



THE LONDON BOROUGH
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DATE: 6 December 2016

To: Members of the
PLANS SUB-COMMITTEE NO. 1

Councillor Alexa Michael (Chairman)
Councillor Charles Joel (Vice-Chairman)
Councillors Douglas Auld, Katy Boughey, Alan Collins, Nicky Dykes, Robert Evans,
Terence Nathan, Angela Page and Richard Williams

A meeting of the Plans Sub-Committee No. 1 will be held at Bromley Civic Centre on
THURSDAY 15 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 8313 4745**

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

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

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

A G E N D A

- 1 **APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS**
- 2 **DECLARATIONS OF INTEREST**
- 3 **CONFIRMATION OF MINUTES OF MEETING HELD ON 20 OCTOBER 2016**
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- 4 **PLANNING APPLICATIONS**

SECTION 1

(Applications submitted by the London Borough of Bromley)

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

SECTION 2

(Applications meriting special consideration)

Report No.	Ward	Page No.	Application Number and Address
4.1	Cray Valley East	9 - 50	(15/04610/FULL1) - North Orpington Pumping Station, East Drive, Orpington BR5
4.2	Cray Valley East	51 - 66	(16/02516/FULL1) - Lancaster Sidcup, Edgington Way, Sidcup DA14 5BN
4.3	West Wickham	67 - 76	(16/03479/FULL1) - 1-3 Red Lodge Road, West Wickham BR4 0EL
4.4	Chelsfield and Pratts Bottom	77 - 84	(16/03794/FULL6) - Feathercot, Skeet Hill Lane, Orpington BR5 4HB
4.5	Kelsey and Eden Park	85 - 100	(16/04056/FULL1) - 26 Manor Road, Beckenham BR3 5LE
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4.8	Penge and Cator	143 - 154	(16/04331/RECON) - 62 Kings Hall Road, Beckenham BR3 1LS
4.9	Plaistow and Sundridge	155 - 168	(16/04446/FULL1) - 87 Oak Tree Gardens, Bromley BR1 5BE
4.10	Darwin	169 - 178	(16/04600/FULL6) - Gordon House, Berrys Green Road, Berrys Green TN16 3AH
4.11	Chislehurst	179 - 188	(16/04781/FULL6) - 100 Imperial Way, Chislehurst BR7 6JR

SECTION 3

(Applications recommended for permission, approval or consent)

Report No.	Ward	Page No.	Application Number and Address
4.12	Chislehurst	189 - 206	(16/02911/FULL1) - Carola, Southfield Road, Chislehurst BR7 6QR
4.13	Bromley Common and Keston Conservation Area	207 - 222	(16/03068/FULL6) - 45 Longdon Wood, Keston BR2 6EN
4.14	Penge and Cator Conservation Area	223 - 230	(16/04371/FULL6) - 26 Albert Road, Penge, London SE20 7JW
4.15	Bromley Common and Keston	231 - 236	(16/04580/FULL6) - 309 Southborough Lane, Bromley BR2 8BG

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

Report No.	Ward	Page No.	Application Number and Address
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PLANS SUB-COMMITTEE NO. 1

Minutes of the meeting held at 7.00 pm on 20 October 2016

Present:

Councillor Alexa Michael (Chairman)
Councillor Charles Joel (Vice-Chairman)
Councillors Douglas Auld, Katy Boughey, Alan Collins,
Nicky Dykes, Robert Evans, Angela Page and Richard Williams

11 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

There were no apologies for absence.

12 DECLARATIONS OF INTEREST

Councillor Alexa Michael declared a non-pecuniary interest in Item 4.5 as she lived in the immediate vicinity of the application site. She left the Chamber for the debate and vote. Councillor Charles Joel, Vice Chairman, took the Chair for this item.

Councillor Angela Page declared a non-pecuniary interest in Items 4.10 and 4.11; she left the Chamber for the debate and vote.

13 CONFIRMATION OF MINUTES OF MEETING HELD ON 25 AUGUST 2016

RESOLVED that the Minutes of the meeting held on 25 August 2016 be confirmed and signed as a correct record.

14 PLANNING APPLICATIONS

SECTION 2

(Applications meriting special consideration)

14.1 CHISLEHURST CONSERVATION AREA

(16/02226/ADV) - Queen Mary House, Manor Park Road, Chislehurst, BR7 5PY.

Description of application – Proposed signage, hoarding and flags.

In Ward Member, Councillor Katy Boughey's opinion the number and size of the proposed signs, hoarding and flags were inappropriate in a conservation area. Members having considered the report and objections, **RESOLVED that PERMISSION BE REFUSED** for the following reason:-

1. The proposed signs due to their size and location would be in conflict with Policy BE21 of the Unitary Development Plan, being out of character with the surrounding area and detrimental to the visual amenities of the street scene in this Conservation Area, contrary to Policies BE11 and BE21 of the Unitary Development Plan.

**14.2
CRAY VALLEY EAST
CONSERVATION AREA**

(16/03480/FULL6) - 13 Riverside Close, Orpington, BR5 3HJ

Description of application – 2 metre high fence to enclose owned land. RETROSPECTIVE APPLICATION.

Oral representations in objection to the application were received at the meeting. The Chief Planner's representative reminded Members that a retrospective planning application for a single storey outbuilding under reference 16/03633 was in process.

Some Members had visited the site and reported that the site was an attractive open site with grassed areas and classified as Urban Open Space within a conservation area.

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

1. The fence results in an unsatisfactory departure from the existing open visual qualities of the estate layout, thereby harmful to local character and contrary to Policies BE7 and G8 of the Unitary Development Plan.

2. The fence by reason of its height and location constitutes an insensitive form of the development, which would fail to preserve or enhance the character and appearance of the St Pauls Cray Conservation Area, and contrary to Policy BE11 of the Unitary Development Plan.

IT WAS FURTHER RESOLVED that ENFORCEMENT ACTION BE AUTHORISED for the removal of the 2 metre high fence.

**14.3
CRAY VALLEY EAST**

(16/03539/FULL6) - 23 Perry Hall Road, Orpington, BR6 0HT

Description of application – Formation of a vehicular access.

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

A replacement report had been despatched and hard copies circulated to Members. A list of Vehicular Accesses Planning History in Perry Hall Road from 1995 was also circulated to Members.

Members having considered the report and representations, **RESOLVED that PERMISSION be GRANTED.**

**14.4
HAYES AND CONEY HALL**

(16/03773/OUT) - 204 Pickhurst Lane, West Wickham BR4 0HL

Description of application - Demolition of existing three-bedroom house and the erection of a single block containing 2 No 3-bedroom houses with associated parking (Outline Application).

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.

**14.5
SHORTLANDS
CONSERVATION AREA**

(16/03842/FULL5) - Land adjacent St Marys Church Hall, St Mary's Avenue, Shortlands, Bromley.

Description of application – Installation of 12m high telecommunications replica telegraph pole and single equipment cabinet.

It was reported that the Tree Officer had no objection to the application. Comments from Ward Members Councillors Mary Cooke and David Jefferys, had been circulated to Members.

Members having considered the report and objections, **RESOLVED that PERMISSION be GRANTED**, 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 siting and appearance of the telecommunications equipment shall be carried out in

complete accordance with the submitted drawings unless previously agreed in writing by the Local Planning Authority.

REASON: In order to comply with Policies BE1 and BE22 of the Unitary Development Plan and in the interest of the visual amenities of the area.

3. Any telecommunications equipment hereby permitted which subsequently becomes redundant shall be removed from the site within a period of 2 months and the land shall be reinstated to its former condition.

REASON: In order to comply with Policies BE1 and BE22 of the Unitary Development Plan and in the interest of the visual amenities of the area.”

**14.6
CRAY VALLEY EAST**

**(16/04100/FULL1) - Unit 5A Lagoon Road,
Orpington, BR5 3QX**

Description of application – Proposed change of use from warehouse to indoor trampoline park and ancillary cafe.

Oral representations in support of the application were received at the meeting. It was reported that late representations had been received together with a written petition signed by six hundred residents and an online petition signed by one thousand five hundred residents, all in favour of the application. One late objection had also been received. Comments from Highways Division were reported. Ward Member, Councillor Angela Page, reported that she had received over eight hundred emails in support of the application and four objections. Also, it was reported that Riverside School supported the application.

The premises had been vacant for five and a half years and some Members preferred to retain the unit for industrial purposes although they accepted the proposed use would be an asset to the community but, in their view, this was the wrong location with insufficient parking. Other Members were of the opinion that the unit had been empty long enough and should be brought back into use. Ward Member, Angela Page, referred to her local knowledge of the area, including her knowledge of traffic issues in the immediate vicinity, and supported the application. Members having considered the report, objections and representations, **RESOLVED that PERMISSION be GRANTED** subject to conditions being considered at a future Planning Sub-Committee.

**14.7
DARWIN**

**(16/04156/FULL6) - 14 Cocksett Avenue,
Orpington, BR6 7HE.**

Description of application - Single storey front extension, two storey side extension and elevational alterations.

THIS REPORT WAS WITHDRAWN BY THE CHIEF PLANNER.

SECTION 3

(Applications recommended for permission, approval or consent)

**14.8
CRAY VALLEY EAST
CONSERVATION AREA**

**(16/03633/FULL6) - 8 Riverside Close, Orpington,
BR5 3HJ**

Description of application – Single storey outbuilding (RETROSPECTIVE APPLICATION).

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

Some Members had visited the site and reported that the site was an attractive open site with grassed areas and classified as Urban Open Space within a conservation area.

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

1. By reason of its size and location and encroachment onto an open grassed area, the development serves to undermine the open visual qualities of the estate layout, is harmful to the Urban Open Space designation and fails to preserve or enhance the character and appearance of the St Paul's Cray Conservation Area, contrary to Policies BE1, G8 and BE11 of the Unitary Development Plan. It was **FURTHER RESOLVED** that **ENFORCEMENT ACTION BE AUTHORISED** for the **removal of the unauthorised structure.**

**14.9
CHISLEHURST**

**(16/03982/FULL6) - 16 The Weald, Chislehurst,
BR7 5DT**

Description of application – Part one/two storey side/rear and single storey side extensions and elevational alterations.

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

SECTION 4

(Applications recommended for refusal or disapproval of details)

**14.10
ORPINGTON**

(16/02962/FULL1) - Goddington Manor, Court Road, Orpington, BR6 9AT

Description of application – Proposed construction of four detached dwellinghouses with access road on land adjacent to Goddington Manor.

Oral representations in support of the application were received at the meeting. Comments from Ward Member, Councillor William Huntington-Thresher, in objection to the application were reported. A statement in support of the application from, the architect had been received and circulated to Members.

Councillor Alexa Michael had visited the site being a large expanse of open attractive land not in the green belt, but close to it. In her view the proposed dwellings would detract from the openness of the site, and be a large back garden development, overbearing with a loss of residential amenity.

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

**14.11
ORPINGTON**

(16/02963/FULL1) - Goddington Manor, Court Road, Orpington, BR6 9AT

Description of application – Proposed construction of five detached dwellings with access, parking and garages on land adjacent to Goddington Manor.

Oral representations in support of the application were received at the meeting. Comments from Ward Member, Councillor William Huntington-Thresher, in objection to the application were reported. A statement in support of the application from, the architect had been received and circulated to Members.

Councillor Alexa Michael had visited the site being a large expanse of open attractive land not in the green belt, but close to it. In her view the proposed dwellings would detract from the openness of the site, and be a large back garden development, overbearing with a loss of residential amenity.

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.

**14.12
CHISLEHURST
CONSERVATION AREA**

(16/03627/FULL1) - Kemnal Stables, Kemnal Road, Chislehurst BR7 6LT

Description of application – Demolition of existing residential building, stables with sand schools, flood lighting and offices and the erection of 3x five bedroom houses with underground swimming pool, basement accommodation, orangery and garages.

Oral representations in support of the application were received at the meeting. It was reported that two further letters of support had been received. Members having considered the report, objections and representations, **RESOLVED that the application BE DEFERRED**, without prejudice to any future consideration, for the applicant and Officers to agree measurements of the existing and proposed development and to be reconsidered on List 2 of a future Plans Sub-Committee.

The Meeting ended at 8.45 pm

Chairman

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SECTION '2' – Applications meriting special consideration

Application No : 15/04610/FULL1

Ward:
Cray Valley East

Address : North Orpington Pumping Station, East Drive, Orpington

OS Grid Ref: E: 546496 N: 167282

Applicant :

Objections : YES

Description of Development:

Erection of 35 dwellings incorporating 14x3 bed houses, 10x4 bed houses of 2-2.5 storey in height, an apartment block of 2.5 storeys in height comprising 8x2 bed and 3x1 bed flats with associated car parking, landscaping and vehicular access off Lockesley Drive.

Key designations:

Areas of Archeological Significance
Biggin Hill Safeguarding Area
London City Airport Safeguarding
Smoke Control SCA 9
Smoke Control SCA 23
Tree Preservation Order 2610

Proposal

Full planning permission is sought for the erection of 35 residential units comprising three 1 x bedroom apartments, eight 2x bedroom apartments, fourteen 3x bedroom dwellings and ten 4x bedroom dwellings. 73 car parking spaces (including garages and car ports), cycle parking, refuse storage and landscaping. Details of the proposal are set out below.

- Buildings are a mixture of two-three storeys in height and include detached, semi-detached and terraced houses with the eleven flats being located within a three storey block adjacent to plot 19.
- 3 x 1 bedroom apartments and 4 x 2 bedroom apartments (including the wheelchair accessible unit) are allocated as affordable rent, 1 x 3 bedroom house and 4 x 2 bedroom apartments are allocated as shared ownership. The rest of the dwelling houses are to be available at market price.
- The development is laid along two roads with the main vehicular access proposed from Lockesley Drive accessed to the south of Oakdene Road.
- One unit is designed to be wheelchair accessible and is located within the ground floor of the apartment block. House types A and D are wheelchair adaptable.
- Buildings are of traditional appearance featuring hipped or gable ended pitched roofs utilising a traditional palette of yellow bricks, render and concrete roof tiles in a mixture of grey and brown along with uPVC windows;

- A scheme of hard and soft landscaping is proposed including a small open green area towards to the south of the development which hosts two mature retained trees. Replacement planting is proposed throughout the site.
- The western boundary planting and some of the southern boundary is to be removed to facilitate the development. Some of the southern boundary is proposed to be replaced.
- Parking for a total of 73 vehicles is proposed with most houses hosting two parking spaces

The applicant has submitted the following documents and, in some cases, subsequent addendums to support the application:

Transport statement (April 2016)

The report considers the existing situation, the transport planning policy context for the new development, the accessibility of the site by non-car modes and undertakes a road safety study. Direct access to the development will be provided from Lockesley Drive via a new priority junction at the western extent of the site boundary. A no-right hand turn lane into the site is also proposed.

The report ascertains that car parking is proposed in line with local standards and national guidance and is considered sufficient to reduce the possibility of residents or visitors to the site parking on the local highway. Cycle parking standards are provided broadly in line with the requirements of local and regional policy within the curtilage of each dwelling and with regard to the apartments at 1 space for 1 bedroom properties and 2 spaces for 2 bedroom properties. Furthermore, the anticipated level of vehicular trips has been assessed and finds that the increase in traffic flows identified can be accommodated onto the Lockesley Drive and surrounding network without a material impact on the operational capacity of the road.

Overall it concludes that no significant highways or transport issues would arise as a result of the development.

An addendum to the transport statement was submitted (October 2016). The document covers a justification of the proposed location of parking spaces, the junction arrangement and notes on the acceptance of the width of the access road. A stage 1 road safety audit was subsequently submitted on the layout of the junction combined with the access to plots 8 - 10.

Ecological Assessment (August 2015)

The assessment found that there are no designated sites within or immediately adjacent to the site. The closest SSSI is over 2km from the development site and no adverse impact to this area is identified. There will be no impact to non-statutory designations of which the closest site (River Clay) is 0.4km from the site.

No harm is considered to be caused to any existing habitats within the site and it is considered that through the development of the site there will be opportunities to enhance the floristic diversity through the landscape scheme. It is recommended that where feasible, native species are utilised.

No badgers were found within the site, nor was it considered that there are any structure which would support features which bats may use for roosting or foraging. Ecological enhancements are proposed throughout the site including the erection of bat and nesting boxes to encourage the use of the area.

In terms of reptiles, an area of scrub is located on the site's western boundary and is considered to offer a sub-optimal habitat. Although it is considered unlikely that any common reptiles are present, it is recommended that the habitat is removed in a sensitive and systematic manner.

The report concludes that the site is not considered to be of high intrinsic value from an ecology and nature conservation perspective.

Tree Survey(Including constraints plan, arboricultural impact assessment, method statement and tree protection plan) (August 2015)

A line of sycamore trees are proposed to be removed along the western boundary of the site fronting Lockesley Drive to facilitate the entrance to the development and some of the most western proposed dwellings with a partial removal of the hawthorn and elder hedge to the south to provide adequate parking bays. A scheme of re-planting is proposed including a condition to retain the hedgerow to the south. Tree protection measures are proposed for the retention of significant trees within the site, inclusive of the two beech trees to the south.

Sustainability and Energy statement (July 2016)

The document examines the planning policy context of sustainability and energy target requirements including bringing the development in line with London Plan requirements to achieve a 35% reduction in carbon dioxide emissions over the 2013 Building Regulation target rate. Further information was submitted which gave an indication of the working of the solar panels to ensure they are not obscured by trees within the site. The report concludes that with the introduction of lean, clean and green energy efficient measures, the total emissions are reduced by a total of 18,268kg CO₂ per year, or 35.05% of the TER emissions.

Flood risk assessment (Jan 2015)

The site is located within Flood Zone 1 which is defined as having a low risk of flooding. The report considers that the flood risk to the site from tidal, groundwater, artificial sources and sewers is assessed as either low or zero. The site is sensitive in that it is located within a soil protection zone (SPZ1) and adjacent to the Thames Water facility with abstraction boreholes preventing the use of surface water infiltration drainage. The development will result in an increase of impermeable areas and a SuDs based surface water drainage strategy has been prepared. The report concludes that the Site will not be at significant risk of flooding, or increase the flood risk to others.

An addendum to the flood risk assessment was received on the 7th October 2016 which provided a response to some of the consultation comments received as part of the application and to provide additional data to the statement provided within Chapter 4.7 of the FRA. The addendum states that to mitigate surface water run-off along the southern boundary of the site, a gravity SW drainage network will be installed as part of the site development.

Geo-Environmental Site Assessment (November 2011)

The scope of the report is to further assess the potential for contamination at the subject site. No significant contamination was identified on the site.

Archaeological Desk-Based Assessment (February 2016)

The site is located within the Upper Cray Archaeological Priority Area indicating the potential for archaeology for all periods.

The scheduled monument of a Roman bathhouse and Saxon cemetery is located 375m north east of the site. Given the nature of the intervening built development , no significant impacts from the redevelopment of the study site are anticipated on the significance of these designated assets. The site has a low archaeological potential for all past periods. All works can be satisfactorily carried out with conditions.

Statement of Community Involvement (October 2016)

The statement provides details of the public consultation event that took place prior to finalising the plans. The statement describes a community consultation event that took place prior to the submission of the application. The statement lists comments received from the public consultation events and details amendments to the application which have resulted from this.

The application is also accompanied by a Planning Statement and Design and Access Statement (April 2016), in which the applicant submits the following summary points in support of the application:

- The design incorporates two formal streets of houses
- The houses have been designed based on the 'Arts and Crafts' derived elevations of the upper part of the site which has influenced much of the existing surrounding houses
- The proposals respond to the existing site levels
- Level or gently sloping access for the less able has been successfully achieved throughout the scheme.

A detailed planning statement has also been submitted which covers all relevant national , regional and local plan policy.

Several amendments to the scheme have been submitted throughout the application process which have altered the layout, design and type of units proposed with the main set of amendments received in May 2016. The most recent submission of additional information was received on the 18th November 2016. The main changes and additional information are as follows:

- Submission of sections and illustrative showing the relationship with neighbouring properties to the south and the retention of the hedgerow along the southern boundary
- Addendum to the FRA to cover works to the culvert
- Plans to demonstrate compliance with Building Regulations Part M4(3) in terms of wheelchair unit provision.

- Provision of balconies to the apartment block
- Amended affordable housing statement to reflect the provision of a wheelchair accessible unit

Location

- The site measures 0.8 hectares (gross site area)
- The site formed part of the adjacent water treatment plant known as North Orpington Pumping Station. The land is now surplus to requirements.
- The land comprises an area of grassland with some trees and planting with hedgerows.
- The site has no specific designation and is located within a predominantly residential area.
- The application site shares boundaries with the rear of properties fronting Oakdene Road to the north, the rear of the properties within Glendower Crescent to the south and the road frontage of properties in Lockesley Drive (where vehicular access is proposed from) to the west. Orpington Pumping Station is to the east of the site.
- A recent development to the north of the Pumping Station with access off East Drive was granted at appeal (ref: APP/G5180/A/12/2189777) for 8 dwellings and associated parking
- The site is within a low Public Transport Accessibility Level (PTAL) area of 1b
- The site is located within Flood Zone 1 and is within a Source Protection Zone (total catchment zone 1) which is defined as having a 50 day travel time from any point below the water table to the source. This zone has a minimum radius of 50 metres.

Consultations

Comments from Local Residents:

As notified on the 14th December 2015:

- Notification letters not received
- The houses should be built in the building line of Lockesley Drive
- The houses are dominant and would affect privacy and outlook
- Protection for the hedge along the southern boundary is required as it is part of the green corridor
- Potential increase of traffic along Austin Road
- Traffic calming measures would be beneficial
- The development is too densely packed
- Planned gardens are too small
- The development will remove another green space from the Borough.
- As the land slopes down the buildings will be prominent
- The development would cause too much environmental destruction
- No measures to increase school places, GP's and hospital beds etc.
- The infrastructure in the area is not robust enough
- Loss of quality of life for existing residents
- Flooding may occur along Glendower Crescent

- The block of flats used for social housing would not satisfactorily integrate families
- Three storey properties are highly inappropriate especially when considering the relationship with the single storey homes along 1-7 Lockesley Drive
- The drawings are misleading
- Inappropriate design of plots 8,9 and 10 and house types F and G are in contradiction to SPG advice on design
- Grouped parking courts and the use of clustered car ports and remote parking spaces is of concern
- Trees within the site have already been cut down and the development should provide replacement semi-mature planting
- Bromley SPG states that three storey houses are not in keeping with the inter war estate style
- The front elevations of the buildings are not set back sufficiently which gives little opportunity for landscaping and may lead to a loss of privacy.
- Significant overlooking from the apartment block to the rear of 17 Oakdene Crescent.

As notified on the 3rd August 2016:

- Overlooking and loss of privacy
- Impacts on wildlife
- Excavation will cause damage to tree roots
- Overdevelopment
- The plot would be better suited to half the amount of properties with a higher specification of houses with larger gardens
- House plots 8,9 and 10 need to be in the building line of Lockesley Drive
- Protection on the hedge is required
- Three storey houses are not appropriate
- Gardens are too small
- Health risks if drains were to overflow
- The amendments have not addressed any of the objections
- Local infrastructure will not cope
- Plot 7 will cause overlooking to the properties to the rear
- Surrounding properties have shallow roof pitches compared to that proposed within this application
- Lack of cohesive design with surrounding properties

As notified on the 17th October 2016

- The amended plans do not deal with the height of the 4 bedroom houses or apartment block
- The development is out of character
- Overdevelopment of the site
- Wildlife harm
- Small garden provision
- Storm water flooding from the development is a concern
- Noise pollution during build

- The height of plots 8,9 and 10 will be exaggerated as the land level slopes downwards to neighbouring existing properties
- Concern about the drainage ditch at the nearby allotments and possible damage and effectiveness of this.

As notified on the 18th November 2016

- The development will cause disruption, noise, pollution and make a quiet road a busy and dangerous road
- It will ruin the area
- The plots at 8,9 and 10 need to be built in line with the building line along Lockesley Drive
- Plots 8.9 and 10 would cause overlooking into the rear of 65 and 67 Glendower Crescent.

Comments from Consultees:

The Council's Highways Development Engineer:

There are a total of 73 spaces proposed with a mixture of open spaces, garages and car ports. Most of the houses have 2 spaces. The parking provision is generally in line with parking standards. Parking allocation of the scheme in terms of visitor and owner splits has been agreed and is considered acceptable.

A Stage 1 Road Safety Audit was provided on the layout of the junction combined with the access to plots 8 - 10, which is satisfactory. If the road is going to be adopted a safety audit for the whole layout will need to be provided however this can be provided by way of a condition.

The access road is proposed as a 4.8m carriageway which is satisfactory.

A contribution of £2000 is sought in respect of consultation, advertisement and implementation of waiting restrictions along Lockesley Drive.

The Council's Drainage Officer -

The submitted information including "drainage Layout" dated 16/03/2016 which provides cellular storage to restrict surface water run-off to greenfield run-off rate is acceptable in principle. No further information is required and no objections are raised subject to conditions.

The Council's Street Trees Officer-

The tree constraints have been addressed through the adoption of a Tree Protection Plan (TPP).

The proposal as illustrated on the Tree Protection Plan (TPP) indicates that the existing trees will be sufficiently protected for the duration of the scheme. Beech trees T1 and T8 are already the subjects of Tree Preservation Order (TPO) 2610. The remaining trees shown for retention would not qualify for the creation of another TPO. Short term protection may be applied by way of condition.

The Council's Environmental Health Officer (Pollution)-

The site is relying on a previous contaminated land assessment report authored in 2011. There has been confirmation from the Applicant that there has been no other incidents since this time which would alter the conclusions from the report. Therefore subject to conditions requesting a watching brief and external lighting scheme, no objections are made.

Metropolitan Police Designing Out Crime Advisor-

Should this application proceed it should be able to achieve the security requirements of Secured by Design with the guidance of Secured by Design New Homes 2014. It is recommended a Secure by Design condition is attached to any permission.

Thames Water-

No objections raised to the application subject to the inclusion of a condition preventing piling occurring at the site until a piling method statement is submitted to and approved in conjunction with Thames Water due to the proximity of the development to underground water utility infrastructure. Thames Water also draws to the attention of the Applicant that the site is subject to covenants ensuring that the groundwater source beneath the site is protected.

Transport for London-

A224 St Mary Cray Avenue is the nearest part of the Strategic Road Network, approximately 300m to the east.

The proposed access junction would include provision of a pedestrian footway measuring 1.8 metres in width that will link from the existing footway beside Lockesley Drive into the site on both sides of the new access. All footways should be at least 2m wide in accordance with TfL Streetscape Guidance.

TfL has no comments on the vehicular access off Lockesley Drive as it is a local road and LB Bromley is the highway authority.

Car and Cycle Parking in accordance with London Plan standards should be secured by condition and discharged in consultation with TfL.

TfL accepts the trip generation associated with the proposed development would be unlikely to have a significant strategic impact on the local public transport and highway networks.

Environment Agency-

The key issue for the Environment Agency is that the site is within a groundwater protection zone. The site is located over a secondary aquifer and within an inner source protection zone for the public drinking water supply.

Further comments were received from the EA taking into account the works to clear out the culvert. No objections are made, subject to conditions monitoring the work.

Historic England-

The planning application lies in an area of archaeological interest. Preliminary comments were received from Historic England which required the submission of a staged process of investigation and an archaeological report to be submitted.

Subsequently an archaeological desk based assessment was submitted by the Applicant in February 2016 and further comments were received by Historic England in August 2016.

Historic England raised no objections to the submitted information stating that the desk based assessment concluded that overall it would appear that the proposed development of the site could potentially impact as yet to be discovered archaeological remains of local significance. Historic England are in agreement with the findings and recommend approval subject to conditions.

Planning Considerations

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

BE1 Design of New Development
BE7 Railings, Boundary Walls and Other Means of Enclosure
ER7 Contaminated Land
ER10 Light Pollution
H1 Housing Supply
H2 and H3 Affordable Housing
H7 Housing Density and Design
H9 Side Space
NE3 Nature Conservation and Development
NE5 Protected Species
NE7 Development and Trees
T1 Transport Demand
T2 Assessment of Transport Effects
T3 Parking
T7 Cyclists
T8 Other Road Users
T9 and T10 Public Transport
T11 New Accesses
T12 Residential Roads
T15 Traffic Management
T18 Road safety

Affordable Housing Supplementary Planning Document (SPD)
Planning Obligations Supplementary Planning Document (SPD)

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

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 weight attached to the draft policies increases as the Local Plan process advances.

The most relevant draft Local Plan policies include:

- Draft Policy 1 - Housing Supply
- Draft Policy 2 - Provision of Affordable Housing
- Draft Policy 4 - Housing Design
- Draft Policy 8 - Side Space
- 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 113 - Waste Management in new Development
- Draft Policy 115 - Reducing Flood Risk
- Draft Policy 116 - Sustainable Urban Drainage Systems
- Draft Policy 119 - Noise Pollution Draft Policy 120 - Air Quality
- Draft Policy 122 - Light Pollution
- Draft Policy 123 - Sustainable Design and Construction
- Draft Policy 124 - Carbon Dioxide Reduction, Decentralised Energy Networks and renewable energy

In strategic terms, the application falls to be determined in accordance with the following policies of the London Plan (March 2015):

- 2.18 Green Infrastructure
- 3.3 Increasing housing supply
- 3.4 Optimising housing potential
- 3.5 Quality and design of housing developments
- 3.6 Children and young people's play and informal recreation
- 3.7 Large residential developments
- 3.8 Housing choice
- 3.9 Mixed and balanced communities
- 3.10 Definition of affordable housing
- 3.11 Affordable housing targets
- 3.12 Negotiating affordable housing on individual private residential and mixed use schemes
- 3.13 Affordable housing thresholds
- 5.2 Minimising carbon dioxide emissions
- 5.3 Sustainable design and construction
- 5.7 Renewable energy
- 5.9 Overheating and cooling
- 5.10 Urban greening
- 5.11 Green Roofs and Development Site Environs

- 5.12 Flood risk assessment
- 5.13 Sustainable Drainage
- 5.14 Water quality and wastewater infrastructure
- 5.15 Water use and supplies
- 5.21 Contaminated land
- 6.3 Assessing effects of development on transport capacity
- 6.9 Cycling
- 6.10 Walking
- 6.13 Parking
- 7.1 Lifetime neighbourhoods
- 7.2 An inclusive environment
- 7.3 Designing out crime
- 7.4 Local character
- 7.5 Public Realm
- 7.6 Architecture
- 7.8 Heritage assets and archaeology
- 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
- 7.18 Protecting Open Space and Addressing Deficiency
- 7.19 Biodiversity and access to nature
- 7.21 Trees and woodlands
- 8.2 Planning obligations
- 8.3 Community infrastructure levy

The 2015-16 Minor Alterations (MALPs) have been prepared to bring the London Plan in line with the national housing standards and car parking policy. Both sets of alterations have been considered by an independent inspector at an examination in public and were published on 14th March 2016. The most relevant changes to policies include:

- 3.5 Quality and Design of Housing Development
- 3.8 Housing Choice
- 6.13 Parking

The relevant London Plan SPGs are:

- Housing (March 2016)
- Accessible London: Achieving an Inclusive Environment (2014)
- Sustainable Design and Construction (2014)
- Providing for Children and Young People's Play and Informal Recreation (2012)

Relevant policies and guidance in the form of the National Planning Policy Framework (NPPF) (2012) and National Planning Practice Guidance (NPPG) must also be taken into account. The most relevant paragraphs of the NPPF include:

- 14: achieving sustainable development
- 17: principles of planning
- 47-50: housing supply

56 to 66: design of development

109 -111, 118, 120 - 121, 121: nature conservation and biodiversity

Planning History

There is a varied planning history with regard to the Thames Water use of the site. The most pertinent planning applications include:

99/02371/FULL1 - Detached building for water treatment plant and equipment - Permitted

00/00653/TELCOM - m high telecommunications tower on roof with 3 directional antennas and 2 microwave dishes equipment cabin at ground level. (28 DAYS) Consultation by Vodafone Ltd regarding need for approval of siting and appearance - Prior Approval required and refused.

00/03335/TELCOM - 6 telecommunications antennae on roof; equipment cabin CONSULTATION BY VODAFONE REGARDING NEED FOR APPROVAL OF SITING AND APPEARANCE - Prior approval required and granted.

Application ref: 11/03762/OUT was submitted for 8 terraced houses and an access road from East Drive and was allowed on appeal (ref: APP/G5180/A/12/2189777). The application is sited to the north of the Pumping Station, on a separate section of the site to that as proposed to be developed under this application. A reserved matters application following the grant of outline permission was approved under application ref: 14/01181/DET and a non-material amendment to change the colour of the windows was approved under application ref: 11/03762/AMD.

Conclusions

The main issues to be considered in respect of the current proposal are:

- o Housing Supply
- o Density
- o Acceptability in terms of design
- o Housing Issues
- o Impact on neighbouring amenity in terms of outlook, daylight, sunlight and privacy
- o Highways impacts
- o Impact on trees and ecology
- o Planning Obligations

Housing Supply

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

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

permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits or specific policies in the Framework indicate development should be restricted.

