1 – Small Civic Hall, York Rise, Orpington

The application is for a limited period of three years and in general terms the three Ward Councillors have no strong objections and it is with regret that I am not able to make representations at the meeting to the Committee.

There are a number of points that the Committee should be made aware of hence I have suggested through the Committee Clerk that a copy of this e-mail be made available to each of the Committee Members.

The points that need to be borne in mind are:-

1. Within the past twelve months Baxter & Co, Certified Accountants, whose offices are established in Lynwood House in Crofton Road at the junction of York Rise had an application refused under Town & Country Planning Acts for a residential extension with one of the concerns being the impact of additional traffic movement.
2. With the construction of the car park deck on the land of British Rail, a plan was introduced for the stacking of the taxi rank at the corner with Crofton Road and York Rise. There will be difficulties at this point particularly at peak times.
3. The Highways Section have stated within the report that there are no objections to vehicle movement. The three Councillors for Farnborough & Crofton over a considerable period of time have been discussing the ongoing difficulties with traffic movement and neighbouring street parking problems. The Highways Department would not undertake anything until the car park in York Rise was completed and up and running.
4. With the impact of the additional vehicle movement in the vicinity of Orpington B.R. Station there have been ongoing consultations regarding the reconfiguration of the existing bus lay-by outside the station in Crofton Road. To date since early consultations took place we are no way forward and the excuse is 'technical and financial'.
5. A number of the Members serving on this Committee maybe familiar with the endless problems with the build-up of traffic movement especially at peak times in Crofton Road, Station Road and at the junctions with Station Approach and Tubbenden Lane. The situation is impaired with the ingress and egress of traffic movement from the B.R. Station forecourt and the B.R. emergency depot where vehicles turn right onto Crofton Road and head in the direction of Locksbottom.

If Members of the Committee are in favour to move approval to this application, it may be felt necessary to impose conditions or informatives namely:-

- a. Repairs/treatment to the existing surface to avoid tripping hazards.
- b. Surface water drainage
- c. There is a steep ramp leading up to the land of the proposed car park and surface treatment must be taken into account particularly for disabled persons and wheelchair cases.
- d. An archaeological condition should be included due to the site being close to the Roman Villa and the possibility of an underground operations shelter from WW2 that has been mentioned on the site.
- e. Boundary wall treatment along the edge of the existing bank.

If it is in order, I would like a copy of these comments to be attached to the Minutes as at some time this may prove to be relevant should any further applications be submitted for the re-development of the site.

SECTION '2' – Applications meriting special consideration

Application No : 16/02113/FULL6

Ward:
Farnborough And Crofton

Address : 63 Newstead Avenue Orpington BR6
9RW

OS Grid Ref: E: 544944 N: 165391

Applicant : Mr Andrew Yuill

Objections : YES

Description of Development:

Installation of raised rear decking with steps.

Key designations:

Smoke Control SCA 14

Proposal

The application property is a semi-detached two storey property located on the southern side of Newstead Avenue. The property is not in a Conservation Area and is not a Listed Building. The surrounding area is mainly residential in nature.

Planning permission is sought for the installation of raised rear decking with steps. The proposed decking area would be 4.965 m wide and project 1m with 1.1m high balustrading with a central staircase leading to the garden. A 1.8m high privacy screen is proposed located at the western end of the decking.

Consultations

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

- not in-keeping with the house
- decking area is larger than original steps
- loss of privacy to garden, patio, lounge and kitchen
- 1.8m high fence offers no privacy to overlooking into garden through the slated wooden screen
- height of proposed fence is not sufficient to prevent overlooking
- The option of an opaque screen would create overbearing silhouettes
- new fence could be removed at a later date
- decking and fence results in a height of 2.8m which would be excessive
- impact on light and views

Planning Considerations

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

National Planning Policy Framework (NPPF) (2012)

The NPPF confirms that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise.

Chapter 7 - Requiring Good Design

The London Plan (2015)

Policy 7.4 Local Character

Policy 7.6 Architecture

Unitary Development Plan (2006)

BE1 Design of New Development

H8 Residential Extensions

Other Guidance

Supplementary Planning Guidance 1 - General Design Principles

Supplementary Planning Guidance 2 - Residential Design Guidance

Planning History

Planning permission was granted under ref. 99/03655 for a single storey front extension for entrance porch.

In 2015 under planning ref: 15/00250/FULL6 planning permission was sought for raised decking, steps, fence and balustrade at rear. The decking is set 1m above the existing ground level and has a 1.1m high balustrade around the edge and 5.510m wide. Proposed steps were to be constructed adjacent to the adjoining semi-detached property at No. 65. This application was refused for the following reason:

“The proposal is seriously detrimental to the prospect and amenities enjoyed by the occupants of adjoining properties by reason of overlooking, loss of privacy and visual impact, thereby contrary to Policy BE1 of the Unitary Development Plan.”

The application was subsequently dismissed at appeal (18/11/2015) the inspector stated that *“from my observations, the proposal would result in the occupiers of 61 Newstead Avenue experiencing unacceptable overlooking and loss of privacy when using their rear patio, which is their main sitting out area. To prevent such overlooking would require additional screening, which in itself could appear oppressive.*

The proposed side boundary fence adjoining 65 Newstead Avenue would prevent a considerable amount of overlooking. However, due to the difference in levels between these two properties, I consider that the fence at the proposed height would unacceptably dominate outlook from the rear glazed doors in the main living area at No. 65 and from the rear patio. In addition, I consider that the use of the decking at a significantly higher level than the patio area at No. 65 would give rise to a loss of privacy for occupiers of No. 65, making their rear patio area a less pleasant place to use”.

Conclusions

It is considered the planning issues and considerations relate to:

- o Design and bulk; and
- o Neighbouring amenity

Design and Bulk:

London Plan Policy 7.4 requires developments to have regard to the form, function, and structure of an area. Policy BE1 states that all development proposals, including extensions to existing buildings, will be expected to be of a high standard of design and layout. Policy H8 states that the design and layout of proposals for the alteration or enlargement of residential properties will be required to *(i) the scale, form and materials of construction should respect or complement those of the host dwelling and be compatible with development in the surrounding area.*

The design of the decking is similar to other examples within borough and proposed the use of cladding (similar to the decking) to the front of structure to create a cohesive development. The scale in terms of its depth and width has been reduced since the previous refusal and for these reasons; it is considered that the proposed development complies with policy on design.

Neighbouring Amenity:

Policy BE1 (v) states that the development should respect the amenity of occupiers of neighbouring building and those of future occupants and ensure their environments are not harmed by noise and disturbance or by inadequate daylight, sunlight or privacy or by overshadowing. This is supported within Policy 7.6 of the London Plan.

To address the previous refusal the projection of the decking has been reduced by 1m and now proposed to be located 0.5m from the western boundary with No. 65. The location of the steps have also been altered from adjacent western boundary to the centre which bring users to the middle of the decking area and down to the garden providing safe entree/egress between the house and garden.

The Inspector when considering ref: 15/00250/FULL6 considered that “the use of the decking at a significantly higher level than the patio area at No. 65 would give rise to a loss of privacy for occupiers of No. 65, making their rear patio area a less pleasant place to use”. To prevent overlooking the proposal also includes a privacy screen, this is to be located 0.5m from the western boundary and attached to the decking structure rather than the previous arrangement under ref: 15/00250/FULL6 where a 1.8m timber fence was proposed above the decking behind the balustrading along the western boundary, the Inspector considered this and stated that “the fence at the proposed height (1.8m above decking area) would unacceptably dominate outlook from the rear glazed doors in the main living area at No. 65 and from the rear patio”. Whilst the height would be the same at 2.8m above ground level the new design arrangement of a privacy screen rather than the timber fence together with the new location of the screen 0.5m from the boundary it is considered that the proposal has addressed the previous reasons for refusal and the Inspectors concerns. As such would not result significantly on neighbouring amenities in terms of neither overbearing nor result or dominate

outlook from the rear glazed doors in the main living area at No. 65 and patio area.

Summary:

Having had regard to the above, Members are asked to consider if the proposed revisions to previous application (ref: 15/00250/FULL6) to the rear decking as detailed in the report has been carefully and sympathetically designed to ensure that the proposal would not result in amenity implications that would harm the quality of life of the neighbouring occupiers.

Accordingly, and taking all the above into account, it is recommended that planning permission be granted in line with the conditions contained within this report.

Background papers referred to during production of this report comprise all correspondence on the file ref: 16/03334/FULL6 set out in the Planning History section above, excluding exempt information.

RECOMMENDATION: PERMISSION

Subject to the following conditions:

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

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

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

REASON: In order to comply with Policy BE1 of the Unitary Development Plan and 7.6 of the London Plan and in the interest of the visual and residential amenities of the area.

3. Prior to commencement of the development details of the privacy screen shall be submitted to and approved in writing by the Local Planning Authority and shall subsequently be permanently retained thereafter.

REASON: In order to comply with Policy BE1 of the Unitary Development Plan and 7.6 of the London Plan and in the interest of the amenities of the adjacent properties.

Application: 16/02113/FULL6

Address: 63 Newstead Avenue Orpington BR6 9RW

Proposal: Installation of raised rear decking with steps.



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

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SECTION '2' – Applications meriting special consideration

Application No : 16/02988/FULL1

Ward:
Kelsey And Eden Park

Address : The Chinese Garage Ltd Wickham Road
Beckenham BR3 6RH

OS Grid Ref: E: 537900 N: 168500

Applicant : Masters Of Beckenham Limited

Objections : YES

Description of Development:

Change of use of the existing car showrooms and associated workshops (Sui Generis) and to two retail units (Class A1) and conversion of first floor to 2 two bedroom flats (Class C3) together with associated car parking, landscaping, external alterations and related internal works to Listed Building.

JOINT REPORT WITH 16/03003/LBC

Key designations:

Biggin Hill Safeguarding Area
London City Airport Safeguarding
Smoke Control SCA 18

Proposal

Planning permission is sought for the change of use of the existing car showrooms and associated workshops (Sui Generis) and to two retail units (Class A1) and conversion of the first floor to 2 two bedroom flats (Class C3) together with associated car parking, landscaping, external alterations and related internal works to the Listed Building.

The proposed retailers are Majestic Wines and Pets at Home. The total proposed gross internal floorspace for the retail units would equate to 977m² spilt between 594m² for Pets at Home (retail unit 1) and 383m² for Majestic Wines (retail unit 2).

In addition to the change of use, the proposal will also include the following alterations to the existing buildings and external areas.

- The insertion of internal new partitions to subdivide the Chinese Garage into two separate retail units.
- The rearrangement of the internal space within the pagoda with the removal of existing partition walling and insertion of temporary partition walling.
- Removal of lantern style rooflights on the later workshop area.
- External changes to the elevations, including alterations to the fenestration.
- New landscaping and external boundary treatment.

- Alteration of the existing parking layout on site utilising a revised existing vehicle access point on to South Eden Park Road to provide ingress and egress for vehicles using the parking areas. On Stone Park Avenue one crossover access will be removed and the remaining two vehicle access points will be revised.
- Parking will be prohibited under the pagoda structure with the introduction of bollards. The proposal will formalise and set out 32 customer car parking spaces on the site which includes two disabled parking bays located outside the proposed entrances to the retail units. 24 spaces will be located to the south of the site with 8 residing to the north including a single allocated space for each proposed flat.
- Four customer cycle spaces will be provided and arrangements made for staff cycle parking.
- Existing redundant offices/ stockrooms at first floor level above the retail units will be converted to 2 two bedroom residential apartments to the rear of the site. A single cycle space is provided for each flat within a private amenity space.

Location

The site is located on the roundabout at the junction of Stone Park Avenue and South Eden Park Road. Vehicular and pedestrian access to the site is achieved both from Stone Park Avenue and South Eden Park Road. The site is served by public transport with bus stops available on both of these roads which are classified as local distributor roads.

To the north west of the site, on the opposite side of Stone Park Avenue is another garage and car showroom. A small neighbourhood shopping parade is located to the north and residential properties predominantly reside to the west and south of the site. The boundary of Park Langley Conservation Area lies to the east of the site on the opposite side of the roundabout.

The application site currently comprises a Statutory Listed (Grade II) building built in 1928 in a design inspired by Japanese pagodas. The entire building is Statutory Listed, inclusive of the rear garage space and any structures within the curtilage. The site appears to have been used as a motor garage or car sales showroom since it was built. The front of the 'pagoda' part of the garage is laid out as a Chinese Garden.

Attached to the rear of the pagoda style building is a flat roofed single storey car workshop building and two storey office building, both of traditional appearance. The car showroom forecourts are used to display cars and associated car dealership branding/ signage as well as being used for customer and staff car parking. The office section of the building appears to have been in residential use at some stage.

Consultations

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

- Objection on grounds of competition to small family run pet trade business from Pets at Home.
- Change of use would have significant impact on the character of the listed building. Existing use as a garage in keeping with the heritage which would be lost.
- Viability analysis for the current dealership is unfounded.
- Impact of two extra retail outlets will have a detrimental impact on local retail outlets.
- Concerns that longer opening hours and extra traffic will bring further congestion to the area and highway safety issues.
- The parking area is too large if the number of customers is limited.
- Concerns regarding the safety of the entry and exist points.
- Concerns regarding impact on the local alcohol exclusion zone.
- Concerns that an increase in traffic will bring a greater level of air pollution.
- The type of retail units are out of keeping with the area affecting the 'village' feel.
- Concerns raised regarding the extent of the Councils notification procedure.
- Concerns regarding the display of the site notice in visible position on site.
- Concerns that an alcohol retailer will attract social problems to the surrounding streets. A further such retailer is not needed in the area.
- The Masters pre application consultation letter to residents was not adequate.
- Suggested planning condition to limit the retail function is too wide ranging.
- Stock and servicing arrangements for the stores needs to be regulated.
- Advertising and signage causes light pollution. This needs to be switched off out of hours.

Internal Consultations

Highways: The application site is currently in use as a car showroom and workshop (use class sui generis) and the site has been used for this purpose since 1983. The PTAL of the site is 2, which equates to a poor rating. The two existing vehicular access points to the site will be maintained, one being on South End Road and the other on Stone Park Avenue. Minor improvements to the footways in the vicinity of the site accesses are proposed, together with minor revisions to the access entry widths that would of benefit to pedestrians.

With regards to the proposed 2 x 2 bedroom flats, a total of two parking spaces would be provided. This is satisfactory but these spaces should be dedicated for residents only.

Drainage: The submitted Foul Sewage & Surface Water Drainage Assessment Report carried out by Wormald Burrows Partnership Ltd with Ref No. E3564-DRAIN-Rev-0516 dated May 2016 to use SUDS to reduce surface water run off to greenfield run-off rate is acceptable.

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.

Environmental Health - Pollution: The Phase 1 Desk Study Report prepared by Delta Simmons (Project no 16-0214.01 - May 2016) is a good first stage in the investigation of contaminated land. The report recognised that there may be a number of possible sources of pollution and recommends further intrusive investigation. It is agreed with the conclusions and recommendations.

It is recommended that a standard condition is imposed, which will give the Planning Authority the power to approve a sampling programme as well as the remedial works which will follow. The Phase 1 Report already submitted means that the Applicant has already complied with a part of the suggested condition.

Building Control will deal with matters concerning the sound insulation between the dwellings, therefore there are no objections to permission being granted, subject to the condition referred to above.

External Consultations

Thames Water: No objection with regard to sewerage infrastructure capacity and water infrastructure capacity.

Planning Considerations

National Planning Policy Framework (NPPF)

14: Achieving sustainable development

17: Principles of planning

20 to 22: Building a strong, competitive economy

23 to 27: Ensuring the vitality of town centres

29 to 32, 35 to 37: Promoting sustainable transport

49 to 50: Delivering a wide choice of high quality homes

56 to 66: Design of development

128 to 129: Heritage assets

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

4.1 Developing London's Economy

4.7 Retail and Town Centre Development

5.2 Minimising carbon dioxide emissions

5.3 Sustainable design and construction

5.4 Retrofitting

5.7 Renewable energy

- 5.11 Green Roofs and Development Site Environs
- 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
- 6.9 Cycling
- 6.12 Road Network Capacity
- 6.13 Parking
- 7.2 An inclusive environment
- 7.3 Designing out crime
- 7.4 Local character
- 7.5 Public Realm
- 7.6 Architecture
- 7.8 Heritage Assets and Archaeology
- 7.9 Heritage-Led Regeneration
- 7.13 Safety, security and resilience to emergency
- 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
- BE2 Mixed use Developments
- BE8 Statutory Listed Buildings
- EMP5 Development outside Business Areas
- ER7 Contaminated Land
- H1 Housing Supply
- H7 Housing density and Design
- H12 Conversion of non-residential buildings to residential use
- S7 Retail and Leisure Development - Outside existing centres
- T1 Transport Demand
- T2 Assessment of Transport Effects
- T3 Parking
- T6 Pedestrians
- T7 Cyclists
- T17 Servicing of Premises
- T18 Road Safety

Emerging Bromley Local Plan:

The Council is preparing a Local Plan and commenced a period of consultation on its proposed submission draft of the Local Plan on November 14th 2016 which closes on December 31st 2016 (under The Town and Country Planning (Local Planning) (England) Regulations 2012 as amended). It is anticipated that an updated Local Development Scheme will be submitted to Development Control Committee on November 24th 2016 and Executive Committee on November 30th 2016, indicating the submission of the draft Local Plan to the Secretary of State in the early part of 2017. These documents are a material consideration. The weight attached to the draft policies increases as the Local Plan process advances.

Draft Policy 1 - Housing Supply
Draft Policy 4 - Housing Design
Draft Policy 30 - Parking
Draft Policy 31 - Relieving Congestion
Draft Policy 32 - Road Safety
Draft Policy 33 - Access for All
Draft Policy 34 - Highway Infrastructure Provision
Draft Policy 37 - General Design of Development
Draft Policy 38 - Statutory Listed Buildings
Draft Policy 73 - Development and Trees
Draft Policy 77 - Landscape Quality and Character
Draft Policy 83 - Non Designated Employment Land
Draft Policy 91 - Proposals for Main Town Centre Uses
Draft Policy 112 - Planning for Sustainable waste management
Draft Policy 113 - Waste Management in New Development
Draft Policy 114 - New Waste Management Facilities and Extensions and Alterations to Draft Policy 115 - Reducing flood risk
Draft Policy 116 - Sustainable Urban Drainage Systems (SUDS)
Draft Policy 117- Water and Wastewater Infrastructure Capacity
Draft Policy 118 - Contaminated Land
Draft Policy 119 - Noise Pollution
Draft Policy 120 - Air Quality
Draft Policy 123 - Sustainable Design and Construction
Draft Policy 124 - Carbon dioxide reduction, Decentralise Energy networks and Renewable Energy

Relevant Planning History

The site has been in use as a garage since for many decades. The majority of the previous planning applications have related to minor alterations to the shopfront, signage or alterations relating to the Listed Building. The main and relevant applications are listed below.

87/00393/FUL: Installation of car wash within existing building and elevational alterations. Approved 09.04.1987.

87/00394/FUL: Laying out of hard surface to existing car parking area at rear. Approved 09.04.1987

87/00395/FUL: Single storey rear extension. Approved 09.04.1987

87/01727/FUL: Amendment of condition 97 of 870393 relating to Installation of car wash. Refused 16.07.1987

88/02122/FUL: Single storey portable building comprising spray booth and enlarged enclosure. Approved 04.08.1988

97/00047/FUL: 2 air ducts on roof to serve paint spraying facility within workshops. Retrospective application. Approved 19.03.1997

97/00316/LBCALT: Two air ducts on roof to serve paint spraying facility in workshop Listed Building Consent. Retrospective Application. Approved 19.03.1997

04/02202/FULL1: Change of use of workshop to car showroom including elevational alterations, replacement fencing to car park, repositioning of car park spaces, waste collection facilities and oil storage tank. Approved 04.08.2004.

04/02203/LBC: Elevational alterations. Listed building consent. Approved 04.08.2004

07/02910/LBC: Replacement roof tiles. Listed building consent. Approved 23.11.2007

11/03737/ELUD. Replacement of corroded steel beams and columns to rear elevation of workshop. Certificate of lawfulness for an existing development. Approved 27.01.2012

16/03003/LBC: Change of use of the existing car showrooms and associated workshops (Sui Generis) and to two retail units (Class A1) and conversion of first floor to 2 two bedroom flats (Class C3) together with associated car parking, landscaping, external alterations and related internal works to Listed Building. (LISTED BUILDING CONSENT). Pending consideration and also on this agenda.

Conclusions

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

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

Principle of Development

- Change of Use to retail.

Policy EMP5 states that the redevelopment of business sites or premises outside of the Designated Business Areas will be permitted provided that the size, configuration, access arrangements or other characteristics make it unsuitable for uses Classes B1, B2 or B8 use, and full and proper marketing of the site confirms the unsuitability and financial non-viability of the site or premises for those uses.

The supporting text to the Policy details that one of the key objectives is to retain a range of accommodation for different business uses. It is important, therefore, to retain individual sites unless there are significant reasons as to why their continued business use is not feasible. Many of the small sites within the borough are occupied by local independent traders, providing specialist services, who form an important part of the local economy.

Draft Policy Development Outside SIL (Strategic Industrial Sites) and LSIS (Locally Significant Industrial Sites) in the employment sections of the emerging Local Plan also seeks to protect and improve the quality and quantity of employment floorspace outside of designated areas and is also of relevance given that the weight attached to the draft policies increases as the Local Plan process advances.

The current use of the site is for a sui generis business use as a car showroom and ancillary workshops. For the purposes of this assessment it is considered that Policy EMP5 is relevant along with emerging policy to the assessment of the application in terms of the business use of the site.

The planning statement accompanying the application details that the physical constraints of the site together with the listed building status makes it unsuitable for the continued needs of a car dealership.

Extensive information regarding the Masters operational requirements and the requirements of other car dealerships for a viable car dealership on the site have been supplied in the proposal documents. Information has also been supplied with respect to potential occupier demand and interest from other business type users including a report on the attractiveness of the building with regard to its Listed Building status and location in close proximity to residential uses for potential B Class users. The report concludes that the premises are physically and financially unsuitable for an expanded car dealership use or other B Class uses.

In terms of employment 24.75 full and part time positions are provided on the site currently. 4.75 of these positions are intended to be relocated to the Kia garage (part of the Masters group) on the on the opposite side of Stone Park Avenue. The remaining 20 positions are intended to be relocated to a new site for the current occupiers Peugeot and Kia within the Borough. This site is given as No33 Upper Elmers End Road. It is indicated that the proposed occupiers Majestic Wines and Pets at Home will provide 4 to 5 full and part time employees each. On this basis given the relocation of existing employees within the Borough and provision of a potential extra 10 employees no loss of employment will take place maintaining and improving levels of employment in the Borough.

Based on the evidence provided in terms of the retention of employment and the physical constraints of the site that make the site less attractive to other business

uses and other car dealerships from occupying the site, it is considered that a change of use to retail is an option that can be given considerable weight in this case.

Therefore Paragraph 24 of the NPPF as well as retail policies in the London Plan and the UDP would apply to the principle of the change of use of the proposal.

Paragraph 24 states that Local planning authorities should apply a sequential test to planning applications for main town centre uses that are not in an existing centre and are not in accordance with an up-to-date Local Plan. They should require applications for main town centre uses to be located in town centres, then in edge of centre locations and only if suitable sites are not available should out of centre sites be considered. When considering edge of centre and out of centre proposals, preference should be given to accessible sites that are well connected to the town centre. Applicants and local planning authorities should demonstrate flexibility on issues such as format and scale.

Policy S7 of the Unitary Development Plan states that proposals for new retail development outside the centres will be expected to demonstrate a need for the proposal, that all potential sites within the town, district, local or neighbourhood centres and parades have been thoroughly assessed, followed by an assessment of edge of centre sites within easy walking distance of the primary shopping area and that the applicant can demonstrate that they have been flexible about the format, scale, design, car park provision and the scope for disaggregation in the sequential search for sites.

If the sequential test above is met the proposal will be expected to be easily accessible to those cycling or walking and is, or will be, well served by public transport. The proposal will also not harm the vitality or viability of existing centres, either by itself or in conjunction with other proposals and the scale of the proposal will be appropriate to the size of the centre within which it is to be located.

The proposal, given the total amount of retail floorspace proposed which is less than 2500m² at 977m², does not trigger the need for an assessment of the impact of the proposal on planned public and private investment, or the impact of the proposal on town centre vitality and viability under the NPPF. However, policy S7 of the UDP does stipulate that if the sequential test is met the proposal should not harm the viability of existing centres and should be easily accessible.

A retail statement has been provided as part of the application submission incorporating a sequential test as part of the application proposal. The retail statement (dated June 2016) submitted sets out the methodology used, including the area of search and criteria for assessing suitable sites and gives a summary of the findings.

The area of search comprised Bromley Town Centre, Beckenham District Centre, Penge District Centre and West Wickham District Centre, which is considered acceptable. The criteria for suitable sites included those with a minimum floor area of 280m² for Majestic Wines and those with a minimum floor area of 370m² for Pets at Home. In addition, adjacent car parking, servicing and a "good visual presence"

or "high visibility/prominence" also formed part of the assessment criteria. In accordance with the NPPF applicants and local planning authorities should demonstrate flexibility on issues such as format and scale.

The submitted documents have also detailed the justification for the minimum floor areas, set out above, for the intended retailers by demonstrating customer numbers, trading habits of customers, parking requirements due to type of goods and so on that influence the ideal locations for their operations. The nature of goods sold at the two retailers proposed are not traditional bulky goods items. Both Majestic and Pets at Home sell a range of goods, including smaller items which would not necessarily require a car and can compete more directly with high street shops than those trading in established bulky items. However it has been demonstrated that a higher quantum of goods are bought in bulk are likely to be sold with a higher level of cash transaction requiring locations with good access to parking. The assessment also found that the nature of the retailers proposed will ensure that trade is primarily drawn from out of centre retailers and that existing centres are robust enough to withstand the impacts of a development of the scale proposed.

On balance, given the scale of the proposal, the impact on the viability and vitality of existing centres is considered acceptable.

In terms of accessibility, the site is within an area classified as having a low PTAL rating of 2 and is therefore not considered easily accessible to those walking or cycling or well-served by public transport in accordance with policy S7. However, given the likely quantum of goods and often bulky nature of goods being sold and proposed on-site car parking, the change of use to retail for this type of bulky goods retailer is considered acceptable in principle, subject to highways and parking considerations which are addressed below.

- Housing.

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

Where the above criteria are met any change of use must be sympathetic to the design, character and heritage value original building if it is considered to be a positive contribution to local character.

In this case the proposed scheme for the use of the existing upper level does not greatly affect the ground floor except for minor intervention to reuse an existing entrance and create another to provide separate pedestrian access to the flats. The functioning floor area of the ground floor commercial uses will not be restricted to facilitate this and there will not be changes to the ground floor elevations that would indicate an alteration from a business use. All changes proposed would retain the commercial look of the building. Therefore a viable space for commercial

premises will remain at street level retaining the vitality and viability of the commercial frontage.

Therefore given the acceptability of the use of the upper floors for residential use with regard to Policy H12 the principle of the additional residential units through the conversion of the upper floor is considered acceptable subject to the scheme's compliance with all other relevant development plan documents and policies.

Furthermore, the positive impacts of the development for the increase in a small quantum of housing supply are considered of sufficient weight to support the principle of the application with regard to the presumption in favour of sustainable development to increase housing supply.

Scale/Layout/Design

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

Policy BE1 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 BE8 (Statutory Listed Buildings) of the UDP is also relevant. In addition to requiring the applicant to demonstrate that the existing or last use is not viable or is no longer compatible with the building, this policy requires that the character, appearance and special interest of the listed building are preserved.

As detailed above the principle of the change of use to retail is deemed acceptable at the site subject to the requirements of other relevant planning policies.

A detailed heritage statement has been supplied as part of the application proposals. As set out above, the entire building is listed, inclusive of the rear garage space and any structures within the curtilage. The listed building dates from 1928 and was originally a petrol filling station. Its main special interest is its exuberant pagoda style. It became known as the Chinese Garage although it is more Japanese in character. The new proposed use is considered acceptable as it will reuse the building and without substantially altering the fabric. Internally the findings of the Heritage Statement that no interesting features remain has been accepted by the Councils Conservation Officer and that the proposed external changes in respect of removing later added roof lights and other accretions would be seen as a benefit. The proposal to retain and restore the landscaped area

fronting the roundabout is also welcomed. An acceptable level of active frontage to this area has been maintained and all existing windows to this part of the building are left as existing.

Other alterations involving improvements to the elevations of the later added warehouse sections of the site are considered to improve the visual interest of the building both in terms of its historic interest and the visual amenity of the wider building in its setting.

On balance the proposal would not detract from, or harm the setting or significance of the listed building allowing the special interest of the Listed Building to be preserved.

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 converted upper level of the building is 81m² and 88m². The nationally described space standard requires 70m² for a two bedroom four person single level residential unit in relation to the number of persons and bedrooms provided in each unit. On this basis, the floorspace provision for the units is compliant with the required standards and is considered acceptable.

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

In terms of amenity space the London Plan Housing SPG (2016) requires a minimum of 5m² of private outdoor space for 1-2 bedroom residential units. A screened and private area is provided for each unit at ground level adjacent to private entrances. This is considered acceptable.

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.

In terms of outlook, the fenestration arrangement for the upper level flats will provide the main outlook to the north for flat 2 overlooking the streetscene of Stone Park Avenue and to the east for flat 1 overlooking the flat roof of the ground floor warehouses with longer views of the Chinese Roundabout. In this circumstance, the outlook from residential windows from the proposed properties is considered to maintain a suitable level of privacy at the intended distances to existing neighbouring property.

Externally the revised parking layout has incorporated strips and areas of landscaping buffers around the marked parking spaces. This will help soften the parking areas and provide a buffer to adjacent residential properties reducing noise and disturbance and improving the visual appearance of the site to the streetscene.

In terms of other sources of noise and disturbance, concern has been raised by local residents regarding the extent to which the retail units would be open for customer business. Given the nature of the use, the extent of the opening hours will be extended beyond what currently operates at the site. However, it is considered prudent to restrict the hours of opening comparatively with similar stores in the region to alleviate any harm to an acceptable level. A planning condition in this regard is suggested.

Highways / Car Parking / Servicing

London Plan and UDP Policies encourage sustainable transport modes whilst recognising the need for appropriate parking provision. Car parking standards within the UDP and London Plan should be used as a basis for assessment.

The Council's Highway Officer has reviewed the current application noting that minor improvements to the footways in the vicinity of the site accesses are proposed, together with minor revisions to the access entry widths that would of benefit to pedestrians. This would improve highway safety in the vicinity when vehicles enter and exit the site. Concern has also been raised by the level of use of the site by vehicles that may give rise to congestion in the area. The level of parking on site is commensurate with London Plan requirements for retail provision. Given the improvements to access to address the increased level of use it is not considered that the revised parking layout and increase in the intensity of use will give rise to conditions prejudicial to highway safety.

Cycle parking is required to be two spaces for the type of dwelling units proposed. Further provision is required for retail customers. The applicant has provided locational details for retail provision underneath the pagoda and for cycle storage for the residential units within designated amenity spaces. Further details in this regard are recommended by condition.

All new developments shall have adequate facilities for refuse and recycling. The applicant has provided details of refuse storage for the residential units within the amenity areas. Further details in this regard are recommended by condition in relation to a containment structure.

Commercial refuse areas have also been provided for each retail unit separately in screened and enclosed external areas. A swept path analysis for refuse trucks entering and existing the site has been provided that is acceptable.

Deliveries to and from the site have potential to interrupt traffic flow in the vicinity during peak hours. On this basis deliveries to the units are recommended to be

restricted to off peak hours only. A restrictive planning condition is recommended in this regard.

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 Energy Statement has been provided that details the efforts made in the proposals to achieve these objectives. This is considered acceptable.

Community Infrastructure Levy

The Mayor of London's CIL is a material consideration. CIL is payable on this application.

Summary

The level of employment and supply of independent business sites in the Borough would be maintained providing a retail use that would be compatible with the viability and vitality of existing centres.

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

As amended by docs received 2/9/16, 26/9/16 and 17/10/16.

RECOMMENDATION: PERMISSION

Subject to the following conditions:

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

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

- 2 The development hereby permitted shall not be carried out otherwise than in complete accordance with the plans approved**

under this planning permission unless previously agreed in writing by the Local Planning Authority.

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

- 3 Details of 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 and BE8 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 and BE8 of the Unitary Development Plan and in the interest of the appearance of the building and the visual amenities of the area.

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

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

- 6 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.

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 Policies 5.12 and 5.13 of the London Plan.

- 9 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.

- 10 No wall, fence or hedge on the street facing boundaries or on the first 2.5m of the flank boundaries shall exceed 1m in height, and these means of enclosure shall be permanently retained as such.

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

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

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

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

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

- 13 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.

- 14 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 at 2 spaces for each residential unit 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.

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

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

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

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

17 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 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.

18 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.

19 The flat roof area of the ground floor commercial units shall not be used as a balcony or sitting out area for the upper level residential flats and there shall be no access to the roof area.

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

20 Before any work is commenced on the access/highway works a Stage 1 and where appropriate a Stage 2 Road Safety Audit (these may be combined with the prior agreement of the local Planning

Authority) shall be submitted to and approved in writing by the Local Planning Authority. The works shall be implemented strictly in accordance with the approved details to the satisfaction of the Local Planning Authority before any part of the development hereby permitted is first occupied. A Stage 3 Audit shall be submitted to and approved in writing by the local Planning Authority following satisfactory completion of the works and before they are opened to road users. The road safety auditor should also request for a member of LBB traffic team to be present on site at the time of audit.

Reason: In the interest of pedestrian and vehicular safety and in order to comply with Policy T18 of the Unitary Development Plan and Policy 6.12 of the London Plan.

- 21 The premises shall only be open for customer business between the hours of 09:00 and 20:00 on Monday to Friday, 09:00 to 19:00 on Saturday and 10:00 to 17:00 on Sundays and Bank Holidays.

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

- 22 No movement of service vehicles or servicing of the commercial units shall take place at either premises between the hours of 09:00 and 17:00 Monday to Friday.

Reason: To avoid any disruption to the free flow of traffic at roads approaching the 'Chinese Roundabout' in the morning and evening peak hours and in the interest of pedestrian and vehicular safety in order to comply with Policy T18 of the Unitary Development Plan and Policy 6.12 of the London Plan.

- 23 Notwithstanding the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking, re-enacting or modifying that Order), the premises shall be used for retail use (Use Class A1) for (i) pets, pet food, and all pet related products, and ancillary pet care, treatment and grooming services, (ii) beers, wine, spirits and sundry goods and for no other purpose (including any other purpose in Use Class A1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order).

Reason: To enable the Council to reconsider the situation in the event of a change of user in the interest of highway safety and in the amenities of the area and to comply with Policies S7, T18 and EMP5 of the Unitary Development Plan, Policies 4.1, 4.7 and 6.12 of the London Plan and the National Planning Policy Framework.