The NPPF Paragraph 14 identifies the presumption in favour of sustainable development and that planning permission should be granted if in accordance with the development plan. Paragraph 15 of the NPPF states that development which is sustainable should be approved without delay. There is also a clear need for additional housing to meet local demand and needs.

The London Plan seeks mixed and balanced communities in accordance with Policy 3.9, which states that communities should be mixed and balanced by tenure and household income, supported by effective design, adequate infrastructure and an enhanced environment. Policy 3.3 establishes a housing target, whereas Policies 3.11 and 3.12 confirm that Boroughs should maximise affordable housing provision, where 60% of provision should be for social housing (comprising social and affordable rent) and 40% should be for intermediate provision where priority should be accorded to the provision of affordable family housing.

UDP Policy H1 requires the Borough to make provision for at least 11,450 additional dwellings over the plan period however this is superseded by the London Plan housing targets where the minimum 10 year target for Bromley is 6413 net additional dwellings between 2015-2025. It is noted that the proposal could potentially represent a significant contribution of the Council's required Housing Land Supply.

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

The site is not allocated for residential development therefore should be assessed in accordance with Policy H1 to determine the suitability of windfall sites. Such land will be reviewed to assess whether it comprises previously developed land and the sites location will also be assessed having regard to its proximity to local services and public transport. Physical and environmental constraints on a site will also need to be assessed in order to determine if residential development is acceptable.

The site is a sub-divided area of the wider Pumping Station site and falls within the curtilage of the existing building. In terms of the extent of the development, the land bears no formal designation and is not located nearby sensitive areas such as conservation areas or sites of specific nature importance; no statutory listed buildings are located in close proximity to the site. Furthermore, the site is situated within a predominantly residential area, bounded on three sides by a mixture of single and two storey properties.

It is noted that the site has a low PTAL of 1B however the application has been accompanied by a comprehensive transport statement and subsequent addendum which does not identify any detrimental impact upon the surrounding highways

network or parking capabilities within the site. The statement also highlights local bus routes and St Mary Cray train station which is 1.1km from the site.

The use of the site for use of the Pumping Station is surplus to requirement evidenced in the submission of this planning application. The site is not a designated park or classed as urban open space and whilst it is acknowledged that it provides some visual relief within an otherwise densely developed residential setting, the absence of such designation evidences the acceptability of the proposed use. The site is also connected to an area of urban open space to the south western corner of the site which retains an open space within the locality.

The site is considered acceptable in principle for residential development subject to an assessment of all other matters.

Density

Policy 3.4 in the London Plan seeks to ensure that development proposals achieve the optimum housing density compatible with local context, the design principles in Chapter 7 and with public transport capacity. Table 3.2 (Sustainable residential quality) identifies appropriate residential density ranges related to a site's setting (assessed in terms of its location, existing building form and massing) and public transport accessibility (PTAL). This site is considered to be in a 'suburban' setting and has a PTAL rating of 1b giving an indicative density range of 35-55 dwellings per hectare / 150 - 200 habitable rooms per hectare (dependent on the unit size mix). The London Plan states that residential density figures should be based on net residential area, which includes internal roads and ancillary open spaces. UDP Policy H7 also includes a density/location matrix which supports a density of 150 - 200 habitable rooms / 30 - 50 dwellings per hectare for locations such as this provided the site is well designed, providing a high quality living environment for future occupiers whilst respecting the spatial characteristics of the surrounding area.

Development should comply with the density ranges set out in table 4.2 of the UDP and table 3.2 of the London Plan and in the interests of creating mixed and balanced communities development should provide a mix of housing types and sizes. The Council's Supplementary Planning Guidance No1 - General Design and No.2 - Residential Design Guidance have similar design objectives to these policies and the NPPF. Policies 3.3 and 3.4 of the London Plan seek to increase the supply of housing and optimise the potential of sites, whilst policy 3.5 seeks to protect and enhance the quality of London's residential environment.

As set out above, the housing density of the development would equate to 43.75 units per hectare which is compliant with the density guidelines set out in the UDP and the London Plan and approximately 203.75 habitable rooms per hectare which is slightly over the density guidelines as stipulated however would not materially impact upon the overall provision.

Whilst the proposed development would sit slightly above these ranges, a numerical calculation of density is only one aspect in assessing the acceptability of a residential development. Policy 3.4 is clear that in optimising housing potential, developments should take account of local context and character, design principles

and public transport capacity. Subject to more detailed consideration of the design and layout of the scheme and the quality of residential accommodation proposed, the proposed residential density is acceptable in principle only.

Design

The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. It is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes (Para's 56-57, NPPF).

Planning policies and decisions should aim to ensure that developments will function well and add to the overall quality of the area; establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit; optimise the potential of the site to accommodate development; respond to local character, reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation; create safe and accessible environments; and ensure that development are visually attractive as a result of good architecture and appropriate landscaping (Para.58, NPPF).

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

The London Plan at policy 7.1 requires developments to be designed so that the layout, tenure and mix of uses interface with surrounding land and improve people's access to social and community infrastructure (including green spaces). Development should enable people to live healthy, active lives, maximise the opportunities for community diversion, inclusion and cohesion and the design of new buildings and spaces should help reinforce the character, legibility, permeability and accessibility of the neighbourhood. Furthermore, buildings, streets and open spaces should provide a high quality design response that has regard to the pattern and grain of existing spaces and streets in orientation, scale, proportion and mass and contributes to a positive relationship between the urban structure and natural landscape features (policy 7.4, London Plan).

Consistent with this policy BE1 of the London Borough of Bromley Unitary Development Plan (UDP) requires new developments to be imaginative and attractive to look at; 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; the space about buildings should provide opportunities to create attractive settings and security and crime prevention measures should be included in the design and layout of buildings and public areas. The emerging Draft Local Plan takes a similar stance.

Layout:

The proposed layout, overall, provides adequate separation between proposed dwellings and existing neighbouring development, providing good opportunities for soft and hard landscaping and retaining existing mature landscaping on and around the site. At the southern edge of the site the existing hedgerow is to be retained as well as two protected beech trees. This can be secured by condition should permission be forthcoming.

Whilst some of the dwellings do not appear to retain the minimum 1m side space to the side boundaries of their respective plots, required under policy H9 of the UDP, given that this is a new development and that adequate separation is generally retained between the new buildings, the resulting visual impact would not appear unduly cramped. Furthermore, the separation distances around the perimeter of the site retain in excess of 1m separation distance to existing boundaries. The revised layout amended the roadways within the development and re-positioned the dwellings along two main roads, retaining an open green area to the south.

It is noted that plots 8,9 and 10 are sited to the rear of 1 and 3 Lockesley Drive by approximately 3m. The set-back of the proposed dwelling at plots 8-10 allows for an area of planting to the front of the development which would clearly demarcate the entrance to the new residential development. The landscaping to the front would soften this corner and create a visually attractive entrance. The development clearly forms a stand-alone sub-area within the wider locality, and whilst existing building lines should be respected, in this case the character of the development is such that the set-back along Lockesley Drive is considered acceptable.

Plots 1,2,3 and 4 are located within 2m of the pavement along Lockesley Drive. Whilst it is acknowledged that this is relatively close with regard to existing properties along Lockesley Drive, when taking into consideration the dwellings located to the north of the development around the junction with Austin Road and Oakdene Road, this distance may be considered broadly reflective of the surrounding locality. A scheme of landscaping will be conditioned to be submitted which is considered to soften the impact of the proximity of the dwellings to Lockesley Drive.

All units must benefit from private amenity space which must comply with the requirements set out in the Mayor's Housing SPG. Only "in exceptional circumstances where site constraints make it impossible to provide private open space for all dwellings, then a proportion of dwellings may instead be provided with additional floorspace equivalent to the area of the private open space requirement" (Para.2.3.32 Housing SPG). This must be added to the minimum GIA.

The rear gardens provided measure between 8-14m in length which in this instance would provide adequate private garden spaces for occupiers of the proposed dwellings and sufficient separation to existing buildings. Outdoor amenity space for the apartment block is located to the rear and by way of private balconies (in which over 5sqm per unit is provided) and is of an acceptable size, shape and layout. However, should the application be considered acceptable in all other respects a condition is recommended to remove any future permitted

development rights for the new dwellings in order to prevent overdevelopment and the erosion of outside amenity space for future occupiers.

Refuse/recycling storage and bicycle storage has been considered in the proposed layout, the location of which, subject to details being received relating to the size and design of the storage facilities, is, in principle, acceptable.

Appearance and Scale:

The proposed dwellings will all be a mix of 2 and 2.5 storey dwellings of varying designs with the flats being located within a three storey block. The adjacent dwellings located within Lockesley Drive, East Drive and Oakdene Road are predominantly two storey and the applicant has taken references for the massing, scale and materials from an Arts and Crafts style which is loosely based on the design of these nearby houses. It is appreciated that within the site 2.5 storey properties are proposed in plots 8-10, 23-24 and 5-6. Several neighbour comments make reference to the Inspectors comments in the previous appeal decision for 8 dwellings within the northern section of the site (ref: APP/G5180/A/12/2189777) where the Inspector stated that three storey properties would not be acceptable.

Whilst the previous Inspectors comments are material in that the site forms part of the wider area, this development is sited at a greater distance from nearby residential properties and maintains a sense of openness and detachment from the surrounding residential form which is considered materially different from that as approved in the northern part of the site. Furthermore, the Inspector found that the three storey properties were only inappropriate in that they would cause overlooking and no reference was made to any inappropriateness in terms of design. It is noted that three storey properties are not readily found within the wider area, however, given the siting of the apartment block to the far eastern side of the development, away from any public views from Lockesley Drive, the scale and massing of this building is not considered inappropriate within its context.

The materials proposed allow for a homogenous appearance through the site with an acceptable palette of materials being proposed inclusive of render, yellow stock brick and upvc windows. It is considered that the dwellings sited on prominent corners retain an acceptable fenestration layout with landscaping softening the impact of the development on approach. Should permission be forthcoming, details of a comprehensive landscaping scheme can be secured by condition.

The architectural approach is appropriate for this location and design quality will be secured by way of a condition to control the materials, should the application be considered acceptable overall. In respect of design overall, it is considered that the development would complement the scale, layout and form of adjacent development.

Housing Issues

Unit Size Mix:

London Plan policy requires new housing development to offer a range of housing choices in terms of the mix of housing sizes and types taking into account the housing requirements of different groups. Policies within the Bromley UDP do not

set a prescriptive breakdown in terms of unit sizes however the priority in the London Plan is for the provision of affordable family housing, generally defined as having three or more bedrooms. The size of the site and location in a suburban setting with good access to open space make it suitable for the provision of family housing and the proposed mix of 1 and 2 bedroom flats and 3 and 4 bedroom houses are considered acceptable in this respect. The majority of the affordable units are one and two bedroom dwellings which is considered to reflect local need and is considered acceptable by the Council's housing team.

Affordable Housing:

Affordable housing will be sought on sites capable of providing 11 dwellings or more, a site area of 0.4ha or on sites providing over 1000 square metres of residential floorspace. The London Plan, at policy 3.8, states that Londoners should have a genuine choice of homes that they can afford and which meet their requirements for different sizes and types of dwellings in the highest quality environments. Policy 3.12 requires the maximum reasonable amount of affordable housing to be sought on schemes having regard to current and future requirements at local and regional levels and the London Plan's target of an average of at least 17,000 more affordable homes per year in London. Development proposals are required to create mixed and balanced communities with the size and type of affordable housing being determined by the specific circumstances of individual sites. In order to give impetus to a strong and diverse intermediate housing sector, 60% of the affordable housing provision should be for social and affordable rent and 40% for intermediate rent or sale. Priority should be accorded to provision of affordable family housing.

The development is considered liable for the provision of affordable housing on site as set out in the Policy H2 and contributions by way of planning obligations under Policy IMP1. Policy H2 requires 35% affordable housing to be provided.

The Applicant is proposing 12 affordable dwellings which equates to a 34.3% provision (by unit), these are predominantly located within the apartment block with one three bedroom house at plot 24. 8 apartments are proposed to be marketed as affordable rent and 3 as intermediate rent with one house also as intermediate rent. Whilst it is acknowledged that the development does not meet the required 35% threshold, the level of provision of affordable units is only just under the minimum requirement. When weighing up the delivery of 35 dwellings, the majority of which are suitable for family accommodation, on balance, this provision is considered acceptable. The affordable dwellings are provided at varying sizes which is encouraged including two bedroom apartments and a three bedroom dwelling. This equates to a 66%-33% split in tenure in favour of affordable rent which is considered broadly compliant with the London Plan standards as outlined and acceptable for the size of the development being provided and reflecting upon local need. One affordable rented wheelchair accessible property is located within the ground floor flat which equates to just under 10% provision and deemed acceptable. Members may consider this provision acceptable and should planning permission be forthcoming the delivery of Affordable House can be secured by way of legal agreement.

Standard of Residential Accommodation:

Policy 3.5 of the London Plan, which was amended by the Minor Alterations in 2016, sets out the Mayor's aspirations for the quality and design of housing developments. Part 2 of the Mayor's Housing SPG sets out guidance in respect of the standards required for all new residential accommodation to supplement London Plan policies setting out baseline and good practice standards for dwelling size, room layouts and circulation space, storage facilities, floor to ceiling heights, outlook, daylight and sunlight, external amenity space (including cycle storage facilities) as well as core and access arrangements.

The 2016 Minor Alterations to the London Plan adopted the DCLG Technical Housing Standards - nationally described space standard (March 2015) which standard 24 of the SPG says that all new dwellings should meet. Furthermore, the Minor Alterations at paragraph 3.48 state that ninety percent of new housing should meet Building Regulation requirement M4 (2) 'accessible and adaptable dwellings' and ten per cent of new housing should meet Building Regulation requirement M4 (3) 'wheelchair user dwellings', i.e. is designed to be wheelchair accessible, or easily adaptable for residents who are wheelchair users. As set out in approved document part M of the Building Regulations - Volume 1: Dwellings, to comply with requirement M4 (2), step free access must be provided. Generally this will require a lift where a dwelling is accessed above or below the entrance storey. In accordance with the Technical Housing Standards, the minimum gross internal areas specified for new dwellings will not be adequate for wheelchair housing (Category 3 homes in Part M), where additional area is required to accommodate increased circulation and functionality to meet the needs of wheelchair users.

The proposed units all comply with the space standards set out in the Technical Housing Standards and the proposed wheelchair accessible unit (plot 27 (flat 3 within the apartment building)) will have an internal area of just over 61.29 square metres, larger than the other one bedroom apartments within the block, and the detailed layouts for the wheelchair apartments confirm that this unit will be able to meet the requirements of Part M4(3) of the Building Regulations which will be secured by way of legal agreement.

With regards to Part M4(3) (wheelchair user dwellings) additional supporting information has been provided which show that house types A and D are wheelchair adaptable which accounts for just under 10% of the market housing. Should the application be considered acceptable overall, conditions would be required to secure the relevant category of building regulations for the units which are wheelchair accessible and adaptable and those designated as wheelchair user dwellings.

Based on the expected child occupancy of the development, the London Plan requires a minimum 232 square metres of play space for the development. Each unit would be provided with either a private or communal garden and in the case of the apartments, private outdoor space. Furthermore, the proposed layout of the development provides open green space to the south of the development adjacent to plot 10. It is therefore considered that the proposal would provide adequate play space for occupiers of the development.

Overall the proposal would provide a good mix of dwellings designed to afford a high standard of amenity for future occupiers.

Impact on neighbouring amenity

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

The application site is surrounded to the north, west and south by residential dwellings along Lockesley Drive, Glendower Crescent and Oakdene Road. In the main, the development is sited so that primary outlooks are focused away from the neighbouring properties or are at a level where it is not considered to impact upon privacy.

With regard to any potential daylight and sunlight impacts, there may be some minimal impact upon the properties facing Oakdene Road to the north however given the separation distances between the development and the neighbouring properties (approx..27m) this is not considered to materially impact upon residential amenity to a detrimental degree. The dwellings along Glendower Crescent to the south east of the development may experience a minimal loss of light within the late afternoon, however given the separation distances this again is not considered so detrimental to neighbouring amenity.

Comments have been received from the dwellings along Glendower Crescent whose rear amenity space backs onto the development to the north. The comments pertain mainly to the impact of the loss of the hedge which bounds the south of the development site, and the impact of overlooking from the rear of plots 23 and 24. Whilst it is noted that there are habitable room windows which face onto the rear of the gardens of 83-87 Glendower Crescent these are located between 8.5-7.5m from the common boundary and 22m from the neighbouring rear elevations. The separation distances provided are considered satisfactory to prevent any loss of privacy or overlooking which is further mitigated by the length of the rear gardens along Glendower Crescent. In terms of the hedge which presently runs along the southern boundary of the site, amendments to the application have been forthcoming which retain this planting, therefore addressing any concern in this regard. Should permission be forthcoming, a condition requiring the submission of boundary details and a detailed landscaping plan shall be added to ensure further mitigation at this point as well as a condition requiring that the hedgerow is retained.

Comments have also been received with regard to the impact upon number 1 Lockesley Drive and the siting of the development in relation to the dwellings along this part of the highway, specifically requesting that the properties are sited in line with the existing building line. The dwellings are not considered to detrimentally impact upon the dwelling at number 1 Lockesley Drive, with no flank windows proposed facing the neighbouring property. The two storey house is located 4.5m from the common side boundary boundary with the garage providing a separation distance to the boundary of approximately 1.5m. The acceptability of the siting of

the dwelling and associated garage is further evidenced by the compliance with the 45 degree angled light test when taken from the rear habitable room windows of 1 Lockesley Drive. Whilst there will be some visual incursion as a result of the development, given the separation distances provided it is not considered that the scheme would unduly compromise residential amenity in this regard.

Four dwellings are located along the frontage of the development that overlook the rear amenity space of 2 Lockesley Drive. The dwellings are located 14m from the side boundary, across the highway, which is considered a sufficient distance to prevent any actual or perceived overlooking of the neighbouring property. The dwellings at plots 1-4 are not considered to appear unduly dominant or oppressive when viewed from 2 Lockesley Drive given the separation distances.

It is acknowledged that to the south-eastern point of the site, the dwellings at 85-95 Glendower Crescent will meet the boundary with the development at the point of the communal parking area for the apartments. It is acknowledged that at this point there will be some additional vehicular movements and noise where presently there is an absence, however the retention of the hedgerow along the southern boundary of the site is considered to mitigate this to a certain extent. Furthermore, the dwellings are located approximately 15m from the parking area therefore the noise associated with this space is not considered to be so detrimental to be considered harmful to neighbouring amenity. Should permission be forthcoming, a condition will be required for a scheme of lighting and car park management plan to be submitted which will include methods to alleviate disturbance.

Concerns have also been raised regarding the relationship of the proposed house at plot 7 to the dwellings at 29 and 31 Oakdene Road. While the house at plot 7 and 6 is situated in close proximity to 29 and 31 Oakdene Road, there is a separation distance of 8-8.5m to the rear amenity space of the adjacent properties, with a further 20m to the rear elevations which is considered sufficient to prevent any actual or perceived overlooking or detrimental overshadowing. The first floor second bedroom extends the length of the property therefore it is considered reasonable to obscurely glaze the rear habitable window to further protect neighbouring amenity. Furthermore, the dwellings are sited at an angle that any potential for overlooking would be mitigated by the planting along the boundary which can be conditioned to be increased should permission be forthcoming. The topography of the land is such that it slopes downwards towards the development site from Oakdene Road. Plot 7 is located at a slightly lower land level than the dwellings along Oakdene Road, which mitigates any undue impacts in terms of prominence and overlooking. In addition, the relationship of the two properties with their rear gardens in close proximity to one another and first floor rear windows facing out onto the gardens is considered typical for a housing development such as this and is on balance, acceptable.

The apartment block to the east of the site provides balconies to the first and second floor apartments. Plot 19 is located to the west of the site, 5.5m from the nearest balcony and is the nearest residential dwelling. Properties along Oakdene Road are sited over 32m from the apartment block and are not considered to be detrimentally impacted as a result of the raised outdoor amenity area. The balconies are also located 11m from plot 24 to the south which is also considered

sufficient. To prevent any actual and perceived overlooking into the rear of plot 19, details of screening can be conditioned for details to be forthcoming prior to occupation which will alleviate concerns regarding residential amenity.

Issues regarding noise from the building have been considered and given the location of the development within a built up residential area it is deemed necessary to condition the working hours on the site to reasonable operational hours, restricting Sunday and bank holiday working.

Overall it is considered that the proposal is acceptable in terms of overlooking/loss of privacy, visual impact, effect on daylight and sunlight and noise and disturbance for neighbouring residents of the development.

Parking and cycling provision and Highways impacts

The NPPF recognises that transport policies have an important role to play in facilitating sustainable development but also in contributing to wider sustainability and health objectives. All developments that generate significant amounts of movement should be supported by a Transport Statement or Transport Assessment. Plans and decisions should take account of whether the opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, safe and suitable access to the site can be achieved for all people. It should be demonstrated that improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. The NPPF clearly states that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe (Para.32).

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

There are a total of 73 car parking spaces proposed with a mixture of open spaces, garages and car ports. Most of the houses have 2 spaces which the Highways Officer deems broadly compliant with parking standards and raises no concerns in this regard. Some cycle storage provision is provided within the rear gardens of the dwellings however this is not the case for every property provided. Should Members be minded to grant permission, a condition requiring further details of this will be required in line with the London Plan standards.

The proposed level of parking meets the standards prescribed in the London plan however, on balance; this is considered acceptable in terms of the highways and parking impact, given the low public transport accessibility of the site and the proposal is unlikely to lead to significant number of cars parking on surrounding streets.

The proposed junction with the access road and Lockesley Drive is on the outside of a bend which gives satisfactory sightlines. A Stage 1 Road Safety Audit was provided on the layout of the junction combined with the access to plots 8 - 10, which is satisfactory. A further detailed plan is needed for the layout of the access junction, including the access to no.1 Lockesley Drive, relocation of lamp column,

tactile paving, repositioning of the gully etc which can be conditioned for submission should Members be minded to grant permission. The access road is proposed as a 4.8m carriageway which is satisfactory. A revised swept path analysis was submitted for the refuse lorry access and the findings of this were satisfactory.

The road safety audit resulted in the requirements for waiting restrictions by the entrance to the development. A contribution has been agreed with the Applicant to allow for these works as well as effective consultation and advertisement. The can be secured through the section 106 agreement.

In conclusion, no concerns are raised as to highways safety or the provision of a satisfactory level of car parking within this scheme. Further details concerning cycle storage can be conditioned.

Landscaping, Trees and Ecology

Landscaping is an integral part of development and is fundamental to ensuring that the development responds appropriately to the character of the site and surrounding area and provide a high standard of amenity for future occupiers. The planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, geological conservation interests and soils; minimising impacts on biodiversity and providing nets gains in biodiversity where possible.

Policy NE7 of the UDP requires proposals for new development to take particular account of existing trees on the site and on adjoining land, which, in the interests of visual amenity and/or wildlife habitat, are considered desirable to be retained. Policy NE9 seeks the retention of existing hedgerows and replacement planting; where appropriate, recognising the important role they can play in softening and screening new development.

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

This application was accompanied by an arboricultural report and ecological appraisal which make a number of recommendations in respect of tree protection measures and protected species.

A line of sycamore trees are proposed to be removed along the western boundary of the site fronting Lockesley Drive to facilitate the entrance to the development and a partial removal of the hawthorn and elder hedge will be required to the south of the site to provide adequate parking bays. A scheme of re-planting is proposed including a condition to retain the remaining hedgerow to the south. Tree protection measures are proposed for the retention of significant trees within the

site, inclusive of the two beech trees to the south. No objections are made by the Council's Tree Officer in this regard stating that existing trees within the site will be sufficiently protected for the duration of the scheme, with particular protection of the two protected beech trees to the south. Comments from neighbours have been forthcoming as to the extent of the removal of the trees on the site at present, whilst this is regrettable these do not have any formal protection and as such can be removed without prior notification to the Council. A scheme of replacement planting including mature trees has been forthcoming which is considered to mitigate some of the loss of the trees.

An Ecological Assessment was submitted which considered any likely impact of the scheme upon protected species inclusive of bats and badgers. The report found that the closest SSSI is over 2km from the development site and no adverse impact to this area is identified. There will be no impact to non-statutory designations of which the closest site (River Clay) is 0.4km from the site.

No harm is considered to be caused to any existing habitats within the site and it is considered that through the development of the site there will be opportunities to enhance the floristic diversity through the landscape scheme. It is recommended that where feasible, native species are utilised.

No badgers were found within the site, nor was it considered that there are any structure which would support features which bats may use for roosting or foraging. Ecological enhancements are proposed throughout the site including the erection of bat and nesting boxes to encourage the use of the area. These can be conditioned should permission be forthcoming.

In terms of reptiles, an area of scrub is located on the site's western boundary and is considered to offer a sub-optimal habitat. Although it is considered unlikely that any common reptiles are present, it is recommended that the habitat is removed in a sensitive and systematic manner.

The report concludes that the site is not considered to be of high intrinsic value from an ecology and nature conservation perspective.

Should the application be considered acceptable overall, tree and ecology conditions, to include the requirement for additional planting along the northern site boundary and the provision of ecological enhancements such as bat and bird boxes, would be recommended.

Site wide energy requirements

London Plan Policies 5.1 - 5.7 refer to energy requirements to achieve climate change mitigation including reduction in carbon emissions and renewable energy. The applicant has submitted a Sustainable Energy report setting out options to meet these requirements. The report recommends the use of photovoltaic cells to provide renewable energy which it states are able to meet London Plan energy requirements of a 35% reduction in carbon emissions above that of the 2013 Building Regulations. Further information was submitted with regard to the anti-glare capabilities of the panels and the effectiveness of the PV panels located under the trees. The report concludes that with the introduction of lean, clean and

green energy efficient measures, the total emissions are reduced by a total of 18,268kg CO2 per year, or 35.05% of the TER emissions. Both of these points were found to be acceptable. A condition would be recommended should permission be forthcoming to ensure this reduction is achieved and to seek further details regarding the appearance and layout of the proposed photovoltaics.

Planning Obligations

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

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

Paragraph 122 of the Community Infrastructure Levy Regulations (April 2010) puts the above three tests on a statutory basis, making it illegal to secure a planning obligation unless it meets the three tests. From 5th April 2015, it is necessary to link Education, Health and similar proposals to specific projects in the Borough to ensure that pooling regulations are complied with.

Policy IMP1 (Planning Obligations) and the Council's Planning Obligations SPD state that the Council will, where appropriate, enter into legal agreements with developers, and seek the attainment of planning obligations in accordance with Government Guidance.

The applicant has agreed, in principle, to pay contributions for health and education. Highways contributions of £2000 have been agreed to provided waiting restrictions along the entrance to the development.

The scheme would also be subject to Mayoral CIL.

Summary

The assessment above considers the qualitative as well as the quantitative merits of the design of the proposal in the context of surrounding development and in relation to adjacent residential properties.

It is considered that the site is an appropriate, sustainable windfall site, suitable for the density of residential development proposed within this application. Through the submission of a transport statement and road safety audit, the amount of development proposed is not considered to unduly impact highway safety, nor the amenity of the surrounding dwellings given the provision of sufficient off-street parking.

Matters concerning the impact on neighbouring amenity have been taken into account with the provision of revised plans ensuring that enhanced planting and screening is provided to ensure no adverse impacts upon neighbouring properties. The siting of the dwellings are considered appropriate in that they are set at a distance which mitigates any potential overlooking or loss of privacy. The scheme is considered of a logical layout, providing an open green space to the south of the development as well as landscaping throughout the site, softening the impact of the built form. The design of the dwellings is well reasoned, and appropriate within the wider residential context of the area.

Trees, ecology and protected species have also been considered and, subject to suitable conditions, the proposal is unlikely to have any significantly adverse impacts in this respect.

Background papers referred to during production of this report comprise all correspondence on the file refs 11/03762/OUT set out in the Planning History section above, excluding exempt information.

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

and the following conditions:

- 1 The 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 be carried out otherwise that in complete accordance with the following plans unless previously agreed in writing by the Local Planning Authority:**

Site wide plans/elevations/floor plans: 041505-FER-B1-E2 Rev C, 041505-FER-B1-E1 Rev C, 041505-FER-B1-E3 Rev B, 041505-FER-B1-E4 Rev B, 041505-FER-B1-P3 Rev B, 041505-FER-B1-P2 Rev B, 041505-FER-B1-P1 rev C, 041505-FER-AA-E2 Rev A, 041505-FER-AA-P1 Rev B, 041505-FER-AA-P2 Rev A, 041505-FER-A-E1-Rev B, 041505-FER-A-P1 Rev A, 041505-FER-B-E2, 041505-FER-B-E1 Rev A, 041505-FER-B-P1, 041505-FER-C-E1 Rev A, 041505-FER-C-P1, 041505-FER-D-E1 Rev B, 041505-FER-D-P1 rev B, 041505-FER-E-E1 Rev B, 041505-FER-E-P1 Rev B, 041505-FER-F-E1 Rev B, 041505-FER-F-P1 Rev B, 041505-FER-G-E1 Rev B, 041505-FER-G-P1 Rev B, 041505-FER-CP01 Rev A, 041505-FER-CP03 Rev A, 041505-FER-CP02 rev A, 041505-FER-GAR01 Rev A, 041505-FER-06, 041505-FER-02 Rev F, 041505-FER-01 Rev E, 041505-FER-03 rev D, 041505-FER-05 Rev D, 041505-FER-04 Rev D

REASON: In order to comply with Policies BE1, BE13, BH2, BH5, G1, H7 and H9 of the Unitary Development Plan and in the interest of the openness of the Green Belt, the impact on the adjacent conservation area and heritage assets and the visual and residential amenities of the area.

- 3** Details and samples of all external materials, including roof cladding, wall facing materials and cladding, window glass, door and window frames, decorative features, rainwater goods and paving where appropriate, shall be submitted to and approved in writing by the Local Planning Authority before any above ground works are commenced. A schedule for applying the approved render shall be submitted including the type of render and manufacturer and the procedure for application. The development shall be carried out in accordance with the approved details.

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

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

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

- 5** Before any works on site are commenced above ground level, a site-wide energy assessment and strategy for reducing carbon emissions shall be submitted to and approved by the Local Planning Authority. The results of this strategy shall be incorporated into the final design of the buildings prior to first occupation. The strategy shall include measures to allow the development to achieve a reduction in carbon emissions of 35% above that required by the 2013 building regulations. The development should also achieve a reduction in carbon emissions of at least 20% from on-site renewable energy generation. The final designs, including the energy generation shall be retained thereafter in operational working order, and shall include details of schemes to provide noise insulation and silencing for and filtration and purification to control odour, fumes and soot emissions of any equipment as appropriate.

REASON: In order to seek to achieve compliance with the Mayor of London's Energy Strategy and to comply with Policies 5.2 and 5.7 of The London Plan.

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

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

- 7** The development hereby permitted shall be carried out in complete accordance with the survey, mitigation and biodiversity enhancement recommendations outlined in the Ecological Appraisal document accompanying the application. Any deviation from these recommendations shall be submitted to and approved in writing by the Local Planning Authority prior to works commencing.

Reason: In order to comply with Policy NE5 of the Unitary Development Plan and in the interest of any protected species present at the site.

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

Reason: In the interests of the amenities of the area and to comply with Policy BE1 of the Unitary Development Plan

- 9** 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.

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

of 600mm in height within the approved splays except for trees selected by the Authority, and which shall be permanently retained.

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

- 11 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.

- 12 No wall, fence or hedge on the front boundary or on the first 2.5 metres 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.

- 13 Before any part of the development hereby permitted is first occupied that part of a sight line of 43m x 2.4mx43m which can be accommodated within the site shall be provided in both directions at Lockesley Drive and with the exception of trees selected by or the Local Planning Authority no obstruction to visibility shall exceed 600mm in height in advance of this sight line, which shall be permanently retained as such.

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

- 14 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.

15 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.

16 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.

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

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

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

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

19 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.

20 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: In the interested of Highways Safety in compliance with Policy H18 of the Unitary Development Plan.

21 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 for the entire road layout. 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.

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

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

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

REASON: In order to comply with Policy NE8 of the Unitary Development Plan and to secure a visually satisfactory setting for the development.

23 Prior to the commencement of any works in or within 8m of the River Cray from the proposed development, details of the proposed method of clearance of the culvert are to be submitted to the Environment Agency, and (if required) an application for a Flood Risk Activity Permit is to be submitted.

REASON: For the protection of the integrity and function of the existing culvert. Clearance of debris within and around the culvert has the potential for unexpected damage to be inflicted on the culvert structure. In addition, any change to the flow or water level of a river may result in potential adverse effects further downstream of the river.

24 Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority [LPA]), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

1) A preliminary risk assessment which has identified:

- all previous uses
- potential contaminants associated with those uses
- a conceptual model of the site indicating sources, pathways and receptors
- potentially unacceptable risks arising from contamination at the site.

2) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

3) The results of the site investigation and detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Any changes to these components require the express consent of the local planning authority. The scheme shall be implemented as approved.

Reason: For the protection of controlled waters. The site is located in a sensitive area with respect to controlled waters and no information has been provided on the site's contamination status.

25 If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the LPA) shall be carried out until the developer has submitted, and obtained written approval from the LPA, for a remediation strategy detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved, verified and reported to the satisfaction of the LPA.

Reason: There is always the potential for unexpected contamination to be identified during development groundworks. We should be consulted should any contamination be identified that could present an unacceptable risk to controlled waters.
Condition

26 Prior to occupation of the development, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the LPA. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, if appropriate, and for the reporting of this to the local planning authority. Any long-term monitoring and maintenance plan shall be implemented as approved.

Reason: Should remediation be deemed necessary, the applicant should demonstrate that any remedial measures have been undertaken as agreed and the environmental risks have been satisfactorily managed so that the site is deemed suitable for use.

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

Reason

Reason: Infiltrating water has the potential to cause remobilisation of contaminants present in shallow soil/made ground which could ultimately cause pollution of groundwater.

28 Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of

the LPA, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason: The developer should be aware of the potential risks associated with the use of piling where contamination is an issue. Piling or other penetrative methods of foundation design on contaminated sites can potentially result in unacceptable risks to underlying groundwaters. We recommend that where soil contamination is present, a risk assessment is carried out in accordance with our guidance 'Piling into Contaminated Sites'. We will not permit piling activities on parts of a site where an unacceptable risk is posed to controlled waters.

29 A) No development other than demolition to existing ground level shall take place until the applicant (or their heirs and successors in title) has secured the implementation of a programme of archaeological observation and recording in respect of any anticipated geotechnical site investigation, in accordance with a Written Scheme of Investigation which has been submitted by the applicant and approved by the local planning authority in writing and a report on that evaluation has been submitted to and approved by the local planning authority in writing.

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

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

D) Under Part C, the applicant (or their heirs and successors in title) shall implement a programme of archaeological mitigation in accordance with a Written Scheme of Investigation.

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

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

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

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

31 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.

32 The development hereby permitted shall be built in accordance with the criteria set out in Building Regulations M4(2) 'accessible and adaptable dwellings' for the units identified in the application as non-wheelchair units and shall be permanently retained thereafter.

REASON: To comply with Policy 3.8 of the London Plan 2015 and the Mayors Housing Supplementary Planning Guidance 2016 and to ensure that the development provides a high standard of accommodation in the interests of the amenities of future occupants.

33 The development hereby permitted shall be built in accordance with the criteria set out in Building Regulations M4(3) 'wheelchair user dwellings' for the units identified in the application as wheelchair units and shall be permanently retained thereafter.

REASON: To comply with Policy 3.8 of the London Plan 2015 and the Mayors Housing Supplementary Planning Guidance 2016 and to ensure that the development provides a high standard of accommodation in the interests of the amenities of future occupants."

34 Before the development hereby permitted is first occupied the proposed window in the rear elevation of bedroom 2 of the dwelling

at plot 7 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

35 Prior to the first occupation of the development hereby approved drainage works shall be carried out in accordance with the FRA Report by Robert West with Ref No. 5194/004/R01 Dated March 2016. The approved works shall be carried out in strict accordance with the approved plan and document and shall be permanently retained in operational order thereafter.

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

36 No trees or hedgerows 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 or hedgerows removed or which die through lopping, topping or pruning within 10 years of the date of this consent 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.

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

Reason: To minimise the effect of the development on local air quality in accordance with Policies 6.13 and 7.14 of the London Plan.

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

The statement shall include details of:

1. Type and siting of protective fencing, and maintenance of protective fencing for the duration of project;
2. Type and siting of scaffolding (if required);
3. Details of the method and timing of demolition, site clearance and building works
4. Depth, extent and means of excavation of foundations and details of method of construction of new foundations
5. Location of site facilities (if required), and location of storage areas for materials, structures, machinery, equipment or spoil, and mixing of cement or concrete;
6. Location of bonfire site (if required);
7. Details of the location of underground services avoiding locating them within the protected zone
8. Details of the method to be used for the removal of existing hard surfacing within the protected zone
9. Details of the nature and installation of any new surfacing within the protected zone
10. Methods proposed for the watering of the trees during the course of the project

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

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

You are further informed that :

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

Statutory Undertaker's apparatus, considered necessary and practical to help with the modification of vehicular crossover hereby permitted, shall be undertaken at the cost of the applicant."

- 3 Before works commence, the Applicant is advised to contact the Pollution Team of Environmental Health & Trading Standards regarding compliance with the Control of Pollution Act 1974 and/or the Environmental Protection Act 1990. The Applicant should also ensure compliance with the Control of Pollution and Noise from Demolition and Construction Sites Code of Practice 2008 which is available on the Bromley web site. If during the works on site any suspected contamination is encountered, Environmental Health should be contacted immediately. The contamination shall be fully assessed and an appropriate remediation scheme submitted to the Local Authority for approval in writing.**
- 4 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 Written schemes of investigation will need to be prepared and implemented by a suitably qualified archaeological practice in accordance with Historic England Greater London Archaeology guidelines. They must be approved by the planning authority before any on-site development related activity occurs.**
- 6 There are large water mains adjacent to the proposed development. Thames Water will not allow any building within 5 metres of them and will require 24 hours access for maintenance purposes. Please contact Thames Water Developer Services, Contact Centre on Telephone No: 0800 009 3921 for further information.**
- 7 A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team.**

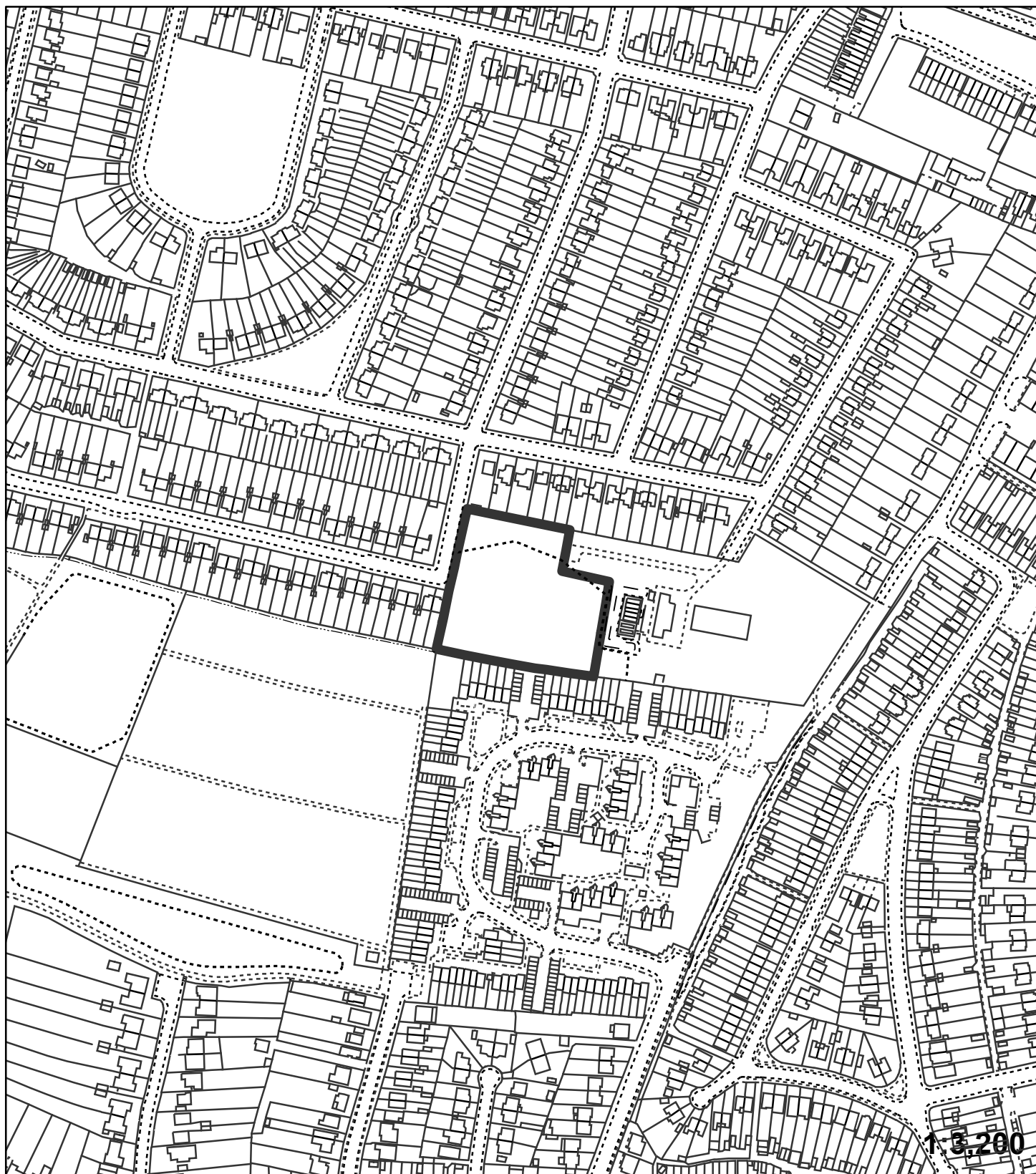
- 8** **Conditions imposed on this planning permission require compliance with Part M4 of the Building Regulations. The developer is required to notify Building Control or their Approved Inspector of the requirements of these conditions prior to the commencement of development."**

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Application:15/04610/FULL1

Address: North Orpington Pumping Station East Drive Orpington

Proposal: Erection of 35 dwellings incorporating 14x3 bed houses, 10x4 bed houses of 2-2.5 storey in height, an apartment block of 2.5 storeys in height comprising 8x2 bed and 3x1 bed flats with associated car parking, landscaping and vehicular access off Lockesley Drive.



"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 : 16/02516/FULL1

Ward:
Cray Valley East

Address : Lancaster Sidcup, Edgington Way,
Sidcup DA14 5BN

OS Grid Ref: E: 547726 N: 170309

Applicant : Mr Stephen Pettyfer

Objections : NO

Description of Development:

Demolition of existing car showroom and after sales building, and construction of detached part one/two storey building for car showroom, workshop and ancillary accommodation, and detached valet building to rear, including amended parking layout and associated works

Key designations:

Areas of Archaeological Significance
Biggin Hill Safeguarding Area
Green Belt
London City Airport Safeguarding
Sites of Interest for Nat. Conservation
Smoke Control SCA 20
Sites of Special Scientific Interest

Proposal

The proposal seeks permission to demolish all buildings from the site and to erect a two storey building comprising a car showroom and sales building, along with a workshop and ancillary accommodation associated with the proposed use. A detached valet building is proposed to the rear of the site along with a revised car parking layout and other associated works.

The proposed new showroom will be sited towards the front (north) and west of the site, replacing the existing showroom and workshop which is towards the rear (south) of the site. The proposed valet building will be sited to the southern edge of the site. The proposal seeks to construct 3,785m² of new commercial floor space at the site, replacing the existing 3,001m².

The new building will have dimensions of 78m by 38m, including a flat roof with a height of 6.0m. The proposed valet building will have a height of 6.0m and dimensions of 47m by 8.0m. The existing building has dimensions of 49m by 54m, with a pitched roof of 6.0m in height.

Car parking provision for 168 cars will be included mainly to the east and south of the site, with a car display area at the front of the site to the north. Access to the site will be via the existing access serving Tesco and Lancaster.

The application is accompanied by the following supporting documents:

- Design and Access Statement
- Historic Environment Assessment
- Preliminary Ecological Assessment
- Energy Efficiency and Sustainable Development Report
- Transport Statement
- Tree Survey
- Flood Risk Assessment
- Arboricultural Development Report

Location

The site is located on the southern side of Edgington Way and currently comprises a two storey car showroom with associated car parking.

The front northern section of the site is located within Flood Zone 2 and 3 and the site is within an Area of Archaeological Significance. The site is adjacent to a Site of Special Scientific Interest (SSSI) and a Site of Importance for Nature Conservation (SINC) to the west. The site to the west is also located in the Metropolitan Green Belt. To the south and east of the site, the land is designated as a Business Zone, however the site itself falls outside of this designation despite being located on the western edge of a group of commercial premises.

There is a row of trees along the western boundary of the site that are subject to a Tree Preservation Order (TPO).

Comments from neighbouring properties

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

Consultations

Environmental Health (Pollution) - the site is located adjacent to a SSSI within a SPZ and near significant surface water. It is considered necessary for a condition to be imposed in order to assess for potential contamination of the site.

Drainage - The site is at a high risk of surface water flooding. It is advised that the submitted FRA is revised to include a hierarchy of SUDS in the design and to demonstrate that on site storage capacity is sufficient. A management plan for future maintenance and adoption of drainage system for the lifetime of the development is also required. These details have been subsequently submitted and no objections are raised from a drainage perspective subject to a condition to secure a surface water drainage scheme for the site.

TfL - Trip generation information has been requested in order to assess the impact on the junction with the Strategic Road Network. This information has been provided which conclude that the increase in trip generation is negligible in comparison with similar nearby dealerships along with the existing trip generation at the site. No objections are therefore raised in this respect. The need for the

proposed increase in car parking spaces has also been questioned, and this matter can be judged by the Council's engineers. TfL has recommended that a keep clear box be introduced at the junction in order to improve the currently sub-standard access arrangements, and this should be secured via a s278 agreement with Bexley Council, as the local Highways Authority.

Highways - The submitted Transport Statement uses TRICS data to estimate trip generation, however as the unit is bigger than the existing showroom, the trips generated would be slightly larger. It was also requested by highways that surveys of other Porsche sites should be used to compare estimated trip rates. Further information was also requested in terms of why 178 car parking spaces have been proposed and how this is expected to cope with demand. This further information has been submitted in the form of details of operational requirements at the site and no objections are raised subject to conditions.

LB Bexley - as the Highway Authority for Edgington Road, Bexley has stated that the access road serving the site and Tesco falls outside of the limits of the adopted highway. As a consequence, the road is privately owned and therefore a keep clear box could not be insisted upon. In any case, Bexley shares the view of Bromley's Highways engineers that the change in use of the site would not exacerbate the existing situation and therefore no objections are raised.

Tree Officer - Trees are limited to the periphery of the application site and have been addressed as a development constraint as part of the arboricultural submissions. Trees situated along the western boundary border the neighbouring nature reserve and have been protected under area Tree Preservation Order (TPO) 1297. The precautions outlined on the Tree Protection Plan (TPP) submitted in support of the proposal are considered adequate

Environment Agency - concerns were initially raised in respect to the information provided. The proposal seeks to raise a part of the site and provide flood compensation elsewhere on the site, however insufficient information has been provided to demonstrate that the flood water transfer would actually occur in the manner proposed during a flood event. Following the submission of a revised FRA, no objections are raised subject to a condition and informative to ensure compliance with the submitted FRA.

Natural England - confirmation of surface water discharge into the SSSI and control of pollutants has been requested, along with confirmation that no trees within the SSSI will be affected. The applicant has provided these details and no objections are expected from Natural England. Further advice has been given in regards to the provision of biodiversity enhancements such as bat and bird roosting boxes.

Historic England – a geo-archaeological desk based assessment including trial pit investigation has been requested in order to assess the possible archaeological value of the site. This assessment has been produced and Historic England raises no objections to its findings subject to a suitable condition to ensure compliance with the approved methodology.

Thames Water - no comments received.

London Wildlife Trust - no comments received.

Planning Considerations

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

BE1 Design of New Development
BE16 Ancient Monuments And Archaeology
T1 Transport Demand
T2 Assessment of Transport Effects
T3 Parking
T18 Road Safety
EMP6 Development Outside Business Areas
ER7 Contaminated Land
NE7 Development and Trees
G6 Land Adjoining Green Belt or Metropolitan Open Land

London Plan Policies:

4.4 Managing Industrial Land and Premises
5.1 Climate Change Mitigation
5.2 Minimising Carbon Dioxide Emissions
5.3 Sustainable Design and Construction
5.7 Renewable Energy
5.12 Flood Risk Management
5.13 Sustainable Drainage
6.3 Assessing Effects of Development on Transport Capacity
6.13 Parking
7.3 Designing Out Crime
7.4 Local Character
7.5 Public Realm
7.6 Architecture
7.8 Heritage Assets and Archaeology
7.19 Biodiversity and Access to Nature
7.21 Trees and Woodlands

The National Planning Policy Framework (NPPF)
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 submission of the draft Local Plan to the Secretary of State will occur 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 30 - Parking
Draft Policy 31 - Relieving Congestion
Draft Policy 32 - Road Safety
Draft Policy 34 - Highway Infrastructure Provision
Draft Policy 37 - General Design of Development
Draft Policy 46 – Ancient Monuments and Archaeology
Draft Policy 53 - Land Adjoining Green Belt or Metropolitan Open Land
Draft Policy 68 – Development And SSSI
Draft Policy 69 – Development And Nature Conservation Sites
Draft Policy 73 - Development and Trees
Draft Policy 77 - Landscape Quality and Character
Draft Policy 79 – Biodiversity and Access to Nature
Draft Policy 83 – Non-Designated Employment Land
Draft Policy 113 - Waste Management in New Development
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 122 - Light Pollution
Draft Policy 123 - Sustainable Design and Construction
Draft Policy 124 - Carbon dioxide reduction, Decentralise Energy networks and Renewable Energy

Planning History

Outline planning permission was granted at the adjacent site under ref. 85/02876 for change of use of existing part retail/part wholesale store to industrial extensions to main factory building and use of land for car parking, erection of supermarket and petrol filling station with car parking and servicing. A detailed consent was subsequently approved.

Planning permission was granted under ref. 92/00083 for a detached single storey building for car wash.

Conclusions

The main considerations relating to the application are as follows:

- The principle of the development in this location
- The impact the development would have on the character of the area
- The impact on the scientific and nature significance the SSSI and SINC site to the west
- The impact on the openness of the Green Belt to the west of the site
- The impact on flood risk and drainage
- The impact on highway safety
- The impact of the development on trees
- The impact on the archaeological importance of the site.

Principle of Development

The proposal seeks to replace the existing car showroom at the site with a modern two storey car showroom with associated sales area and valet building to the rear. The proposal would not result in the change of use of the site, which is established, and would therefore result in no principle objection. Whilst the site falls outside of the adjacent designated Business Area, the established nature of the use and its location on the edge of a group of commercial premises make it appropriate in principle for the continued use of the site for this purpose. It is therefore considered that the development would comply with Policy EMP6 and the London Plan.

Impact on Character

The proposal would replace the existing two storey showroom building with a new showroom building sited in a more prominent location towards the north of the site. As a result, the building would be more prominently sited when viewed from Edgington Way, however it is not considered that the siting would be to the detriment of local character, given the commercial nature of the site and the wider area. The building will remain significantly set back from the highway (approx. 30m) and will be screened to some extent by existing trees along the frontage of Edgington Way that lie outside of the site.

The height and bulk of the replacement building is considered to be similar to that it replaces, with a two storey appearance and flat roof. The development will provide a net additional commercial floorspace of 784m² over the existing structure, including the low roofed valet building towards the rear of the site. Whilst the siting is more prominent, the development would read as part of the wider commercial Business Area and the additional commercial floorspace is not considered to overdevelop the site or result in a commercial structure that is cramped or dominant.

At present, the site is 100% developed with buildings and associated car parking and hardstanding. It is considered that the proposal would not on balance impact harmfully on the established character of the site or surrounding commercial area.

The proposed building will be clad with silver and black panels and a metal decked roof. The appearance and design of the building is considered to be suitable for the commercial area in which it will be sited.

Ecological Impact

To the west of the site, the land falls within a Site of Special Scientific Interest (SSSI) and a Site of Importance for Nature Conservation (SINC). The application has been submitted with a Preliminary Ecological Assessment which states that the development is not considered to impact on the adjacent land. Mitigation measures such as a close boarded fence along the boundary and commencement of works outside of bird breeding season are suggested. The adjacent site is not considered to host notable habitat, except for providing bird breeding habitat, therefore any removal of shrub should occur at suitable times of year accordingly. No further surveys are recommended, with planting of native trees and habitat boxes for bats and birds suggested.

Natural England cites the Ruxley Gravel Pits SSSI as a site importance for an assemblage of breeding bird species, along with a variety of butterfly and other insect species. Following consultation, Natural England questioned the drainage of the site onto the SSSI land and this has been clarified by the applicant, with the existing watercourse to be used. The applicant has also confirmed that no trees will be affected within the SSSI.

Impact on Adjacent Green Belt

The area of land to the west of the site is designated Metropolitan Green Belt, however the site falls outside of this designation. In general terms, the existing use of the site and associated built development within it is considered not to add significantly to the visual amenities of the adjacent Green Belt. That said, the western side of the site provides a customer parking area that at least provides a relatively open space adjacent to the Green Belt Boundary. The proposed building will be sited with a separation to the western flank boundary of the site of 8m. This separation, along with the retention of boundary vegetation, is not considered to impede detrimentally on the existing buffer to the western edge of the site and therefore the openness and visual amenity of the adjacent Green Belt is considered to be respected by the proposal.

Flood Risk

Policy 5.12 of the London Plan requires development to remain safe under flood conditions and allow for safe evacuation. The application is accompanied by a Flood Risk Assessment (FRA) which outlines that the front area of the site is most liable to flood. The siting of the new building towards the front of the site will result in the raising of this land level, with other areas deliberately kept at a lower level in order to accommodate flooding up to the 1 in 100 year event plus 20% climate change level. The FRA concludes that the risk of flooding to the site is low for surface water, ground water, sewer and reservoir flooding. The building will be built above the flood level and will be provided with an ample exit route in the event of flooding. Three proposed SUDS drainage systems are also proposed.

Following consultation with the Environment Agency, no objections are raised subject to a condition requiring adherence to the details of the submitted FRA.

Highway Safety

The proposal introduces the potential for additional traffic and vehicle movements in and around the site. The application has been accompanied by evidence to justify the number of car parking spaces provided in light of the operational requirements of the proposed development. This evidence is considered to be suitable and there are no objections raised by the highways engineer. On balance therefore, the proposal would not create a detrimental impact in terms of car parking and highway safety at the site or on surrounding land. Whilst TfL has requested a keep clear box to be introduced, it is not considered that this could be secured as the site access junction is outside of the limits of the adopted highway. As the submitted evidence demonstrates that the existing situation at the site will not be worsened, such a measure is not considered necessary in this case.

Trees and Archaeology

The protected trees along the western edge of the site are to be retained and have been considered acceptably under the supporting Arboricultural Statement and Tree Protection Plan. It is therefore considered that the development would not impact detrimentally on the long-term health of these trees.

In respect to archaeology, the site falls within an Area of Archaeological Significance. The application has been accompanied by a Historic Environment Assessment. This report concludes that there are no nationally designated heritage assets at the site, with potential for some Palaeolithic and Roman remains to be present and disturbed particularly during demolition of the existing building and digging of foundations. Historic England has commented that the submitted information, including trial pit excavation evaluation, is suitable, and a condition can be imposed to ensure the adherence to this method statement.

Summary

It is considered that the proposed development is acceptable as it would not impact detrimentally in respect of the material considerations outlined above. It is therefore recommended that Members grant planning permission subject to two conditions recommended below.

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

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

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

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

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

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

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

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

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

Authority, and the bicycle parking/storage facilities shall be permanently retained thereafter.

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

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

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

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

- 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.

- 11 Unless otherwise agreed in writing by the Local Planning Authority, no part of the development hereby permitted shall take place within the application site until the programme of archaeological investigative works approved by Historic England, including trial pit evaluation, has been fully implemented. Access shall be permitted to the site at all reasonable times for the archaeological organisation to carry out the investigations, including making necessary records of items of interest and finds.**

Reason: The site is of archaeological interest and detailed investigations should be undertaken to enable consideration to be given to preservation in

situ and/or recording of items of interest in compliance with Policy BE16 of the Unitary Development Plan.

- 12 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.

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

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

- 14 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.

- 15 Prior to the commencement of the development hereby permitted a full Delivery and Servicing Plan shall be submitted to and approved in writing by the Local Planning Authority. The Servicing and Delivery Plan shall be implemented in accordance with the agreed timescale and details.

Reason: In order to comply with Policy 6.3 of the London Plan and in the interest of highway safety.

- 16 The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA) (Hurst Peirce & Malcolm LLP, 27th July 2016, Ref: 21418) and the following mitigation measures detailed within the FRA:

1. Provision of compensatory flood storage as detailed within the FRA along the western edge of the site with the site levels as detailed on Drawing 21418/101 P2 'Drainage and Site Plan' are adhered to, to ensure the flood storage area is fit for purpose. This

includes the construction of the proposed retaining wall along the west edge of the building, producing a compensatory flood storage area of 106.3m³.

2. Situation of the building at 30.00m above Ordnance Datum (AOD) as stated within the FRA to ensure the building remains above the appropriate flood level.

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason: In order to comply with Policy 5.12 of the London Plan and in order to secure the suitable drainage of the site and flood attenuation measures.

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

Reason: In order to seek to achieve compliance with the Mayor of London's Energy Strategy and to comply with Policy 5.2 and 5.3 of the London Plan 2015.

You are further informed that:

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

2 Before works commence, the applicant is advised to contact the Pollution Team of Environmental Health & Trading Standards regarding compliance with the Control of Pollution Act 1974 and/or

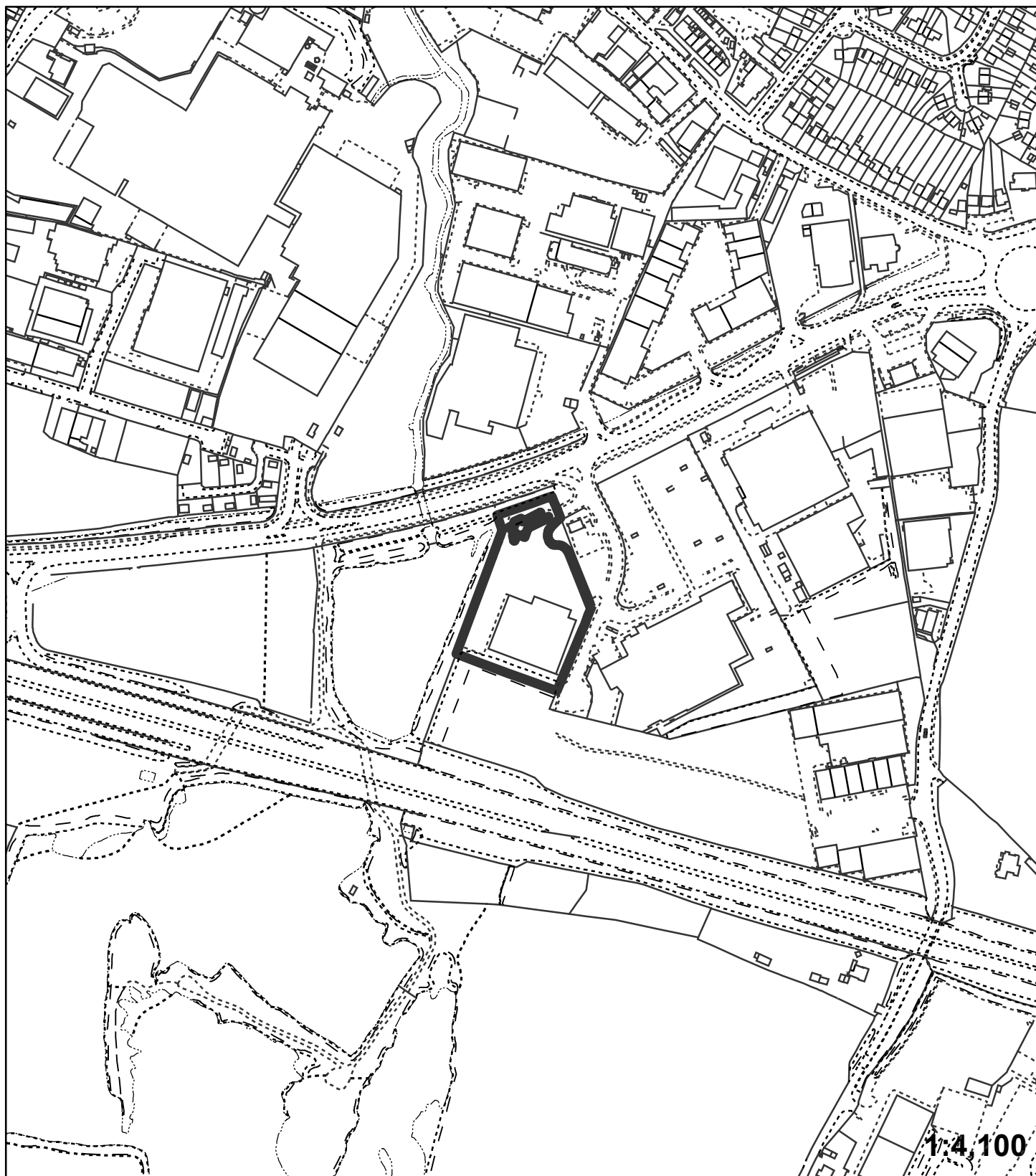
the Environmental Protection Act 1990. The applicant should also ensure compliance with the Control of Pollution and noise from Demolition and Construction Sites Code of Practice 2008 which is available on the Bromley website.

- 3 The applicant is advised to consider the introduction of biodiversity enhancement measures to the scheme, including bat and bird roosting/nesting boxes in order to mitigate any potential impact in light of the siting adjacent to the Ruxley Gravel Pits Site of Special Scientific Interest (SSSI).**
- 4 The Environment Agency recommends that consideration be given to the use of flood resistant and resilient measures - such as barriers on doors, windows and access points at the ground floor level and routing electrical services from a higher level downwards so that plug sockets are located above possible flood levels - within the proposed development, in order to reduce the impact of flooding. Information on flood resilience can be found on the following [link](http://www.planningportal.gov.uk/uploads/br/flood_performance.pdf) **http://www.planningportal.gov.uk/uploads/br/flood_performance.pdf. It is further recommended that consultation with the local building control department is undertaken when determining whether particular flood resistant and resilient measures are appropriate and effective.****
- 5 As a result of the Flood and Water Management Act 2010, the responsibility for surface water runoff, ground water and ordinary watercourses now sits with the Local Flood Authority (LLFA), the London Borough of Bromley.**

Application:16/02516/FULL1

Address: Lancaster Sidcup Edgington Way Sidcup DA14 5BN

Proposal: Demolition of existing car showroom and after sales building, and construction of detached part one/two storey building for car showroom, workshop and ancillary accommodation, and detached valet building to rear, including amended parking layout and associated works



"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 : 16/03479/FULL1

Ward:
West Wickham

Address : 1 - 3 Red Lodge Road, West Wickham
BR4 0EL

OS Grid Ref: E: 538313 N: 166473

Applicant : Mr M Voutas

Objections : YES

Description of Development:

Rear ground floor and basement extensions, change of use of first floor offices and prep kitchen serving Prima Donnas restaurant to provide 2x1 bed flats and one studio and amended rear escape route. Construction of a first floor rear extension to create 2 x1 bed flats and associated external changes together with extension associated with flat conversion above the restaurant.

Key designations:

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

Proposal

Planning permission is sought for a rear ground floor and basement extensions, change of use of first floor offices and prep kitchen serving Prima Donnas restaurant to provide 2x1 bed flats and one studio and amended rear escape route. Construction of a first floor rear extension to create 2 x1 bed flats and associated external changes together with extension associated with flat conversion above the restaurant.

The application has been amended from when it was first submitted. The revised drawings now show the removal of the upper floor (third level) to the rear of the site and the subsequent removal of one unit . Neighbours have been reconsulted and the following assessment is based on the revised plans.

Location

The application site consists of a two storey, with basement, terraced building containing a restaurant and ground floor and basement levels including a rear yard area that is used for seating and storage. There are also offices and a prep kitchen situated at first floor level.

There is a detached building in the rear yard area currently used for storage and refrigeration. This will be removed as part of the proposal.

To the north-west of the site is the external amenity space for the flats at 1 - 46 Red Lodge Road.

The site is not located within a conservation area and is not listed.

Consultations

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

- o Flats would intrude into the privacy and light of the residents at red Lodge
- o No facilities for refuse
- o Considerable amount of noise already
- o Will spoil the outlook
- o No provision for parking and there is already a problem with parking in the area for people using the restaurant

Neighbours were reconsulted on the amended plans on 11th November 2016 and no further comments have been received.

Internal consultations

Highways - The site is located on an area with PTAL rate of 2. No parking is offered for the development, residential density should be linked to public transport accessibility levels and parking provision. A reduction in the parking requirement maybe justified as the site is considered accessible to public transport links, being within walking distance of bus routes and a rail station Furthermore as there is a correlation of car ownership and type of dwelling people reside (1 bedsit unit) this suggest that not all occupiers will own car(s). The proposal would not have a significant impact on the parking in the surrounding road network. No objection raised subject to five cycle spaces being provided.