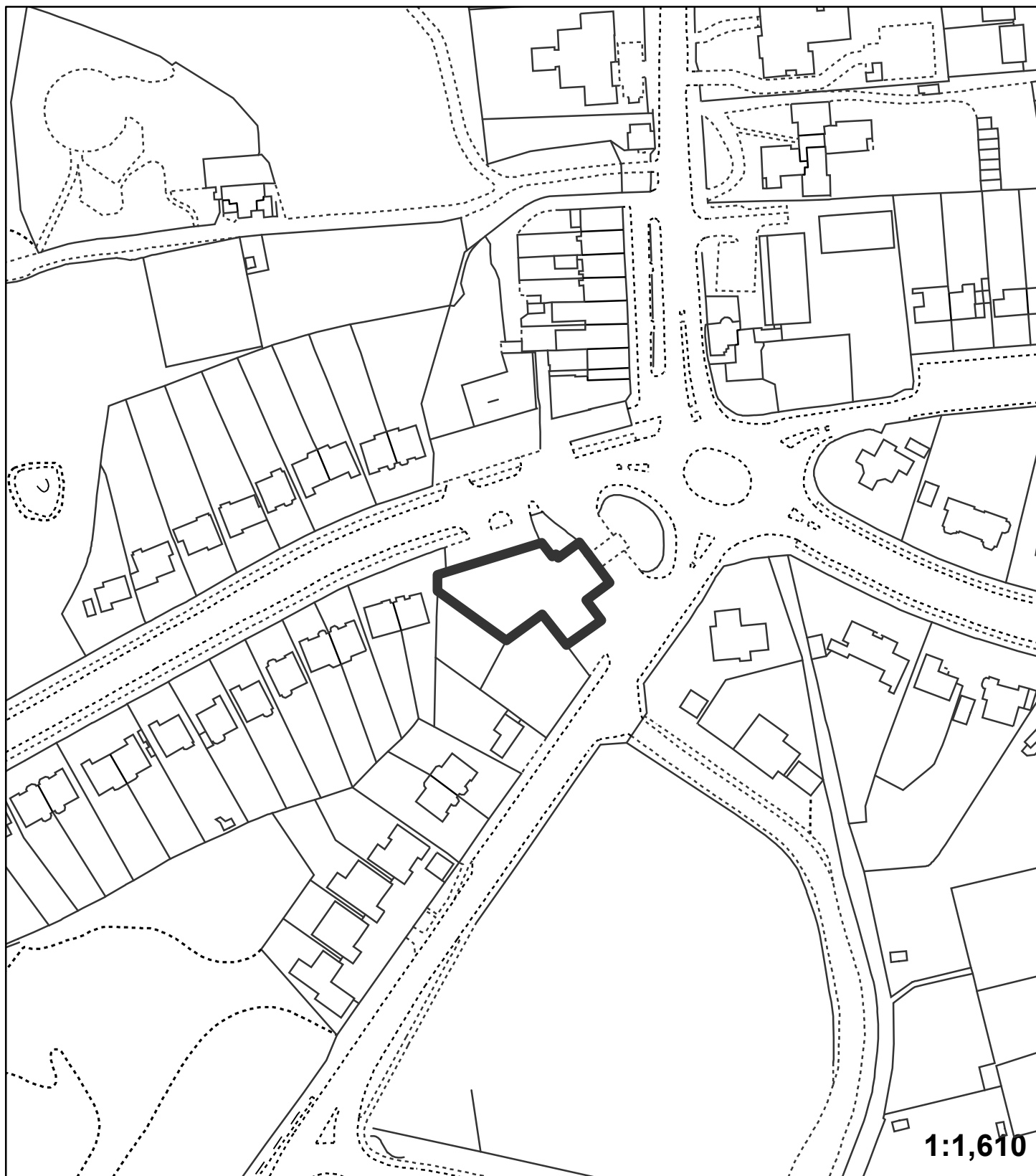
You are further informed that:

- 1 The applicant is advised that any works associated with the implementation of this permission (including the demolition of any existing buildings or structures) will constitute commencement of development. Further, all pre commencement conditions attached to this permission must be discharged, by way of a written approval in the form of an application to the Planning Authority, before any such works of demolition take place.**
- 2 You should consult the Land Charges and Street Naming/Numbering Section at the Civic Centre on 020 8313 4742 or e-mail: address.management@bromley.gov.uk regarding Street Naming and Numbering. Fees and application forms are available on the Council's website at www.bromley.gov.uk**
- 3 You are advised that this application may be liable for the payment of the Mayoral Community Infrastructure Levy under the Community Infrastructure Levy Regulations (2010) and the Planning Act 2008. The London Borough of Bromley is the Collecting Authority for the Mayor and this Levy is payable on the commencement of development (defined in Part 2, para 7 of the Community Infrastructure Levy Regulations (2010)). It is the responsibility of the owner and /or person(s) who have a material interest in the relevant land to pay the Levy (defined under Part 2, para 4(2) of the Community Infrastructure Levy Regulations (2010)). If you fail to follow the payment procedure, the collecting authority may impose surcharges on this liability, take enforcement action, serve a stop notice to prohibit further development on the site and/or take action to recover the debt. Further information about Community Infrastructure Levy can be found on attached information note and the Bromley website www.bromley.gov.uk/CIL**
- 4 You should contact extension 4621 (020 8313 4621 direct line) at the Environmental Services Department at the Civic Centre with regard to the laying out of the crossover(s) and/or reinstatement of the existing crossover(s) as footway. A fee is payable for the estimate for the work which is refundable when the crossover (or other work) is carried out. A form to apply for an estimate for the work can be obtained by telephoning the Highways Customer Services Desk on the above number.**
- 5 Any repositioning, alteration and/ or adjustment to street furniture or Statutory Undertaker's apparatus, considered necessary and practical to help with the modification of vehicular crossover hereby permitted, shall be undertaken at the cost of the applicant.**
- 6 The applicant is advised that separate consent under the Advertisement Regulations will be required for the display of any signage regarding the proposed new retail units.**

Application:16/02988/FULL1

Address: The Chinese Garage Ltd Wickham Road Beckenham BR3 6RH

Proposal: Change of use of the existing car showrooms and associated workshops (Sui Generis) and to two retail units (Class A1) and conversion of first floor to 2 two bedroom flats (Class C3) together with associated car parking, landscaping, external alterations and related internal works to



"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 : 16/03003/LBC

Ward:
Kelsey And Eden Park

Address : The Chinese Garage Ltd Wickham Road
Beckenham BR3 6RH

OS Grid Ref: E: 537900 N: 168500

Applicant : Masters Of Beckenham Limited

Objections : YES

Description of Development:

Change of use of the existing car showrooms and associated workshops (Sui Generis) and to two retail units (Class A1) and conversion of first floor to 2 two bedroom flats (Class C3) together with associated car parking, landscaping, external alterations and related internal works to Listed Building. (LISTED BUILDING CONSENT)

JOINT REPORT WITH 16/02988/FULL1

Key designations:

Biggin Hill Safeguarding Area
London City Airport Safeguarding
Smoke Control SCA 18

Proposal

Listed Building Consent is sought for the change of use of the existing car showrooms and associated workshops (Sui Generis) and to two retail units (Class A1) and conversion of first floor to 2 two bedroom flats (Class C3) together with associated car parking, landscaping, external alterations and related internal works to Listed Building.

The proposal will include the following alterations to the existing buildings and external areas requiring Listed Building Consent.

- The insertion of internal new partitions to subdivide the Chinese Garage into two separate retail units.
- The rearrangement of the internal space within the pagoda with the removal of existing partition walling and insertion of temporary partition walling.
- Removal of lantern style rooflights on the later workshop area.
- External changes to the elevations, including alterations to the fenestration.

Location

The site is located on the roundabout at the junction of Stone Park Avenue and

South Eden Park Road. Vehicular and pedestrian access to the site is achieved both from Stone Park Avenue and South Eden Park Road. The site is served by public transport with bus stops available on both of these roads which are classified as local distributor roads.

To the north west of the site, on the opposite side of Stone Park Avenue is another garage and car showroom. A small neighbourhood shopping parade is located to the north and residential properties predominantly reside to the west and south of the site. The boundary of Park Langley Conservation Area lies to the east of the site on the opposite side of the roundabout.

The application site currently comprises a Statutory Listed (Grade II) building built in 1928 in a design inspired by Japanese pagodas. The entire building is Statutory Listed, inclusive of the rear garage space and any structures within the curtilage. The site appears to have been used as a motor garage or car sales showroom since it was built. The front of the 'pagoda' part of the garage is laid out as a Chinese Garden.

Attached to the rear of the pagoda style building is a flat roofed single storey car workshop building and two storey office building, both of traditional appearance. The car showroom forecourts are used to display cars and associated car dealership branding/ signage as well as being used for customer and staff car parking. The office section of the building appears to have been in residential use at some stage.

Consultations

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

- Change of use would have significant impact on the character of the listed building. Existing use as a garage in keeping with the heritage which would be lost.

Planning Considerations

National Planning Policy Framework (NPPF)

56 to 66: Design of development

128 to 129: Heritage assets

London Plan:

5.3 Sustainable design and construction

7.4 Local character

7.6 Architecture

7.8 Heritage Assets and Archaeology

7.9 Heritage-Led Regeneration

Unitary Development Plan:

BE1 Design of New Development

BE8 Statutory Listed Buildings

Emerging Bromley Local Plan:

The Council is preparing a Local Plan and commenced a period of consultation on its proposed submission draft of the Local Plan on November 14th 2016 which closes on December 31st 2016 (under The Town and Country Planning (Local Planning) (England) Regulations 2012 as amended). It is anticipated that an updated Local Development Scheme will be submitted to Development Control Committee on November 24th 2016 and Executive Committee on November 30th 2016, indicating the submission of the draft Local Plan to the Secretary of State in the early part of 2017. These documents are a material consideration. The weight attached to the draft policies increases as the Local Plan process advances.

Draft Policy 37 - General design of development

Draft Policy 38 - Statutory Listed Buildings

Planning History

The site has been in use as a garage since for many decades. The majority of the previous planning applications have related to minor alterations to the shopfront, signage or alterations relating to the Listed Building. The main and relevant applications are listed below.

87/00393/FUL: Installation of car wash within existing building and elevational alterations. Approved 09.04.1987.

87/00394/FUL: Laying out of hard surface to existing car parking area at rear. Approved 09.04.1987

87/00395/FUL: Single storey rear extension. Approved 09.04.1987

87/01727/FUL: Amendment of condition 97 of 870393 relating to Installation of car wash. Refused 16.07.1987

88/02122/FUL: Single storey portable building comprising spray booth and enlarged enclosure. Approved 04.08.1988

97/00047/FUL: 2 air ducts on roof to serve paint spraying facility within workshops. Retrospective application. Approved 19.03.1997

97/00316/LBCALT: Two air ducts on roof to serve paint spraying facility in workshop Listed Building Consent. Retrospective Application. Approved 19.03.1997

04/02202/FULL1: Change of use of workshop to car showroom including elevational alterations, replacement fencing to car park, repositioning of car park spaces, waste collection facilities and oil storage tank. Approved 04.08.2004.

04/02203/LBC: Elevational alterations. Listed building consent. Approved 04.08.2004

07/02910/LBC: Replacement roof tiles. Listed building consent. Approved 23.11.2007

11/03737/ELUD. Replacement of corroded steel beams and columns to rear elevation of workshop. Certificate of lawfulness for an existing development. Approved 27.01.2012

16/02988FULL1: Change of use of the existing car showrooms and associated workshops (Sui Generis) and to two retail units (Class A1) and conversion of first floor to 2 two bedroom flats (Class C3) together with associated car parking, landscaping, external alterations and related internal works to Listed Building. Pending consideration and also on this agenda.

Conclusions

The main considerations with regard to this application relate to the impact of this proposal on the character, appearance, historic fabric and historic interest of this Grade II listed building and the impact that it would have on the amenities of the occupants of any surrounding residential properties.

The NPPF states in determining planning applications, local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets and when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.

UDP Policy BE8 states that applications for development involving a listed building or its setting will be permitted provided that the character, appearance and special interest of the listed building are preserved and there is no harm to its setting.

The proposed changes will marginally alter the external appearance of the building by the alteration of the two flank windows only to full height. All other alterations are internal.

A detailed heritage statement has been supplied as part of the application proposals. As set out above, the entire building is listed, inclusive of the rear garage space and any structures within the curtilage. The listed building dates from 1928 and was originally a petrol filling station. Its main special interest is its exuberant pagoda style. It became known as the Chinese garage although it is more Japanese in character. The new proposed use is considered acceptable as it will reuse the building and without substantially altering the fabric. Internally the findings of the Heritage Statement that no interesting features remain has been accepted by the Councils Conservation Officer and that the proposed external changes in respect of removing later added roof lights and other accretions would be seen as a benefit. The proposal to retain and restore the landscaped area fronting the roundabout is also welcomed. An acceptable level of active frontage to this area has been maintained and all existing windows to this part of the building are left as existing.

Other alterations involving improvements to the elevations of the later added warehouse sections of the site are considered to improve the visual interest of the building both in terms of its historic interest and the visual amenity of the wider building in its setting.

On balance the proposal would not detract from, or harm the setting or significance of the listed building allowing the special interest of the Listed Building to be preserved.

As amended by docs received 2/9/16, 26/9/16 and 17/10/16.

RECOMMENDATION: GRANT LISTED BUILDING CONSENT

Subject to the following conditions:

- 1 The works hereby granted consent shall be commenced within 5 years of the date of this decision notice.**

Reason: Section 18, Planning (Listed Buildings and Conservation Areas) Act 1990.

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

Reason: In order to comply with Policy BE8 of the Unitary Development Plan to safeguard the special architectural or historic interest of the building.

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

Reason: In order to comply with Policy BE1 and BE8 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 and BE8 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:16/03003/LBC

Address: The Chinese Garage Ltd Wickham Road Beckenham BR3 6RH

Proposal: Change of use of the existing car showrooms and associated workshops (Sui Generis) and to two retail units (Class A1) and conversion of first floor to 2 two bedroom flats (Class C3) together with associated car parking, landscaping, external alterations and related internal works to



"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 : 16/04364/FULL6

Ward:
Hayes And Coney Hall

Address : 26 Dartmouth Road Hayes Bromley BR2
7NE

OS Grid Ref: E: 540235 N: 166819

Applicant : Mr _ Mrs Anderson

Objections : YES

Description of Development:

Part one/two storey side/rear extension and elevational alterations

Key designations:

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

Proposal

The site is a two storey semi-detached dwelling located to the west side of Dartmouth Road which is within a residential location. The scheme proposes a part one/two storey side/rear extension and elevational alterations. The ground floor element extends to the southern boundary with the first floor element set in by 1m above. The rearward projection is 3.5m and the ground floor extends to the northern boundary. The first floor element maintains a 3.5m rearward projection and is set off the northern boundary by c 3.3m and the southern boundary by c 1m.

Consultations

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

No Highways objections are raised and conditions are suggested in the event of a planning permission.

Planning Considerations

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

BE1 Design of New Development
H8 Residential Extensions
H9 Side Space

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

Policy 7.4 London Plan

The planning history of nearby sites at 20 and 22 is relevant in consideration of this specific proposal - planning permissions reference 15/00963, 15/04012 and 15/04013.

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 BE1, H8 and the Council's Supplementary Design Guidance seeks 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 H9 of the UDP requires applications for new residential development, including extensions to retain, for a proposal of two or more storeys in height, a minimum 1 metre space from the side boundary of the site 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.

The design includes for the first floor element to be subservient to the host dwelling by way of setback from the front elevation and lower ridge line.

Policy H9 is relevant and the design includes for the first floor element only to be set back 1m from the boundary. The planning history to number 20 and 22 Dartmouth Road is relevant where extensions with 1m set back at first floor level only have been granted planning permission to the pair of semi-detached dwellings.

Given this and the relationship to adjacent development at No 28 it may be considered that the proposal does not result in unrelated terracing and maintains the spatial standards and level of visual amenity of the streetscene in this particular case.

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. Given the siting, design and relationship to adjacent development the proposal is unlikely to result in significant impact on neighbouring amenity such to raise planning concern. Plans are annotated to show obscure glazing to the proposed first floor flank window. Relevant conditions are suggested in the event of a planning permission.

No objections are raised from a Highways point of view.

Having had regard to the above Members may consider that the development in the manner proposed is acceptable in this particular instance in that it would not result in a loss of amenity to nearby occupiers nor have a detrimental effect 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 Parking bays shall measure 2.4m x 5m and there shall be a clear space of 6m in front of each space (or 7.5m if garages are provided) to allow for manoeuvring and these spaces shall be permanently retained as such thereafter.**

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

- 5 Before the development hereby permitted is first occupied, the proposed window to the first floor south flank shall be obscure glazed to minimum of level 3 obscurity (using Pilkington range of reference) and shall subsequently be permanently retained as such.**

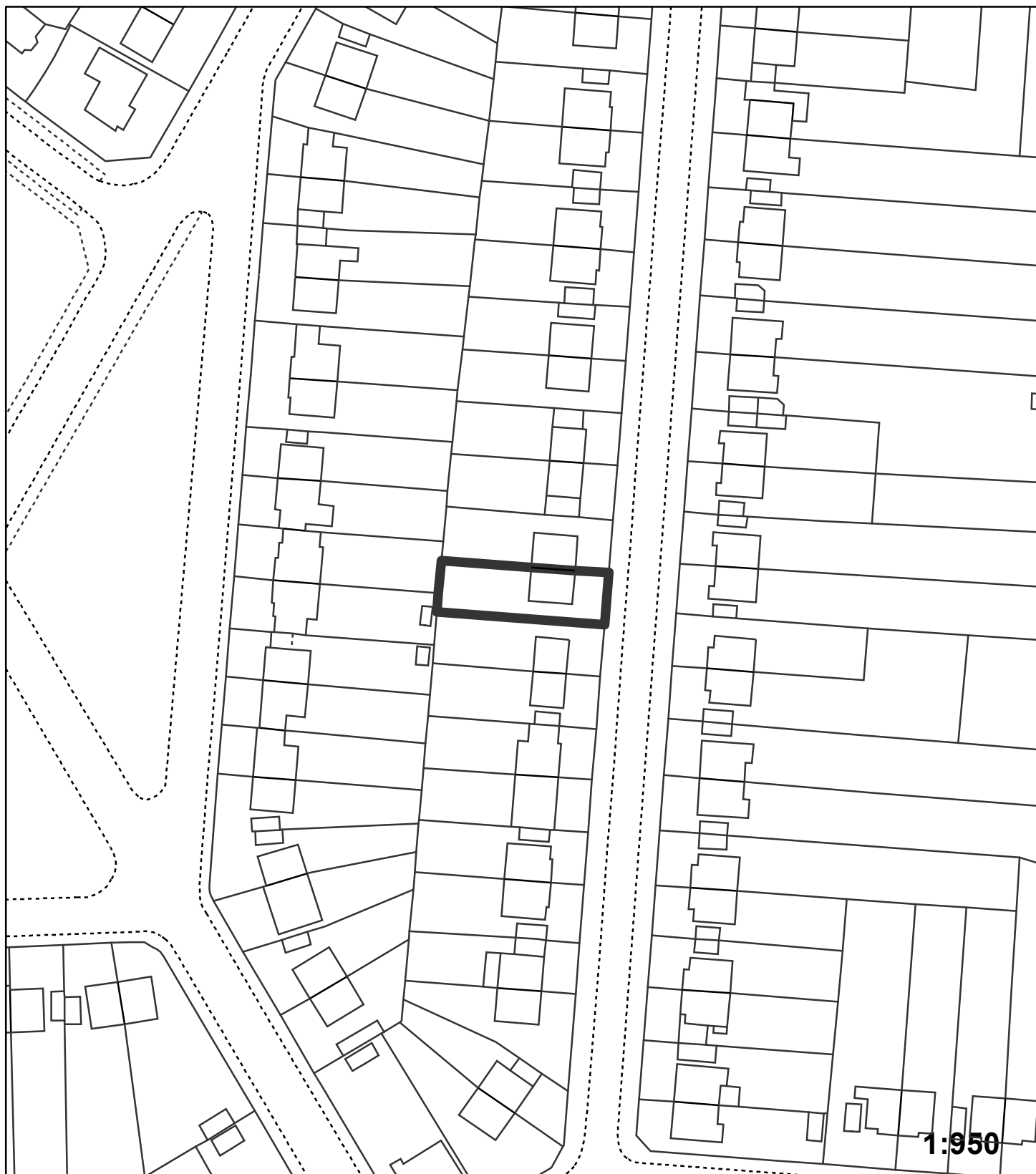
Reason: In order to comply with Policy of the Unitary Development Plan and in the interest of the amenities of the adjacent properties.