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
S5 Local Neighbourhood Centres, Parades and Individual Shops
H1 Housing Supply
H7 Housing Density and Design
H12 Conversion of Non-Residential Buildings to Residential Use
T3 Parking
T7 Cyclists

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

London Plan (2015)
Policy 3.3 Increasing Housing Supply
Policy 3.5 Quality and Design of Housing Developments - inc. Table 3.3 Minimum space standards for new development
Policy 6.12 Parking

Policy 7.4 Local Character

Policy 7.6 Architecture

Policy 7.15 Reducing and Managing Noise, Improving and Enhancing the Acoustic Environment and Promoting Appropriate Soundscapes.

Mayor's Housing Supplementary Planning Guidance (2012)

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

Planning history

There is extensive history to this site, however the following recent applications are the most relevant

Planning permission was granted in September 2015 ref 15/02154/FULL for a change of use of first floor from offices and prep kitchens serving Prima Donnas Restaurant to provide two one-bedroom flats and one bedsit flat, including a small rear extension, extended escape gantry and lobby extension to the rear and new windows to the side and rear extension.

Planning permission was also granted in December 2015 ref 15/04287/FULL for a revised application further to DC/15/02154/FULL3 for a change of use of the first floor from offices and prep kitchen serving Prima Donas restaurant to provide two one-bedroom flats and one bedsit flat, including a small rear extension, extended escape gantry and lobby extension to the rear: with amended escape route details and including details of bin and cycle stores, privacy screen and a small cellar extension

Conclusions

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

Principle of Use

Saved Policy H1 seeks the provision of 11,450 additional dwellings over the plan period. This is facilitated by a number of factors including the development of windfall sites and making the most efficient use of sites.

Policy H7 applies to applications for new housing developments. Applications for such developments will be expected to comply with the density matrix set out in table 4.2; have an appropriate mix of housing types; the site layout, buildings and space around buildings are of a high quality; provide adequate private or communal amenity spaces and provide off-street parking at levels no more than set out in Appendix II.

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

Planning permission has been previously granted for the 'Change of use of first floor from offices and prep kitchens serving Prima Donnas Restaurant to provide two one-bedroom flats and one bedsit flat, including a small rear extension, extended escape gantry and lobby extension to the rear and new windows to the side and rear extension' (Ref: DC/15/02154). A subsequent application ref 15/04287/FULL sought to amend that scheme to include a revised escape route/stair and a small cellar extension. This was also approved in December 2015. The principle of the conversion of the upper floor into residential accommodation has therefore already been agreed. Further the principle of residential accommodation to the rear of the site is also acceptable, subject to design and amenity impact which is discussed below.

Standard of Accommodation

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

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

	London Plan (2015) Baseline	Unit measurement from plans
Flat 1 (1b2p)	50sq.m	50sqm
Flat 2 (1b2p)	50sq.m	54sq.m
Flat 3 (1b1p)	37sq.m	43sq.m
Flat 4 (1b2p)	50sqm	50.5sqm
Flat 5 (1b2p)	50sqm	50.5sqm

The above units would therefore comply with the minimum baseline standards set out within the London Plan. Each unit would be dual aspect and all rooms would receive acceptable levels of light and ventilation.

The application does not include the provision of outdoor amenity space, however there are a number of publically accessible open spaces within the locality including High Broom Wood and Blake Recreation Ground. This is considered reasonable given the level of occupancy proposed for each unit. Furthermore it should be noted that the previous applications for the 3 flats within the existing building were approved without the provision of amenity space.

Design

Policy BE1 states that all development proposals should be of a high standard of design and layout. Development should therefore be imaginative and creative to look at and should complement the scale, form, layout and materials of adjacent buildings.

The existing basement and ground floor level will be extended into the courtyard by a depth of 6.6m with a width of 4.4m to create toilets at ground level and a staff changing area and storage area within the basement. A refuse storage area and cycle storage building would also form part of this structure. The proposal would sit behind the existing structure and would not be visible from the public realm. The application property currently has an extant permission for a large rear extension under ref: 14/04384. However, given the informal nature of the rear elevation and the minimal visibility from the public realm, officers consider that on balance the cellar extension and storage areas are acceptable.

The application also includes the provision of an extended gantry at first floor level in order to provide access up from the ground floor entrance. This gantry would be contained to the rear of the property and would not be significantly visible from the public realm. There is already an existing gantry at first floor level and additional element would not appear incongruous within this setting. A privacy screen would be set at the end of the gantry in order to protect neighbouring amenity. This would not appear significantly intrusive given the location to the rear which includes a more informal arrangement in terms of the built form. It would be visible from the access road serving Red Lodge; however it would not result in significant harm to the appearance of the property or area in general.

The first floor extension would be of an L shape with a raised head height serving Flat 5, creating a maximum building height of 8.7m from ground level

It would incorporate a flat roof which is similar to the existing property. It would also be contained to the rear, where there are various extensions and alterations. The design and architectural quality of the rear elevation is therefore more informal allowing for a degree of flexibility. It is marginally higher than the existing building to the front and would therefore only be visible from the streetscene from longer views. It would be visible from neighbouring properties and an access road serving Red Lodge immediately adjacent the site. Subject to the use of good quality materials, officers consider the proposed extension to be an acceptable alteration.

Minor alterations would also be made to the side elevation of the existing building including the introduction of two additional windows. The additional windows would not significantly harm the appearance of the property or streetscene in general given their location.

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 proposed change of use to residential would not result in significant noise and disturbance to neighbouring residents given the existing and established use. Neighbouring properties also appear to have residential accommodation at first floor level and given the nature of surrounding development, which includes residential and commercial properties, officers consider that the proposed change would be acceptable.

The proposed first floor extension to the rear will of course be visible to the neighbouring first floor flats along Red Lodge Road. The first floor rear element will be set away from the southern boundary by approximately 5.8m and given the two storey element will now be two levels rather than three, to a maximum height of 8.7m, this is not considered to cause any adverse amenity impacts. There will be no windows on this flank elevation and therefore no issues with regards to overlooking.

The closest wall on the northern elevation of the first floor extension will be approximately 17m from the flank wall of the neighbouring flats, Red Lodge and will have a bathroom window in the flank elevation which will be obscure and a high level window serving a kitchen. The furthest wall on the northern elevation will have two windows serving the kitchen/dining room of Flat 4 will be approximately 23m away. Therefore the proposed first floor extension is not considered to cause any adverse overlooking issues. Whilst it is acknowledged that a first floor extension will of course be visible to the occupants of Red Lodge, the distances outlined above, combined with the reduced height of the building to a maximum of 8.7m, is considered on balance to be adequate so as to not result in a significantly intrusive or overbearing form of development for neighbouring occupiers.

The cellar extension and refuse storage building would be set away from the common boundary with No 4 Red Lodge Road by an accessway. There is also an existing staircase at the application site and a detached building in the neighbouring amenity space, which would separate the proposal from the rear elevation from No 4. The creation of an enclosure would tidy up this space and would improve the situation in terms of odour. Given the above, it is considered that the proposal would be on balance acceptable. This element is similar to the revised application 15/04287/Ful approved in December 2016.

The extended gantry would be closer to the flank elevation 1-46 Red Lodge. The applicant has proposed a privacy screen at the end of this extended gantry in order to prevent direct overlooking into these neighbouring windows. This was also proposed in the previous application. Three windows are proposed within the flank elevation of the existing building, these windows would serve a stairwell, corridor and a secondary kitchen window and would all be obscured glazed and non-opening. No significant loss of privacy or overlooking is therefore anticipated.

Parking

No parking is proposed within the current scheme; however the Council's highways officer has not objected to this lack of provision and has observed that the number of units would unlikely have a significant impact on parking in the surrounding road network.

Summary

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

RECOMMENDATION: PERMISSION

Subject to the following conditions:

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

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

- 2 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.**

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

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

- 4 No windows or doors additional to those shown on the permitted drawing(s) shall at any time be inserted in the side elevation(s) of the extensions; hereby permitted, without the prior approval in writing of the Local Planning Authority.**

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

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

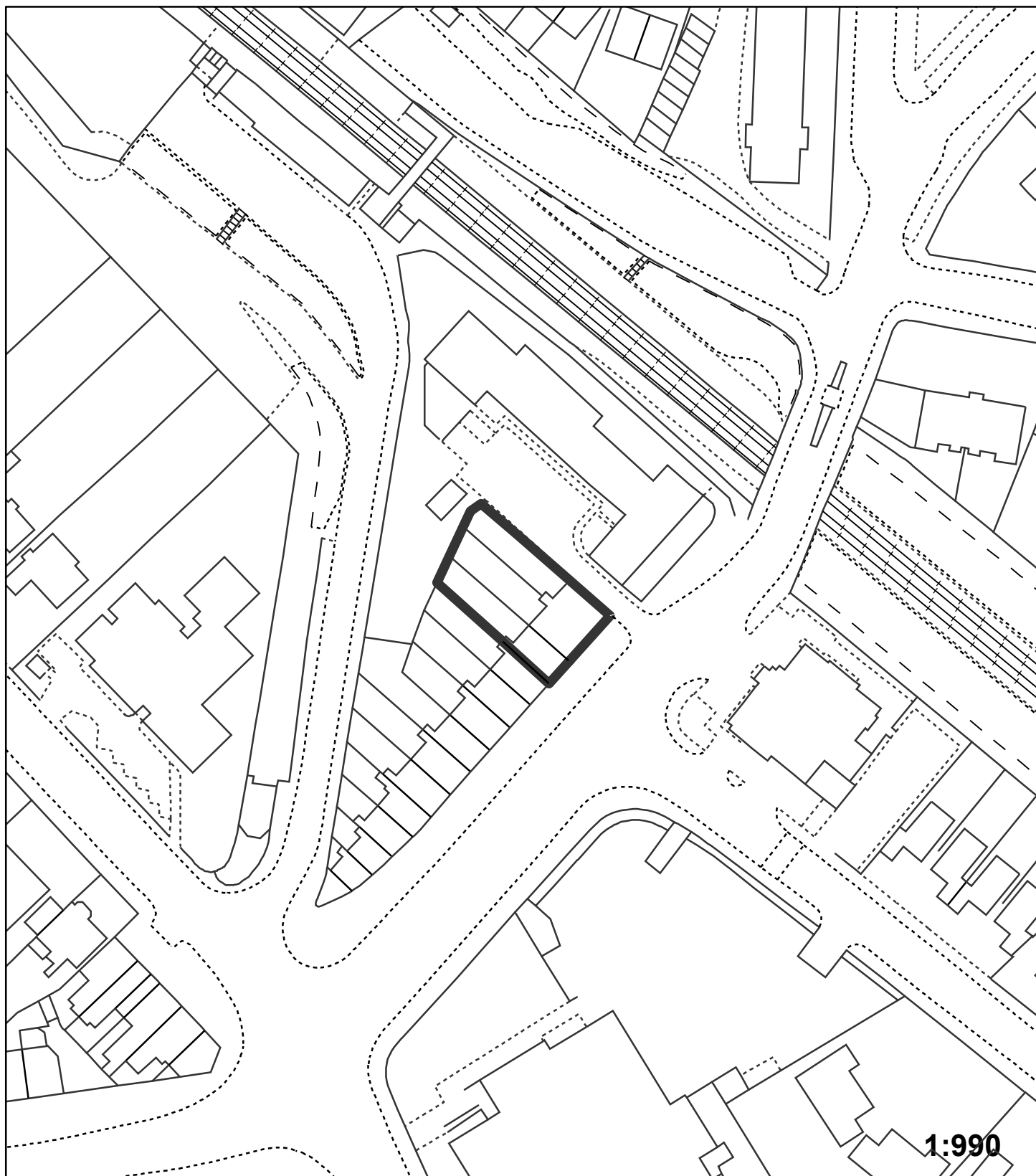
Reason: In order to comply with Policy BE1; of the Unitary Development Plan and in the interest of the amenities of the adjacent properties.

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Application:16/03479/FULL1

Address: 1 - 3 Red Lodge Road West Wickham BR4 0EL

Proposal: Rear ground floor and basement extensions, change of use of first floor offices and prep kitchen serving Prima Donnas restaurant to provide 2x1 bed flats and one studio and amended rear escape route. Construction of a first floor rear extension to create 2 x1 bed flats and



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

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SECTION '2' – Applications meriting special consideration

Application No : 16/03794/FULL6

Ward:
Chelsfield And Pratts
Bottom

Address : Feathercot Skeet, Hill Lane, Orpington
BR5 4HB

OS Grid Ref: E: 549047 N: 165484

Applicant : Mr D Gibson

Objections : NO

Description of Development:

Partially retrospective outbuilding to be used as an annex to the main dwelling and garden store.

Key designations:

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

Proposal

The application seeks retrospective permission for the replacement of an outbuilding within the residential curtilage of Feathercot, Skeet Hill Lane and the use of the building as an annexe to the main dwelling and garden store. The application is partially retrospective in nature and most of the works have been undertaken. Although no plans exist of the previous building, photographic evidence appears to show that the ridge of the building has been raised by approximately 0.5m, and the 'wings' of the outbuilding by approximately 0.3m. The new building also includes additional fenestration and the cladding of the outbuilding in timber. The application proposes amendments to the retrospective works to reduce the ridge height by 0.5m and amend the fenestration inclusive of the change from a machinery opening at ground floor level to a front door.

The building is located to the west of the site, between 3-4m from the highway. The outbuilding and garage is set within a courtyard area which also provides the parking area for the main host dwelling at Feathercot.

Consultations

Nearby owners/occupiers were notified of the application and 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
BE3 Buildings in rural areas
H8 Residential Extensions
G1 Green Belt

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

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

Policy 3.5 - Quality and design of housing development
Policy 7.16 - Green Belt

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

Planning History

15/04057/ELUD - Use of land as residential curtilage in connection with residential use at Feathercot. LAWFUL DEVELOPMENT CERTIFICATE (existing) - Development is lawful

As an overview, the site became known to the Council as a consequence of the reconstruction of the building. Through pre-application advice the Council advised the owner to submit a certificate of lawfulness to establish the residential curtilage of the site prior to a retrospective full planning application for the building works and its use as a residential annexe. The certificate of lawfulness was granted and confirms that the application building is within the lawful residential curtilage of Feathercot.

Conclusions

The main issues relating to the application are the appropriateness of the structure in the Green Belt including an assessment as to the impact on openness and visual amenity, as well as the principle of the partial use of the outbuilding as a residential annexe to the main dwellinghouse.

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.

Green Belt and rural character

Chapter 9 of the National Planning Policy Framework (NPPF) 2012 is a material planning consideration. The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.

The National Planning Practice Guidance details that the NPPF is clear that local planning authorities should, through their Local Plans, meet objectively assessed needs unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole, or specific policies in the Framework indicate development should be restricted. Such policies include those relating to sites protected, as in this case as land designated as Green Belt.

Policy 7.16 of the London Plan gives the strongest protection to London's Green Belt in accordance with national guidance. Inappropriate development should be refused except in very special circumstances and development will be supported if it is appropriate and helps secure the objectives of improving the Green Belt as set out in national guidance; such improvements are likely to help human health, biodiversity and improve overall quality of life.

The NPPF confirms that inappropriate development is, by definition, harmful to the Green Belt. The NPPF notes at Paragraph 87 that as with previous Green Belt policy, inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

NPPF Paragraph 89 states that exceptions to inappropriate development within the Green Belt include the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces.

Policy G1 of the UDP states that within the Green Belt permission will not be given for inappropriate development unless very special circumstances can be demonstrated that clearly outweigh the harm by reason of inappropriateness or any other harm. The construction of new buildings or extensions to buildings on land falling within the green belt will be inappropriate unless it is for a limited extension, alteration or replacement of existing dwellings.

It is clear from photographs (on file) that the replacement outbuilding is larger than the building it replaces and it is therefore considered that it constitutes inappropriate development within the green belt. The floor space calculations of the previous structure are unknown, however it is clear that the useable floor space was restricted by the head height of the building to a centralised and northern position. Whilst it is appreciated that the ridge of the outbuilding is proposed to be lowered by 0.5m to allow for a similar height development to the previous structure, the overall increase in massing of the outbuilding inclusive of the raised height 'wings' by 0.3m allows for an incongruent and bulky form of development that appears disproportionately larger than the existing outbuilding. An accurate

assessment of any increase in width cannot be undertaken as existing dimensions are unknown, however from looking at site photographs including the overlays provided, it is possible that the width of the building has also been increased. The materials proposed, as well as the proposed arrangement of the fenestration further exacerbates the buildings prominence within the rural location, appreciably appearing more as a dwelling house than an outbuilding.

No very special circumstances have been presented as part of this application, however a detailed planning statement has been forthcoming.

The Applicant considers that the partially retrospective development is the same size as the building prior to the works. This has been discussed in some detail above, and the Council do not consider this to be the case.

The Applicant also proposes a new native hedge to the west along the established boundary which will provide further screening however no details of this have been forthcoming but may be conditioned. The points raised by the Applicant are noted in terms of the proposed planting which would provide limited screening of the development, however when viewing the application site from the south and west, the outbuilding is located within a highly visible location, at the bottom of a sloping field wherein there appears to be little vegetation to impede views. The outbuilding is visible from Cookham Farm to the west, and whilst the introduction of a native hedgerow may mitigate some of the impact of the outbuilding from these vistas, given its height and bulk, this is not considered to overcome the harm to the openness and visual amenity of the Green Belt location.

Members may consider that the proposed need for the accommodation in terms of providing long term facilities for visiting relatives and to provide home working arrangements and garden storage would not outweigh the harm caused by this development and are not considered very special circumstances to warrant an approval of this application.

Principle of Annexe Accommodation

Policy H8 of the Unitary Development Plan relates to residential extensions. Para 4.47 states that residential extensions (so called "granny annexes") can provide accommodation which enables care for an elderly or disabled relative. However, it states that problems can arise where a development constitutes a self-contained unit which could potentially be severed from the main dwelling. The policy further states that the severance of the dwelling can result in substandard accommodation with inadequate privacy, access provision, parking and amenity space which is likely to be out of scale with the surrounding area and detrimental to neighbouring amenity. It is stated that these types of development should be designed to form an integral part of the main dwelling. New residential dwellings are also considered inappropriate development within the green belt. With regard to this application, within the planning statement previously submitted as part of the pre-application, the annexe will be used by visiting family members.

The proposed outbuilding features all of the requirements for self-contained living accommodation; bedrooms, office, bathroom, kitchen and lounge. Additionally, the

residential portion of the building would have an approximate footprint of 93.3sqm . The London Plan Table 3.3 states that for a two bedroom, two storey house a floor area of 70 squared metres should be provided; this scheme is above this requirement. As such the proposed annexe is considered more comparable to a self-contained dwelling rather than as ancillary to the main residential building. Furthermore, the size and location of the proposed annexe is not an integral part of the main dwelling being sited over 30m from the host property.

The Applicant has offered to enter into a legal agreement to prevent the sub-division of the building from the main dwellinghouse however it is noted that the building can be accessed from the street, has its own parking area to the front and has no interdependency to the host dwelling; therefore it is not deemed that a restrictive condition or legal agreement would be enforceable and therefore not appropriate in this context. Therefore, taking into account the policy outlined above and the siting and size of the proposed building, it is considered that the annexe in the manner proposed has the potential to be severed to form a separate residential dwelling and is not considered ancillary to the function of the main dwelling and could potentially form an inappropriate form of residential development within the Green Belt.

Members should note that policy H8 is clear that proposed developments of this nature should be designed to form an integral part of the main dwelling. It is not considered that this is the case and the relative size and location of the building to the dwelling is considered inappropriate and out of character with the area, and presents an unacceptable risk of severance. Furthermore, the outbuilding represents an inappropriate form of development within the green belt, harmful to the open and rural character of the area that presently existing.

On balance, the outbuilding is excessively large and contains all the facilities of a self-contained dwelling. It would not be possible to adequately control its occupation through legal agreement or planning condition. The building is inappropriate development in the Green Belt as it does not meet any of the tests in paragraph 89 of the NPPF, and no very special circumstances have been put forward that outweigh the harm caused. By reason of its prominent siting and size and design the building is also harmful to openness and the rural character of the area, and therefore refusal is recommended.

RECOMMENDATION: APPLICATION BE REFUSED

The reasons for refusal are:

- 1 The proposed development is considered to constitute inappropriate development which would have a substantially detrimental impact upon the openness of the Green Belt and the purposes of including land within it for which no very special circumstances are considered to exist to outweigh the harm to the Green Belt contrary to Policy G1 of the Unitary Development Plan,**

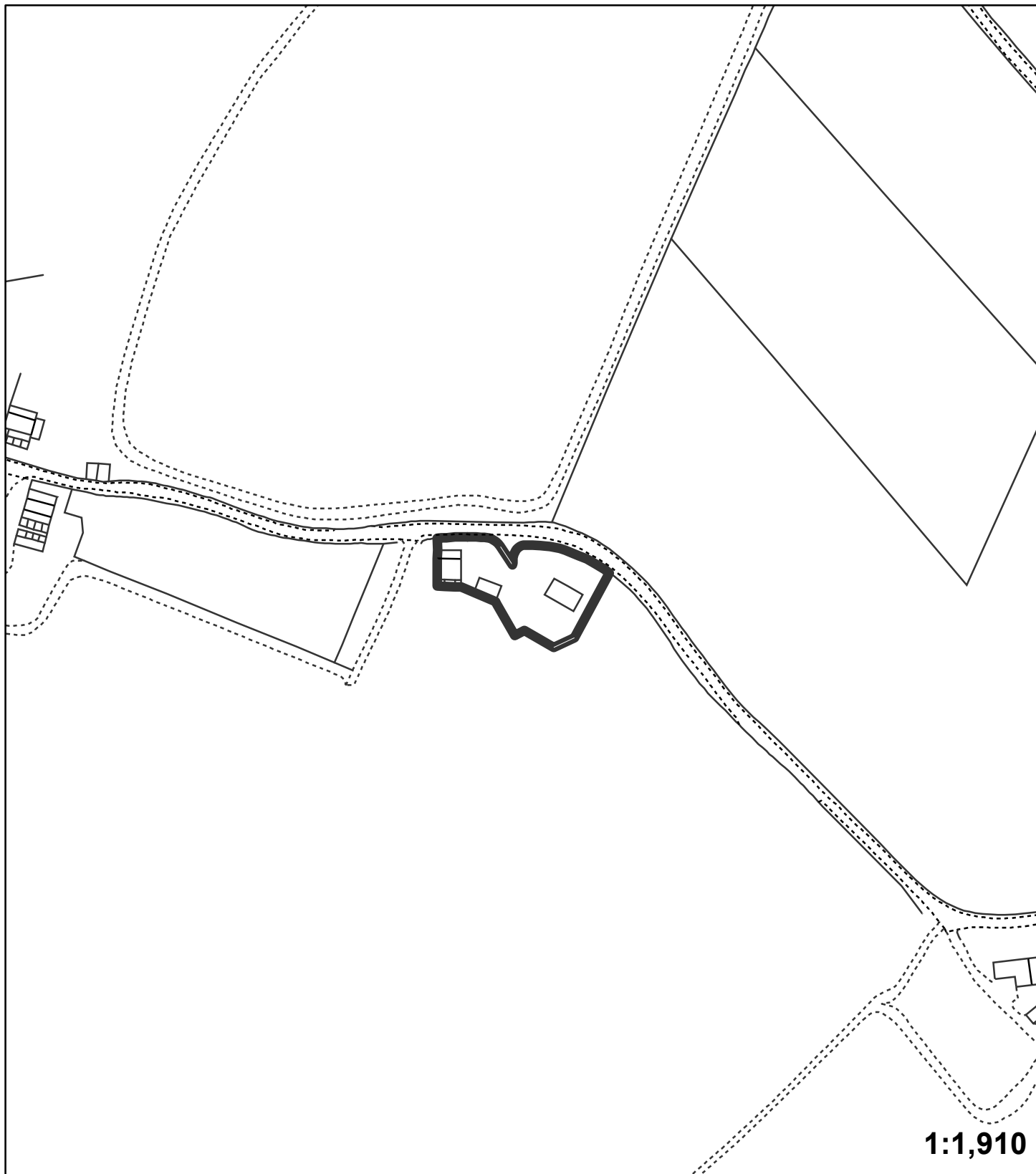
Policy 7.16 of the London Plan and the National Planning Policy Framework (2012).

- 2 The proposal, by reason of its siting, design, size and use, is unduly prominent and not considered to represent an ancillary form of accommodation to the main dwelling and is capable of be severed and used as a separate dwellinghouse which would result in a cramped form of development, out of character with the area and contrary to Policies BE1, BE3 and H8 of the Unitary Development Plan, Policy 3.5 of the London Plan and the National Planning Policy Framework.**

Application:16/03794/FULL6

Address: Feathercot Skeet Hill Lane Orpington BR5 4HB

Proposal: Partially retrospective outbuilding to be used as an annex to the main dwelling and garden store.



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SECTION '2' – Applications meriting special consideration

Application No : 16/04056/FULL1

Ward:
Kelsey And Eden Park

Address : 26 Manor Road, Beckenham BR3 5LE

OS Grid Ref: E: 537620 N: 169426

Applicant : Mr R Percy

Objections : YES

Description of Development:

Elevational alterations, part one/two storey rear extension incorporating first floor balcony, rear dormer extension and conversion of building to 2 one bedroom and 2 two bedroom flats with 4 no. car parking spaces at front.

Key designations:

Areas of Archeological Significance
Biggin Hill Safeguarding Area
London City Airport Safeguarding
Smoke Control SCA 12

Proposal

The application site lies on the southern side of Manor Road. The street is residential and is characterised by substantial period properties, many of which have been converted into flats. The host dwelling is more modern in appearance, and is a post-war detached building which comprises 2 three bedroom flats. The host building has a large single storey rear extension.

The site has a reasonably generous rear garden of a depth commensurate with the neighbouring period dwellings, although it has been divided along its length to provide separate gardens for the ground and first floor flats.

To the west of the application site lies No. 24 Manor Road and to the east lies No. 28. No 24 occupies a footprint that projects rearwards of the application building, although this footprint includes a substantial single storey rear extension. The main first floor rear elevation of the dwelling broadly aligns with the host building. The boundary of the application site immediately abuts the flank elevation of No. 24.

To the rear, the application site adjoins the rearmost sections of the rear gardens of No. 1 Bevington Road and No. 2 Manor Grove.

It is proposed to erect a part one/two storey rear extension and a rear dormer roof extension. The proposed rear extension would project from the main rear elevation by 6.85m at ground floor level. The first floor element above would be 3m deep adjacent to the boundary with No. 28 and 5m deep towards the boundary with No. 24. A first floor terrace with glazed balustrade is proposed at the rear of the deeper part of the first floor extension.

The rear extension would be white-rendered. An obscure glazed first floor window is proposed which would face towards the side of No. 24 and which would serve a

combined kitchen/living/dining room. A further flank facing window is proposed on the ground floor. The rear extension would incorporate a flat roof and would be of contemporary design albeit finished in traditional materials including slate and render. The submitted plans show no access to the flat roof of the first floor extension from the dormer, nor from the recessed first floor element to the flat roof above the ground floor element.

The rear dormer extension would be set back from the main roof eaves and would be set in slightly from either gabled flank elevation. The dormer would be clad in slate tiles to match the replacement slate roof.

In terms of the elevational alterations that are proposed, the existing ground floor door and first floor window in the main western flank elevation would be replaced by a first floor obscure glazed window and a ground floor window. The front elevation would be rendered in white alongside the provision of stone quoins on the front/side corners. New fenestration is proposed to the front elevation, including the provision of ground and first floor windows on either side of a proposed centrally positioned entrance door. The entrance door would be set back from the main front elevation to provide a covered entrance and separation between the doorway and the parking area.

The resultant building would be converted into a total of 4 flats. On the ground floor 2 one bedroom units are proposed to be provided, with a GIA of 52m² for each flat. On the first and second floors 2 further flats are proposed, set over two storeys. One flat would comprise a one bedroom unit with a GIA of 71m² and the other a two bedroom flat with a GIA of 79m².

4 no. car parking spaces are proposed to be provided in front of the main entrance to the property, perpendicular to the adjacent pavement/highway. At the rear, the ground floor flats would lead onto a timber decked area and private garden. The larger first floor flat would have private amenity space in the form of a shallow terrace. The first/second floor flats would have access from the side passageway to a communal garden area beyond the private gardens for Flats 1 and 2.

Consultations

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

- o While the depth of the first floor extension has been reduced, in the overall context of the proposal it does not materially change the overbearing nature of the proposal and its impact
- o The first floor windows and balcony would still overlook the garden of No. 28 and be intrusive
- o It is not clear how the building could be constructed without significant impact to boundary structures at the neighbouring property and encroachment over the boundary
- o The plans include a daylight and sunlight study but the study was undertaken without access to the neighbouring property and the pictures are misleading. Two main windows in the kitchen/dining area are not shown on

- the report and would look directly onto a two storey wall close by and there would be a strong sense of enclosure
- o There has been flooding in the past
 - o The plans do not seem to be consistent with conserving the look and feel of the surrounding properties
 - o The parking provision would seem inadequate
 - o The extensions are large and boxy and do not accord with the neighbouring Victorian properties
 - o The proposed parking at the front does not specify a permeable surface, increasing the risk of flooding and overloading of the existing storm drains
 - o Impact on traffic and parking
 - o There is an oversupply of small flats in Beckenham and the existing maisonettes could be refurbished to provide family accommodation
 - o The recycling bins are inadequate and at the moment with only 2 flats there is rubbish, cans and paper flying down Manor Road. It would need at least large wheelie bins for each type of recycled item and refuse bins
 - o Concern regarding a loss of privacy

Highways Technical comments

From a technical highways perspective it is noted that the A222 Manor Road is a classified road and a Local Distributor Route. The site is located in an area with a PTAL rate of 4. The parking layout still looks tight in drawing 4152-PD-02 for 4 parking bays and bay 2 is close to the entrance. Also refuse and cycle storage has not been shown. However as the size of the proposed units has been decreased to 3 x 1 bedroom and 1 x 2 bedroom flats it is not considered likely that all the occupiers of the 1 bedroom units will own a car and there are not therefore technical Highways objections to the proposal subject to conditions should permission be granted.

Planning Considerations

The National Planning Policy Framework

In Section 1, 'Core Planning Principles', the NPPF sets out 12 core land-use planning principles that should underpin planning decisions. Included within the 12 principles, at section 17, are that a high quality design and a good standard of amenity for all existing and future occupants of land and buildings should always be secured.

With regards to the requirement for good design Paragraph 56 of the NPPF states: "The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to make places better for people."

Paragraph 60 states that it is proper to seek to promote or reinforce local distinctiveness. Paragraph 61 refers to the fact that although visual appearance and architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic considerations. Planning policies and decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment.

Paragraph 64 of the NPPF adds that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

The London Plan

Policy 7.4 of the London Plan concerns 'Local Character'. This states that development should have regard to the form, function and structure of an area, place or street and the scale, mass and orientation of surrounding buildings. It should improve an area's visual or physical connection with natural features. In areas of poor or ill-defined character, development should build on the positive elements that can contribute to establishing an enhanced character for the future function of an area.

Section B of Policy 7.4 states that buildings, streets and open spaces should provide a high quality design response that fulfils five criteria:

- o it should have regard to the pattern and grain of existing spaces and streets in orientation, scale, proportion and mass;
- o it should contribute positively between the urban structure and the natural landform;
- o it should be human in scale and ensure that buildings have a positive relationship with street level activity and that people feel comfortable with their surroundings;
- o existing buildings and structures should make a positive contribution to the character of the place to influence the future character of the area;
- o development should be informed by the surrounding historic environment.

The written statement to the London Plan states at paragraph 7.13 that based on an understanding of the character of a place, new development should help residents and visitors understand where a place has come from, where it is now and where it is going.

Paragraph 7.14 states that the physical character of the place can help reinforce a sense of meaning and civility - through the layout of buildings and streets for example.

Unitary Development Plan

The London Borough of Bromley Unitary Development Plan contains specific objectives and policies for the improvement and protection of the quality of the built environment and the encouragement of a high standard of design and the promotion of sustainable environmental quality. It is explained (in paragraph 6.6 of the UDP) that even small developments can have a substantial impact within a locality and over a period of time the cumulative effect of many small changes could alter the overall character of large parts of the borough.

BE1 - Design of New Development.

This requires new development to be of a high standard of design and layout and ensure there is a satisfactory relationship between buildings. It further states that

new proposals should not detract from the street scene generally and the amenities of the occupants of neighbouring properties should be respected.

In paragraph 6.10 the UDP justifies the policy by requiring that the design of new development should safeguard public amenity and improve the quality of life in the borough with new development relating well to the character of its surroundings.

Policy H7 - Housing Density and Design requires inter alia that the site layout, buildings and space about buildings are designed to a high quality and recognise as well as complement the qualities of the surrounding areas. In addition, that the layout is designed to give priority to pedestrians and cyclists over the movement and parking of vehicles.

Policy H9 relates to side space, and states that the Council considers that the retention of side space "is necessary to protect the high spatial standards and level of visual amenity which characterise many of the Borough's residential areas". It states that where higher standards of special separation already existing, proposals will be expected to provide more generous side space than the minimum 1m referred to in H9(i).

Policy H11 relates to residential conversions and states that the conversion of a single dwelling into two or more self-contained residential units will be permitted where the amenities of neighbouring dwellings are not harmed, accommodation is of a satisfactory standard, parking is provided and the proposal would not lead to the shortage of medium or small sized family dwellings in the area.

In support of its policies the Council has produced Supplementary Planning Guidance. SPG1 refers to 'General Design Principles and SPG2 provides residential design guidance. These SPG documents were the subject of a public consultation exercise that commenced in June 2003 and the Council adopted the final documents on 12th January 2004.

SPG1 emphasises that good urban design should have a positive impact on the appearance of new and extended buildings and their relationship with existing buildings and the places and spaces around them. It highlights the UDP's requirement for any new development to result in built form that is in scale with its neighbours; with landscaped spaces and trees retained wherever possible; and the importance of continuity of built form and street frontages, as well as continuity of natural features such as trees and soft landscaping.

SPG 2 states that the starting point for all new development should be a respect for the character and appearance of the site, its immediate neighbours and the wider street scene. Section 3 sets out guidance in respect of new buildings in established areas and emphasises that local context is of particular importance when adding new buildings to established areas. The advice states that building lines, space between buildings, means of enclosure and the use and location of garden or amenity space should all respect the character of the locality.

Paragraphs 1.4 and 3.1 of SPG2 stress that new development should enhance local distinctiveness rather than harm it.

Planning History

Under reference 02/00737 planning permission was refused for the formation of a third floor to form a three bedroom flat, along with a single storey rear extension.

Planning permission was refused under reference 14/04420 for a three storey rear extension, two front dormer windows and the conversion of the building to form 5 flats.

Under reference 15/03084 planning permission was refused for elevational alterations and a part one/two storey rear extension with balconies, a rear dormer extension and the conversion of the building from 2 three bedroom flats to 2 one bedroom and 2 two bedroom flats (4 no. flats in total). The grounds for refusal of planning permission were:

- 1. The proposal, by reason of its height, design and excessive depth, would appear as an overly bulky addition which would fail to respect the scale and appearance of the host building which would be detrimental to the character and appearance of the locality, thereby contrary to Policy BE1 of the Unitary Development Plan.*
- 2. The proposal, by reason of its height, scale, proximity to the boundary and excessive depth of rearward projection would be detrimental to the amenities of the occupiers of adjacent dwellings, resulting in loss of outlook and visual impact, thereby contrary to Policies H7 and BE1 of the Unitary Development Plan.*

A subsequent appeal against the Council's refusal of planning permission was dismissed. The Inspector identified the main issues as being the impact of the scheme on the character and appearance of the host building and the locality and the effect of the scheme on the living conditions of the occupiers of neighbouring dwellings with particular regard to visual impact and privacy.

The Inspector considered that the existing building and the site as a whole has a negative impact on the character and appearance of the locality. The introduction of roof slates was welcomed, but the use of render was considered on balance to result in the frontage of the altered dwelling having a neutral rather than positive impact on the character and appearance of the street scene. At the rear, the depth, materials and curved lines of the proposed upper floor element of the extension was considered to result in development that would be unduly bulky and which would have failed to respect the character and appearance of the host dwelling and the surrounding area. The depth, height and appearance was considered prominent within the rear garden environment and would have appeared as a discordant feature in longer views from Manor Grove and Bevington Road.

The Inspector concluded on this point that the identity of the resultant building would be confused and visually incongruous, materially detracting from the character and appearance of the existing building, the street scene and the rear garden environment. The harm was considered to outweigh the contribution that the two additional flats would make in providing housing to meet the housing targets.

With regards to living conditions, the Inspector stated that the first floor element of the rear extension together with the vertical louvres which were intended to screen the balconies, would have resulted in a dominant visual impact when viewed from the adjacent windows at No. 28 which serve a kitchen and dining room. The rear extension was considered to appear visually hard and incongruous, resulting in a strong sense of enclosure in the outlook from these rooms and it was also considered that there would be an associated loss of daylight and sunlight caused by the extension.

Despite the vertical louvres it was considered that the close proximity of the balcony serving the unit closest to No. 28, that the use of the balcony would have resulted in some loss of privacy. This in itself was not considered materially harmful to the living conditions of the occupier of No. 28, but added to the visually overbearing impact of the development.

The Inspector concluded on this point that the proposed scheme would unacceptably harm the living conditions of the occupier of No. 28 due to its overbearing visual impact.

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. In assessing the appeal against the refusal of permission under reference 15/03084, the Inspector considered the proposed parking adequate to serve the proposed flats and that the proposal would have been unlikely to have a material impact on congestion and highways safety.

It is helpful to consider the differences between the previous application and this current proposal.

In terms of the works to the front elevation, the current proposal is broadly similar, although 2 front rooflights are proposed. At the rear, the appearance of the development has been amended with the use of more traditional materials (rather than the metal cladding previously proposed) and the setting of the rear dormer element within the main roof slope rather than as a continuation of the first floor extension below.

The previous scheme proposed a ground floor extension at the rear with a projection of approx. 6.85m. The first floor extension had a depth of 5m for the full width of the extension, with vertical louvres with a depth of 1.8m adding to the overall bulk and depth of first floor projection, with the Inspector noting that the first floor element of the extension, together with the vertical louvres, would be over 5m high and would project approx. 5m beyond the main rear elevation of the dwelling at No. 28.

The current proposal again proposes a 6.85m ground floor projection. The first floor projection has been reduced in depth on the eastern side from 5m to 3m, with the 5m depth retained towards the boundary with No. 24. The substitution of glazed balustrades for the timber louvres previously proposed attempts to reduce

the overall bulk/visual impact of the extensions. In comparison, the first floor element of the current scheme projects by approx. 2.5m beyond the closest part of the stepped rear elevation of No. 28. The applicant has also submitted a daylight and sunlight survey which concludes that the proposed development will not have a detrimental impact in terms of daylight and sunlight on the surrounding properties.

Impact on residential amenities

In dismissing the appeal against the refusal of planning permission ref. 15/03084 the Inspector expressed particular concern regarding the dominant visual impact and effect on daylight and sunlight to No. 28. It is noted that the proposed extension lies immediately on the boundary between Nos. 26 and 28, following the line of the existing flank elevation of the host building and the existing single storey rear extension. The existing separation between host building and the flank elevation of No. 28 would be retained at 1.8m. It is noted that the host property has an existing single storey rear extension with a depth of 5.2m.

While the proposed ground floor depth of the extension remains at 6.85m (as previously proposed), the current scheme has reduced the depth of the extension at first floor level to 3m, approx. 2.5m beyond the nearest part of the rear elevation of No. 28. The submitted drawings indicate that the first floor projection would lie outside a 45 degree angle measured from the centre of the nearest windows at first floor level.

The proposed extensions would be appreciable from the neighbouring dwelling's rear facing windows and from the garden. However, it is considered that the reduction in the depth and bulk of the extension towards the eastern boundary of the site would mitigate the visual impact and that the loss of residential amenity would not be significant.

With regards to the impact of the proposal on the amenities of No. 24, it is not considered that the effect would be significant, taking into account that the views from the first floor rear facing windows at No. 26 would be oblique and that the flank elevation of the extension would be separated from the flank elevation of the neighbouring dwelling by approx. 3m. The proposed flat closest to the western boundary of the site incorporates a first floor terrace with a depth of 1.85m. The relationship between this terrace and the development at No. 24 could result in potential for overlooking to the side into the rear garden immediately to the back of the neighbouring property. However, if in all other respects the development is considered acceptable it may be appropriate to secure screening to this side of the terrace in order to prevent unacceptable loss of privacy to No. 24 although a light touch would be necessary to ensure that the screening would not add unacceptable bulk and prominence to the rear extension.

The separation between the balcony and the boundary with No. 28 is considered sufficient to limit the potential for undue overlooking associated with the use of the terrace although if permission is granted it would be appropriate to apply a condition to prevent the use of the flat roof adjacent to the terrace for sitting out/as amenity space.

Impact on visual amenities of the locality

The depth, materials and curved lines of the proposed upper floor of the rear extension was considered by the appeal Inspector to be unduly bulky and to fail to respect the character and appearance of the host building/surrounding area.

The current proposals are generally more sympathetic. The curved and obtrusive design with the linked rear dormer and first floor extension has been replaced by a more appreciable visual distinction between the rear dormer and the first floor element. The rear dormer would be tile hung to match the proposed slate tiled roof over the whole building. The metal cladding to the first floor of the extension has been replaced by rendered side elevations and the bulky vertical louvres have been deleted which results in the perception of the depth of the extension being reduced.

The Inspector welcomed the provision of a slate tiled roof. While concern was expressed at the white rendering of the building in terms of the relationship between the property and the surrounding houses which are predominantly finished in brick, it was considered that the proposed elevational alterations to the front elevation resulted in a neutral contribution to the character and appearance of the host property and the surrounding area. The property does not lie within a conservation area and the existing building has a negative impact on the character and appearance of the locality. On this basis, taking into account the reduction in overall bulk of the extension, the use of more sympathetic materials and the provision of a visual break between the first floor extension and the rear dormer, it is not considered that strong grounds exist to refuse planning permission on the basis of the impact of the proposals on the visual amenities of the area.

Other matters

It is noted that concern has been expressed regarding the means of providing foundations without encroachment over the boundary and flooding. Concerns along these lines were also expressed regarding the previous proposals. Drainage/flooding is a matter that could be dealt with under other legislation and the site does not lie within a designated flood risk area. Land ownership and encroachment is a private legal matter and the means of construction of the proposed extensions and the conversion works within the existing building shell would fall under the Building Regulations.

It has been recommended by the Highways engineer that details be sought by way of planning condition regarding satisfactory refuse storage provision, along with other technical issues to serve the future occupants of the proposed flats.

The proposal would result in 2 two and 2 one bedroom flats in comparison with the existing 2 three bedroom flats. The proposal would provide 2 additional (albeit smaller) residential units. A recent appeal decision has indicated that the Council does not currently have a five year housing supply. The provision of the additional residential units would weigh in favour of the development, although in any case the proposals are considered on balance to overcome the previous grounds for refusal and dismissing of the appeal against that refusal.

Summary

Having had regard to the above it is considered that the siting, size and design of the proposed extensions is acceptable in that it would not result in a significant loss of amenity to local residents nor impact detrimentally on the character of the area. The proposal represents an improvement over the previous scheme, dismissed at appeal. On balance it is considered that the reduction in the depth of first floor projection in relation to No. 28, the removal of the bulky and visually obtrusive vertical louvres and the provision of a less visually incongruous and discordant design for the rear extensions would overcome the previous grounds for refusal of permission, taking into account the Inspector's reasoning in the appeal decision notice. The parking provision is considered adequate to serve the needs of the proposed flats and further details regarding refuse and cycle storage and with regards to a means for screening the remaining proposed rear balcony are capable of being secured by way of condition.

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 the interest of the visual and residential amenities of the area and to accord with Policy BE1 of the Unitary Development Plan.

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

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

- 4 Before commencement of the use of the land or building hereby permitted parking spaces and/or garages and turning space shall be completed in accordance with the approved details and thereafter shall be kept available for such use and no permitted development whether permitted by the Town and Country Planning (General Permitted Development) Order (England) 2015 (or any Order amending, revoking and re-enacting this Order) or not shall be**

carried out on the land or garages indicated or in such a position as to preclude vehicular access to the said land or garages.

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

- 5** No loose materials shall be used for surfacing of the parking/turning area hereby permitted.

Reason: In the interest of pedestrian and highway safety and to accord with Policy T18 of the Unitary Development Plan.

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

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

- 7** The flat roof area above the ground floor and first floor extensions shall not be used as a balcony or sitting out area and there shall be no access to the roof areas.

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

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

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

- 9** 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.

- 10** 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.

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

Reason: to secure a satisfactory means of surface water drainage.

- 12** 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.

- 13** 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.

- 14** 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.

- 15** 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 secure a satisfactory means of surface water drainage.

You are further informed that:

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

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Application:16/04056/FULL1

Address: 26 Manor Road Beckenham BR3 5LE

Proposal: Elevational alterations, part one/two storey rear extension incorporating first floor balcony, rear dormer extension and conversion of building to 2 one bedroom and 2 two bedroom flats with 4 no. car parking spaces at front.



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

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SECTION '2' – Applications meriting special consideration

Application No : 16/04145/FULL1

Ward:
Clock House

Address : 3 Beckenham Road, Beckenham
BR3 4ES

OS Grid Ref: E: 536929 N: 169392

Applicant: Joseph Samuel Corporation

Objections : YES

Description of Development:

Construction of a part one and two storey upper level extension to provide an additional two storeys comprising 6 two bedroom and 2 one bedroom flats with associated parking, refuse and recycling.

Key designations:

Biggin Hill Safeguarding Area
London City Airport Safeguarding
Smoke Control SCA 15

Proposal

Planning permission is sought for the construction of a part one and two storey upper level extension to provide an additional two storeys comprising 6 two bedroom and 2 one bedroom flats with associated parking, refuse and recycling.

The additional floors will be situated in a canted format stepping back from the front elevation. The proposed second and third floor will take a similar design format to the existing ground and first floor facing the streetscene. To the rear the building will increase by a single level. The overall height of the building will increase from approximately 7.4m to 12.4m as viewed from the front elevation.

Location

The application site is located on the south-eastern side of Beckenham Road, close to the junction of Beckenham High Street with Croydon Road, Rectory Road and the High Street.

The site at present comprises an existing part two and three storey flat roofed building which is in use as a Barclays Bank with public areas on the ground floor and ancillary office accommodation above. There is an existing car park containing 12 spaces to the rear of the building which is accessed via Westfield Road. Recently installed air conditioning plant occupies two of the original car parking spaces limiting this now to 10 spaces.

The boundary of the Beckenham Town Centre Conservation Area (2015) adjoins the south east and north east boundaries of the site.

To the south-east of the site is a single storey Class A1 retail unit and further to the south is a three storey terrace at 408-436 Croydon Road both now within the

conservation area boundary. Similarly within the conservation boundary, opposite the site is a Locally Listed part one/two storey post office building also occupied by Citygate Church. To the eastern corner of the roundabout is the Odeon cinema which is Grade II Listed. The War Memorial is also Grade II Listed located within the centre of the roundabout.

To the west No5 Beckenham Road is a large three storey Victorian building converted to four flats.

Consultations

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

- o Concerns regarding an increase in air pollution and traffic gridlock.
- o Concerns regarding overlooking from flank windows.
- o The height of the redevelopment will restrict the height of redevelopment at No5, an alternative room layout could overcome this.
- o Objection to existing a/c units on flank wall of building in terms of visual amenity and noise.
- o Concerns regarding the level of parking provision.
- o Assertions that Japanese Knotweed is located in the car park.
- o Proposed structure is out of keeping with local properties and destroys Art Deco heritage.
- o Site should be preserved and developed for sensitive use.
- o The building will be taller than surrounding buildings setting a precedent.
- o Balconies will overlook properties in Westfield Road.
- o Greater level of noise nuisance from rented out flats.

Internal Consultations

Highways (summary): The site is located on the corner of Beckenham Road and Croydon Road. Beckenham Road (A234) is a London Distributor Road (LDR). There are waiting restrictions (No Waiting at any Time) immediately outside the site. The development is located within an area with a high PTAL rate of 5.

The car parking would be accessed from the rear of the site via a private service road from Westfield Road leading to 12 car parking spaces. However it appears that two parking spaces are currently occupied by A/C equipment and two are allocated to the bank customers. Therefore only eight spaces are available for the proposed development.

No cycle parking is provided. The applicant is required to provide 16 secured and covered cycle parking spaces. Refuse storage is indicated on the submitted plans but the applicant should be made aware that where bin storage is located further than 18m from the highway boundary.

Environmental Health - Pollution (summary): The site borders a fairly busy road close to a roundabout within Beckenham town centre. An acoustic assessment is recommended to determine the ambient noise level at this location and to assess whether any noise mitigations are necessary, such as specialist glazing, in order to

achieve a reasonable internal sound level in the proposed flats necessary to meet BS8233 noise standards. The application site is within an Air Quality Management Area declared for NOx. Standard planning conditions are recommended for further information.

Drainage: The incorporation of green roofs on the top of the proposed flat roof should be encouraged as it will help reduce surface water run-off entering public sewer. A standard condition for drainage is recommended.

External consultations

Thames Water: No objections with regard to sewerage infrastructure capacity or water infrastructure capacity.

Planning Considerations

National Planning Policy Framework (NPPF)

14: Achieving sustainable development

17: Principles of planning

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 2015:

2.6 Outer London: Vision and Strategy

2.7 Outer London Economy

2.8 Outer London: Transport

3.3 Increasing Housing Supply

3.4 Optimising Housing Potential

3.5 Quality and Design of Housing Developments

3.8 Housing Choice

3.9 Mixed and Balanced Communities

5.1 Climate change mitigation

5.2 Minimising Carbon Dioxide Emissions

5.3 Sustainable Design and Construction

5.7 Renewable Energy

5.10 Urban Greening

5.11 Green Roofs and Development Site Environs

5.12 Flood Risk Management

5.13 Sustainable Drainage

5.14 Water quality and wastewater Infrastructure

5.15 Water use and supplies

5.16 Waste self-sufficiency

5.17 Waste capacity

5.18 Construction, excavation and demolition waste

5.21 Contaminated land

6.3 Assessing Effects of Development on Transport Capacity

6.5 Funding Crossrail and other strategically important transport infrastructure

6.9 Cycling

- 6.13 Parking
- 7.1 Lifetime Neighbourhoods
- 7.2 An Inclusive Environment
- 7.3 Designing Out Crime
- 7.4 Local Character
- 7.5 Public Realm
- 7.6 Architecture
- 7.8 Heritage Assets and Archaeology
- 7.14 Improving Air Quality
- 7.15 Reducing and Managing Noise, Improving and Enhancing the Acoustic Environment and Promoting Appropriate Soundscapes.
- 7.19 Biodiversity and Access to Nature
- 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
- BE13 Development Adjacent to a Conservation Area
- ER7 Contaminated Land
- ER10 Light pollution
- H1 Housing Supply
- H7 Housing Density and Design
- H9 Side Space
- H12 Conversion of Non-Residential Buildings to Residential Use.
- NE7 Development and Trees
- T1 Transport Demand
- T2 Assessment of Transport Effects
- T3 Parking
- T5 Access for People with Restricted Mobility
- T6 Pedestrians
- T7 Cyclists
- T15 Traffic Management
- T16 Traffic Management and Sensitive Environments
- T18 Road Safety

Supplementary Planning Guidance 1: General Design Principles

Supplementary Planning Guidance 2: Residential Design Guidance

Beckenham Town Centre Conservation Area (2015). No SPG has been adopted at the time of writing.

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 8 - Side Space
Draft policy 10 - Conversion of Non-Residential Buildings to Residential
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 42 - Development Adjacent to a Conservation Area
Draft Policy 73 - Development and Trees
Draft Policy 77 - Landscape Quality and Character
Draft Policy 86 - Office Uses Outside Town Centres and Office Clusters
Draft Policy 112 - Planning for Sustainable waste management
Draft Policy 113 - Waste Management in New Development
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 122 - Light Pollution
Draft Policy 123 - Sustainable Design and Construction
Draft Policy 124 - Carbon dioxide reduction, Decentralise Energy networks and Renewable Energy

Relevant Planning History

82/02175: Three storey office block including caretakers flat and car parking. Approved 16/12/1982.

85/00557/FUL: Change of use to bank and elevational alterations. Approved 18.04.1985

11/00875/FULL1: Construction of part 2/3 storey extension to form a 5 storey building, providing 8 two bedroom and 1 three bedroom apartments with balcony / roof terrace areas and parking. Refused 09.05.2011

Refusal reasons:

o The proposed development by reason of its height, scale and bulk would be unduly obtrusive in the street scene and out of scale and character with adjoining development, detrimental to the visual amenities of the street scene and the

locality in general thereby contrary to Policies BE1 and H7 of the Unitary Development Plan; and

o The proposed extension with its considerable height, bulk, siting and provision of flank windows and balcony/roof terrace areas would be overdominant and would be detrimental to the amenities that the occupiers of adjoining properties might reasonably expect to be able continue to enjoy by reason of visual impact, overlooking and loss of privacy contrary to Policies BE1 and H7 of the Unitary Development Plan.

12/00330/FULL1: Part change of use to residential including part one/two storey extension to form 4 storey building, providing 8 two bedroom apartments with balcony/roof terrace areas and parking. Refused 30.03.2012.

Refusal reasons:

o The proposed development by reason of its height, scale and bulk would be unduly obtrusive in the street scene and out of scale and character with adjoining development, detrimental to the visual amenities of the street scene and the locality in general thereby contrary to Policies BE1 and H7 of the Unitary Development Plan.

o The proposed extension with its considerable height, bulk, siting and provision of flank windows and balcony/roof terrace areas would be overdominant and would be detrimental to the amenities that the occupiers of adjoining properties might reasonably expect to be able continue to enjoy by reason of visual impact, overlooking and loss of privacy contrary to Policies BE1 and H7 of the Unitary Development Plan.

An Appeal was subsequently submitted and dismissed.

However, the Inspector accepted that the height and bulk of the building would not be at odds with its surroundings and he concluded that the proposal would not lead to unacceptable effects on the living conditions of neighbours.

The appeal was dismissed in relation to the form of the two storey element of the extension which didn't replicate the form of the building below, the style and form of the front façade being rectangular rather than canted and the fact that habitable room windows on the flank may be affected if redevelopment took place at No. 5 Beckenham Road.

13/00407/FULL1: Erection of part one/two storey extension to provide 8 self-contained flats (6 x 2 bedroom and 2 x 1 bedroom). Approved at Planning Committee on 10.04.2013

This revised scheme proposed that the two storey additional floors extension would be set back in progressive and equal steps with regular spacing in order to mirror the existing frontage element and that the form of the building would be canted to replicate the window form and shape of the lower two floors.

This permission has now recently expired.

14/02976/FULL1: Installations of 5 x air conditioning condenser units to the rear elevation. Approved 01.12.2014.

16/02218/FULL1: Construction of a part one/two/three storey upper level extension to provide an additional three storeys comprising 1 three bedroom, 6 two bedroom and 2 one bedroom flats with associated parking, landscaping, refuse and recycling. Refused 26.07.2016

Refusal reason:

o The proposed development by reason of its design, siting, scale, bulk and height and its relationship to adjacent and nearby buildings in this prominent location would be unduly obtrusive in the streetscene and detract from views into and out of the area detrimental to the character and appearance and setting of the adjacent Beckenham Town Centre Conservation Area. It would therefore represent an inappropriate and visually obtrusive development contrary to Policies BE1 and BE13 of the Unitary Development Plan and Policies 7.6 and 7.8 of the London Plan and the National Planning Policy Framework (2012).

Other locally relevant planning history

404-436 Croydon Road

04/01448/RENEW: Part development/redevelopment scheme comprising 1 four storey, 1 part one/four storey and first/second/third floor extensions; including retail unit/4 level underground car park for 56 vehicles with automatic parking/retrieval mechanism; change of use of first and second floors from residential to offices and formation of 14 two bedroom flats with revised vehicular access arrangements and 7 surface car parking spaces at rear and refuse storage (Renewal of permission 99/01372). Approved 7/6/2004.

The development has not been implemented.

03/03753/FULL1 (single storey unit adjacent to the site at 436 Croydon Road): The demolition of existing building and erection of three storey building comprising restaurant (Class A3) on ground and first floors and offices on second floor, with basement level for use ancillary to the restaurant. Approved 16/12/2003

The development has not been implemented.

No.7 Beckenham Road

90/01009/FUL: Following refusal by London Borough of Bromley, permission was allowed at Appeal for rear dormer and part one/three storey rear extension and conversion into 2 two bedroom and 8 one bedroom flats, with 11 car parking spaces.

The development has been implemented.

No.5 Beckenham Road

12/01853/FULL1: Three storey side and rear extension and alterations to existing building to accommodate 4 two bedroom flats and 5 one bedroom flats with 6 car parking spaces to the rear and 3 car parking spaces to the front. Refused 10/8/2012.

Refusal reason:

- o The proposed extension by reason of its size, height, bulk and incongruous design is detrimental to the character and appearance of the host building and the area in general contrary to Policies H8 and BE1 of the Unitary Development Plan.

Conclusions

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

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

Principle of development

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

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

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

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.

Policy H12 - 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 of the original building if it is considered to be a positive contribution to local character.

In this case the proposed scheme does not greatly affect the ground floor and basement uses except for minor intervention to provide an access route to the proposed upper floor flats via the existing doorway to the left as viewed from the street. The functioning floor area of the ground floor commercial use will be reduced slightly to facilitate this and there will be no change to the ground floor front elevation in this regard with the residential entrance remaining as per its existing design installation.

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 floors and construction of additional floors is appears acceptable subject to the scheme's compliance with all other relevant development plan documents and policies.

Density

Policy 3.4 in the London Plan seeks to ensure that development proposals achieve the optimum housing density compatible with local context, the design principles in Chapter 7 of the plan, and with public transport capacity. Table 3.2 (Sustainable residential quality) identifies appropriate residential density ranges related to a site's setting (assessed in terms of its location, existing building form and massing) and public transport accessibility (PTAL).

The site has a PTAL rating of 5 and is within an urban setting. In accordance with Table 3.2, the recommended density range for the site would be 55-225 dwellings per hectare. The proposed development would have a density of 84 dwellings per hectare.

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

Design and Conservation

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

Policy BE13 states that a development proposal adjacent to a conservation area will be expected to preserve or enhance its setting and not detract from views into or out of the area.

This is expanded upon in the following justification paragraphs detailing that where new development takes place, within or adjoining conservation areas, a good and sympathetic design is vital to maintain existing standards. Such considerations as to the height, bulk, materials and landscaping of a building are especially important to the acceptability of schemes in or adjacent to conservation areas.

The application history for the site as detailed above, indicates that in 2013, a four storey building was approved on the site following various preceding applications and appeals. It is also highlighted that a scheme in 2011 (Ref 11/00875/FULL1) for 5 storeys was refused on the site. In 2016 (Ref 16/02218/FULL1) a scheme also involving a fifth storey laid out as a penthouse flat with an elaborate waved style roof structure was refused.

The key difference to previous schemes and the current application is the designation of the Beckenham Town Centre Conservation Area. The site adjoins the boundary of the conservation area which came into effect on 26th June 2015. With respect to the earlier 2016 scheme, concerns were raised as to the substantial extra height of the proposed building with a fifth storey which was considered excessive with regard to its relationship with the buildings within the adjacent conservation area.

It is pertinent to note that the current scheme now under consideration is the same as that approved in 2013 for eight flats and four storeys. However, this was before the designation of the conservation area and therefore the scheme now needs to be assessed against the conservation area heritage status of the adjoining area.

The adjacent buildings to the east within the conservation area are predominantly of three storey height. Immediately adjacent to the site at No's 408 to 436, a commercial terrace, is also now included within the conservation area at three storey height to preserve its character and appearance on going. Prominent views to and from the site are of importance to the approaches to and from the conservation area. The application site building itself is relatively modern however, and the intended design will replicate the original design approach. A good level of separation is also provided between adjacent buildings which will remain the same. The Council's Conservation Officer has reviewed the scheme and not raised objections.

Therefore, given the retention of the character and appearance of the building, the schemes replication of its design features and the retention of the spatial relationship of the building to the adjacent conservation area and properties to the west, the additional mass and scale of the proposed floors are considered to maintain views into and out of the conservation area retaining its character and appearance to the public realm at this location.

Standard of Residential Accommodation

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

The floor space size of each of the proposed units in the existing and proposed sections of the building ranges between 56.6m² and up to 76.8m² respectively for the upper level flats. The nationally described space standard requires various sizes of internal areas in relation to the number of persons and bedrooms provided in each unit. On this basis, the floorspace provision for all of the units is compliant with the required standards and is considered acceptable.

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

In accordance with Standard 11 of Housing: Supplementary Planning Guidance. (March 2016) of the London Plan 90% of all new dwellings should meet building regulation M4(2) 'accessible and adaptable dwellings'. No information has been supplied in this regard. It is recommended that compliance with this standard could have been secured by condition had permission been recommended otherwise.

Amenity Space

In terms of amenity space balconies have also been provided to all flats to create private areas of amenity space. The size of these areas is generally in compliance with the requirements of the London Plan guidelines. Therefore the provision is considered acceptable at this location given the town centre proximity.

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 will provide front and rear outlook with angled flank outlook mitigated by design. Concerns have been raised regarding loss of privacy and overlooking to the gardens of properties on Westfield Road to the south and rear of the site. However, it is noted that a substantial distance of at least 45m will remain to these properties and also the intended

design mitigation to allow these windows to look rear and front will alleviate this issue. The Inspector in relation to the previous appeal also concluded that no unacceptable loss of privacy would result through the use of side balcony screens on the rear elevation balconies. On balance, given the similarity of the proposed scheme to that consented in 2013, it is considered that the building in this aspect of the scheme only will not result in loss of privacy or overlooking of adjacent property sufficient warrant refusal of the application in this regard.

Highways and Car parking

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 and not raised any objection in this regard. 10 usable spaces are to be provided on site with 8 spaces available for the proposed development utilising the existing vehicular access point from Westfield Road which is considered satisfactory given the proximity to public transport links. Therefore, the proposal is considered generally acceptable from a highways safety perspective subject to appropriate planning conditions.

Cycle parking

Cycle parking is required to be 1 space per studio and 1 bedroom flats and 2 spaces for all other dwellings. The applicant has not provided details of a location for cycle storage for the units. Further details in this regard are recommended by condition.

Refuse

All new developments shall have adequate facilities for refuse and recycling. The applicant has provided details of refuse storage location for the units in the rear curtilage parking area accessed from Westfield Road. The location point is considered acceptable. Further details in this regard are recommended by condition in relation to capacity and a containment structure.

Sustainability and Energy

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

No details have been supplied in this regard which is not required by policy for schemes of this size. However, further details are requested for a sustainable urban drainage system.

Community Infrastructure Levy

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

Summary

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

RECOMMENDATION: PERMISSION

Subject to the following conditions:

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

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

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

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

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

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

- 4 Details of the windows (including rooflights and dormers where appropriate) including their materials, method of opening and drawings showing sections through mullions, transoms and glazing**

bars and sills, arches, lintels and reveals (including dimension of any recess) shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced. The windows shall be installed in accordance with the approved details.

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

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

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

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

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

- 7 An acoustic assessment shall be submitted to the Local Planning Authority for approval in writing prior to commencement of the development. The assessment shall determine the worst case day time and night time ambient background noise levels affecting this location and predict the internal levels in the proposed residential dwelling. A scheme of mitigation, as necessary in light of the results of the assessment, (covering façade, glazing and ventilation specifications to achieve suitable internal noise levels in line with guidance in BS8233:2014) shall be submitted to the Local Planning Authority for written approval prior to commencement of the

development and once approved shall be installed fully in accordance with the approved scheme and permanently maintained thereafter.

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

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

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

- 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** 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.

- 11** 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.

12 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.

13 Before the development hereby permitted is occupied arrangements shall be agreed in writing with the Local Planning Authority and be put in place to ensure that, with the exception of disabled persons, no resident of the development shall obtain a resident's parking permit within any controlled parking zone which may be in force in the vicinity of the site at any time.

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

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

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

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

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

- 16 The development hereby permitted shall be built in accordance with the criteria set out in Building Regulations M4(2) 'accessible and adaptable dwellings' and shall be permanently retained thereafter.**

Reason: To comply with Policy 3.8 of the London Plan 2015 and the Mayors Housing Supplementary Planning Guidance 2016 and to ensure that the development provides a high standard of accommodation in the interests of the amenities of future occupants.

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 Before works commence, the Applicant is advised to contact the Pollution Team of Environmental Health & Trading Standards**

regarding compliance with the Control of Pollution Act 1974 and/or the Environmental Protection Act 1990. The Applicant should also ensure compliance with the Control of Pollution and Noise from Demolition and Construction Sites Code of Practice 2008 which is available on the Bromley web site.