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Application:16/04364/FULL6

Address: 26 Dartmouth Road Hayes Bromley BR2 7NE

Proposal: Part one/two storey side/rear 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 '2' – Applications meriting special consideration

Application No : 16/04481/FULL6

Ward:

Plaistow And Sundridge

Address : 21 Edward Road Bromley BR1 3NG

OS Grid Ref: E: 541013 N: 170456

Applicant : Mr R Patel

Objections : YES

Description of Development:

Part 1/2 storey side/rear extension including juliet balcony to rear and single storey front extension. Roof alterations incorporating hip to gable to rear and 4 no. dormers to front. Elevational alterations including alterations to fenestration layout.

Key designations:

Biggin Hill Safeguarding Area
London City Airport Safeguarding
Smoke Control SCA 7

Proposal

Planning permission is sought to extend the existing dwelling house to the front, sides and rear elevations as well as alterations to the roof to incorporate 4 dormer windows to the front elevation, resulting in an increased footprint to the house over three storeys.

The application also includes the demolition of the existing detached garages along the north-east boundary, with the development of a new garage to be built on the southern boundary closest to the neighbour at No.19.

The application site is a detached dwellinghouse located on the north western side of Edward Rd, Bromley. Edward Rd is a residential road characterised by a variety of detached dwellinghouse of varying ages. No.19 Edward Road, located to the southern shared boundary with No.21 is a nursing home.

Consultations

Nearby owners/occupiers were notified of the application and several letters of representations were received. The contents of which can be outlined below:-

- Lack of parking provision
- The proposal will result in overshadowing and an increased sense of overlooking
- Loss of privacy due to the additional windows in the proposed side elevation
- The sheer scale of the proposed development in relation to the plot size is excessive
- Constituting in an over-development of the site
- Obstruction of sun-light
- The proposal is out of character with the surrounding area due to the size of the proposal when considered alongside the plot size

- The proposal fails to give any details of drainage from the site. This is of great concern due to the vastly increased roof area.
- The loss of a substantial area of the garden is likely to be harmful to the setting of the building.

Full & detailed copies of the objection letters can be found on the application file.

Environmental Health Housing comments are available on the file.
 In regards to lighting and ventilation- There must be an area of openable window equivalent to 1/20th of the floor area to the room to achieve the natural ventilation requirement.

From a Highways perspective- no objection was raised.

Planning Considerations

Unitary Development Plan

- BE1 Design of New Development
- H7 Housing Density and Design
- H8 Residential Extensions
- H9 Side Space
- NE7 Development and trees
- T1 Transport Demand
- T7 Access
- T3 Parking
- T7 Cyclists
- T18 Road Safety

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

The London Plan

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

Mayor's Housing Supplementary Planning Guidance (2015)

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

Planning History

A similar proposal also for a proposed front, side and rear extensions, including roof alterations under reference: 16/01534/FULL6 was withdrawn in June 2016.

Furthermore, of relevance is the planning history of No.19 Edward Rd (neighbouring property) which was granted planning permission on appeal for a detached part one/part three storey building for a nursing home comprising 24 one bedroom and 3 two person rooms with 10 car parking spaces a three storey nursing under planning application ref:- 94/0121.

Conclusions

The main issues are the effect of the proposed development upon the character and appearance of the street scene and the effect of the proposed development on the living conditions of adjoining neighbours.

Design

Policies H8, H9, 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. Consistent with this, the National Planning Policy Framework (NPPF) states that new development should reflect the identity of local surroundings and add to the overall quality of the area.

The existing five bedroom house sits centrally within a large plot and has two garages located on the northern boundary. The applicant proposes to substantially increase the footprint of the existing dwellinghouse taking it to a seven bedroom dwellinghouse, each with an en-suite bathroom. The roofspace will be utilised to facilitate two further bedrooms, each with ensuite, gym, steam & sauna rooms & games room and a bar. Four small dormer windows would be added to the roof, along with alterations to the layout and fenestrations of the front elevation to incorporate a gable-ended front extension.

To the rear three sets of patio doors will be added to the ground floor layout, one juliet balcony at first floor level with two more at second floor level. Each flank elevation will see several sets of new windows added at first and second floor levels, the majority of which will be obscure glazed, as labelled on the submitted drawings.

The proposed additional development will see the height of the property remain at 9m in height, which will mean there is no increase in height, but the width will increase from approximately 12.7m to 25.1m and the depth from 11m to 17.2m. The additional development will add considerable bulk and mass to the property.

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 existing in residential areas, proposals will be expected to provide a more generous side space. The proposed development does comply with policy H9 with a 2m side space being left to the boundary with No.23.

It is considered that the proposal from a design perspective is acceptable. It was noted on the site visit and from the planning history that large properties do exist along Edward Rd. However, the proposed enlargements to the property taken cumulatively will make the property appear cramped within its plot size. This is despite the proposal in principle complying with the Council's side space policy.

Taking into account the existing layout and space around the host property, members should consider that the substantial increase in footprint would result in an overdevelopment and intensification of the site, which would significantly detract from the street scene contrary to Policies BE1 and H8 of the UDP.

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 the immediate neighbouring occupiers at No.19 and No 23 Edward Road.

Whilst No.19 is a three storey nursing home there are several windows proposed in the flank elevations at first and second floors, albeit the majority will be obscure glazed. However, the window serving bedroom 7 will not be obscure glazed, therefore this will lead to the proposed bedroom looking directly into the flank elevation of No.19.

In the case of the opposite flank elevation all of the proposed windows will be obscure glazed at first and second floor level, including the window serving bedroom 6, thus reducing the risk of overlooking.

However, the increase to the depth and width of the property will also see an expanse of additional windows in the flank elevation at ground floor level, as well as to the rear which will lead to an increased sense of enclosure, overlooking and loss of privacy to the neighbouring property.

Furthermore, the increase depth would mean the host property would protrude beyond the rear wall of the neighbouring property leading to a loss of outlook to number 23.

Summary

Taking into account the above, Members may therefore consider that the design and appearance of the development as submitted would fail to respect the scale and form of the host dwelling and lead to a loss of amenity to the neighbouring occupiers at number 19 and 23 Edward Road, contrary to Policies BE1 and H8 of Bromley's Unitary Development Plan, which seeks to ensure that the proposal is of a high standard of design.

RECOMMENDATION: APPLICATION BE REFUSED

The reasons for refusal are:

1. The proposed development by reason of the proposed scale and depth, does not respect the scale or form of the host dwelling and would result in an awkward, bulky and dominant form of development, harmful to the character and appearance of the host dwelling contrary to BE1 Design of New Development and H8 Residential Extensions of the Unitary Development Plan (2006) and Supplementary Planning Guidance No 1 General Design Principles & No 2 Residential Design Guidance.

2. The proposed additional development to No.21 Edward Rd would be harmful to the amenities of the neighbouring properties at number 19 and 23 by way of loss of outlook and privacy contrary to Policies BE1 Design of New Development and H8 Residential Extensions of the Unitary Development Plan (2006) and Supplementary Planning Guidance No 1 General Design Principles & No 2 Residential Design Guidance.

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Application:16/04481/FULL6

Address: 21 Edward Road Bromley BR1 3NG

Proposal: Part 1/2 storey side/rear extension including juliet balcony to rear and single storey front extension.

Roof alterations incorporating hip to gable to rear and 4 no. dormers to front. Elevational alterations including alterations to fenestration 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 : 16/04531/FULL6

Ward:
Chelsfield And Pratts
Bottom

Address : 30 Stirling Drive Orpington BR6 9DN

OS Grid Ref: E: 546815 N: 164196

Applicant : Mr J Michael

Objections : YES

Description of Development:

Single storey front extension and part one/two storey side extension
PARTIALLY RETROSPECTIVE

Key designations:

Biggin Hill Safeguarding Area
London City Airport Safeguarding
Open Space Deficiency
Smoke Control SCA 29

Proposal

The host property is a semi-detached two storey dwelling house with off street parking capability for up to two vehicles within the front amenity space. The topography of the land slopes down slightly from the highway to the front elevation. The property has a duo pitched roof with black upvc rain water goods and white upvc fenestration.

This application seeks amendments to the previously refused application ref: 15/04242 (and dismissed at appeal) which was submitted to regularise alterations to a previous permission granted under reference: 14/02589/FULL6.

The development overall is partially retrospective and will have a ground floor width of 6.8m and a maximum length of 9.3m, projecting at ground floor level to the front of the house by approximately 2.5m. The ground floor extension is located 968mm from the common side boundary to the front and 847mm at the rear. The first floor extension will be sited above the kitchen and utility extension between 2-2.03m from the common side boundary with number 11Knights Ridge.

Consultations

Nearby owners/occupiers were notified of the application. The comments received are summarised as follows:

- What is built on site is not what is being applied for
- Extra surface water should not be piped into soakaways at the front of the house which could potentially affect the water table

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

The Council's adopted Supplementary Planning Guidance is also a consideration

London Plan (2015)

- 3.4 Optimising housing potential
- 3.5 Quality and design of housing developments
- 7.4 Local Character

The National Planning Policy Framework (2012) is also a consideration

Planning History

There is a complex planning history with regard to 30 Stirling Drive which is a pertinent and material planning consideration in the determination of this application:

14/01527/FULL6 - Part one/two storey side/rear extension - Refused

Reasons for refusal:

1. The proposal does not comply with the Council's requirements for a suitable side space to be maintained to the flank boundary in respect to two storey development on corner dwellings, in the absence of which the proposal would constitute a cramped development, out of character with the street scene in general and contrary to Policies BE1, H8 and H9 of the Unitary development Plan.

2. The proposed extension, by reason of its design and excessive forward projection, would result in a detrimental impact on the character of the house and the visual amenities of the street scene, and would constitute an intrusive feature to the front of the dwelling, contrary to Policies BE1 and H8 of the Unitary Development Plan.

14/02589/FULL6 - Part one/two storey front/side extension - Permitted

14/02589/AMD - Amendment to the single storey front extension to enclose an open porch - Approved

The development was not built in accordance with the plans as approved and as such an application was made to regularise the build.

15/04242/FULL6 - Single storey front extension and part one/two storey side extension RETROSPECTIVE - Refused

Reasons for refusal:

1. The proposal does not comply with the Council's requirements for a suitable side space to be maintained to the flank boundary in respect to two storey development on corner dwellings, in the absence of which the proposal would constitute a cramped development, out of character with the street scene in general and contrary to Policies BE1, H8 and H9 of the Unitary development Plan.

2. The proposed extension, by reason of its design, siting and excessive forward projection, would result in a detrimental impact on the character of the house and the visual amenities of the street scene, and would constitute an intrusive feature to the front of the dwelling, contrary to Policies BE1 and H8 of the Unitary Development Plan.

3. The proposed extension, by reason of its design, size and siting would result in a detrimental impact on the residential amenity of the owner/occupiers of number 11 Knights Ridge, contrary to Policies BE1 and H8 of the Unitary Development Plan.

The application was subsequently dismissed on appeal (ref: APP/G5180/D/16/3142959) with the Inspector stating the following:

- As a result of the changes from the approved scheme is a building that is over dominant to the outlook. The proximity of the first floor of the extension leads to an unduly oppressive feeling from the neighbouring garden and house.

- The retained distance between the extension at 30 Stirling Drive and the house 11 Knights Ridge is not sufficient to mitigate the overbearing proximity. This materially harms the living conditions of the occupiers of that property

- Due to the ground floor extension having a pitched roof there is a notable increase in building mass when viewed from 11 Knights Ridge which is appreciable within the garden due to the long length of this element of the extension adjoining much of the boundary. This leads to an over-dominant impression when combined with the first floor element of the works and compounds the harm to outlook from number 11.

- The Inspector was satisfied that the windows in the extension do not lead to any loss of privacy, due to the use of the windows and the oblique angle of view

- The design of the extension does not harm the character of the host property or the surrounding area. The extended house is well proportioned and of good design. There is sufficient space retained at first floor level to prevent any cramped appearance to the house.

This application is submitted in an attempt to amend the scheme as built to overcome the concerns raised by the appeal Inspector.

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.

Within the previous appeal decision the Inspector found that some of the development as built that differed from that as granted under the 2014 approval was acceptable. These elements included:

- The main ridge height of the extended roof maintaining the existing ridge height of the original dwelling, as opposed to being set down as originally approved.
- The new windows in the front and rear of the extension
- The side space provision with number 11
- The variation in the forward projection of the front extension (increase by approximately 0.5m from that as previously granted).

This application seeks retrospective permission for the retention of those acceptable elements which differ from the 2014 approval, with some amendments to the design to overcome the Inspector's concerns in light of application ref: 15/04242/FULL6, specifically in terms of the impact upon number 11 Knights Ridge. The main differences are:

- The garage is to be sited 847mm at the closest point to number 11, increased from 776mm
- Partial flat roof construction over the garage in replacement to the constructed pitched roof.
- The 2014 approval indicated a 'stepped' first floor layout which maintained over 2m separation to the boundary. The development was built out to infill this area. The revised plans now propose that the first floor extension will be chamfered to use a 45 degree angle wall which maintains a minimum of 2m separation to the boundary.

Therefore, this report will deal solely with these amended elements that were not considered by the appeal Inspector and have been submitted to overcome the Inspector's concerns predominantly regarding the impact of the scheme upon the residential amenity of number 11 Knights Drive.

The proposal would provide a part one/two storey side extension that would be constructed 876mm from the boundary at ground floor level and approximately 2m at first floor level. The proposal is contrary to Policy H9 of the UDP in that a 1m side space is not retained for the full height and width of the flank elevation, nevertheless, the Inspector found no concern with the side space provision within the previous appeal decision, stating that the development would not result in a cramped appearance.

The rear of the first floor side extension is proposed to be stepped away from the common side boundary with number 11 Knights Ridge by a further 1.25m by introducing a chamfered corner. Within the appeal decision the Inspector stated that the proximity of the first floor of the extension contributes to an unduly oppressive feeling from the neighbouring garden and house. The extension is now proposed to be sited at a similar distance to that as previously approved under application ref: 14/02589/FULL6 in response to the Inspectors concerns. Whilst the design of the extension has altered from that as previously approved, Members may now consider that in terms of the impact upon number 11 Knights Ridge, the amended design is reflective of the scheme previously found to be acceptable and on balance has overcome the Inspectors concerns in this regard.

With regard to the single storey side extension, the Inspector stated that the provision of a pitched roof profile in replacement to the flat roof structure which was previously permitted, has led to a notable increase in building mass when viewed from 11 Knights Ridge, which is particularly appreciable within the garden of that property. The Inspector further states that the pitched roof leads to an over-dominant impression upon number 11 and when combined with the first floor element of the works to the appeal property, compounds the harm to outlook from number 11. The Applicant has amended the single storey extension, replacing the pitched roof with a flat roof at a height of 3m, similar to that permitted within the 2014 application. Members may consider that the impact of the raised ridge height and pitched roof form has been satisfactorily mitigated and no longer unduly impacts upon neighbouring residential amenity to a materially greater degree to that previously permitted under the 2014 permission.

The amendments proposed within this application are considered to relate well to the elements of the proposal found to be acceptable by the Inspector, and Members may consider that the scheme appears holistic in terms of its design, size and siting.

Having had regard to the above it was considered that the development in the manner proposed is acceptable in that it would not result in a detrimental impact on the character of the area and would not impact harmfully on the amenities of neighbouring properties. The scheme is considered to satisfactorily overcome the concerns raised in the Inspector's report and on balance, the scheme is recommended for permission subject to 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 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 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 Reason: In order to comply with Policy BE1 of the Unitary Development Plan and in the interest of the amenities of the adjacent properties.

Reason: No windows or doors shall at any time be inserted in the first floor flank elevation(s) of the development hereby permitted, without the prior approval in writing of the Local Planning Authority.

5 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 character of the area.

Appeal Decision

Site visit made on 5 May 2016

by C J Leigh BSc(Hons) MPhil MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 17 May 2016

Appeal Ref: APP/G5180/D/16/3142959
30 Stirling Drive, Orpington, Kent, BR6 9DN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr John Michael against the decision of the Council of the London Borough of Bromley.
 - The application Ref DC/15/04242/FULL6, dated 29 September 2015, was refused by notice dated 7 December 2015.
 - The development proposed is a single storey front extension, part 1/part 2 storey side extension.
-

Preliminary matters

1. Planning permission was granted in August 2014 for a part one/two storey front/side extension (ref DC/14/02589/FULL6, and the subject of a subsequent amendment). Work has been undertaken pursuant to that permission, but not in accordance with the approved drawings. The proposals the subject of this appeal seeks permission for the work undertaken on site.

Decision

2. The appeal is dismissed.

Main issues

3. The main issues in this appeal are the effect of the proposed development on, firstly, the living conditions of the adjoining occupiers and, secondly, the character and appearance of the surrounding area.

Reasons

Living conditions

4. The approved drawings showed the side extension to have a stepped-in form at the rear at first floor, to provide separation from the boundary of the property that lies to the south east: 11 Knights Ridge. The extension has been built without that step-in, and that is shown in the refused drawings the subject of this appeal,
 5. I viewed the appeal property from 11 Knights Ridge and I saw that the result of this change from the approved scheme is a building mass that is over-dominant to the outlook. The proximity of the first floor of the extension leads
-

to an unduly oppressive feeling from the neighbouring garden and house. The retained distance between the extension at 30 Stirling Drive and the house of 11 Knights Ridge is not sufficient to mitigate this overbearing proximity. This materially harms the living conditions of the occupiers of that property.