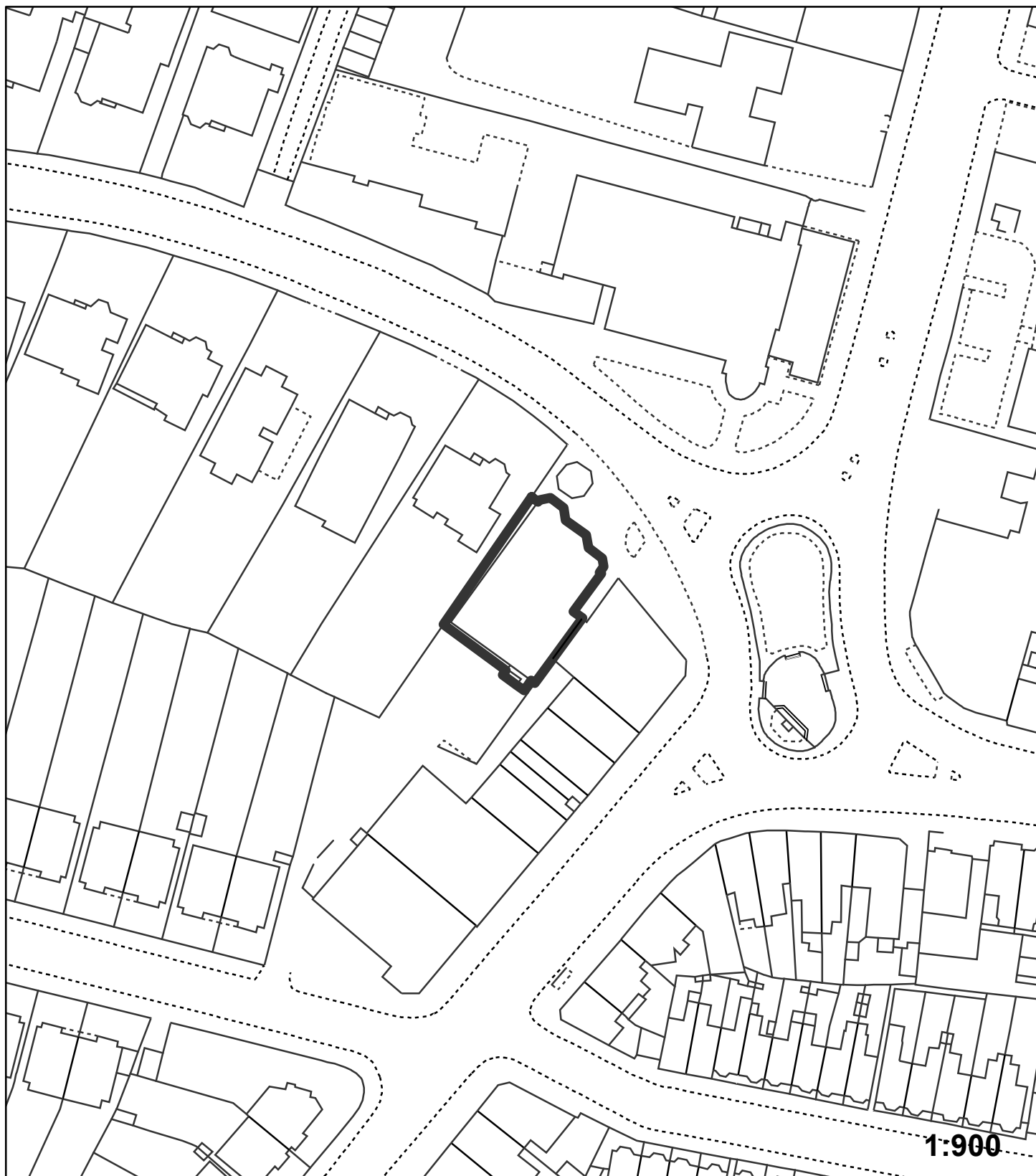
- 5 It is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off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

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

Application:16/04145/FULL1

Address: 3 Beckenham Road Beckenham BR3 4ES

Proposal: Construction of a part one and two storey upper level extension to provide an additional two storeys comprising 6 two bedroom and 2 one bedroom flats with associated parking, refuse and recycling.



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

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SECTION '2' – Applications meriting special consideration

Application No : 16/04259/FULL1

Ward:
Bickley

Address : 2 The Avenue, Bickley, Bromley
BR1 2BT

OS Grid Ref: E: 541959 N: 168605

Applicant : Mr Adam Jude Grant Esq

Objections : YES

Description of Development:

Proposed erection of a two storey two bedroom dwelling

Key designations:

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

Proposal

The proposed dwelling will be sited to the rear of No. 2, on an area of already subdivided land, creating a new residential curtilage. The dwelling will have a height of 5.7m and a maximum width of 6.1m. The dwelling is of modern design with a flat roof profile.

The dwelling will provide side space of 1.09m to the front of the dwelling increasing to 1.4m to the rear along the eastern boundary and 2.3m to the rear along the western flank boundary. The proposed dwelling provides a separation of 9.8m to the rear boundary and 3.4m from the highway.

The proposal will provide one car parking space and will utilise the existing access onto Beaconsfield Road.

Consultations

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

- The house is completely out of keeping with other properties
- It is sited extremely close to the properties either side
- Only one parking space has been allocated which is sufficient
- The access onto the driveway is narrow which may result in people not using the parking space
- The rear garden of number 2 is small
- Overdevelopment
- There is a large window on the front elevation which will look over the back garden and inside the internal windows of number 3a Beaconsfield Roa
- The size and bulk of the unit will appear to be less than one metre from the boundaries of either 3 or 3a

- The site is currently a garden and the development will destroy the green resource
- The property is on a corner in the road where parking is at a premium
- The building is ugly
- The building has been shoe-horned in

Amended plans were received which altered the roof profile from a pitched design to a flat roof as well as minor alterations to the flank elevations to incorporate a break line in the brick work. Comments received as a result of this re-consultation are summarised as follows:

- The proposal for a flat roof house in a row of very nice and pitched roof attractive houses is inappropriate and inconsistent with the existing houses in Beaconsfield Road.
- The design is ugly and obtrusive
- The windows along the flank elevation cause overlooking. The suggestion that the single storey garage would prevent overlooking is entirely incorrect as the garage is a single ground floor building and therefore does little to obscure the view into our garden.
- Overdevelopment of the site
- Contrary to H9 - side space policy
- Does not provide adequate off street parking
- The building could quite easily be converted into a dwelling with more bedrooms than existing
- The roof design does not fit

Internal Consultees

No technical drainage objections are raised subject to standard conditions.

No Thames Water objections are raised.

Environmental Health (Housing) make comments with regards to the open plan nature of the dwelling, outlook and ventilation.

Technical highways comments have been received raising no objection to the scheme subject to conditions.

Planning Considerations

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

BE1 Design of New Development
 H7 Housing Density and Design
 H9 Side Space
 NE7 Development and trees
 T3 Parking
 T18 Road Safety

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

London Plan (2015)

Policy 3.3 Increasing Housing Supply.
Policy 3.4 Optimising Housing Potential
Policy 3.5 Quality and design of housing developments
Policy 3.8 Housing choice
Policy 5.1 Climate change mitigation
Policy 5.2 Minimising carbon dioxide emissions
Policy 5.3 Sustainable design and construction
Policy 5.10 Urban greening
Policy 5.12 Flood risk management
Policy 5.13 Sustainable drainage
Policy 5.18 Construction, excavation and demolition waste
Policy 6.9 Cycling
Policy 6.13 Parking
Policy 7.2 An inclusive environment
Policy 7.3 Designing out crime
Policy 7.4 Local character
Policy 7.6 Architecture
Policy 8.3 Community infrastructure levy

London Plan Supplementary Planning Guidance (SPG)

Housing: Supplementary Planning Guidance. (2016)

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

Planning History

In 1971, under planning application ref. 19/71/1860 an outline proposal was submitted for the erection of a detached dwelling and garage on a severed area of the garden land at the rear of 2, The Avenue. Planning permission was refused on the grounds that the erection of a dwelling house on this restricted site would constitute a cramped form of development with inadequate space around the dwelling, and would be out of character in the area and that the development would be prejudicial to the amenities of neighbouring residents by reason of loss of privacy.

A further outline planning application, ref. 19/77/2895, for the erection of a detached two-storey house with attached garage on land severed from the rear garden area at 2, The Avenue, fronting Beaconsfield Road, Bickley, was refused on four grounds. The first reason for refusal concerned the unsatisfactory subdivision of the existing plot resulting in cramped overdevelopment of the site and retrograde lowering of the spatial standards to which the area is at present developed, especially due to the lack of space surrounding the proposed dwelling and the minimal rear garden for a house capable of being occupied as family accommodation.

The proposal was also refused on the loss of garaging facilities for 2, The Avenue, the insufficient space in front of the proposed garage to accommodate off-street car parking to the Council's standards and the proposed development would be prejudicial to the amenities of adjoining residents by reason of loss of prospect and privacy.

Under planning application ref. 13/00552 it was proposed to erect a two storey five bedroom detached house, with the fifth bedroom and a store comprising the accommodation in the roof, and associated car parking on the land severed from the rear garden of 2, The Avenue and situated between 3 and 3a, Beaconsfield Road. A rear garden depth of 7.5m would be provided and parking for two cars on the frontage was shown. The height to the main roof pitch was 8.8m and side space would be restricted to the side boundaries to a minimum of under 1m to part of the western boundary.

Planning permission was refused on 22nd April 2013 on the following grounds;

1. The proposal constitutes an unacceptable sub-division of the existing plot that is out of character with the surrounding area, resulting in a cramped overdevelopment of the site and a retrograde lowering of the spatial standards to which the area is at present developed, and if permitted would set an undesirable precedent for similar sub-divisions in the locality, thereby contrary to Policies BE1, H7 and H9 of the Unitary Development Plan.

2. The proposed dwelling, by reason of its design and siting in close proximity to Nos. 3 and 3A Beaconsfield Road, would result in a harmful impact on the amenities of the occupiers of these neighbouring dwellings by reason of a harmful visual impact, loss of privacy and loss of outlook, thereby contrary to Policies BE1 and H7 of the Unitary Development Plan."

An appeal, PINS ref. APP/G5180/A/13/2199796, was dismissed in October 2013. The Inspector found that the restrictions of the plot and the size of the house proposed, together with the limited separations to the side boundaries of the proposed site, would result in a cramped form of development with little alleviating space in contrast with the street's more general arrangements of dwellings better spaced and set within their plots (paragraph 5). The proposed parking spaces for two cars on the frontage would be of visual detriment to the street scene.

In 2014, under planning application ref. 14/00784, it was again proposed that the appeal site would be created from the severance of part of the rear garden plot of the five bedroom detached house 2, The Avenue. The proposal concerned the erection of a detached two-storey 4 bedroom house with accommodation in the roof space and an associated parking space on the frontage to Beaconsfield Road using the access onto Beaconsfield Road.

Planning permission was refused by decision notice dated 22nd May 2014, on the following grounds:

1. The proposal represents a cramped overdevelopment of the site by reason of the restrictive size of the plot available and would be detrimental to the character and appearance of the area, contrary to Policies BE1, H7 and H9 of the Unitary Development Plan.

2. The proposal would result in insufficient car parking spaces to meet the needs of the development and would therefore be prejudicial to the free flow of traffic and conditions of general safety along the adjoining highways, contrary to Policy T18 of the Unitary Development Plan.

3. The proposed roof lights to the bedroom would not provide a reasonable outlook or view of the surroundings, resulting in an unsatisfactory standard of living accommodation, contrary to Policy H7 of the Unitary Development Plan.

The Inspector concluded that the design of the dwelling featured verticality which would be further emphasised by the high eaves height on part of the front elevation, the overall depth of the roof and the split frontage. The adjacent buildings by contrast are not as tall as the proposed dwelling and are significantly wider. The north western corner of the proposed dwelling would sit just under one metre to the rear of the garage at No.3a and less than six metres to the south east of the dwelling at No.3a.

The Inspector found that due to the height and elevated position of the proposed dwelling that it would be visually overbearing and would result in the two gardens being cramped and in relation to No.2, overlooked. The dwelling would appear "shoe-horned" in to the site and would be totally out of keeping with the identity, character and appearance of its surroundings. The cramped nature of the scheme would be exacerbated by the presence of two tall evergreen trees located at a very short distance to the west of the proposed dwelling, within the rear garden of 4, The Avenue.

The four double bedrooms proposed would result in a material level of displaced parking on street due to the proposed provision of only one parking space on the frontage. The reliance on on-street parking highlighted the cramped and over-developed nature of the scheme.

The scheme would result in the direct overlooking of the shortened rear garden at No.2, The Avenue and its sitting out area. It would also result in inter-looking at the rear between the appeal dwelling and No.2. The proposed second floor bedroom would be served by three south facing high level roof lights and there would be an absence of open outlook from the bedroom resulting in an enclosed and unsatisfactory environment however the Inspector thought that this could be redesigned.

Under planning application ref. 15/02992, a full planning application, a 2 storey, two bedroom (4 person) dwelling was proposed on the sub-divided land at the rear of 2, The Avenue with 2 car parking spaces and 4 cycle spaces.

Planning permission was refused for 15/02992, on 17th September 2015, on four grounds:

1. The proposal, by reason of its flat roof design would be overtly prominent and considered detrimental to the character and visual amenities of the locality contrary to Policies BE1 and H7 of the Unitary Development Plan, chapter 7 of the London Plan and the aims and objectives of the NPPF.

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

3. The development, by virtue of its siting, would unduly compromise the residential amenity afforded to the owner occupiers of 3a Beaconsfield Road and would allow for an unacceptable overbearing impact and overshadowing contrary to Policy BE1 and H7 of the Unitary Development Plan.

4. The proposal does not comply with the Council's requirement for a minimum 1 metre side space to be maintained to the flank boundary in respect of two storey development in the absence of which the new dwelling would constitute a cramped form of development, out of character with the street scene, conducive to a retrograde lowering of the spatial standards to which the area is at present developed and contrary to Policy H9 of the Unitary Development Plan.

This application was not appealed.

Under planning application ref. 15/04351/FULL1, a full planning application for a proposed two bedroom detached dwelling was proposed on the sub-divided land to the rear of 2 The Avenue.

Planning permission was refused for 15/04351/FULL1 for the following reasons:

1. The development, by virtue of its siting, would unduly compromise the residential amenity afforded to the owner occupiers of 3a Beaconsfield Road and would allow for an unacceptable overbearing impact and overshadowing contrary to Policy BE1 and H7 of the Unitary Development Plan.

2. The proposal, by reason of its design would be overtly prominent and considered detrimental to the character and visual amenities of the locality contrary to Policies BE1 and H7 of the Unitary Development Plan, chapter 7 of the London Plan and the aims and objectives of the NPPF.

The Inspector in dismissing the appeal (Ref: APP/G5180/W/16/3145973) did not find that the development would unduly compromise on residential amenity however did not consider that the dwelling was of an appropriate design with specific reference to the roof profile and the prominence of the side elevation.

Conclusions

The most recently refused application ref: 15/04351/FULL1 concerned a proposed two bedroom dwelling of similar size, design and appearance to that as submitted as part of this scheme. Following a refused application and a dismissed appeal, this application seeks to respond to the previous reasons for refusal and the scheme has been amended in the following ways:

- Removal of white render and replacement with brick
- Reduction in height of building
- Alterations to the roof profile to a full flat roof
- A break line is incorporated in the flank wall elevation

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

- o Principle of Development
- o Design
- o Standard of Residential Accommodation
- o Highways and Traffic Issues
- o Impact on Adjoining Properties

Principle of Development

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

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

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

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

The site is located in a residential location where the Council will consider infill development provided that it is designed to complement the character of surrounding area, the design and layout make suitable residential accommodation,

and it provides for garden and amenity space. Any adverse impact on neighbouring amenity, conservation and historic issues, biodiversity or open space will need to be addressed. Therefore the provision of an additional dwelling unit on the land is acceptable in principle subject to an assessment of the impact of the proposal on the appearance/character of the surrounding area, the residential amenity of adjoining and future residential occupiers of the scheme, car parking and traffic implications, sustainable design and energy, community safety and refuse arrangements.

It is noted that the principle of the sub division of the site has been agreed in principle by the Inspector within Appeal reference APP/G5180/A/13/2199796 . Plot sub-division in the immediate area appears to have already occurred over the years in several instances. The issue is therefore not the sub-division itself but, instead, the ability of the plot to satisfactorily accommodate the dwelling proposed and the design of the dwelling house inclusive of the impact on neighbouring residential amenity.

Design, Siting and Layout.

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

Policy BE1 and the Council's Supplementary design guidance seek to ensure that new development, are of a high quality design that respects the scale and form of the host dwelling and are compatible with surrounding development. This includes consideration of gaps between dwellings, when they contribute to the character of the area.

The site faces Beaconsfield Road with vehicular access also from this location. The land previously hosted single storey garaging forming the boundary with the adjacent amenity space however now comprises an area of concrete with a single garage. The land forms a buffer between numbers 3a and 3 along the south of Beaconsfield Road. The site is tapered so that it narrows significantly towards the north and the road frontage.

The siting of the dwelling is led by the constraints of the plot, with the design of the dwelling narrowing at the front to fit the tapered nature of the site, similar to the previous refused application. The dwelling is sited in a centralised position, with the front elevation 3.4m ahead of the front elevation of number 3 and 5.6m behind the front elevation of number 3a, similar to the siting of the previous application which the Inspector found acceptable.

Saved Policy H9 requires proposals of two or more storeys in height to be a minimum of 1m from the side boundary. H9(ii) states that 'where higher standards of separation already exist in residential areas, proposals will be expected to provide a more generous side space. Para 4.48 explains that the Council considers that it is important to 'prevent a cramped appearance and is necessary to protect the high spatial standards and visual amenity which characterise many of the Borough's residential areas'. A minimum side space of 1.09m to the common side

boundary with number 3A to the front and 1.25m with the common side boundary of number 3 is proposed in compliance with policy H9.

It is noted that there are a variety of plot shapes and curtilage areas in Beaconsfield Road, within which modern dwellings have been erected. Beaconsfield Road also hosts a plethora of differing architectural styles inclusive of single and two storey dwellinghouses of both detached and semi-detached nature. It is not considered that there is a regimental form of development within the surrounding locality therefore a modern and contemporary style of architecture may be considered acceptable.

The Inspector when considering application ref:15/04351/FULL1 within his comments stated that white render would suit the modern design of the building, however it would be unrelieved by fenestration or other features such that it would stand out from the treed background and would be prominent when viewed from Clarence Road. The Inspector then goes on to state that the prominence would be exacerbated by the height of the roof above the proposed building. As well as concerns about the height of the roof profile, the Inspector also notes that the proposed materials and layout of the pitched roof appear at odds with the modern design of the proposed building, such that it would appear awkward and incongruous on the proposed house. Amendments have been forthcoming to utilise brick as the primary facing material, with the provision of shadow gap (approx. 100mm) along the eastern elevation facing Clarence Road which Members may consider to mitigate the prominence of the dwelling. The roof profile has been amended, now proposing a fully flat roof profile of similar eaves height to the dwelling at number 3 which also addresses the Inspector's concerns in terms of the design, and would be a far more appropriate addition for the modern design of the dwelling house.

With regard to the elevations, it is noted that the dwelling is now proposed to be constructed from brick with horizontal aluminium louvres and black aluminium window frames. Limited information is provided as to the materials proposed, and should permission be forthcoming, a condition would be required for the submission of details prior to the construction of the development.

In contrast to previous schemes, a 1.5m close boarded timber fence is proposed along the front boundary of the site. The dwellings along Beaconsfield Road have open, low level frontages which is a characteristic of the wider area. The close boarded timber fence is considered incongruent and would appear dominant within the street scene. Should permission be forthcoming details of a revised boundary treatment can be conditioned to be submitted which should take design queues from the wider area. A landscaping plan will also be required to be submitted.

Members may consider that the design of the scheme has been amended sufficiently to overcome the Inspectors concerns. The dwelling will not appear unduly dominant within the street scene and may be considered to complement the wider plethora of architectural designs within Beaconsfield Road. Subject to the submission of further details of materials, planting and boundary treatments, on balance, Members may consider the design of the scheme appropriate.

Standard of Residential Accommodation

Policy 3.5 of the London Plan (2011) Quality and Design of Housing Developments states the minimum internal floorspace required for residential units on the basis of the level of occupancy that could be reasonably expected within each unit.

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

The floor space size of the dwelling is approximately 87.2 square metres. Table 3.3 of the London Plan requires a Gross Internal Area of 79m² for a 2 storey, 2 bedroom 4 person dwelling house. On this basis the floor space provision is considered acceptable.

The room shapes, size and layout in the proposed dwelling are considered satisfactory. The rear amenity space is considered of a size and scale commensurate with a family dwelling house.

In accordance with Standard 11 of Housing: Supplementary Planning Guidance. (March 2016) of the London Plan 90% of all new dwellings should meet building regulation M4(2) 'accessible and adaptable dwellings'. No information has been supplied in this regard. It is recommended that compliance with this standard could have been secured by condition had permission been recommended otherwise.

Impact on Adjoining Properties

London Plan policy 7.6 and Policy BE1 of the UDP seeks to protect existing residential occupiers from inappropriate development. Issues to consider are the impact of a development proposal upon neighbouring properties by way of overshadowing, loss of light, overbearing impact, overlooking, loss of privacy and general noise and disturbance.

The Inspector stated that the proposed dwelling would be in close proximity to the boundary with the rear garden of no.3a and would extend alongside that rear garden and beyond. However, the Inspector then noted that the garage to number 3a and planting to the rear of that garden would separate the proposed dwelling from the garden to that property. The separation by the garage combined with the gap to the proposed building would ensure that it would not be overbearing on that neighbouring dwelling. The Inspector concluded that the proposed development would not materially affect the amount of sunlight and daylight to the rear garden of number 3a.

With regard to number 3, given the siting of the dwelling away from the neighbouring boundary and the staggered building line, it is not considered that the development would cause any undue impact upon residential amenity.

With regard to this application, the proposed dwelling is sited in a similar location to that as considered by the Inspector and Members may consider that the development does not adversely impact upon residential amenity.

Highways

The NPPF recognises that transport policies have an important role to play in facilitating sustainable development but also in contributing to wider sustainability and health objectives. The NPPF clearly states that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe (Para.32).

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

The proposed dwelling would provide one car parking space. UDP policy states that in an area of PTAL 2, one space per unit is sufficient. No highways objections are raised subject to conditions. Members may find that there is no detrimental parking or highways safety impact as a result of this development.

Summary

Having had regard to the above Members may consider that the proposed development is acceptable in that it would not result in a significantly detrimental impact on the character of the area or neighbouring residential amenity in compliance with policy BE1 and H7 of the Unitary Development Plan, policy 3.4 and 7.4 of the London Plan and the National Planning Policy Framework (2012).

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.

- 4 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.

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

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

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

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

- 8** 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

- 9** The development hereby permitted shall be built in accordance with the criteria set out in Building Regulations M4(2) 'accessible and adaptable dwellings' and shall be permanently retained thereafter.

REASON: To comply with Policy 3.8 of the London Plan 2015 and the Mayors Housing Supplementary Planning Guidance 2016 and to ensure that

the development provides a high standard of accommodation in the interests of the amenities of future occupants

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

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

- 11 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.

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

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

- 13 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

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

In order to prevent an overdevelopment of the site and to allow the local authority to assess any new development to ensure the protection of neighbouring amenity in compliance with Policy BE1 of the Unitary Development Plan.

You are further informed that :

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

If during the works on site any suspected contamination is encountered, Environmental Health should be contacted immediately. The contamination shall be fully assessed and an

appropriate remediation scheme submitted to the Local Authority for approval in writing.

- 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**

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

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Appeal Decision

Site visit made on 28 June 2016

by Andrew Steen BA (Hons) DipTP MRTPI

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

Decision date: 28 July 2016

Appeal Ref: APP/G5180/W/16/3145973

2 The Avenue, Bickley, Bromley, Kent BR1 2BT

- 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 Adam Jude Grant Esq against the decision of the Council of the London Borough of Bromley.
 - The application Ref DC/15/04351/FULL1, dated 6 October 2015, was refused by notice dated 23 December 2015.
 - The development proposed is erection of one 2 bed dwelling.
-

Decision

1. The appeal is dismissed.

Procedural Matter

2. Although the above address refers to 2 The Avenue, the proposed dwelling would be located to the rear of that property, on land fronting Beaconsfield Road.
3. The appeal was submitted with a number of drawings showing the proposed dwelling being constructed in brick. However, the Council's decision was based on drawings showing the building clad in render and it was these drawings that formed the basis of consultation by the Council during the course of the planning application. It is unclear whether the drawings relating to a brick building have been subject to any consultation and, consequently, I have based my decision on drawing numbers 294/101A, 294/102B and 294/103A that propose a rendered building.

Main Issues

4. The main issues in this appeal are:
 - the effect of the proposed dwelling on the character and appearance of the surrounding area; and
 - the effect of the proposed dwelling on the living conditions of neighbouring occupiers at 3a Beaconsfield Road with particular regard to outlook and light.

Reasons

Character and appearance

5. Beaconsfield Road is a residential street of detached and semi-detached houses a number of which are Victorian, with more recent infill development along the road. Most dwellings in the area are two storey and constructed in brick and render to a traditional style and appearance.
6. The site has a narrow frontage to Beaconsfield Road on the outside of a bend in the road, widening toward the rear. The layout of the road means that the site is visible in views from Clarence Road, the side of the neighbouring house at no. 3a facing that direction along the road. At present, the site comprises an area of concrete with a single garage, although I understand it previously contained 3 garages, with access from Beaconsfield Road. The front of the site slopes upwards toward Beaconsfield Road, which continues to gently slope up toward Clarence Road. The site originally formed part of the rear garden of 2 The Avenue, but has now been divided from that property by a fence.
7. The proposed dwelling would be prominent in views from Clarence Road, blocking the present gap between 3 and 3a Beaconsfield Road, although partially obscured by trees. Although the white painted render would suit the modern design of the proposed property, it would be unrelieved by fenestration or other features such that it would stand out from the treed background and would be prominent when viewed from this direction. This prominence would be exacerbated by the height of the roof above the proposed building.
8. The design of the roof seeks to reflect those of surrounding properties, with materials to match. However, both the proposed materials and layout of the pitched roof appear at odds with the modern design of the proposed building, such that it would appear awkward and incongruous on the proposed house.
9. The front elevation of the proposal would be tall and narrow with pitched roof above that reflects the width of the site, which gives it a vertical appearance. However, this elevation would be broken up by a change in materials and the front window above the proposed parking space. This would alleviate the verticality to some extent and, with the exception of the design and materials of the roof, would provide an attractive main elevation to the road.
10. The proposed dwelling would be behind the front elevation of the neighbouring no. 3a, but in front of no. 3, such that it provides a step in the line of development, reflecting the layout of the road. The height of the proposed dwelling would also step up from no. 3a to no. 3 which reflects the topography in this location.
11. For these reasons, I conclude that the prominence of the side elevation and design of the roof of the proposed dwelling would harm the character and appearance of the surrounding area. As such, the development is contrary to Policies BE1 and H7 of the London Borough of Bromley Unitary Development Plan (UDP), Chapter 7 of the London Plan and the National Planning Policy Framework that seek to ensure development is of a high standard of design and layout that complements the qualities of the surrounding areas.

Living conditions

12. The proposed dwelling would be in close proximity to the boundary with the rear garden of no. 3a and would extend alongside that rear garden and beyond. However, the garage to no. 3a and planting to the rear of that garden would separate the proposed dwelling from the garden to that property. The separation by the garage combined with the gap to the proposed building would ensure that, whilst visible over the roof of the garage, it would not be overbearing on that neighbouring dwelling.
13. Although close to the boundary, there would be sufficient gap between the proposed dwelling and the garden of no. 3a, including the garage, to ensure that any overshadowing of the rear garden of that property would not be significant. Consequently, the proposed development would not materially affect the amount of sunlight and daylight to that rear garden.
14. For these reasons, the proposed development would not have an adverse effect on the outlook of occupiers of 3a Beaconsfield Road, nor the light to the rear garden of that property. As such, the proposed development would comply with Policies BE1 and H7 of the UDP that seek to ensure development respects the living conditions of neighbouring occupiers.

Other matters

15. I note that the appellant has sought to address the reasons for refusal attached to previous applications and appeals. I have taken into account those revisions as far as I am able.

Conclusion

16. While I have found that the proposal would not result in harm to the living conditions of neighbouring occupiers, that is not sufficient to outweigh the harmful effect the works would have on the character and appearance of the surrounding area. As such, I conclude that the appeal should be dismissed.

Andrew Steen

INSPECTOR

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Application:16/04259/FULL1

Address: 2 The Avenue Bickley Bromley BR1 2BT

Proposal: Proposed erection of a two storey two bedroom dwelling



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

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SECTION '2' – Applications meriting special consideration

Application No : 16/04331/RECON

Ward:
Penge And Cator

Address : 62 Kings Hall Road Beckenham BR3
1LS

OS Grid Ref: E: 536207 N: 169928

Applicant : Mr Steven Fenn

Objections : YES

Description of Development:

Variation of Condition 4 of planning permission Ref: 09/03023/FULL1 to (a) allow up to 72 children and 20 staff to be accommodated at any one time and (b) allow the use of the premises as a children's nursery between 7.00am and 7.30pm Monday to Fridays inclusive at 62 Kings Hall Road, Beckenham.

Key designations:

Biggin Hill Safeguarding Area
London City Airport Safeguarding
Smoke Control SCA 25

Proposal

Planning permission is sought for the variation of Condition 4 of planning permission Ref: 09/03023/FULL1 to (a) allow up to 72 children and 20 staff to be accommodated at any one time and (b) allow the use of the premises as a children's nursery between 7.00am and 7.30pm Monday to Fridays inclusive at 62 Kings Hall Road, Beckenham.

Currently the number of children is limited to 58 and staff to 17 persons.

The applicants have also proposed to restrict the number of children accommodated at the nursery in its first half hour of opening (i.e. between 7.00am - 7.30am) to 15.

No physical alteration to the building is proposed as part of this variation. The extensions built under planning ref 09/03023 and the rear outbuilding under planning ref 11/01600/ will remain unaltered and used as existing.

Although not included as part of the application the applicant has indicated that they are willing to increase the height and style of the boundary fence to residential properties on Densole Close to a 2m height close boarded structure which can be secured through planning conditions.

Location

The property is an existing day care nursery which currently is permitted to operate between 7.30am and 8pm Monday to Friday excluding weekends and Bank Holidays. The nursery is situated within a substantially extended detached house

which was formerly one pair of semi-detached properties covering two floors and rooms in the roof.

The area is predominantly residential in character and there is an area of hard standing fronting Kings Hall Road currently used for car parking. The premises have been in use as a day nursery since 1988. The rear garden area is used as a play space during operational hours and there is an additional rear garden outbuilding used as an extra play room for the children. To the rear of the site is the railway line. To the west of the garden play area are the rear garden curtilages of properties on Densole Close. To the east of the site is the rear garden curtilage of No64 King's Hall Road.

Consultations

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

- The site is only open to 18.00 currently not 20.00 as stated.
- Opening earlier will negatively affect neighbouring residents causing more noise and disturbance at an earlier time.
- The application is a further incremental attempt to increase child numbers which will be followed by further similar applications.
- Noise from children in the garden is loud with constants use of the garden outbuilding during opening hours.
- Will greatly affect the residents of Densole Close most who are elderly and spend more time at home.
- Any increase in the numbers of children will make parking and congestion worse in the immediate roads hazardous to road safety.
- Concerns regarding the extent of the Councils direct notifications.
- Increase in children and opening hours will increase noise pollution.
- Concerns regarding the unauthorised use of parking in Densole Close by users of the Nursery being dangerous.
- An increase in morning and evening drop off will have a materially adverse effect on the amenities of local residents and conditions for road users on surrounding roads.
- Travel Plan has not been submitted as require by 2009 permission.
- General comments from many objectors have stated that they feel the submitted Transport Assessment is inaccurate and the evidence submitted is incorrect.
- Data from websites has been submitted by objectors highlighting illegal parking incidences and stories regarding accident blackspots in the area.
- Nursery provision is already well provided for in Beckenham.
- Levels of noise differ throughout the day and therefore noise proof evidence submitted is easy to disguise the real problems if data is taken at a quiet time.
- A higher fence will not stop noise and will shade further the residents garden in Densole Close.
- The situation has not changed in term of noise and disturbance from the previous Appeal Decision to dismiss the case on the grounds of an adverse effect on the living conditions of neighbouring residents.

Officer response: The above comments are addressed in the assessment below.

- Concerns regarding the date of the parking survey was conducted on the Mayoral election day on 5/5/16.

Officer response: The Harris Academy has confirmed that they were open as normal on that day.

Internal consultations

Highways: The site is located in an area with PTAL rate of 3 (on a scale of 0 - 6b, where 6b is the most accessible).

The current proposals seek to increase the permitted number of children and staff at the site to 72 children (14 additional) and 20 staff (3 additional) at any one time. No material alterations would be made to the site, including the access arrangements. The normal nursery operational hours are 0730 - 2000, Monday to Friday, as permitted by Condition 4 of the April 2010 consent. The majority of arrivals and departures occur during the normal operational hours between 0730 and 2000. As part of the current proposals, the usual hours of operation of the nursery would be altered to 0700 - 1930, Monday to Friday. As such, the total hours of operation would not be extended but would be shifted by 30 minutes from the end of the day to the start of the day.

Staff Travel Patterns.

27 staff employed at the nursery, 23 completed the survey which translates to a response rate of 85%. The results show that all staff work full time hours over a five day week, Monday to Friday. The majority of the nursery nurses work on a shift system which comprises a 07:30 - 17:00 shift and a 08:50 - 18:00 shift. Catering staff and lunchtime assistants generally work mid-morning to mid-afternoon. The mode of travel that employees use to get to/from work is often affected by the distance they live away from work.