6. The works to the property that have been undertaken also include a pitched roof to the single storey side extension that was permitted by the 2014 permission. This has led to a notable increase in building mass when viewed from 11 Knights Ridge, which is particularly appreciable within the garden to that property due to the long length of this element of the extension adjoining much of the boundary. This leads to an over-dominant impression upon No 11 and, when combined with the first floor element of the works to the appeal property, compounds the harm to outlook from No. 11. I note the comments from the appellant regarding permitted development rights that might occur for single storey extensions, but I must appraise the circumstances on the site as they exist and it is the combination of the single storey pitched-roof element when combined with the two storey addition that leads to the further oppressive impact upon the neighbour.
7. I am satisfied the windows in the extension do not lead to any loss of privacy, due to the use of those windows and the oblique angle of view. However, for the reasons given above the development the subject of this appeal leads to material harm to the outlook from 11 Knights Ridge. This is contrary to the objectives of saved Policies BE1 and H8 of the London Borough of Bromley Unitary Development Plan (UDP) which, amongst other matters, require new development to respect the amenity of neighbouring buildings and their occupiers.

Character and appearance

8. The side extension that was approved in 2014 showed the ridge line to be set down from the existing main roofline to the house, but the extension as built continues the same ridgeline. The works have also seen the front elevation project slightly further forward than in the permitted scheme.
9. I saw at my site visit that the appeal property is not an exact mirror of the neighbouring house to which it is attached, with the frontage being set further forward than the neighbour; the approved scheme would have not led to a balance between the houses. I also saw at my site visit that there is some variety in the design of housing in the area, which also includes front gables and differences in the treatment of roofs.
10. In the context of the surrounding area and the 2014 permission, the design of the extensions as built does not harm the character of the host property or the surrounding area. The extended house appears well-proportioned when seen from the street and of a good design. There is sufficient space retained at first floor level to prevent any cramped appearance to the house.
11. The development therefore does not conflict with the objectives of saved Policies BE1, H8 and H9 of the UDP, insofar as they seek to ensure all development is of a high standard of design and does not detract from the street scene and surrounding area.

Conclusions

12. Although I have found in favour of the development on the second issue, it is my overall conclusion that the harm arising in relation to the first issue, and the consequential conflict with the development plan, is sufficient to outweigh other findings. For the reasons given, and having regard to all other matters raised, the appeal is therefore dismissed.

C J Leigh

INSPECTOR

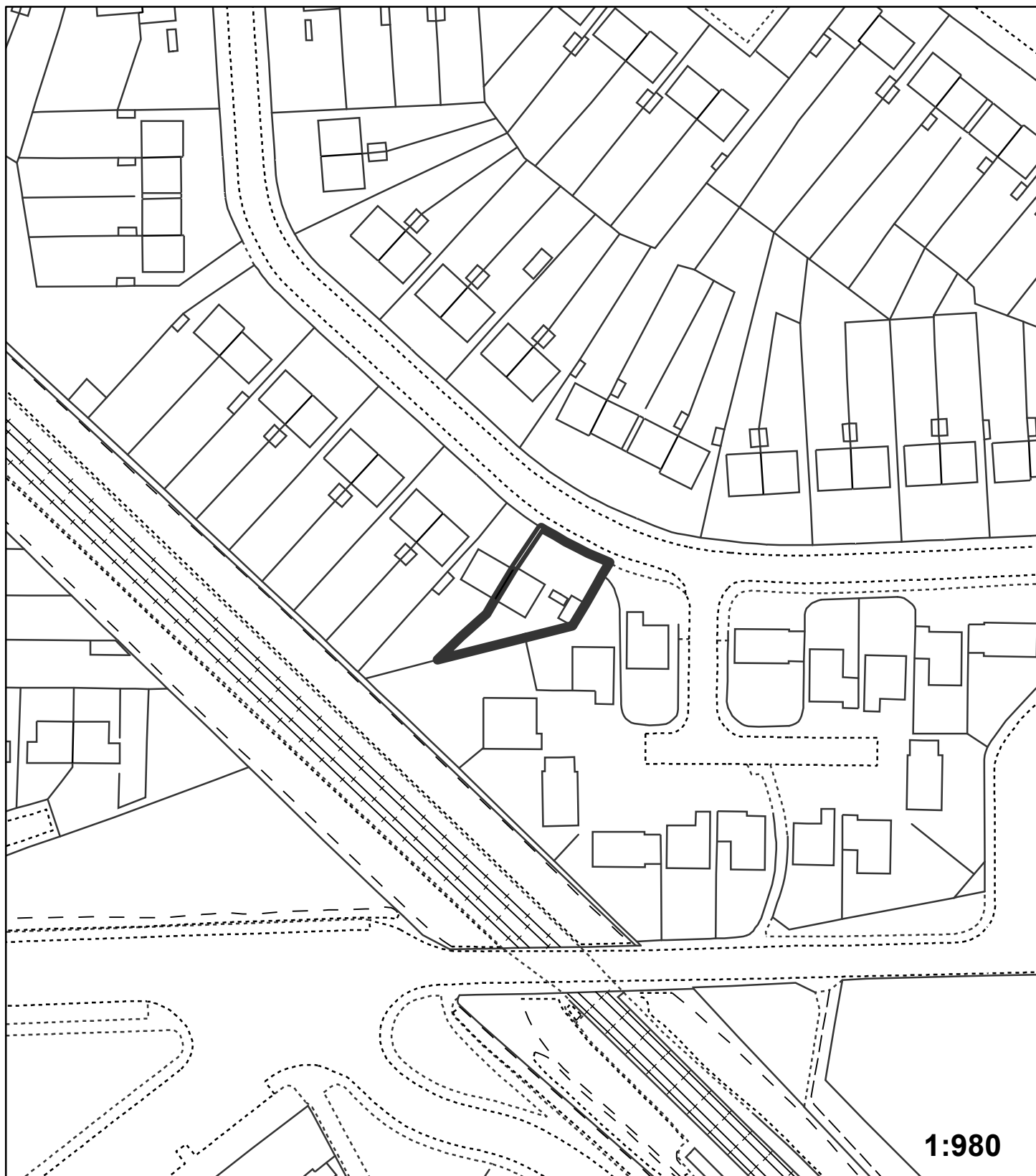
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Application:16/04531/FULL6

Address: 30 Stirling Drive Orpington BR6 9DN

Proposal: Single storey front extension and part one/two storey side extension

PARTIALLY RETROSPECTIVE



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

Application No : 16/03526/FULL6

Ward:
Cray Valley West

Address : 7 Sherborne Road Orpington BR5 1GX

OS Grid Ref: E: 545737 N: 167997

Applicant : Mr Jemal Yusuf

Objections : YES

Description of Development:

Creation of basement, roof alterations to include partial hip to gable and rear dormer, demolition of garage and erection of two storey front/side extension, elevational alterations and terrace with steps to rear.

Key designations:

Biggin Hill Safeguarding Area
London City Airport Safeguarding
Smoke Control SCA 23

Proposal

This application was deferred from Committee on the 6th October to seek a reduction in bulk of the roof and give further consideration to the proposed forward projection. Amended drawings were received on 15th November which reduces the height of the roof by 0.675m. The projection of the front bay window has also reduced, now projecting 0.338m from the front elevation. The original report is repeated below, updated where necessary.

Permission is sought for the creation of basement, roof alterations to include partial hip to gable and rear dormer, demolition of garage and erection of two storey front/side extension, elevational alterations and terrace with steps to rear.

The proposed basement will be 3m wide and 9.2m in length. It will not project beyond the footprint of the dwelling.

The existing garage will be removed to accommodate the proposed two storey front/side extension and provides a 1m side space. It will project 2.65m from the existing flank elevation and will be 9.2 deep, projecting 0.338m forward of the existing front elevation.

The proposed roof alterations include a partial hip to gable extension and a rear dormer, utilising the roof space created by the proposed side extension. One skylight is proposed for the flat central section of roof.

Elevational alterations include alterations to the front entrance and the insertion of a first floor window within the existing rear elevation. A raised terrace with steps to the rear is also proposed.

Location

The application site is a two storey detached property located on the northern side of Sherborne Road. The site is not located within a Conservation Area nor is the property listed.

Consultations

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

- Part of the front driveway/garden will be lost, resulting in a loss of parking
- Basement does not complement surrounding development, contrary to Policy H7(iii) and H8(i)
- Basement may cause subsidence and structural issues.
- Insufficient side space to western boundary, contrary to Policy H9
- Loss of garage and impact on on-street parking
- Cat slide roof is an architectural feature of many houses in this area and will be lost
- Proposed roof line is incongruous within the street scene
- Proposed basement would be the first in the area and, if permitted, would set an unwelcome precedent in the wider area of Petts Wood
- Age of the property (1930) means that it is likely the properties have shallow foundations and digging the basement will potentially have an adverse effect on neighbouring properties.
- Noisy and disruptive during excavation
- Water displacement from basement
- Did not seek pre-application advice
- Two storey side extension is not subservient to the host dwelling
- Loss of amenity to neighbouring rear gardens which will be overlooked from the proposed dormer
- Footprint will increase from 79.6 m² (excluding garage) to 129.3m² - an increase of 62%. (34.5% increase if garage is included). Therefore considered an overdevelopment of the property
- Road is a bus route and there is already problems with the bus negotiating around parked cars.
- Out of character with surrounding area
- The plot is a fairly narrow plot and the proposal would result in overdevelopment
- Loss of privacy
- Against Party Wall Act
- Loss of light and overshadowing
- Loss of original features

Revised plans were received 07/09/2016 and neighbours were notified of the changes. Representations were received in response to the amended plans which can be summarised as follows:

- Minor amendments do not address the basement extension which presents a great risk to neighbouring properties.

- Basement will result in noise and disruption for neighbours
- Will set an unwelcome precedent
- Remains an overdevelopment of a narrow plot
- Ugly and asymmetric roof line would look out of character in the road.
- Box shaped full width dormer will not integrate well with the pitched roof and will overlook neighbouring gardens
- Due to proximity to neighbours, it will result in loss of light and overshadowing
- Loss of garage and impact on on-street parking
- Cat slide roof is an architectural feature of many houses in this area and will be lost
- Increase in side space to 1m is not sufficient to mitigate against possible damage to neighbouring properties

Comments were received from the Councils Highways Officer and can be summarised as follows:

- The existing garage appears from the plans to be too small to be used as a garage
- One parking space on the frontage and it is not clear if the intention is to increase the hardstanding.
- Proposal will result in a 5bed dwelling therefore 2 spaces would be more appropriate but there appears spaces available on Sherbourne Road

No objection was received from the Councils Drainage officer.

Planning Considerations

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

National Planning Policy Framework (NPPF) (2012)

The NPPF confirms that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise.

The London Plan (2015)

Policy 6.13 Parking

Policy 7.4 Local Character

Policy 7.6 Architecture

Unitary Development Plan (2006)

BE1 Design of New Development

H8 Residential Extensions

H9 Side Space

T3 Parking

T18 Road Safety

SPG No.1 - General Design Principles

SPG No.2 - Residential Design Guidance

There is no planning history on this site.

Conclusions

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

This application seeks permission for the creation of a basement, roof alterations to include partial hip to gable and rear dormer, demolition of garage and erection of two storey front/side extension, elevational alterations and terrace with steps to rear. Revised plans, received 15/11/16, reduce the height and bulk of the proposed roof and reduce the forward projection of the front bay window.

London Plan Policy 7.4 requires developments to have regard to the form, function, and structure of an area. 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 requires development to have a relationship with neighbouring buildings that allows for adequate daylight and sunlight to penetrate in and between buildings, respect the amenity of existing and future occupiers of neighbouring buildings and ensure that their environments are not harmed by reason of noise and disturbance or by inadequate daylight, sunlight, privacy or overshadowing.

The proposed basement will be 3m wide and 9.2m in length and it will not project beyond the footprint of the dwelling. Due to the nature of the proposed basement being below the property it is considered that this would have no impact on the amenities of any adjoining residential properties with regards to loss of light, outlook or visual amenity, nor an impact on the street scene. A number of objections have been received in relation to the basement setting a precedent for similar developments in the area, however any future applications will be assessed on their own merits. In this particular case the proposed basement will not impact on neighbouring amenity, therefore the size and siting is considered acceptable. Concerns raised by the neighbouring property with regards to the structural stability of the extension and effect on the stability of neighbouring properties are noted, however, these matters would be considered under Building Regulations and would not be a material planning consideration.

The proposed two storey front/side extension will project 2.65m from the existing flank elevation and will be 9.2m in length, projecting 0.338m forward of the existing front elevation. It has been designed to respect the existing features and materials of the property; a small front gable is proposed to reflect the existing gable feature and materials are indicated to match the existing property. The existing garage will be demolished to accommodate the proposal. Policy H9 of the Unitary Development Plan (UDP) seeks to prevent a cramped overdevelopment of a site. It requires any extensions of two or more storeys to have a minimum of 1m side space for the full height and length of an extension. The revised proposal will provide 1m to the western boundary thereby compliant with Policy H9 of the UDP.

The proposal includes the insertion of two first floor windows in the western flank elevation to serve a landing and bathroom. It is considered appropriate to impose a condition on any approval to ensure the first floor windows are non-opening below 1.7m and obscure glazed to prevent any additional opportunities for overlooking and subsequent loss of privacy to both the host dwelling and neighbouring property.

The proposed roof extension will enlarge the roof and changing its design to include a partial hip. Amended drawings were received on 15th November 2016 which reduces the height of the roof by 0.675m. The proposal also includes a dormer located within the rear roof slope and one skylight in the flat central section of roof. The existing property has a catslide roof and concerns have been raised regarding the loss of this architectural feature. It was noted that whilst No.9 is of a similar design, the street consists of a variety of roof forms and design features and therefore the proposed side extension and roof alterations are not considered to result in a detrimental impact on the character of the area or the street scene in general, in compliance with Policy H8 of the UDP. Furthermore, the revised plans (received 15/11/16) reduce the height of the proposed roof by 0.675m, thereby reducing the bulk and the potential impact on the street scene. With regards to neighbouring amenity, the proposed dormer will contain two windows in the rear elevation. The dormers would result in some additional overlooking due to their elevated position, however this is not considered to be materially worse than the existing situation.

The elevational alterations include alterations to the front entrance and insertion of a first floor window within the existing rear elevation. The proposed alterations to the entrance include removing the arch over the front door. The loss of this arch raised concern from local residents in respect of the loss of original features, however, the property is set back approximately 9.4m from the front boundary therefore it is not considered to impact significantly on the character of the area or street scene in general, thereby compliant with Policy H8 of the UDP.

With regards to the proposed raised terrace at the rear of the dwelling, both the host dwelling and neighbouring properties have existing rear patio areas, albeit at a lower level than proposed. To the western boundary the properties are separated by dense vegetation which will provide screening. To the east, the properties are currently separated by a low level close boarded fence and therefore a degree of mutual overlooking between these properties already exists. Although the proposal would increase the height of the terrace, the terrace would not extend to the boundaries. Therefore taking into account the level of privacy that currently exists between the properties, and the proposed siting of the terrace away from the boundaries, it is considered that the proposed raised terrace would not unreasonably increase the level of overlooking. As such, the requirements of Policy BE1 would not be compromised.

Having had regard to all 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 adjacent properties nor impact detrimentally on the character and appearance of the host dwelling or area in general due to the wide variation in the design of dwellings and roof forms within the immediate locality. The proposed

development is therefore considered to be compliant with the overarching aims and objectives of Policies BE1, H8 and H9 of the UDP and the NPPF.

In respect of the proposed car parking arrangements, concerns have been raised from local residents regarding the impact on highways safety and on-street parking as a result of the loss of the garage. The existing garage will be lost however no objection was raised from the Councils Highways Officer as sufficient spaces are available on Sherborne Road.

As amended by documents received on 15.11.2016, 07.09.2016

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 Before the development hereby permitted is first occupied the proposed first floor window(s) in the 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

5 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 extension 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.

6 A side space of 1 metre shall be provided between the western 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.

7 During the construction works hereby approved no operations including deliveries to or from the site shall be carried out on the site other than between the hours of 08.00 to 17.00 Mondays to Fridays inclusive and to 13.00 on Saturdays and no operations shall be carried out at all on Sundays or on statutory Bank Holidays.

Reason: To maintain the residential amenity of the surrounding residential development in accordance with policy BE1 of the Unitary Development Plan and the aims and objectives that the National Planning Policy Framework seeks to protect and promoted with regard to amenity.

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Application:16/03526/FULL6

Address: 7 Sherborne Road Orpington BR5 1GX

Proposal: Creation of basement, roof alterations to include partial hip to gable and rear dormer, demolition of garage and erection of two storey front/side extension, elevational alterations and terrace with steps to rear.



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

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

Application No : 16/03906/FULL1

Ward:
Crystal Palace

Address : Kelso Court 94 Anerley Park Penge
London SE20 8NZ

OS Grid Ref: E: 534824 N: 170363

Applicant : Mr Stephen Moss

Objections : YES

Description of Development:

Elevational alterations and construction of a roof extension/fourth floor extension to provide an additional 4 one bedroom flats; bicycle store, refuse store and 4 additional car parking spaces with hard and soft landscaping

Key designations:

Biggin Hill Safeguarding Area
London City Airport Safeguarding
Smoke Control SCA 6

Proposal

It is proposed to construct an additional floor of flatted accommodation above the existing flat roofed block.

The proposed third floor/fourth storey would provide 4 one bedroom flats, with the flats broadly following the layout of the existing ground, first and second floor units albeit with the internal layout showing the provision of kitchen/living/dining space rather than separate kitchen and living rooms as existing on the floors below. In addition a single storey front porch extension is proposed.

The existing building is approx. 8.2m high and the resultant height of the building with the additional proposed storey would be approx. 11.5m. The proposal incorporates full height fenestration to the proposed windows including juliet style balconies.

The proposed roof extension would be zinc clad. The existing white plastic cladding at first and second floor level would be removed and replaced by facing brick. The extension would have a flat roof. The proposed porch would be constructed of materials to match the roof extension and would incorporate LED downlighting.

The parking layout would be reconfigured and the refuse and recycling storage area relocated to the front of the site.

Location

The application site lies on the south eastern side of Anerley Park and hosts a three storey flat roofed block of flats. At present the property comprises a total of 12 one bedroom flats, with 4 flats arranged on each floor.

The site is bounded to the north east by the single storey garages associated with Linden Court, which is a pre-existing two/three storey block of flats with significant accommodation in a mansard style tiled roof and balconies at first and second floor level facing towards the application site. Linden Court is set on slightly lower ground level than Kelso Court.

A rear vehicular access runs between the flank wall of the host building and the boundary with Linden Court. At the rear of the block is a small area of grassed amenity space between the rear elevation of Kelso Court and the rear off-street car parking area. The parking area lies adjacent to the boundary of the site with the neighbouring railway land/railway line.

To the south west of the site is Anerley Court, a large four storey block of flats with a pitched roof above.

The site does not lie within a Conservation Area.

The applicant has provided an Emergence Bat Survey, European Protected Species Mitigation License and Arboricultural Development Report.

Consultations

Local residents

Two letters objecting to the proposals were received, raising the following concerns:

- The design and size of the proposed windows would be out of keeping with the main building
- The proposal would raise the new window areas on the side of the development adjacent to Anerley Court above and between the existing line of trees, resulting in loss of privacy and outlook
- No daylight/sunlight impact assessment has been provided and the proposal would result in a loss of sunlight to windows at Anerley Court

Technical Comments

Highways

The site lies within an area with a medium PTAL rate of 3. The site is accessed via an existing access from Anerley Park which leads to the car parking area.

Two additional car parking spaces are shown on the submitted plan (resulting in 16 spaces in total). The size of the flats is likely to be attractive to non-car owners and by not providing car parking facilities the development promotes greener, cleaner

travel choices thus reducing reliance on the car. The proposal is therefore acceptable in principle and conditions are suggested should planning permission be granted.

Natural England

No comments to make on the application.

Thames Water

With regards to water and sewerage infrastructure capacities there are no objections to the proposal. An informative is recommended should planning permission be granted.

Drainage

No comments to make.

Environmental Health (Housing)

Comments draw attention to the Minimum Space Standards for New Development (Table 3.3 of the London Plan) which states that the minimum recommended GIA for a 1 bedroom two person flat is 50 square metres. Comments regarding ventilation and the combination of kitchen/living/dining areas are available on file.

Network Rail

No objections or observations to make.

Trees

There are no significant trees within the application site and it is considered that the protection measures referred to within the arboricultural submissions will reduce the impact on trees situated on neighbouring land.

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 Supplementary Planning Guidance 1 & 2, the London Plan and The National Planning Policy Framework (NPPF). Relevant policies in the UDP are as follows:

Policy H1	Housing Supply
Policy H7	Housing Density and Design
Policy T3	Parking
Policy T7	Access
Policy BE1	Design of New Development
Policy NE5	Protected Species
Policy NE7	Development and Trees

The Council is preparing a Local Plan and commenced a period of consultation on its proposed submission draft of the Local Plan on November 14th 2016 which closes on December 31st 2016 (under The Town and Country Planning (Local Planning) (England) Regulations 2012 as amended). It is anticipated that an updated Local Development Scheme will be submitted to Development Control Committee on November 24th 2016 and Executive Committee on November 30th 2016, indicating the submission of the draft Local Plan to the Secretary of State in the early part of 2017.

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 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

The National Planning Policy Framework is a key consideration in the determination of applications for planning permission.

Conclusions

Principle of residential development

The proposal relates to an existing residential development which is located within a predominantly residential area and would provide an additional 4 units of residential accommodation. Policy H1 Housing aims to provide 11,450 additional dwellings over the plan period and this provision will be facilitated by the development or redevelopment of windfall sites.

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.

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.

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.

A recent appeal decision has indicated that the Council does not have an adequate five year Housing Land Supply. The absence of a five year housing land supply has the broad implication that under the NPPF paragraph 49 the Council should regard relevant development plan policies affecting the supply of housing as 'out of date'. This does not mean that 'out of date' policies should be given no weight or any specific amount of weight.

In view of the existing residential development at the site and on adjacent sites it is considered that the principle of further residential development is acceptable. The provision of 4 additional residential units is a material consideration which is afforded substantial weight in the assessment of the proposal.

Design and siting

The host block lies between three storey development at Linden Court and four storey development at Anerley Court. The street scene is characterised by flatted blocks of a variety of designs and heights, but of particular note is the spaciousness afforded by the generous separation between development along the street. The site is well screened from Anerley Park by mature trees and hedging. The proposal would not result in an enlarged footprint of built development and it is considered that the materials and design of the proposed additional storey of accommodation would complement the appearance of the host property and would not appear out of character or visually jarring in the street scene.

Impact on neighbouring residential amenity

With regards to the residential amenities of the occupiers of neighbouring properties, as well as of the host existing block of flats, the main impacts would relate to the additional bulk of the block and potential loss of privacy/overlooking to residential flats on either side of the application site. Unitary Development Plan policies BE1 and H7 seek to protect neighbouring residential properties against the loss of amenity resulting from reduced daylight, sunlight and/or overshadowing.

In the light of the reasonably generous separation between Kelso Court and the neighbouring residential flatted blocks, it is considered that the additional bulk resulting from the extension would not have a significant impact on the outlook from the neighbouring flats. Although the additional storey would be appreciable

from neighbouring buildings, the separation to the boundary and the layout of the buildings in relation to each other would satisfactorily limit the impact of the proposal on outlook.

Anerley Court lies to the south west of the application site and is L-shaped. Kelso Court is positioned with its rear elevation broadly aligning with the front elevation of the rearmost wing at Anerley Court. Anerley Court is positioned on higher ground than the application site. The south western flank elevation of Kelso Court is sited approx. 5m from the boundary at the nearest point between the two blocks. In view of the separation between the buildings and the orientation of the blocks relative to each other it is considered that the impact of the proposal upon the residential amenities of the occupants of Anerley Court would not be significantly adverse.

While the concerns raised regarding the impact of the proposal on privacy are noted it is not considered that the proposed fenestration at third floor level would result in an unacceptable loss of privacy and undue overlooking as a result of the separation between the blocks, the position of windows within the proposed extension and the relationship between the flank elevation of the proposed extension and the front and flank facing windows at Anerley Court.

Kelso Court lies to the south of Linden Court and the impact of the proposal in terms of overshadowing to the neighbouring property has been carefully considered. Approx. 14m separation is retained between the north eastern elevation of the host building and the south western flank elevation of Linden Court. The buildings are separated from each other by the garage block at Linden Court, and it is noted that the host site lies in a slightly elevated position in relation to the neighbouring site. In view of the separation between the properties, the impact of the proposal on the privacy of the occupiers of neighbouring properties is considered acceptable.

Standard of accommodation

The Mayor of London SPG provides minimum floor space for all housing. London Plan Policy 3.5 states that housing should be of the highest external quality. The Mayor of London's Housing Supplementary Planning Guidance (SPG) sets design standards for new housing in Greater London and applies to all new housing developments, not just affordable housing. The design of new housing should be consistent with the London Housing Design Guide / Mayor of London Supplementary Planning Guidance (SPG).

Table 3.3 of the London Plan requires a minimum Gross Internal Area of 50m² for a one bedroom two person flat. Three of the four flats provide less floor space than the minimum GIA for a one bedroom flat in the London Plan. The space provided for the proposed flats on the fourth floor appears commensurate with that of the existing flats on the ground, first and second floors and the applicant has indicated on the submitted floor plan the illustrative placement of furniture within each flat and states that the recommended areas for bedrooms and living spaces are achieved.

No private amenity space is provided for each flat which again is commensurate with the existing residential development on the lower floors. The property has an open grassed area of amenity space at the rear of the building along with further

open lawns to the front of the site which are quite well screened from street views by existing/retained planting.

Highways and Traffic

The proposal would reconfigure the existing on-site parking, providing an additional space at the rear and enlarging the existing forecourt parking area. The refuse and recycling area would be relocated from the rear boundary of the site to be positioned at the front of the site beneath the canopy of existing/retained trees. No technical highways objections are raised, taking into account the size of the proposed units and the overall parking provision of 16 spaces to serve 16 flats.

Impact on protected species

The applicant has submitted an emergence/activity survey to update the previous report resulting from visits conducted in July 2014. The most recent survey was undertaken in September 2016. The building has been identified as a day roost and as such a European Protected Species Mitigation Licence is required from Natural England. Submitted with the application is confirmation from Natural England that mitigation licensing has been granted under the Conservation of Habitats and Species Regulations 2010 (as amended).

Impact on trees

It is considered that subject to a condition requiring implementation in accordance with the submitted Tree Protection Plan and Arboricultural Method Statement the development would have a minimal impact on trees within and adjacent to the site.

Summary

It is considered that the proposal would not have a significant impact on visual and residential amenities and upon on-street parking demand, the free flow of traffic and conditions of safety in Anerley Park. The applicant has commissioned appropriate investigation of the presence of bats within the site and a Mitigation License has been issued by Natural England. While some of the proposed flats would fall short of the GIA recommended in the London Plan, the accommodation proposed would broadly replicate the existing quality of residential accommodation on the lower floors and the indicative drawings suggest that individual bedrooms and living areas would be of satisfactory size. The provision of an additional 4 residential units is considered to carry significant weight in the assessment of the scheme and on balance it is recommended that planning permission be granted.

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 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 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.

- 5 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.

- 6 Prior to the commencement of the development hereby permitted a Construction Management Plan shall be submitted to and approved**

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

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

- 7** The development hereby granted planning permission shall be implemented in complete accordance with the European Protected Species Mitigation Licence 2014-5874-EPS-MIT.

Reason: In accordance with Policy NE5 of the Unitary Development Plan and in order to mitigate the impact of the proposal on the identified protected species upon the site.

- 8** The development shall be implemented in accordance with the Tree Protection Plan (TPP 01) and Arboricultural Method Statement (AMS) submitted and approved as part of the planning application and under the supervision of a retained arboricultural specialist in order to ensure that the phasing of the development accords with the stages detailed in the method statement and that the correct materials and techniques are employed.

Reason: To maintain the visual amenity of the area and to accord with Policy NE7 of the Bromley Unitary Development Plan.

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

Reason: In the interest of the visual and residential amenities of the area and to accord with Policies BE1 and H7 of the Unitary Development Plan.

You are further informed that :

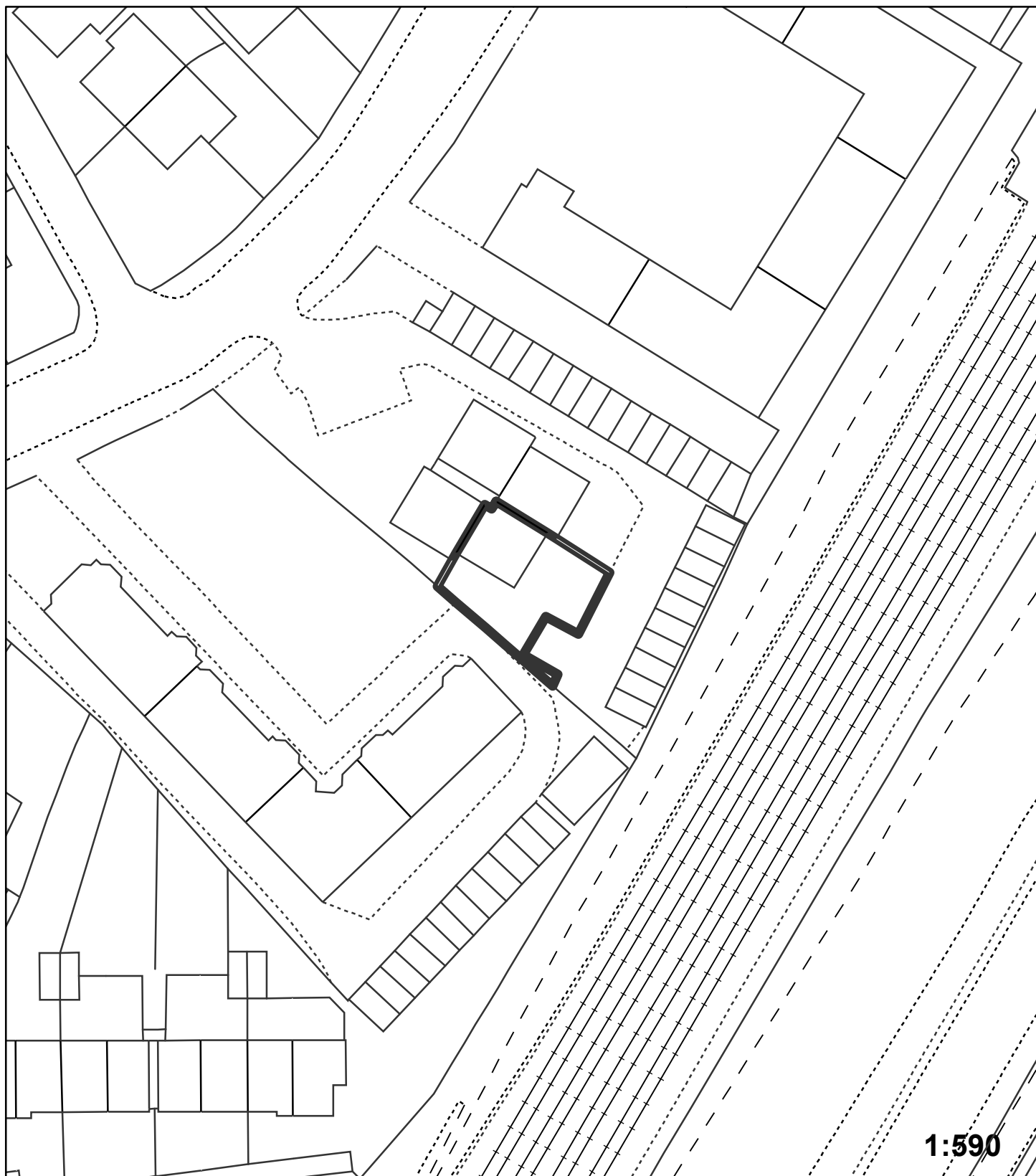
- 1** Thames Water will aim to provide customers with a minimum pressure of 10m head (approx. 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Water pipes. The developer should take account of this minimum pressure in the design of the proposed development.
- 2** You are advised that this application may be liable for the payment of the Mayoral Community Infrastructure Levy under the Community

Infrastructure Levy Regulations (2010) and the Planning Act 2008. The London Borough of Bromley is the Collecting Authority for the Mayor and this Levy is payable on the commencement of development (defined in Part 2, para 7 of the Community Infrastructure Levy Regulations (2010). It is the responsibility of the owner and /or person(s) who have a material interest in the relevant land to pay the Levy (defined under Part 2, para 4(2) of the Community Infrastructure Levy Regulations (2010). If you fail to follow the payment procedure, the collecting authority may impose surcharges on this liability, take enforcement action, serve a stop notice to prohibit further development on the site and/or take action to recover the debt. Further information about Community Infrastructure Levy can be found on attached information note and the Bromley website www.bromley.gov.uk/CIL

Application:16/03906/FULL1

Address: Kelso Court 94 Anerley Park Penge London SE20 8NZ

Proposal: Elevational alterations and construction of a roof extension/fourth floor extension to provide an additional 4 one bedroom flats; bicycle store, refuse store and 4 additional car parking spaces with hard and soft landscaping



1:590

"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 : 16/04084/FULL6

Ward:
Bickley

Address : 3 Alpine Copse Bickley Bromley BR1
2AW

OS Grid Ref: E: 543080 N: 169210

Applicant : Mrs Catherine Harrison-Higham

Objections : YES

Description of Development:

First floor side extension (amendment to planning permission 16/02271/FULL6)
RETROSPECTIVE APPLICATION

Key designations:

Area of Special Residential Character
Biggin Hill Safeguarding Area
London City Airport Safeguarding
Open Space Deficiency
Smoke Control SCA 10

Proposal

The application site is a two storey detached property located on Alpine copse, a cul-de-sac of 13 properties. The site is located within an Area of Special Residential Character.

This retrospective application seeks permission for a first floor side extension to increase the side dormer. The proposed extension will be 9.85m wide, flush with the front elevation. The flank elevation will be blank. One new window is proposed in the front and rear elevations and the flat roof will contain two roof lanterns.

This application is a revision of permission 16/02271/FULL6 to increase the first floor side extension by 0.5m to bring it in-line with the front elevation.

Revised plans were received 01/11/2016 which incorporated a pitched roof to the first floor extension.

Consultations

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

- Not in keeping with the existing properties. There are 16 similar type houses in the area, none of which have the dormer type window flush with the front.
- Not in accordance with Space Separation and Fire Spread.
- Concern regarding proximity to boundary
- Height has been increased

- Concern regarding installation and siting of an external air condition unit and associated tubing and electric cabling
- Not built in accordance with approved plans

Five letters of support have also been received from local residents which can be summarised as follows:

- Support and prefer the 'flush' addition to the property
- It enhances the building

This application has been "called-in" to committee by a local Ward Councillor.

Planning Considerations

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

National Planning Policy Framework (NPPF) (2012)

The NPPF confirms that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise.

The London Plan (2015)

Policy 7.4 Local Character
 Policy 7.6 Architecture
 Policy 7.8 Heritage Assets

Unitary Development Plan (2006)

BE1 Design of New Development
 H8 Residential Extensions
 H9 Side Space
 H10 Areas of Special Residential Character

Other Guidance

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

Planning History

The site has been subject to a previous planning application:

- 08/01762/FULL6 - Part one/two storey front/side extension - Permitted 13.11.2008
- 16/02271/FULL6 - First floor side extension - Permitted 15.07.2016
- 16/02271/AMD - Amendment: Bring the extension forward to become flush with the existing elevation - Amendment Requires Planning Permission 24.08.2016

Conclusions

The main issues relating to the application are the impact that it would have on the amenities of the occupants of surrounding residential properties and the effect on the Area of Special Residential Character within which it is located.

This application has been submitted following a recent permission under planning ref: 16/02271/FULL6 for a first floor side extension. This current application seeks

to increase the extension by projecting a further 0.5m forward, to be flush with the front elevation of the property and thereby removing the cat-slide roof. Revised plans were received 01/11/2016 which proposes a pitched roof to the first floor extension.

From visiting the site it was noted that the extension has already been built flush with the front elevation therefore this is a part retrospective planning application.

Design

London Plan Policy 7.4 requires developments to have regard to the form, function, and structure of an area. Policies H8, BE1 and the Council's Supplementary design guidance seek to ensure that new development are of a high quality design that respect the scale and form of the host dwelling and are compatible with surrounding development.