The responses show that 34% of staff live under 3 miles from the nursery, the majority of staff (61%) live between 4-10 miles to get to work.

Mode of Travel	Staff No.	%
Bus	7	30
Train/tram	7	30
Walk	3	13
Car driver-	3	13
Car passenger	2	9
Car driver/ shared	1	4
Total	23	100

Table above shows the existing Modal Split of Nursery Staff and indicates that the majority of staff (73%) travel to and from work by non-car modes of travel such as bus, train and on-foot and 13% of staff travel to work in single occupancy vehicles.

Parent Travel Surveys.

The staff travel survey dated October 2014 included the results of a parent travel survey, which detailed methods of travel to and from the nursery, as well as postcode data to determine where parents/children at the nursery reside. The survey highlighted that children generally arrive at the nursery between the hours of 07:45 - 08:30. In the evening, children are generally collected between 17:00 and 18:00, with the most popular collection time being 17:30.

The current modal split of parents travelling to the nursery is set out in Table below

Mode of Travel	%
Bus	2
Train/tram	5
Cycle	2
Walk	46
Car driver	46
Total	100

Currently, 46% of parents walk to the nursery and 46% bring their children to the nursery by car. A total 5% of trips are made by train with the smallest proportions 2% by bus and bicycle.

Car Parking Demand/Traffic impact.

On the bases of the above surveys 17% of the new staff will arrive by car which equates to 1 staff and parent 10 additional cars throughout the operational day.

Car Parking Survey.

The survey was conducted on Tuesday 4th March 2014 between the twelve hour period of 07:00hrs and 19:00hrs. Data was gathered over 15 minute periods. However, at the request of this office the data has been amended in line with 'Lambeth Parking Survey Methodology' where the extent of the parking survey is limited to 200m from the application site. This office also requested that the assessment would be focused on morning drop off (07:30- 09:00hrs) and afternoon pick up (16:30 and 18:00hrs). The new area study area has a total of 121 car parking spaces available on-street.

The survey demonstrated that during the morning drop off period of 07:30 - 09:00hrs on street parking increased from 56 to 72 cars, or 46% to 62% of the available capacity. This indicates that 49 car parking spaces were available throughout the morning drop off period. Similarly the evening pick up period of 16:30 - 18:00hrs on street parking decreased from 68 to 58 cars, or 56% to 48% of the available capacity. The data indicates that 52 car parking spaces were available throughout the evening drop off period.

Therefore the additional car parking demand generated by the application (5 cars in the morning drop-off and 6 cars in the evening drop off) can be accommodated within the available on-street parking.

Environmental Health: The application includes the Noise assessment prepared by Sharpes Redmore (Project no 1616071). The Environmental Health Officer concurs with the conclusions that the noise impact of the proposal will be minimal with regard to both drop-off noise and noise from activities in the garden.

No objections to permission being granted are raised provided that the Nursery's commitment with regard to maximum number at any one time, and early morning admissions, are both reproduced in conditions.

Planning Considerations

London Plan

Policy 3.16 Protection and Enhancement of Social Infrastructure

Policy 3.18 Education facilities

Policy 6.9 Cycling

Policy 6.10 Walking

Policy 6.11 Smoothing traffic flow and tackling congestion

Policy 6.12 Road network capacity

Policy 6.13 Parking.

Unitary Development Plan

T1 Transport Demand

T2 Assessment of Transport Effects

T3 Parking

C1 Community Facilities

C7 Educational and Pre School Facilities

BE1 Design of New Development

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 20 - Community Facilities

Draft Policy 27 - Education

Draft Policy 30 - Parking

Draft Policy 32 - Road Safety

Draft Policy 33 - Access for All

Draft Policy 37 - General Design of Development

Draft Policy 77 - Landscape Quality and Character
Draft Policy 119 - Noise Pollution
Draft Policy 120 - Air Quality
Draft Policy 123 - Sustainable Design and Construction

Planning History

88/04253/FUL. Planning permission was granted on 21st December 1988 for a single storey side extension and change of use of ground floor from residential to a day nursery.

02/01998/FULL2. Planning permission was granted on 5th December 2002 for the change of use of first floor from residential to a day nursery.

08/01528/FULL1 Planning permission was refused and dismissed at appeal for a part one/two storey side/rear extension. The Inspector concluded that the single storey rear extension was incongruous and out of keeping with surrounding development due to its excessive depth. The Inspector also concluded that due to the limited available rear garden area the increase in staff and children would result in an over intensive use of the site harmful to living conditions of adjoining properties.

09/03023/FULL1. Planning permission was approved for a single storey side and part one/two storey rear extensions to children's nursery to increase number of children from 36 to 58.

Condition 4 of the decision was added as follows:

(a) The children attending the day nursery/play group shall be between the ages of 0 and 6 years and not more than 58 children and 17 staff shall be accommodated at any one time.

(b) The use of the premises as a children's nursery shall be limited to Mondays to Fridays inclusive between the hours of 7.30am and 8.00pm.

11/01600/FULL1. Planning permission was approved for a detached single storey building rear for use as and ancillary playroom.

14/01672/VAR: Variation of Condition 4 (a) of permission ref: 09/03023/FULL1 to allow up to 86 children and 25 staff to be accommodated at any one time. Refused 26.11.2014

Refusal Reason:

The proposals would result in an overintensive use of the property, which would be detrimental to the amenities of nearby residents by reason of noise, disturbance and vehicular activity, thereby contrary to Policy BE1 of the Unitary Development Plan.

The application was subsequently dismissed at Appeal.

The Inspector concluded that the proposed increase in children and staff at the premises would cause a significant adverse impact on the living conditions of neighbouring occupiers by reason of noise and disturbance conflicting with Policy BE1 of the Bromley Unitary Development Plan (2006), which requires that all development should respect the amenity of occupiers of neighbouring buildings and those of future occupants and ensure their environments are not harmed, amongst other things, by noise and disturbance.

Conclusions

The main planning considerations relevant to this application are:

- The impact of the increased numbers of users of the site and additional staff on the residential amenity of neighbouring properties.
- Traffic, parking and servicing.

Policy C1 of the UDP is concerned with community facilities and states that a proposal for development that meets an identified education needs of particular communities or areas of the Borough will normally be permitted provided the site is in an accessible location.

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

Policy BE1 also requires that development should respect the amenity of occupiers of neighbouring buildings and those of future occupants and ensure their environments are not harmed by noise and disturbance.

Background

This application is a resubmission of the 2014 application. The resubmission is now for a lesser quantum in terms of the increase in children numbers and staff as detailed above.

The submitted supporting statement details a 'Childcare Sufficiency' assessment that was undertaken by the London Borough of Bromley in October 2015 to look at the Borough's childcare services at ward level. In summary, the Council's report identifies in its assessment that in the Penge and Cator ward, in which the site is situated, there was an identified need for place creation and need for an increased take up and quality of provision of the required 0-5 year old childcare places, identifying a shortfall of provision in Penge and Cator. Members will be aware of the additional demand for primary school places currently being experienced in the Borough in the same way as the demand detailed above is for pre-school places.

It is noted that the planning condition imposed in 2009 to limit the number of children allowed to attend the nursery was to control the use of the site in terms of neighbouring amenity. However, in the intervening time, demand for the facility and others like it has increased in terms of population demographics and it is considered that some further flexibility to address the demand need is required.

Noise and disturbance

In the previous Appeal the Inspector identified that the proposed increases in users and staff would lead to an overintensive use of the property detrimental to the amenities of nearby residents by reason of noise, disturbance and vehicle activity. As the Inspector identified, this conclusion was largely based on their own observations at the site visit with neither the Council nor the applicant submitting factual evidence to clarify the point. As such it was concluded that the level of noise due to increased user numbers was 'likely' to be greater than that as was present at the time.

The current application has sought to address this point with an evidenced survey of the site carried out by an acoustic consultant. From this a comprehensive Noise Survey and Assessment has been submitted. The report concludes that with minor mitigation measures suggested the nursery could operate with the variation in numbers proposed without any significant harm from any adverse impacts from noise on the health and quality of life on existing nearby residents.

The report has been comprehensively reviewed by the Council's Environmental Health Officer who has not raised any objection to the conclusions that the noise impact of the proposal will be minimal with regard to both drop-off noise to the front of the property and noise from activities in the rear garden.

No alteration of the building will take place and therefore in practice the increase in usage numbers will mainly affect the external garden area where there may be a greater number of children using space at any one time. An analysis of the makeup of the intended 72 users provided in the application shows that the main increase in the intended numbers is for an increase in the intake of babies by 12 and only 4 extra toddlers and a decrease in the preschool age group by 2. Therefore the usage of the external area is not likely to increase noticeably given the age group that will use the space will remain largely similar given that babies will be most likely cared for indoors.

Furthermore, the usage of the space is currently controlled by the operators of the nursery in terms of age group use and numbers. It has been indicated that there would currently never be more than 20 children outside at any one point and mainly between 10am and 4pm. Suggestions have also been put forward by the applicant to limit the numbers of early arrivals to 15 between 07.00 and 07.30 to also mitigate any perceived level of extra noise and disturbance.

It is considered therefore, that subject to formal planning conditions which can control the numbers outside to a maximum of 20 children and the numbers of early arrivals, that with the increased usage of the site the external effect of noise and disturbance would be minimally altered as approximately the same amount of children would use the external garden area as currently exists on site.

Therefore, in terms of the planning balance, given the Inspectors conclusion were observational, the lesser level of increase in user and staff numbers now proposed and that now clear evidence has been submitted and ratified by the Councils own

Environmental Health Officer, it is not considered that there is sufficient reason to withhold planning permission on the basis of increased noise and disturbance.

Highways and Parking

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.

A number of objections from local residents have detailed parking issues and congestion as being problematic in the immediate area. An extensive and updated travel assessment has been undertaken by the applicants in 2016. The Council's Highway Officer has reviewed the current application and has not raised objection in this regard. It is also noted that the previous Appeal Inspector gave limited weight to this given the evidence submitted and agreed with by the Council.

From the revised and updated survey information supplied it is not anticipated that the additional usage of the site will be problematic to local parking conditions in the immediate vicinity.

Summary

Therefore given the above sustainable impacts and the justified need for the demand for extra places, the variation of the original planning condition to increase the numbers of children from 58 to 72 and staff from 17 to 20 is considered acceptable subject to planning conditions that can control and mitigate the impacts of the increase.

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- 1 Notwithstanding the details hereby approved within 3 months of the date of this Decision Notice details of an acoustic boundary structure to be located along the flank boundary of the rear curtilage adjoining of No's 1 to 10 Densole Close shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and 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.

- 2 (a) The children attending the day nursery/play group shall be between the ages of 0 and 6 years and not more than 72 children and 20 staff shall be accommodated at any one time.**

(b) The use of the premises as a children's nursery shall be limited to Mondays to Fridays inclusive between the hours of 7.00am and 7.30pm.

(c) A maximum number of 15 children shall attend the day nursery/play group Mondays to Fridays between the hours of 07.00am to 7.30am.

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

3 No more than 20 children shall be allowed into the rear curtilage play space area at any one time.

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

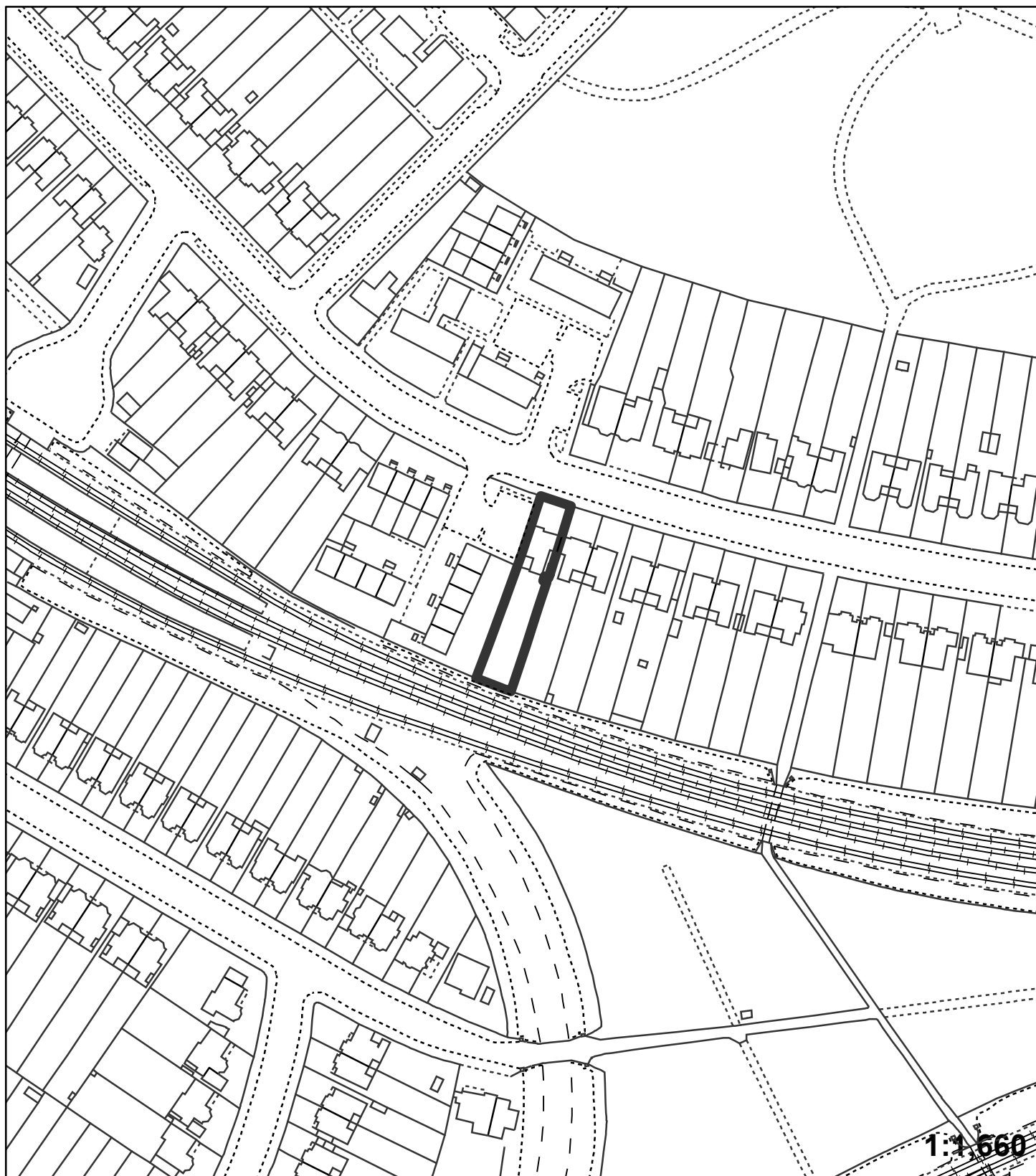
4 Before commencement of the use of the land or building hereby permitted parking spaces and/or garages and turning space shall be completed in accordance with the approved details and thereafter shall be kept available for such use and no permitted development whether permitted by the Town and Country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

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

Application:16/04331/RECON

Address: 62 Kings Hall Road Beckenham BR3 1LS

Proposal: Variation of Condition 4 of planning permission Ref: 09/03023/FULL1 to (a) allow up to 72 children and 20 staff to be accommodated at any one time and (b) allow the use of the premises as a children's nursery between 7.00am and 7.30pm Monday to Fridays



"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 : 16/04446/FULL1

Ward:

Plaistow And Sundridge

Address : 87 Oak Tree Gardens Bromley BR1 5BE

OS Grid Ref: E: 540986 N: 171589

Applicant : Mr T Joseph

Objections : YES

Description of Development:

Demolition of 89 and 91 Oak Tree Gardens and erection of six 2 storey 3 bedroom houses comprising of 3 pairs of semi-detached houses. Erection of single garage for No. 87; associated access, parking, landscaping, cycle storage, refuse and recycling provision

Key designations:

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

Proposal

It is proposed to demolish 2 dwellings (Nos. 89 and 91) in order to provide access to the rear to a formed backland development site comprising the entirety of Nos. 89 and 91 and parts of the severed rear gardens of the adjacent semi-detached dwellings at 87 and 93 Oak Tree Gardens.

It is proposed that six houses be erected on the formed site, arranged in three semi-detached pairs. Dwellings 1-4 would be arranged on the northern side of a cul-de-sac access road with north facing rear gardens and dwellings 5 and 6 would be on the south of the site partly positioned within the severed rear garden of No. 87, with south facing gardens and the northern front elevation of the pair facing towards the access road.

Location

Oak Tree Gardens is part of the Links Estate, a large suburban residential area dating from the 1930s which is characterised by two storey dwellings that are in the main provided in semi-detached pairs or in short terraces set in long, narrow plots.

To the west of Oak Tree Gardens lies a railway line set above the gardens on a tree-covered railway embankment. The common features which characterise the development in the locality are considered to be the two storey bay windows, hipped roofs and part tile hung/rendered front elevations.

The application site is located at the point where Oak Tree Gardens turns a sharp corner into Portland Road. The site comprises the plots of nos. 89 and 91 in their entireties and part of the rear gardens of Nos. 87 and 93. These gardens fan out behind the existing properties and are significantly larger than those associated

with other dwellings in the area. There is a change in levels across the site, with the section at the rear of the site and particularly the area at the rear of No. 87 being set at a higher ground level than that at the front.

Consultations

Local representations

Nearby owners and/or occupiers were notified of the application and the representations received (including from the Links Estate Residents' Association) in response can be summarised as follows:

- impact of the proposal on parking in the adjacent road - 4 bedroom dwellings may each require more than 2 parking spaces
- the site lies on a dangerous corner and there does not appear to be space for additional parking
- refuse collection and emergency vehicles would have difficulty accessing the site
- the drainage in the area was designed in the 1930s and there is an existing heavy load on the sewage and waste water systems
- the area under development consideration is a flood plan. Although the flooding has eased since Chinbrook Meadows was redeveloped, the threat remains relevant when there is heavy rain
- during a recent heavy rain downpour flooding and sewage overflows were more significant than previously, since the trees on the site have already been removed
- the loss of trees at the rear will result in water having nowhere to flow other than adjacent land
- the local primary schools are oversubscribed
- this is garden grabbing when there are possibly brownfield sites that could be better used
- the development would be out of character with the architecture in the area
- would be overdevelopment
- the actual building works would be very disruptive
- impact on outlook
- increased air pollution with car fumes being close to bedroom windows at the rear of neighbouring dwellings
- existing houses have decent sized front and rear gardens
- introduction of landscaping would lead to an overall reduction in the garden available
- Milverton Place is not an appropriate comparison
- the roofs will still be higher than comparable properties and so will be out of character with the area
- the existing houses have been left vacant when they could have been used for short term lets
- loss of privacy to back garden of neighbouring properties

Technical Comments

Highways: There are no objections to the proposal. The site is located in an area with a zero PTAL level which is the lowest level on a scale of 0 - 6b. A total of 18

car parking spaces are proposed including parking for 2 visitors and 2 spaces for No. 87. A number of planning conditions are proposed should planning permission be granted.

Thames Water: There are public sewers crossing or close to the development. In order to protect public sewers and to ensure that Thames Water can gain access to the sewers approval should be sought from Thames Water where the erection of a building would come within 3m of a public sewer. Thames Water will usually refuse such approval in respect of the construction of new buildings and the applicant is advised to contact Thames Water about the proposals.

With regards to surface water drainage, it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. It is recommended that the applicant should ensure that storm flows are attenuated or regulated into the public network through on or off site storage. Where the developer proposes to discharge to a public sewer prior approval should be sought. With regards to sewerage infrastructure capacity no objections are raised.

Environment Agency: Under the previous application the Environment Agency were consulted with, and responded that that application has been assessed as having a low environmental risk and therefore there were no comments.

This current application proposes 6 rather than 8 dwellings and is not therefore considered to have a higher environmental risk than the previous application.

Comments were sought with regards to the current proposal but the Environment Agency declined to comment, stating that the application falls outside their remit as a statutory consultee.

Network Rail: Under the previous application, Network Rail recommended that prior to the commencement of development the developer should contact the Asset Protection Kent team and signs up to an Asset Protection Agreement to enable Network Rail to review the development's design and construction.

Further information and guidance was provided regarding the relationship between development and the railway infrastructure and including advice regarding railway noise and development. The potential for any noise/vibration impact must be assessed in the context of the NPPF.

Planning Considerations

Unitary Development Plan

BE1 Design of New Development

H1 Housing Supply

H7 Housing Density and Design

H8 Residential Extensions

H9 Side Space

NE7 Development and Trees

T3 Parking

T7 Cyclists

T8 Other Road users
T18 Road Safety

SPG1 General Design Principles
SPG2 Residential Design Guidance

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.

London Plan

3.4 Optimising Housing Potential
3.5 Quality and Design of Housing Developments
5.3 Sustainable Design and Construction
5.13 Sustainable Drainage
6.9 Cycling
6.13 Parking
7.2 An Inclusive Environment
7.3 Designing out crime
7.4 Local Character
7.6 Architecture

Mayor of London's Housing Supplementary Planning Guidance

National Planning Policy Framework

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

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

Para. 53 relates to garden land, stating that local planning authorities should consider the case for setting out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area.

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

Planning History

15/05324: 7 dwellings

Most recently planning permission was refused under reference 15/05324 for the redevelopment of land to the rear of 87-93 Oak Tree Gardens including the demolition of No. 89 and No. 91 and the erection of seven 2 ½ storey 4 bedroom

houses comprising one terrace of three houses and a single garage for the existing dwelling at No. 87 along with associated access, parking, landscaping, cycle storage, refuse and recycling provision.

Permission was refused on the grounds:

1. The proposal by reason of its layout, bulk and siting in relation to neighbouring residential dwellings constitutes an unsatisfactory and cramped form of development, seriously detrimental to the residential amenities which the occupiers of neighbouring properties might reasonably expect to continue to enjoy, thereby contrary to Policies BE1 and H7 of the Unitary Development Plan, Policies 3.5 and 7.4 of the London Plan and the National Planning Policy Framework.

2. The proposal, by reason of its bulk, layout and siting, would constitute an unsatisfactory form of development, out of character with the pattern of development, quality and distinctiveness of the surrounding area, thereby detrimental to the visual amenities of the area and contrary to Policies BE1 and H7 of the Unitary Development Plan, Policies 3.5 and 7.4 of the London Plan and the National Planning Policy Framework.

A subsequent appeal against the refusal of planning permission was dismissed. The Inspector's reasoning contained within the appeal decision is summarised below.

The Inspector referred to the character of the area as having an appearance of uniformity enhanced by the straight roads and reasonably consistent front building lines running through the area. Houses are quite closely spaced but the area has a pleasant landscape setting provided by street trees and the backdrop of mature vegetation from the rear gardens and railway embankment.

It was noted that the configuration of gardens in the corner provided by the right angle bend at the junction of Oak Tree Gardens and Portland Road is unusual in comparison with the prevailing pattern of development, resulting in a "significant tract of underused land behind the houses in this location." It was not considered that the demolition of the pair of semi-detached dwellings would be fundamentally out of character with the estate as a whole.

The Inspector drew attention to the ground levels on the site, noting that the ground levels on which the dwellings would be constructed would be at a higher level than those fronting Oak Tree Gardens and Portland Road. Concern was expressed at the likelihood that roof areas would be visible in the wider area, taking into account that most vegetation in the site would be removed increasing the visual contrast between the green appearance of the area and the proposed development. It could not be relied upon that vegetation on the railway bank would be retained since the embankment falls outside of the appeal/application site.

Reference was made to the height of the proposed dwellings along with their width and proximity to each other. However, the narrow access and corner position of the proposed development was considered to lend itself to a scheme with its own

identity rather than an exact replication of the spatial standards of the estate as a whole.

However, the Inspector stated:

"It is clear that the proposed dwellings would not have the same amount of space around them or garden sizes as the surrounding estate, and therefore the proportion of hard surfacing and buildings to green spaces would be higher. I also note that the gardens to No 87 and 93 would be considerably reduced in size. While I recognise that the level of outside space provision and the appearance of spaciousness would be an improvement on the previous scheme, I remain of the view that because these properties would be in a slightly elevated position, together with their height and number of dwellings proposed and the loss of landscape setting, this would lead to an intensity of development in this corner which would be at odds with its presently verdant nature which provides an attractive setting for the wider area."

Compared with the previously dismissed scheme, referred to below, the proposal under consideration by the Inspector was considered to appear less cramped, but not to the extent of improving spaciousness to render the development acceptable.

The Inspector noted the development at Milverton Place. However it was not considered appropriate to draw direct parallels between the schemes in view of their locational differences.

With regards to the impact of the proposal on the residential amenities of neighbouring properties, the Inspector considered that the reductions in the scheme under consideration limited the degree of overlooking to an acceptable degree. The introduction of sound attenuating fencing along the boundaries with neighbouring residential dwellings would limit the impact of noise and disturbance associated with the access drive to an acceptable degree.

The concerns expressed regarding flooding and surface water drainage issues were noted. However the Inspector referred to the lack of Environment Agency objection to the original scheme for 8 dwellings. It was also considered that the provision of 18 car parking spaces would be a reasonable provision for the development.

14/04443: 8 dwellings

Under reference 14/04443 an appeal was submitted on the grounds that the Council had failed to determine the application within the specified time-scale. Following the submission of the appeal, the application was reported to the Plans Sub-Committee to seek grounds to contest the appeal, if Members were so minded.

The grounds to contest the appeal were:

1. The proposal by reason of its layout, bulk and siting in relation to neighbouring residential dwellings constitutes an unsatisfactory and cramped form of backland development, seriously detrimental to the residential amenities which

the occupiers of neighbouring properties might reasonable expect to continue to enjoy, thereby contrary to Policies BE1 and H7 of the Unitary Development Plan, Policies 3.5 and 7.4 of the London Plan and the National Planning Policy Framework.

2. The proposal, by reason of its bulk, layout and siting, would constitute an unsatisfactory form of backland development, out of character with the pattern of development, quality and distinctiveness of the surrounding area, thereby detrimental to the visual amenities of the area and contrary to Policies BE1 and H7 of the Unitary Development Plan, Policies 3.5 and 7.4 of the London Plan and the National Planning Policy Framework.

The application 14/04443 proposed the demolition of Nos. 89 and 91 Oak Tree Gardens in order to provide access to the rear to a formed backland development site upon which 2 terraces of 3 dwellings and 1 pair of semi-detached dwellings would be built. A total of 8 dwellings were proposed to be provided.

2.89m space was proposed to be retained to the western boundary from the terrace comprising houses 1-3. The gardens of these dwellings incorporated a retaining wall approx. 3.25m from the rear elevation of the terrace.

The terrace comprising dwellings 6-8 was shown to be sited approx. 2.57m from the western boundary of the site, with 1m space retained between the eastern elevation of the terrace to the boundary with the severed rear garden of No. 87 Oak Tree Gardens. The change in site levels was proposed to be addressed by providing a terrace with a retaining wall within the rear gardens.

The dwellings were proposed to be approx. 8.75m high and 5.75m high to the eaves level, with the roof having a crown pitch form. Rear dormers were proposed within the rear roof slopes.

The appeal against the non-determination of the application was dismissed. In considering the impact of the proposal the Inspector identified the main issues as comprising:

- Character and appearance
- Living conditions

In response to the concerns raised regarding other matters by local residents, including parking, additional traffic movements and flooding, the Inspector considered that there was insufficient evidence before her to enable the assessment of the flooding concerns. It was noted that the Environment Agency did not raise any objection to the scheme, while the concerns raised by residents regarding the impact of heavy rain on the area were acknowledged.

With regards to parking, the Inspector considered that while car ownership in the locality appeared to be high at the time of the site visit, the area is not part of a residential parking scheme and the highway authority did not raise any objection to the scheme. The Inspector was satisfied that the additional demand for parking

could be accommodated on the site and that the additional traffic movements would not be detrimental to highway safety.

The Inspector considered that a significant tract of under-used land is trapped behind the existing development and that the demolition of the pair of semis and creation of a cul-de-sac would not be fundamentally out of character with the layout of the estate as a whole.

The key consideration in the assessment of the impact of the proposal on the character and appearance of the area and the principle of the backland development was identified as the ability of the site to accommodate a development of the scale and quantity proposed whilst being sensitive to the surrounding area.

The layout of the site and the density of the development were considered to be not incompatible with the character of the surrounding area, although it was noted that the space available for soft landscaping would be more limited.

In assessing the impact of the proposal on the character and appearance of the area, the Inspector expressed concern that the steeply pitched roofs with significant area of flat roof with box-style dormer windows would result in dwellings that would be deeper and taller than those in the vicinity of the site.

The size of the plots for the proposed dwellings was considered to be materially smaller than those of surrounding development, with the Inspector finding that the division of the gardens into two sections by the retaining wall required to address the difference in levels across the site would have given rise to the gardens appearing cramped and rather too small in relation to the footprint of the buildings they would serve.

The Inspector considered that the key points against the proposal in terms of impact on character and appearance were the size and bulk of the dwellings relative to their respective plots. The existing buildings in Oak Tree Gardens were assessed as having a depth of approx. 9m including the front bay windows, and the proposed dwellings were noted to have a depth of approx. 11m. The crown style roofs were considered to be alien to the locality and the inclusion of rear dormers was considered unacceptable since dormers were not a feature of the original design of the surrounding houses, with their inclusion adding bulk to the roofs of the proposed dwellings.

The area available for landscaping was considered to be restricted and the Inspector concluded that the proposal would be harmful to the character and appearance of the area.

With regards to the impact of the proposal on the residential amenities of neighbouring residents, the Inspector considered that while the proximity of the flank wall of the proposed dwelling on plot 6 to the revised rear boundary of No. 87 would have an impact on outlook, this would not be materially harmful to their living conditions.

The Inspector noted that in view of the proximity of the side boundary of No. 87 to car parking spaces, it would be possible if the development was acceptable in all other respects to impose a condition securing the installation of an acoustic fence.

The Inspector noted that while some overlooking of gardens is a common feature in a suburban location, the provision of 6 first floor rear facing windows in addition to 4 dormer windows facing the rear garden of No. 85 would amount to an unacceptable loss of privacy for the occupants, making the rear part of the garden of No. 85.

Conclusions

In assessing the merits of the proposal the main issues are considered to be the impact of the proposal on the residential amenities of the occupiers of neighbouring residential dwellings and the impact of the development on the character and appearance of the area.

The appeal decision in respect of the previous proposal is a material consideration in the determination of the application, and it is necessary to consider whether the development that is currently proposed would overcome the concerns expressed by the Inspector in the appeal decision.

Members will note that the Inspector raised no objection in principle to the development of the rear garden land, subject to the provision of a satisfactory development that would complement the character of the area, describing the site as an under-used tract of land.

The primary concerns expressed in dismissing the appeal related to the cumulative impact of the height and number of dwellings proposed to be sited in a slightly elevated position alongside the loss of landscape setting. The proposal was considered to lead to an intensity of development "at odds with its presently verdant nature which provides an attractive setting for the wider area."

A comparison between the previously dismissed and currently proposed schemes may be helpful in assessing the extent to which the current proposal addresses the grounds for dismissing the appeal.

The applicant has amended the scheme in the following ways:

- A reduction in the number of houses by 1, allowing the arrangement of dwellings in three semi-detached pairs
- A reduction in the density of development from 196 hr/ha to 144 hr/ha
- Roof pitch reduced from 42 degrees to 30 degrees. However, the ridge height from external ground level would be 9.2m and the height to eaves would be 6m rather than 8.8m and 5.7m previously proposed. This is allied with a reduction in the finished floor levels of the development, such that the sections show that the ridgeline and eaves of the proposed development would be commensurate with that of the previously proposed scheme
- Deletion of all roof accommodation
- Crown roofs replaced by pitched roofs with no flat area

- The red line plan has been amended to show the proposed new garage for no. 87 incorporated into the scheme
- Tree screening and sound attenuating fence to be provided alongside the rear gardens and both sides of the access drive
- Parking layout between the flank wall of the southern semi-detached dwelling and the front of the site re-arranged with parking moved perpendicular and adjacent to the eastern flank garden boundary.
- Provision of a landscaped area between the garage to be provided for No. 87 and the access drive.
- The separation between the terrace and semi-detached pair previously proposed on the northern side of the site was 2m. The current scheme provides separation of 4.2m between the 2 pairs of semi-detached dwellings on the northern side of the site and an increased separation between the eastern flank of the dwelling nearest to the rear garden of No. 93.
- Reduction in depth of rear gardens of dwellings on the northern side of the site from 11.1m to 10.4m , although the gardens are wider.

Impact of the proposal on the residential amenities of the area

In view of the Inspector's findings in respect of the previous scheme and taking into account the proposed provision of noise attenuating boundary fencing and landscape screening to the boundaries with adjacent dwellings it is considered that the proposal would not have a significant impact on the residential amenities of neighbouring properties. The proposal would not result in undue overlooking and unacceptable noise and disturbance associated with the use of the access road and manoeuvring within the site. As a consequence of the separation between the buildings and the boundaries of the site it is not considered that the outlook from neighbouring gardens and windows would be unduly affected as a consequence of the proposal.