In addition, the site is located within an Area of Special Residential Character (ASRC). Policy H10 requires development to respect and complement the established and individual qualities of the individual areas.

The alteration to bring the first floor side extension flush with the front elevation will be highly visible from the street. Concerns have been raised from the neighbouring property with regards to the impact on the character of the property and surrounding area. From visiting the site it is noted that the first floor side extension has been constructed flush with the front façade. The extension is clad with painted timber to match the existing property. The resulting extension removes the existing catslide roof therefore alters the appearance of the property. Amended plans (received 01/11/16) proposed a pitched roof to somewhat mirror the roof of the existing first floor side extension, permitted under planning ref. 08/01762/FULL6. Therefore the proposal would result in an impact on the ASRC, however it is not to such a degree that would warrant refusal of the application.

Comments received from neighbours also relate to the completed building works not being in accordance to the permitted plans. This retrospective application seeks to regularise the alterations which bring the first floor side extension flush with the front elevation.

Impact on Adjoining Properties

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.

With regards to neighbouring amenity, the proposal is not considered to result in any impact on level of light, outlook or privacy, over and above that resulting from the original consent, ref: 16/02271/FULL6.

Summary

Taking into account the above, Members may therefore consider that in so far as the design and appearance of the outbuilding and the impact on neighbouring amenities, the development would accord with Policies H8 and BE1 of Bromley's

Unitary Development Plan, which seek to ensure that the proposal is of a high standard of design, that it would not adversely affect the character and appearance of the ASRC, and would not cause undue harm to the amenities of the neighbouring residential properties as to warrant a refusal of the application.

Background papers referred to during production of this report comprise all correspondence on file ref(s). 16/04084/FULL6 and 16/02271/FULL6, excluding exempt information.

As amended by documents received on 01.11.2016

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.**

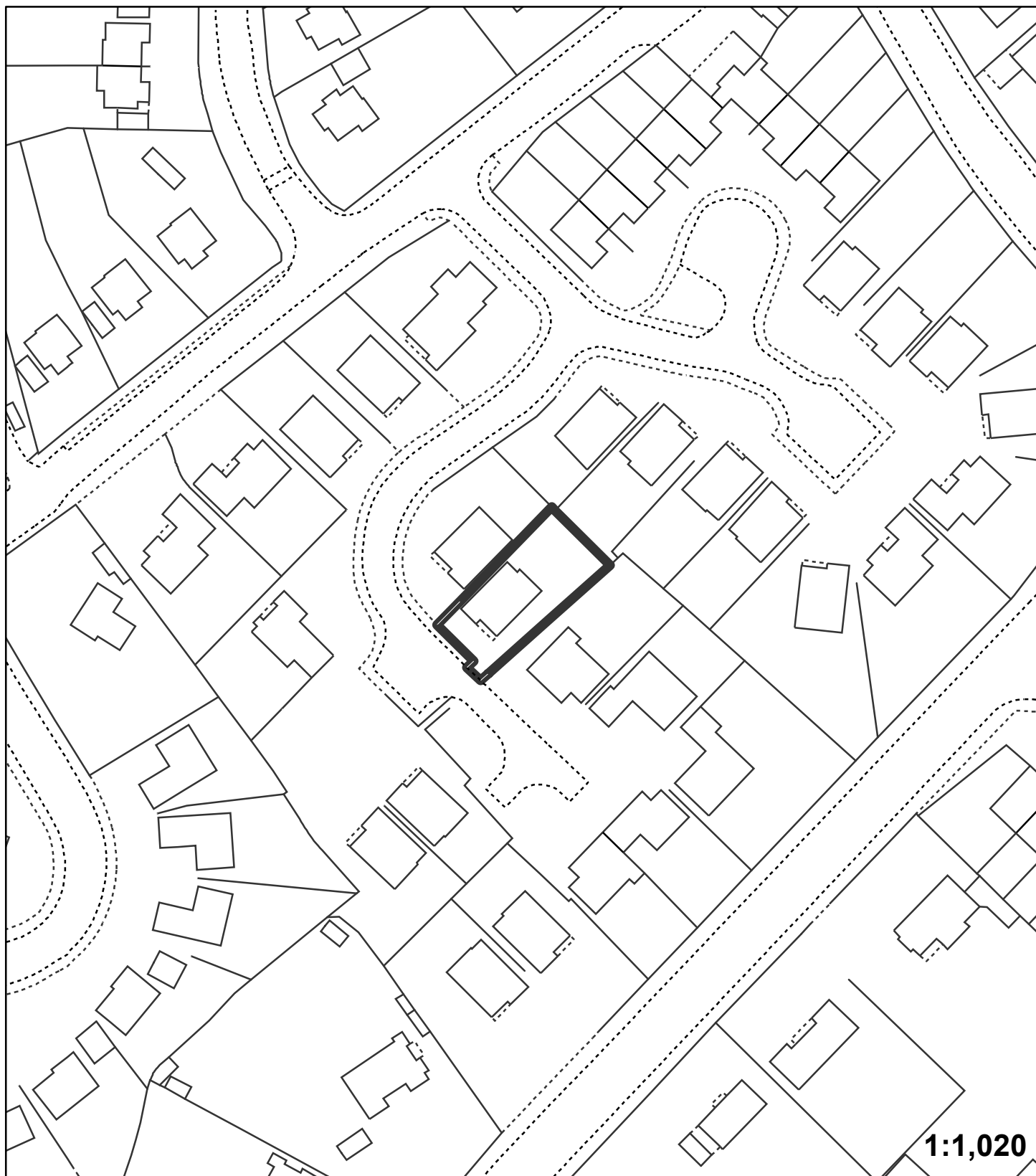
REASON: In order to comply with Policy BE1 of the Unitary Development Plan and in the interest of the visual and residential amenities of the area.

Application:16/04084/FULL6

Address: 3 Alpine Copse Bickley Bromley BR1 2AW

Proposal: First floor side extension (amendment to planning permission 16/02271/FULL6)

RETROSPECTIVE APPLICATION



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

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

Application No : 16/04341/FULL1

Ward:
**Bromley Common And
Keston**

Address : 171 Southlands Road Bromley BR2 9QZ

OS Grid Ref: E: 541929 N: 168315

Applicant : Mr Bobby Moore

Objections : YES

Description of Development:

First floor rear extension PART RETROSPECTIVE

Key designations:

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

Proposal

This application is part retrospective and seeks to amend a previous proposal granted permission under ref. 15/03682/FULL6 to increase the height of the permitted first floor rear extension from 6.5m to a maximum height of 7.3m and to have two fully hipped pitched roofs whereas the previously approved proposal featured a gable element to the east flank. The development is otherwise the same as the previously approved scheme.

Location

The application site is a semi-detached property located on Southlands road, close to the junction with Baths Road.

Consultations

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

- o Objecting as height exceeds restriction
- o Infringes on right to light of No. 173
- o Claims by applicant of window status of No. 173 are untrue
- o Previous permission restricted height to 6.5m to alleviate loss of light
- o Loss of morning light
- o Windows sizes in drawings for neighbouring property are inaccurate as south and north windows are equal size
- o Bedroom is equally reliant on light from front and rear windows which are both relatively small
- o Adds to the already excessive bulk and mass
- o Photograph on file of rear of No. 173 before and after extension

Comments from Consultees

No comments were received.

Planning Considerations

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

BE1 Design of New Development
H8 Residential Extensions
H9 Side Space

The following Supplementary Planning Guidance are also considerations:

SPG1 General Design Principles
SPG2 Residential Design Guidance

London Plan 2015

7.4 Local Character
7.6 Architecture

National Planning Policy Framework 2012 (NPPF)

Planning History

This application site has been the subject of previous planning applications:

- o 01/01439/FULL1 - Two storey rear extension - Refused 20.06.2001
- o 01/02445/FULL1 - Single storey rear extension - Permitted 05.09.2001
- o 02/01384/FULL1 - Single storey rear extension - Permitted 05.06.2002
- o 07/04075/FULL6 - First floor rear extension - Permitted 21.12.2007
- o 14/01646/FULL6 - First floor rear extension - Refused 18.08.2014 with the following grounds of refusal:

'1 The proposed extension would be seriously detrimental to the prospect and amenities enjoyed by the occupants of No.173 by reason of loss of light, over-shadowing and visual impact, contrary to Policies H8 and BE1 of the Unitary Development Plan.'

- o 15/01158/FULL6 - First floor rear extension - Refused 12.06.2015 with the following grounds of refusal:

'1 The proposed extension would be seriously detrimental to the prospect and amenities enjoyed by the occupants of No.173 by reason of loss of light, over-shadowing and visual impact, contrary to Policy H8 and BE1 of the Unitary Development Plan. '

- o 15/03682/FULL6 - First floor rear extension - Permitted 16.11.2015

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.

Following a previous permission for a first floor rear extension (ref. 15/03683), the proposal has been constructed and is largely complete. However, it has been constructed with a higher roof than the approved plans, from a proposed height of 6.5m (ref. 15/03683) to a varied ridge height of between 6.8m and 7.3m which is significant. The extension will have the same depth (between 1.9m-4m) and eaves height (5m) as the previously permitted application (ref. 15/03683). These aspects of the proposal have previously been found to be acceptable and therefore the main consideration in this case will be the impact that the increase in height and alterations to the pitched roof design will have on the amenities of the neighbouring properties.

The previously granted scheme involved a gable element along the side of No. 173 and the hipped roof as constructed reduces the bulk of this part of the roof, which would mitigate any impact from the increase in ridge height. Furthermore, the highest part of the roof does not extend for the full depth of the extension given the hipped roof profile. Therefore, it is not considered that the proposal would have any significant additional impact in terms of loss of daylight and visual impact than the extension already permitted.

To the west, there is a separation of around 2.1m between properties and No. 169 has a two storey rear extension, however it is less substantial in depth. The increase in height would be slightly less to this side of the extension, at 7m. In view of the relationship with this neighbour, it is considered that the increase in height will not unduly affect the amenities of No. 169.

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 loss of amenity to local residents nor have a harmful impact on the character of the area.

RECOMMENDATION: PERMISSION

As amended by documents received on 09.11.2016

Subject to the following conditions:

- 1 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.

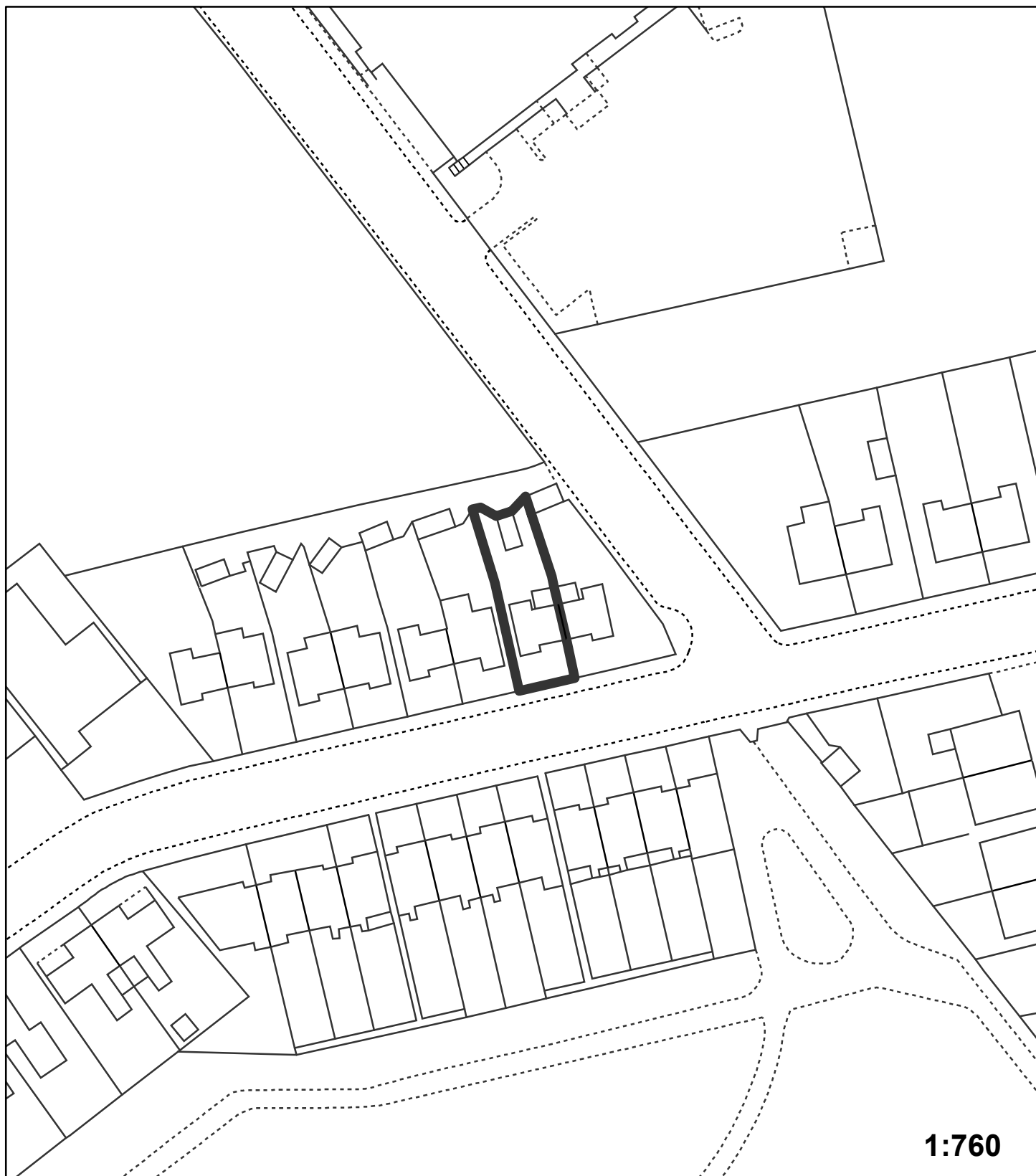
- 2 The development hereby permitted shall not be carried out otherwise than in complete accordance with the plans approved under this planning permission unless previously agreed in writing by the Local Planning Authority.**

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.

Application:16/04341/FULL1

Address: 171 Southlands Road Bromley BR2 9QZ

Proposal: First floor rear extension PART RETROSPECTIVE



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

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

Application No : 16/04430/FULL1

Ward:
Chelsfield And Pratts
Bottom

Address : 195 Worlds End Lane Orpington BR6
6AT

OS Grid Ref: E: 546848 N: 163246

Applicant : Mr & Mrs Hazell

Objections : YES

Description of Development:

Demolition of existing dwellings on 195 and 195a Worlds End Lane, and erection of detached two storey 6 bedroom dwelling including attached double garage with accommodation above and associated parking, access and landscaping (Revisions to permission ref.16/01029 to amend the size and design of the garage)

Key designations:

Biggin Hill Safeguarding Area
Adjacent Green Belt
London City Airport Safeguarding
Open Space Deficiency
Sites of Interest for Nat. Conservation

Proposal

It is proposed to demolish the existing dwellings at 195 and 195a Worlds End Lane and replace them with a single detached two storey 6 bedroom dwelling which would have a forward projecting double garage with bedroom accommodation over. The dwelling would use the existing vehicular accesses from Worlds End Lane that serve 195 and 195a to form an in-out driveway, and additional manoeuvring space would be provided to the front of the new dwelling.

Permission was granted for a replacement dwelling on this site in June 2016 (ref.16/01029), but the current application has been submitted to seek permission for an increase in the size of the forward projecting double garage and bedroom accommodation above.

Members may recall that the scheme originally submitted under ref.16/01029 included a larger forward projecting garage/bedroom which was presented to committee on 12th May 2016 with a recommendation for permission. However, Members deferred the application to request a reduction in the size and forward projection of the garage/bedroom, and the plans were revised accordingly. Permission was subsequently granted by Members on 23rd June 2016.

The proposed changes to the scheme are very similar to the proposals originally submitted in the previous application (which Members deferred for revisions), apart from the forward projection of the garage which would be 0.4m less. The garage

would now project 1m further forward than the permitted scheme, and 0.78m further to the side. The roof would also be 0.9m higher with a partly gabled design rather than being fully hipped.

The applicant states that the garage has been enlarged in order to allow adequate access to vehicles parked within the garage (to allow for the loading of buggies, boosters and their three young children without banging against adjacent parked cars), and that the extended gable end over the garage at first floor level would ensure that the design is coherent and successful.

Location

The application site is located on the southern side of Worlds End Lane, and comprises two detached 4 bedroom dwellings at Nos.195 and 195a set within a plot covering 0.6ha. The site extends to 172m in depth, and the southern part of the rear gardens falls within the Green Belt, although the existing houses and a 25m deep garden falls outside the Green Belt boundary. There are a variety of house sizes and designs in the close vicinity, but the area is generally characterised by detached dwellings set within spacious surroundings.

The site is bounded to the west by a detached two storey dwelling at No.193, and to the east by a detached two storey dwelling at No.197 which extends deeper into its plot.

Consultations

Letters of objection have been received to the proposals which can be summarised as follows:

- * detrimental impact on the amenities of No.193
- * the garage roof would be 1m higher and would no longer appear subservient resulting in an adverse impact on the street scene
- * loss of light to kitchen of No.193 during the morning
- * proposals could lead to the subdivision of the property or use for multiple occupancy
- * potential drainage problems.

Comments from Consultees

No highways objections are raised to the proposals, but given the layout of the road, deliveries and site parking should take place within the site (this can be conditioned).

No drainage objections are raised to the proposals, and Thames Water has no concerns.

Planning Considerations

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

BE1 Design of New Development
H7 Housing Density & Design
H9 Side Space

G6 Land Adjoining Green Belt
NE7 Development and Trees
T3 Parking
T18 Road Safety

Planning History

Permission was refused in March 2016 (ref.15/04994) for the demolition of No.195 and the erection of a replacement detached two storey 5 bedroom dwelling with accommodation in the roof space, attached double garage with guest accommodation above and associated parking, vehicular access and landscaping on the following grounds:

- 1 The proposals would, by reason of the size, bulk, depth and close proximity to neighbouring properties on this elevated plot, result in a cramped form of development that would be detrimental to the character and spatial standards of the surrounding area, thereby contrary to Policies H7 and BE1 of the Unitary Development Plan.
- 2 The proposed dwelling would, by reason of its size, bulk, excessive depth of rearward projection, and limited separation to adjoining properties, have a detrimental impact on the amenities of adjoining residents by reason of loss of light and outlook, thereby contrary to Policy BE1 of the Unitary Development Plan.

Permission was granted in June 2016 (ref.16/01029) for the demolition of the existing dwellings on 195 and 195a Worlds End Lane, and the erection of a detached two storey 6 bedroom dwelling including attached double garage with accommodation above, and associated parking and landscaping.

Conclusions

The main issues in this case are the impact of the proposals on the character and spatial standards of the surrounding area, and on the amenities of neighbouring residential properties.

The size and design of the front garage/bedroom would appear more bulky within the street scene than the permitted scheme, but given that it would be set back 18m from the front boundary of the plot and would still be of a subservient design to the main house, the proposed revisions are not considered to have a detrimental impact on the character and spatial standards of the surrounding area. Furthermore, a separation of 6.1-6.8m would still be maintained to the flank boundary with No.193, and it would not therefore appear unduly cramped.

With regard to the impact on No.193, the front garage/bedroom wing would now project 4m forward of No.193, but it would be set a good distance away and is not considered to adversely impact on light to or outlook from this property. The revised proposals are not therefore considered to have a significantly detrimental impact on the amenities of the occupiers of No.193.

In conclusion, the revised proposals are not considered to have a detrimental impact on the character and spatial standards of the surrounding area, nor on the amenities of adjoining occupiers.

RECOMMENDATION: PERMISSION

Subject to the following conditions:

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

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

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

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

- 3 Before the development hereby permitted is commenced, details of the specification and position of fencing (and any other measures to be taken) for the protection of any retained tree shall be submitted to and approved in writing by the Local Planning Authority. The areas enclosed by fencing shall not be used for any purpose and no structures, machinery, equipment, materials or spoil shall be stored or positioned within these areas. Such fencing shall be retained during the course of building work**

Reason: In order to comply with Policies NE7 and NE8 of the Unitary Development Plan to ensure works are carried out according to good arboricultural practice and in the interest of the health and visual amenity value of trees to be retained.

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

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

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

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

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

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

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

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

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

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

- 7 While the development hereby permitted is being carried out a suitable hardstanding shall be provided with wash-down facilities for**

cleaning the wheels of vehicles and any accidental accumulation of mud of the highway caused by such vehicles shall be removed without delay and in no circumstances be left behind at the end of the working day.

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

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

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

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

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

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

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

- 11** The flat roof area of the single storey rear extensions shall not be used as a balcony or sitting out area and there shall be no access to the roof area.

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

12 No windows or doors additional to those shown on the permitted drawing(s) shall at any time be inserted in the first floor flank elevation(s) of the dwelling hereby permitted, without the prior approval in writing of the Local Planning Authority.

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

13 Before the development hereby permitted is first occupied the proposed window(s) in the first floor flank 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

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

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

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

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

You are further informed that:

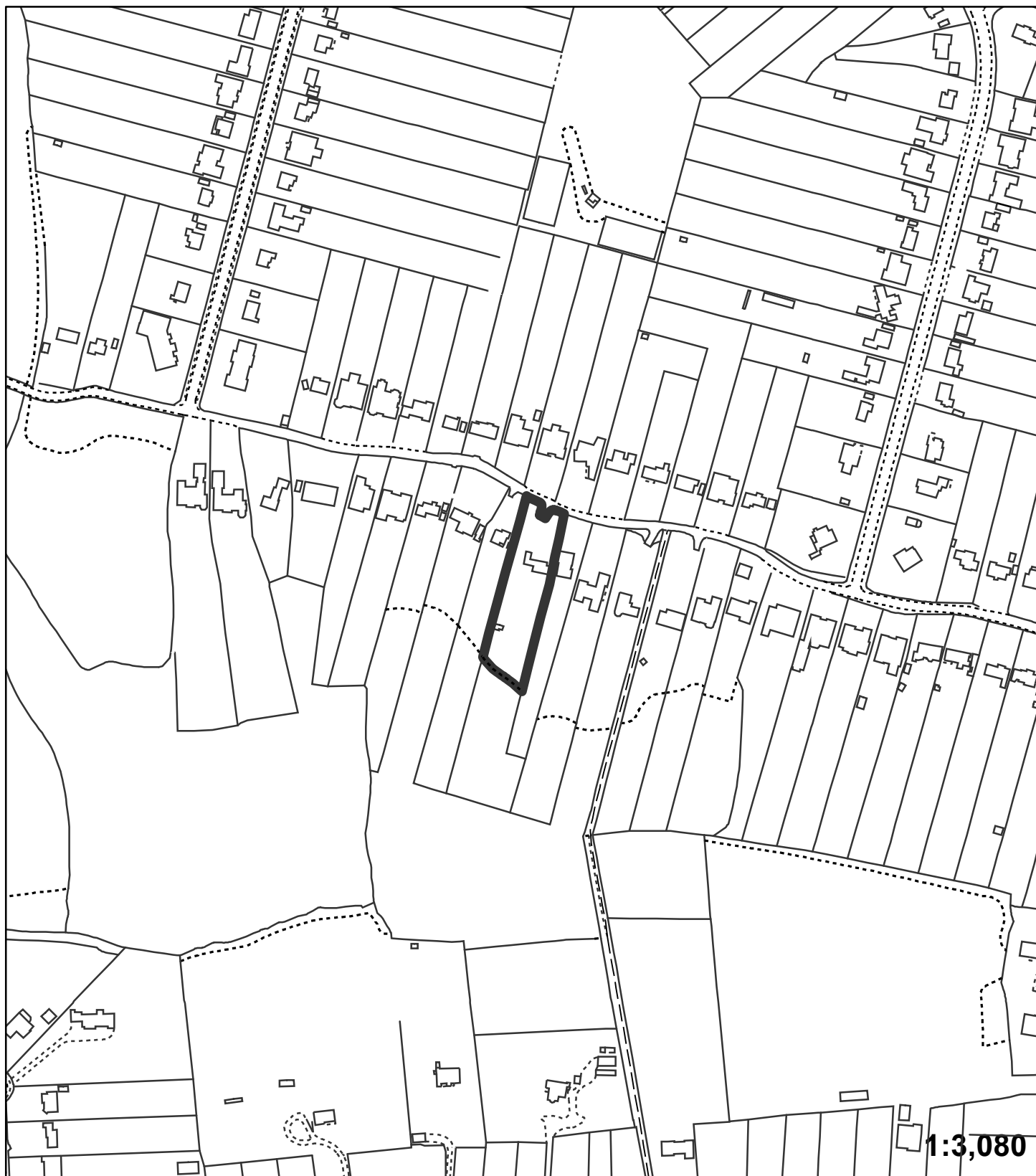
1 You are advised that this application may be liable for the payment of the Mayoral Community Infrastructure Levy under the Community Infrastructure Levy Regulations (2010) and the Planning Act 2008. The London Borough of Bromley is the Collecting Authority for the Mayor and this Levy is payable on the commencement of development (defined in Part 2, para 7 of the Community Infrastructure Levy Regulations (2010)). It is the responsibility of the owner and /or person(s) who have a material interest in the relevant land to pay the Levy (defined under Part 2, para 4(2) of the Community Infrastructure Levy Regulations (2010)). If you fail to follow the payment procedure, the collecting authority may impose surcharges on this liability, take enforcement action, serve a stop notice to prohibit further development on the site and/or take action

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

Application:16/04430/FULL1

Address: 195 Worlds End Lane Orpington BR6 6AT

Proposal: Demolition of existing dwellings on 195 and 195a Worlds End Lane, and erection of detached two storey 6 bedroom dwelling including attached double garage with accommodation above and associated parking, access and landscaping (Revisions to permission ref.16/01029 to



"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 : 16/04599/FULL6

Ward:
Petts Wood And Knoll

Address : 32 Chesham Avenue Petts Wood
Orpington BR5 1AA

OS Grid Ref: E: 543839 N: 167254

Applicant : Mr J Henderson

Objections : No

Description of Development:

Part one/two storey side and rear extension

Key designations:

Biggin Hill Safeguarding Area
London City Airport Safeguarding
Smoke Control SCA 8

Proposal

The application proposes a part one/two storey side and rear extension which would have the following dimensions:

On the ground floor the rear extension would have a depth of 1.2m and a width of 8.1m and the side extension would have a width of 2.3m and a depth of 7m.

On the first floor the side extension would have a width of 2.3m and a depth of 7m.

The extensions allow for a side space of 0.7m to the Eastern boundary, where this property is the last in the row and adjoins to the rear garden of 239 Crescent Drive.

The ground floor would have an eaves height of 2.8m and a ridge height of 3.8m. The first floor would have an eaves height of 5.8m and a ridge height of 8.8m.

The application site hosts a two storey semi-detached dwelling on the South-Eastern side of Chesham Avenue, Petts Wood, Orpington.

Consultations

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

There is no relevant planning history on the site.

Planning Considerations

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

BE1 Design of New Development

H8 Residential Extensions
H9 Side Space

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

The following London Plan Policies are relevant:

Policy 3.4 Optimising Housing Potential
Policy 5.3 Sustainable design and construction
Policy 6.13 Parking
Policy 7.4 Local character
Policy 7.6 Architecture

The National Planning Policy Framework is also a material planning consideration.
Chapter 7 - Requiring Good Design

Conclusions

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

Design and Bulk

London Plan Policy 7.4 requires developments to have regard to the form, function, and structure of an area. Policy BE1 states that all development proposals, including extensions to existing buildings, will be expected to be of a high standard of design and layout. Policy H8 states that the design and layout of proposals for the alteration or enlargement of residential properties will be required to (i) the scale, form and materials of construction should respect or complement those of the host dwelling and be compatible with development in the surrounding area and (ii) space or gaps between buildings should be respected or maintained where these contribute to the character of the area.

The materials of the proposed extension are, in so far as practical matching to the existing property, as part of the extensions would be visible from the front this is considered to be acceptable. The first floor extensions would match the existing ridge, as such this would be sympathetic to the character of the host dwelling and would not harm the street scene.

Side Space

Policy H9 states that when considering applications for new residential development, including extensions, the council will require a minimum of 1 metre space from the side boundary of the site retained for the full height and length of the flank wall of the building. The proposal allows for a side space of 0.7m for the full height and length of the flank wall, however given that the Eastern boundary adjoins to the rear of number 239 Crescent Drive, it is considered that this would not appear to be cramped, nor would it create any unrelated terracing.

Residential Amenity and Impact on Adjoining Properties

Policy BE1 (v) states that the development should respect the amenity of occupiers of neighbouring building and those of future occupants and ensure their environments are not harmed by noise and disturbance or by inadequate daylight, sunlight or privacy or by overshadowing. This is supported within Policy 7.6 of the London Plan.

The majority of the extensions would be towards the Eastern boundary of the site, and as such it is considered that the side extensions would have no impact on the adjoining occupiers at number 30, and the distance between number 32 and number 239 Crescent Drive would mitigate any harm to this adjoining property. There are no windows proposed in the flank elevation and as such there would be no loss of privacy.

The extension to the rear would project 1.2m past the rear elevation. Considering that number 30 have a large single storey rear extension there would be no undue impact on this adjoining occupier in this regard.

Summary

Having regard to the relevant provisions of Policies 7.4 and 7.6 of the London Plan 2015, Policies BE1, H8 and H9 of the Unitary Development Plan, 2006, the Council's Supplementary Planning Guidance on General Design Principles and Residential Design Guidance and other material considerations; it is considered that the proposed development would not materially harm the character or appearance of the area, nor would result in a terracing affect or the amenity of the surrounding occupiers.

As such, it is recommended that planning permission should be granted with the conditions set out in this report.

Background papers referred to during production of this report comprise all correspondence on the file ref: 16/04599/FULL6 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.

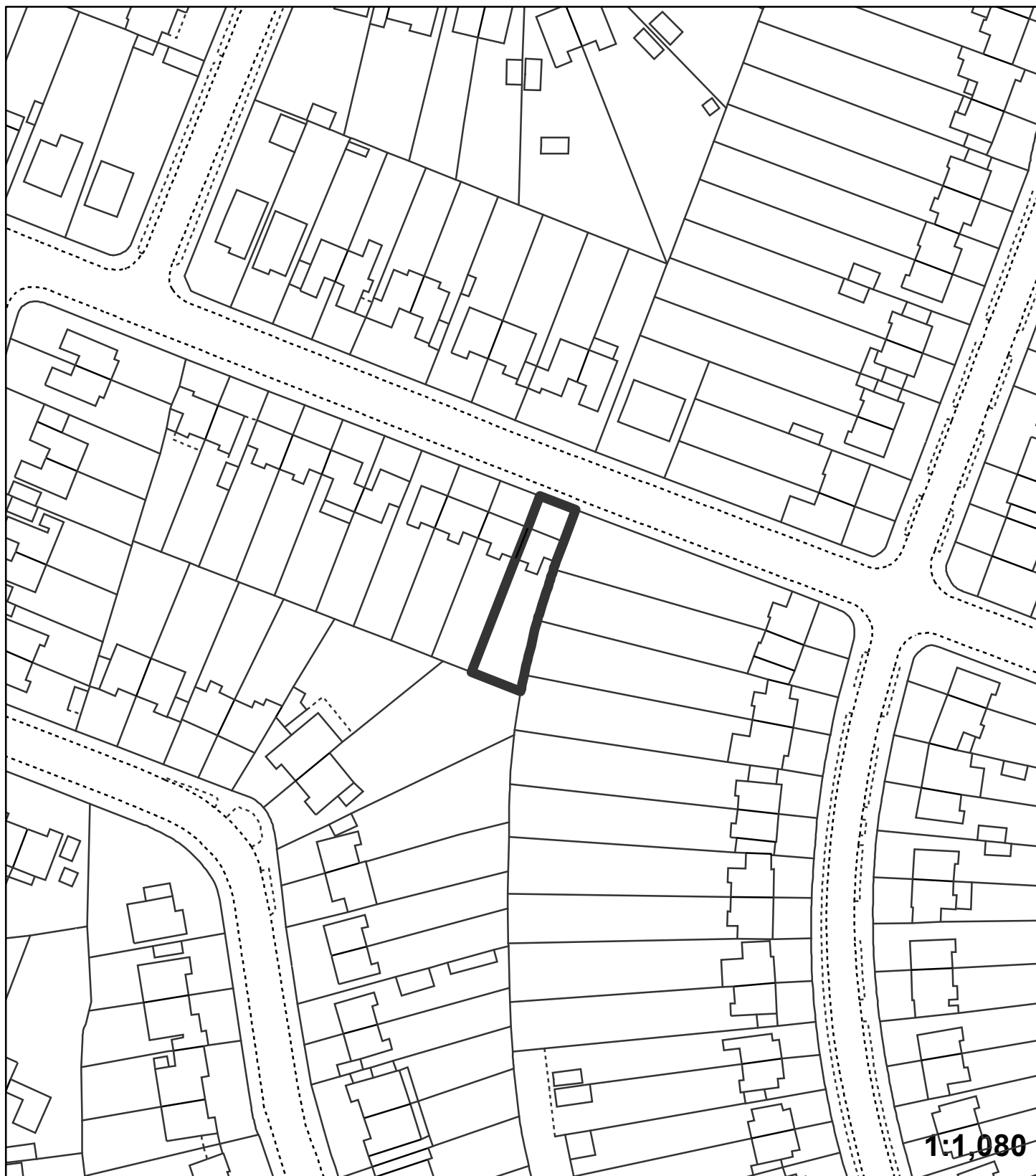
- 4** No windows or doors shall at any time be inserted in the east elevation(s) of the side extension hereby permitted, without the prior approval in writing of the Local Planning Authority.

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

Application:16/04599/FULL6

Address: 32 Chesham Avenue Petts Wood Orpington BR5 1AA

Proposal: Part one/two storey side and rear extension



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

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Agenda Item 6.1

Application No : 16/04488/TPO

Ward:
Chislehurst

Applicant : Mrs V Woodmonger

Address : 1 Islehurst Close
Chislehurst BR7 5QU

Proposal:
Bay Tree in side garden - Reduce lateral spread by up to 2m, pruning back to around previous reduction points. Reduce adjacent branches by no more than 4m and reduce height by no more than 3.5m.
SUBJECT TO TPO 9

OS Grid Ref: E: 543481
N: 169563

Neighbour Comment = Yes

Description of Development:

Bay Tree in side garden - Reduce lateral spread by up to 2m, pruning back to around previous reduction points. Reduce adjacent branches by no more than 4m and reduce height by no more than 3.5m.
SUBJECT TO TPO 9

Consultations

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

- The Chislehurst Society objects on the basis that no justification has been provided in support of the application.

Considerations

The application site is comprised of a detached dwelling located on the eastern side of Islehurst Close. The property is typical of the cul-de-sac with a rear garden up to 16m in length. Trees are subject to the conservation area legislation and a number have been protected by way of Tree Preservation Order (TPO).

This application has been made in respect of a bay tree situated amongst the tree screening along the northern boundary of the property. The tree is up to 8m in height and is growing beneath a semi-mature oak tree. Foliage would indicate that the tree is of normal vitality.

Application 08/03134/TPO relates to planning permission allowing a 30% reduction to two bay trees.

The works are proposed to re-profile the canopy of the tree.

Conclusion

The tree has developed a rather untidy appearance following past management. The works are considered acceptable and would amount to general maintenance of the

boundary screening. As the trees are not visible from the public realm, the works will not be noticeable.

It is recommended that consent be granted.

In response to the objection received, the re-profiling of the canopy is considered sufficient justification to support works to a protected tree.

DECISION

Consent for:

Bay Tree in side garden - Reduce lateral spread by up to 2m, pruning back to around previous reduction points. Reduce adjacent branches by no more than 4m and reduce height by no more than 3.5m.

CONDITIONS

1. B09 Tree consent – commencement

The tree works hereby granted consent shall be carried out within 2 years of the date of this decision.

REASON: In order to comply with Policy NE8 of the Unitary Development Plan and in the interest of good arboricultural practice and the visual amenities of the area.

2. B07 Tree surgery

The work to the tree(s) hereby granted consent shall be carried out in accordance with British Standard 3998:2010 (Recommendations for Tree Work)

REASON: In order to comply with Policy NE8 of the Unitary Development Plan and in the interest of good arboricultural practice and the visual amenities of the area.

INFORMATIVES

1. You are advised that formal consent is not required for the removal of deadwood, dangerous branches and Ivy from protected trees.