Impact of the proposal on the visual amenities, pattern of development and distinctiveness of the locality

It falls to be considered whether the amendments represented in the current scheme adequately overcome the concerns expressed within the appeal decision. A key consideration in the appeal was the appearance of spaciousness within the site, the height and slightly elevated position of the dwellings and the loss of the landscaped setting. The Inspector was concerned that the intensity of the development in this corner would have been at odds with the current verdant nature of the site, which was considered to provide an attractive setting for the wider area. In reaching the decision to dismiss the appeal the Inspector referred to the proportion of hardsurfacing and buildings relative to green spaces. It was considered that the proposal would have appeared as overdevelopment in the location and that the Council's concerns regarding the impact on the character and appearance of the area were justified.

The main issue therefore would be the impact of the proposal on the character and appearance of the area and the appearance of the site in the context with the existing street scene and pattern of development in Oak Tree Gardens/Portland Road. This is a finely balanced case, and it is necessary to consider the extent to which the assorted differences between the previous scheme and that currently

proposed would address the concerns raised previously regarding the impact of the proposal on the character and appearance of the area.

While on plan form the proposal provides increased separation between dwellings on the northern side of the site, this increase would not be clearly appreciable from the opening to the proposed residential development or from outside the site. Due to the angle of vision from the existing street and the proposed vehicular access, the benefits of the amendments to the dismissed scheme would be of limited value in terms of the impact on the impression of the development from the entrance and adjacent road. The setting of the front of the northern 4 dwellings relative to the access road is broadly similar to the development which was considered unacceptable at appeal, albeit 4 rather than 5 dwellings are proposed. While a slightly increased opportunity exists for landscaping to screen the corner of the easternmost dwelling, this is not considered likely to provide adequate mitigation of the visual impact of the bulk and siting of development to that side of the site.

The current proposal would provide a larger landscaped area to the side of the proposed garage for No. 87 which would provide an area of 'green' in front of the uniform row of parking spaces adjacent to the proposed dwelling. However, this would be sited in conjunction with a large area of hardstanding and a more limited landscaped buffer between the hardsurfaced manoeuvring space and the flank elevation of the adjacent proposed dwelling. Considered in tandem with the increased height to eaves of the dwellings and the overall height of the houses (offset by amendments to the finished floor level of the proposed dwellings which results in the ridge and eaves height of the proposal being commensurate with that which was previously proposed), it is considered that the proposal does not wholly overcome the concerns expressed by the Inspector in dismissing the previous appeal. It is acknowledged that the current proposal does not incorporate accommodation in the roof, but similarly, the previous proposal limited visual cues to there being habitable second floor accommodation to rooflights only, and as such this is not considered in its own right to weigh strongly in favour of the development. The crown roof design would provide a slightly reduced visual impact although this is considered insufficient to address the concerns raised regarding the previous proposal in view of the associated increase in height of the buildings to eaves level and a higher ridgeline.

In the context of the topography of the site, the proposal is not considered to overcome the previous concerns regarding the extent to which development would be appreciable in the wider area and to which built development would replace the existing verdant and green backdrop to development in this part of the Links Estate with over-dominant development. On balance, it is considered that the relationship between buildings and hardsurfaces and retained and proposed landscaping would be disproportionate, with the proposal failing to have sufficient regard for the contribution that the site as existing makes in providing a verdant and attractive setting to the surrounding residential estate.

Other matters

The concerns raised by local residents regarding flooding, drainage, parking and highways safety are noted. However, no technical highways objections are raised to the proposal regarding the number and siting of parking spaces or future

servicing of the site by refuse/emergency vehicles. The width of the access road and manoeuvring space within the site are considered acceptable, and no technical concerns are raised regarding the vehicular/pedestrian access to the site in context with the host street.

In dismissing the appeal, the Inspector referred to the concerns raised regarding potential for flooding and surface water drainage issues in the area. It was considered that there was insufficient evidence before the Inspector to suggest that this was an issue in that case, and it is noted that the Environment Agency have not raised objections to this or previous applications on the site.

The submitted Planning Statement dated September 2016 refers to the Council's then acceptance that it does not have a five year supply of deliverable housing sites. However since the submission of the application a report to the Development Control Committee meeting held on 24th November 2016 set out the five year housing supply position for the Council from 1st April 2016 - 31st March 2021. It concludes that there is a suitable five year housing supply in the Borough. Members of the Committee agreed the report and it is considered that the Council is able to provide a 5 year housing supply.

Summary

It is considered that the proposal would have no significant adverse impact on the residential amenities of the occupiers of neighbouring residential dwellings and would not have a detrimental impact on parking and conditions of safety within the highway. On balance it is considered that the current scheme inadequately addresses the concerns raised at appeal regarding the impact of the proposal on the visual amenities of the area and the character and appearance of the locality. The height and siting of the proposed dwellings would, in conjunction with the proportion of the site given over to buildings and hard surfaces and the slightly elevated position of the site, result in an over-dominant development which would be at odds with the current appearance of the site and the existing intensity of residential development.

As amended by documents received on 03.11.2016

RECOMMENDATION: APPLICATION BE REFUSED

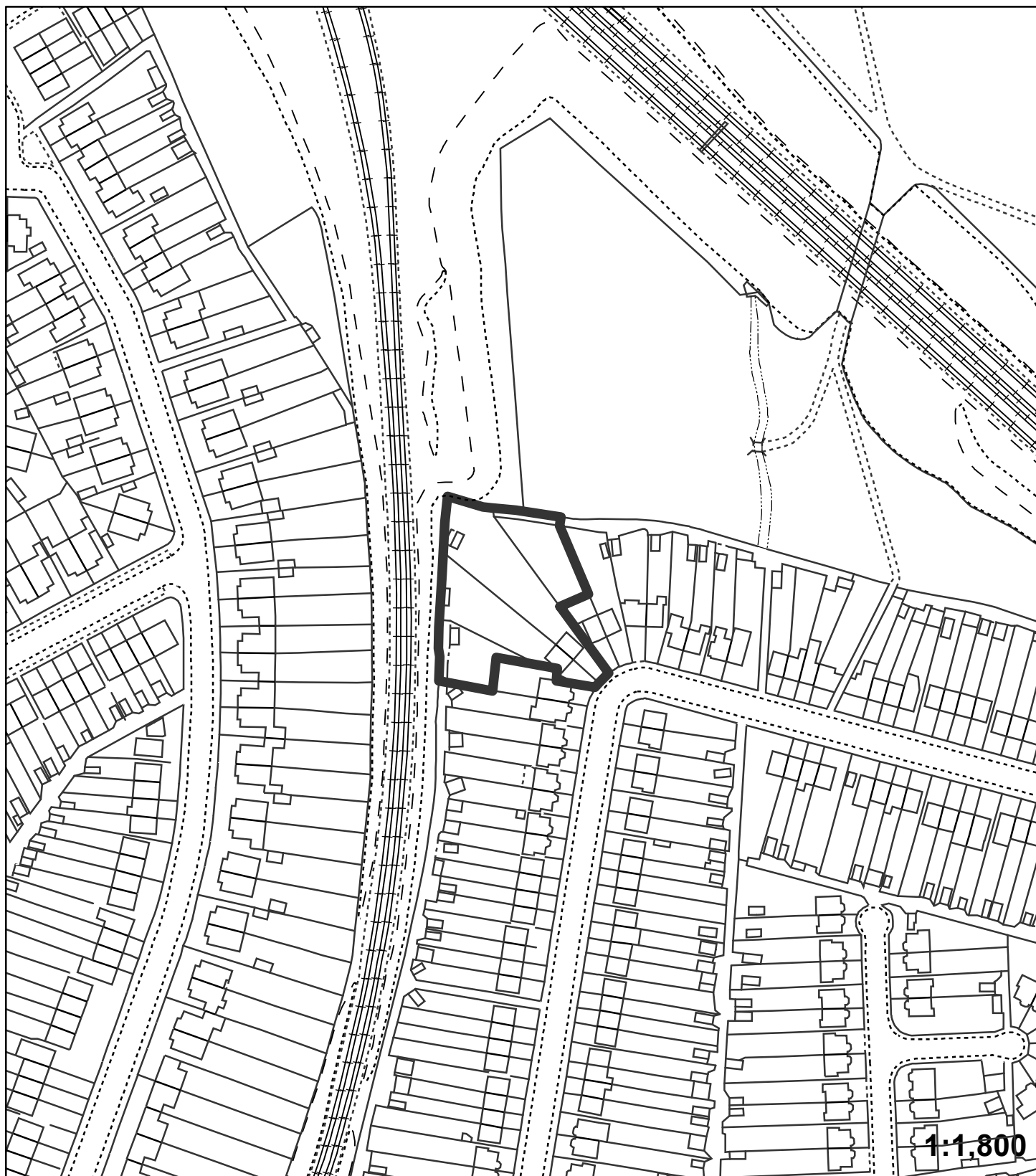
The reasons for refusal are:

- 1 The proposal, by reason of the height and siting of the proposed dwellings, their elevated position and the proportion of the site given over to buildings and hardsurfaces, would have a detrimental impact on the character and appearance of the area, detrimental to its green and verdant nature and thereby contrary to Policies H7 and BE1 of the Unitary Development Plan, Policies 3.5 and 7.4 of the London Plan and the National Planning Policy Framework.**

Application:16/04446/FULL1

Address: 87 Oak Tree Gardens Bromley BR1 5BE

Proposal: Demolition of 89 and 91 Oak Tree Gardens and erection of six 2 storey 3 bedroom houses comprising of 3 pairs of semi-detached houses. Erection of single garage for No. 87; associated access, parking, landscaping, cycle storage, refuse and recycling provision



"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 : 16/04600/FULL6

Ward: Darwin

Address : Gordon House, Berrys Green Road,
Berrys Green, Westerham TN16 3AH

OS Grid Ref: E: 543832 N: 159428

Applicant : Mr Ankur Agrawal

Objections : No

Description of Development:

Increase and change of roof design to incorporate both side and rear extensions

Key designations:

Biggin Hill Safeguarding Area

Green Belt

London City Airport Safeguarding

Proposal

This application seeks permission for an increase and change of roof design to incorporate both side and rear extensions.

The original house as approved in 1922 was designed in a “T” shape with the widest part measuring 9.41m at the front reducing to 7.1m to the rear.

Location

The property is a detached bungalow located on the eastern side of Berry Green Road within the Green Belt as allocated within the Unitary Development Plan.

Consultations

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

Planning Considerations

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

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

Chapter 9 - Protecting Green Belt land

The London Plan (2015):

The most relevant London Plan polices are as follows:

5.1 Climate change mitigation

5.2 Minimising carbon dioxide emissions

- 5.3 Sustainable design and construction
- 7.2 An inclusive environment
- 7.3 Designing out crime
- 7.4 Local character
- 7.6 Architecture
- 7.16 Green Belt

Unitary Development Plan (2006):

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

- BE1 Design of Development
- G1 Green Belt
- NE7 Development and trees
- C1 Community Facilities
- C3 Access to Buildings for people with disabilities

SPG No.1 - General Design Principles

Planning History

77/1849 – Single storey rear extension – Approved 28.9.77

84/1353 – Sitting of single storey mobile home for a granny annexe – Refused 23.7.84

96/1665 – Single storey side extension – Approved 9.9.96

16/00540/HHPA - Single storey rear extension, extending beyond the rear wall of the original house by 8.0m, for which the maximum height would be 4.0m, and for which the height of the eaves would be 3.0m. 42 Day Notification for Householder Permitted Development Prior Approval – Approved 24.03.2016

16/00679/HHPA - Single storey rear extension, extending beyond the rear wall of the original house by 8m, for which the maximum height would be 4m and for which the height of the eaves would be 3m. 42 day notification for householder permitted development prior approval. Approved 22.03.2016

16/04202/PLUD – Single storey side and rear extension with detached garage for which prior approval was granted under refs:16/00679/HHPA and 16/00540/HHPA. CERTIFICATE OF LAWFULNESS FOR A PROPOSED DEVELOPMENT. Granted 15.11.2016.

Conclusions

It is considered the planning issues and considerations relate to:

- Principle of Development;
- Appropriate Development within the Green Belt;
- Openness and Character and Appearance of the Greenbelt;
- Design, scale and bulk; and
- Neighbouring amenity

Principle of Development:

The primary consideration in this case is whether the proposed extension to provide a lift shaft would be appropriate development within the Green Belt.

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

The NPPF contains a general presumption against inappropriate development within the Green Belt. Paragraph 87 states that such development should not be approved except in very special circumstances and states that "When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations".

London Plan Policy 7.16 and Policy G1 of the UDP state that permission will not be given for inappropriate development unless very special circumstances can be demonstrated that clearly outweigh the harm by reason of inappropriateness or any other harm. Policy G1 of the UDP adds further to this by stating that the construction of new buildings or extensions to buildings on land within the Green Belt will be inappropriate, unless it is for the following purposes:

- (i) agriculture and forestry;
- (ii) essential facilities for outdoor sport and outdoor recreation and open air facilities and other uses of land which preserve the openness of the Green Belt and do not conflict with the purposes of including land in it;
- (iii) limited extension, alteration or replacement of existing dwellings;
- (iv) limited infilling or redevelopment in accordance with the guidance in PPG2 Annex C within the designated major developed sites at Biggin Hill Airport and Cheyne Centre, Woodland Way, West Wickham.

Policy G4 states that "*extensions or alterations to dwelling houses in the Green Belt or Metropolitan Open and (MOL) will only be permitted if:*

(i) the net increase in the floor area over that of the original dwelling house is no more than 10%, as ascertained by external measurement; and

(ii) their size, siting, materials and design do not harm visual amenities or the open or rural character of the locality; and

(iii) the development does not result in a significant detrimental change in the overall form, bulk or character of the original dwellinghouse.

Proposals to extend converted or replacement dwellings will not normally be permitted.

This policy relates to proposals for extensions, alterations or outbuildings, which are to be sited within 5m of the existing dwelling house. Other development within the curtilage is inappropriate by definition and would only be permitted where very special circumstances have been demonstrated”.

The Council wishes to ensure that there is no incremental harm to the Green Belt or MOL by excessive subsequent extensions to dwellings within the Green Belt or MOL that collectively may jeopardise the open nature of the countryside, or other open land.

The openness and visual amenity of the Green Belt shall not be injured by any proposals for development within or conspicuous from the Green Belt which might be visually detrimental by reasons of scale, siting, materials or design.

Therefore the principle of the acceptance of the development needs to be considered on balance between Policies G1 and G4.

Policy G1 states that the construction of extensions to buildings on land within the Green Belt will be inappropriate, unless it is for (iii) limited extension, alteration or replacement of existing dwellings. Paragraph 89 of the NPPF states the "the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building" would be acceptable.

In this instance the proposal would not increase the footprint of the building over the extensions allowed under planning ref: 16/04202/PLUD which was granted on 15th November 2016 for single storey side and rear extensions and detached outbuilding but will increase the overall height of the building.

Appropriate Development within the Green Belt:

The primary considerations in this case are the impact of the proposal on the Green Belt, including whether or not the development is appropriate and if it is not, whether there are any very special circumstances to justify inappropriate development which mean that the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations, as set out in the NPPF and Policy G1 of the UDP.

The NPPF confirms that the construction of new buildings inside a Green Belt is inappropriate with only limited exceptions. One exception is ‘the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building.’

Policy 7.16 of the London Plan similarly indicates Green Belts should be protected from inappropriate development. Saved Policies G1 and G4 of the UDP remain broadly in accordance with the Framework, confirming a presumption against inappropriate development unless very special circumstances exist although some of the detailed criteria set out within them no longer remains relevant.

The proposed development by reason of its size/bulk is considered to constitute development that is not appropriate within the Green Belt as specified by paragraphs 87, 88 and 89 of the NPPF. Accordingly, very special circumstances are required that clearly outweigh the harm the development would cause to the Green Belt by definition and any other harm. It is noted that no very special circumstances have been put forward as part of the application.

The property has already been extended under refs: 77/1849 for a single storey rear extension and 96/1665/FUL for a single storey side extension. It should also be noted that under ref: 16/04204/PLUD a certificate has been approved for a single storey side and rear extension together with a single storey detached outbuilding, however this has not been constructed. It is noted that due to all these ad hoc extensions this property lacks cohesion in its design and therefore the main focus of the proposal is to harmonise the external appearance of the building. Whilst it is noted that no very special circumstances have been put forward as part of the application the agent has also provided further justification over the design will allow for a more energy efficient house, the supporting energy statement states that the proposal aims to save 5.30 tonnes of CO₂ per year (a reduction of 56.04% over the baseline) by including the following in the development:

- Passive solar heating;
- Solar panels
- Natural ventilation
- Mechanical ventilation heat recovery system
- Loft insulation
- External wall insulation
- Natural lighting.

Assessing proportionality is an objective test based on size. In this instance the proposal would not increase the footprint of the building over the extensions allowed under planning ref: 16/04202/PLUD which was granted on 15th November 2016 for single storey side and rear extensions and detached outbuilding but will increase the overall height of the building by a maximum of 1.7m to have a ridge height of 7.03m.

Therefore on balance given the proposal development would result in a modern cohesively designed energy efficient dwelling the increase in the overall form and bulk would not significantly impact on the Green Belt and would still adhere to the objectives set out in the NPPF, London Plan and Bromley UDP as detailed above.

Openness and Character and Appearance on the Green Belt:

Beyond whether the proposal is considered to be appropriate development, it is necessary to assess the visual impact upon the Green Belt. The NPPF identifies that an essential characteristic of Green Belts is their openness. The property appears to have had a number of alterations and additions over time. In that the bulk of the building and its site coverage would be considerably increased by the additional built development put forward in this scheme, the proposal would reduce openness.

The NPPF confirms good design is a key aspect of sustainable development and that development of poor design, which fails to take the opportunities available for improving the character and quality of an area, should be refused. Policies H8 and BE1 of the UDP set out guidelines for all new development, including extensions. These require a high standard of design and for buildings to respect their setting and the character of the area in which they are located.

The proposal will increase the overall height of the bungalow by 1.7m, however would result in a property which would appear sensitively designed to its surroundings by taking into account the rural nature of the setting the development and the neighbouring properties. The increased ridge would still remain lower than the neighbouring property to the south Woodpeckers. As such it is considered that the modest increase in ridge height would not impact of the host building within this setting and nor result in a detrimental impact upon the openness of the Green Belt as a whole.

Design, Scale and Bulk:

London Plan Policy 7.4 requires developments to have regard to the form, function, and structure of an area. Policy 7.6 states that architecture should make a positive contribution to a coherent public realm, streetscape and wider cityscape. It should incorporate the highest quality materials and design appropriate to its context. 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 Council will normally expect the design of residential extensions to blend with the style and materials of the main building. Where possible, the extension should incorporate a pitched roof and include a sympathetic roof design and materials.

The ethos behind the extension is to harmonise the building given the number of extensions. It is considered that the new roof form creating a modern style bungalow is considered to make a coherent design scheme which respects the sensitive Green Belt setting and the objectives that policies 7.4 and 7.6 of the London Plan and Policies H8 and BE1 of the UDP seek to achieve.

For these reasons, it is considered that the proposed development is unacceptable and do not comply with policy on design.

Neighbouring Amenity:

Policy BE1(v) of the UDP identifies that new development will only be permitted where it can be demonstrated that the proposal does not cause an unacceptable loss of amenity to adjacent occupiers by reducing the amount of daylight, sunlight or privacy they enjoy or result in an un-neighbourly sense of enclosure. This is further supported by Policy 7.6 of the London Plan.

The proposal will increase the overall height of the dwelling by 1.7m (maximum overall height of 7.03m. The increase in height is approximately 7.0m away from the boundary and a further 6.1m away from the main residence of Woodpecker. The increase in the ridge height is 4.08m in width before returning to the original ridge height and is a significant distance (approximately 20m) away from Brentfield to the north of the site. The original height of the roof (5.4m) extends across the western elevation for 9.6m; whereas given the low pitch it also reduces the appearance of bulk.

As such it is considered that the proposed development would not result in any loss of amenity in terms of increased sense of enclosure, loss of light or privacy. For these reasons, it is considered that the proposed development is acceptable and complies with policy on neighbouring amenity.

Conclusion:

Having had regard to the above, Members are asked to consider if the proposed increase and change of roof design to incorporate both side and rear extensions is an acceptable development within the Green Belt as detailed in the report including recent planning history at this site. It is considered that the development has been carefully and sympathetically designed to ensure that the proposal would not result in any amenity implications that would harm the existing quality of life or character of the surrounding area.

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: 16/04600/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 in the interest of the visual and residential amenities of the area.

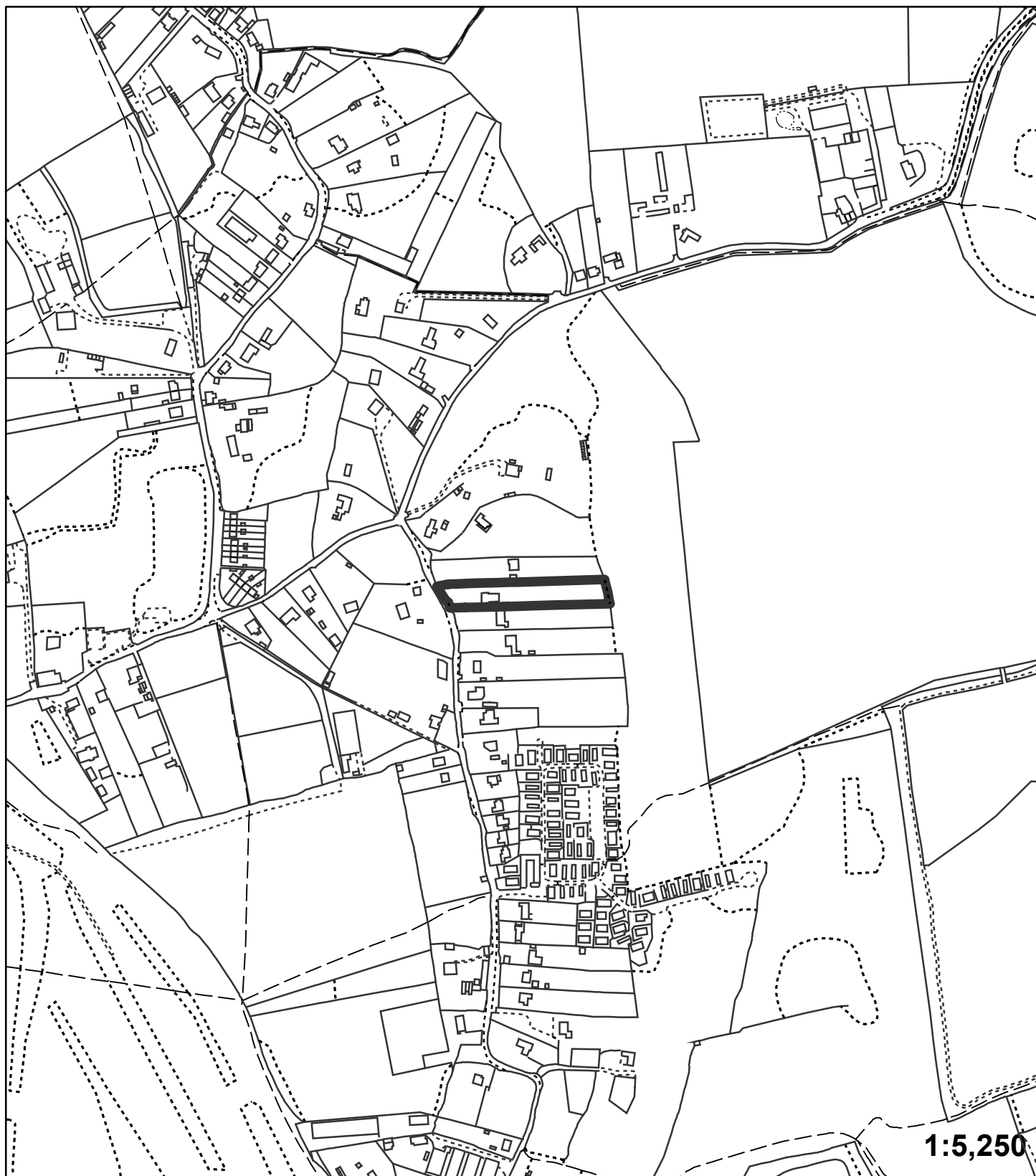
3. **Details of the materials to be used for the external surfaces of the extension shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced. The works shall be carried out in accordance with the approved details.**

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

Application:16/04600/FULL6

Address: Gordon House Berrys Green Road Berrys Green Westerham
TN16 3AH

Proposal: Increase and change of roof design to incorporate both side
and rear extensions



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

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Application No : 16/04781/FULL6

Ward:
Chislehurst

Address : 100 Imperial Way, Chislehurst BR7 6JR

OS Grid Ref: E: 544351 N: 172130

Applicant : Mr Ian Hamer

Objections : YES

Description of Development:

Part one/two storey side/rear extension

Key designations:

Biggin Hill Safeguarding Area
London City Airport Safeguarding
Smoke Control SCA 16

Proposal

The application site is located to the northern side of Imperial Way and is sited back from the main highway in a curvature of the road. The host dwelling is a two storey end of terrace dwelling with a duo pitched roof profile and off street parking to the front elevation. The dwelling adjoins number 102 Imperial Way by a single storey element to the north-west elevation. The area is predominantly residential with a golf range to the rear which is designated Green Belt.

The proposal seeks permission for a part one/two storey side and rear extension to facilitate an additional bedroom, two bathrooms and an extended kitchen/diner.

Consultations

Nearby owners/occupiers were notified of the application and the following objection was received from the Chislehurst Society:

- A similar application was refused by the Council and a subsequent appeal was dismissed by the Inspectorate
- The flat roof over the single storey rear extension addresses one of the Inspectors concerns
- The applicant continues to propose a two storey side and rear extension. This will be visually intrusive and harmful to the character and appearance of the locality. The applicant does not appear to have acknowledged the reasoning of the Inspector in this regard as stated in the recent appeal decision
- The two storey side extension does infringe the side space policy along the common boundary with number 102

Planning Considerations

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

BE1 Design of New Development
H8 Residential Extensions
H9 Side Space
T3 Parking
T18 Road Safety
G6 Land adjoining Green Belt or Metropolitan Open Lane

Supplementary Planning Guidance 1 and 2

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

The Mayor's Supplementary Planning Guidance: Housing

The National Planning Policy Framework, with which the above policies are considered to be in accordance.

Planning History

16/01502/FULL6 - Part one/two storey side/rear extension - Refused

A subsequent appeal ref:- APP/G5180/D/16/3152803 was refused, with the Inspector making the following comments:

- The gap between number 100 and 102 increases to the rear. As such, the proposed side extension would be set well back from the front elevation of the property and would be well screened and would be partly screened by the unusual flat roofed single-storey link building.
- As a result, the proposed side extension would only project discreetly into the gap and would not appear cramped or prominent despite being contrary to Policy H9.
- The large two storey element with its flat topped roof would appear excessively bulky and visually intrusive. The hipped roofs do not mitigate this impact.
- The combination of the flank walls of the single storey and two storey extension in such close proximity to number 98 would have an unduly overbearing and dominant impact on the outlook from the nearby rear facing windows of the property and from the amenity space behind the house.

Conclusions

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

The application has been amended in the following was from the previously refused application (ref: 16/01502/FULL6):

- Change in roof profile of the single storey rear extension from a pitched roof to a flat roof with roof lanterns. Reduction in height of 0.7m.
- Reduction in projection of the first floor rear extension from 3.5m to 3m.
- Change in roof profile of the first floor rear extension
- Reduction in height of the first floor extension

Design

The application proposes a part single, part two storey rear and side extension to an existing two bedroom property. The extensions proposed are considerable in size, approximately doubling the size of the habitable floor area however have been reduced in scale from the previously refused scheme.

The extensions, in contrast with the main dwelling, propose to utilise a hipped roof design in the main with a flat roof extending over the single storey side and rear elements. The Inspector stated within his appeal decision that the large two storey element with its flat topped roof would appear excessively bulky and visually intrusive in relation to the host dwelling. He also went on to say that the hipped roofs do not fully mitigate this impact. The Applicant has amended the design of the roof so that it has a lower height with a shallower pitch than that as previously considered and has been reduced in depth by 0.5m. It is considered that these amendments sufficiently mitigate the bulkiness of the proposal when viewed from surrounding properties. Members may consider that the amendments to the scheme are considered to sufficiently overcome the Inspectors concerns, and when viewed in tandem with the flat roof extension from number 98 and from surrounding residential properties and, on balance, no longer appears as unduly bulky or visually intrusive as the previous scheme.

Side Space

Policy H9 states that when considering applications for a proposal of two or more stories in height, a minimum 1 metre space from the side boundary of the site should be retained for the full height and length of the flank wall. The Inspector stated within his appeal decision that the gap between number 100 and 102 increases to the rear and as such, the proposed side extension would be set well back from the front elevation of the property and would be partly screened by the existing flat roofed single-storey link building. The ground floor side extension proposed within this application would be located behind the existing side projection and benefits from a flat roof profile, therefore would be minimally visible from the highway. The Inspector concluded that as a result, the proposed side extension would only project discreetly into the gap and would not appear cramped or prominent. Although the Council's side space policy would be infringed, the objective of Policy H9, to prevent a terracing effect, would not be prejudiced. Members may consider that the scheme is acceptable in this regard.

Impact on neighbouring amenity

The proposed extension projects 3.5m at single storey along the boundary with number 98 Imperial Way with the two storey rear element now projecting 3m, stepped in from the common side boundary by 2.7m, an increase of 0.5m from the previously refused application. Whilst the façade facing number 98 is un-relieved, given the reduction in height of the single storey element and the increased

distance from the boundary of the two storey extension, the scheme is no longer considered to unduly compromise neighbouring amenity.

In terms of the impact upon number 102, given the orientation and siting of the neighbouring property, the proposed extension is not considered to cause a detrimental impact upon light, outlook or oppressiveness.

Conclusion

In conclusion, the scheme is now considered to have overcome the concerns as previously raised in that the scheme is of an appropriate design and no longer impacts upon neighbouring residential amenity.

Background papers referred to during production of this report comprise all correspondence on the file ref(s) 16/01502/FULL6 as set out in the Planning History section above, excluding exempt information.

RECOMMENDATION: PERMISSION

Subject to the following conditions:

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

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

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

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

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

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

- 4 No windows or doors shall at any time be inserted in the flank elevation(s) of the development 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.

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Appeal Decision

Site visit made on 8 August 2016

by **David Reed BSc DipTP DMS MRTPI**

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

Decision date: 5 September 2016

Appeal Ref: APP/G5180/D/16/3152803

100 Imperial Way, Chislehurst, Kent BR7 6JR

- 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 Ian Hamer against the decision of the Council of the London Borough of Bromley.
 - The application Ref DC/16/01502/FULL6, dated 23 March 2016, was refused by notice dated 19 May 2016.
 - The development proposed is a part single/part two storey rear extension and a part single/part two storey side extension.
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:

- the effect of the proposal on the character and appearance of the area; and
- the effect of the proposal on the living conditions of the occupiers of No 98 Imperial Way in relation to outlook.

Reasons

Character and appearance

3. No 100 is an end terrace house on the north eastern side of Imperial Way, an established residential area comprising two storey terraced and semi-detached houses. The proposal is for a part one storey/part two storey extension wrapping round the rear corner and across the back of the property.
4. The area is characterised by wide side gaps between properties, and in addition, the gap between Nos 100 and 102 increases to the rear as the two houses are angled towards each other facing the road. As such, the proposed side extension would be set well back from the front elevation of the property and would also be partly screened by the unusual flat roofed single-storey link building between the two houses. As a result, when seen from the road, the proposed side extension would only project discreetly into the gap and would not appear cramped or prominent in the street scene. Although the Council's policy to maintain a minimum 1 m gap between a two storey extension and the side boundary would be slightly infringed, the objective of the policy, to prevent a terracing effect, would not be prejudiced.

5. However, seen from the rear the proposed extension, in particular the large two-storey element with its flat topped roof, would appear excessively bulky and visually intrusive in relation to the host dwelling and alongside the adjacent properties which have not been extended. The hipped roofs would not fully mitigate this impact. Although there are no public views from this direction the extension would be seen from numerous rear gardens and therefore it would appear out of character with its surroundings.
6. For this reason the proposal would significantly harm the character and appearance of the area in conflict with Policies BE1 and H8 of the Bromley Unitary Development Plan 2006 (the UDP). These require new development to complement the scale, form and layout of adjacent buildings and for the scale and form of proposals to enlarge residential properties to respect the host dwelling and be compatible with development in the surrounding area.

Living conditions

7. The proposed rear extension would project about 3.5 m from the rear elevation of No 100. The single storey section would run alongside the common boundary with No 98 whilst the two storey section would be set back from the common boundary by only about 2.2 m. In addition, the single storey section would not have a flat roof but would be pitched up to the sill of the first floor window above, increasing the height of the wall along the common boundary.
8. The combination of the flank walls of the single and two storey extensions in such close proximity to No 98 would have an unduly overbearing and dominant impact on the outlook from the nearby rear facing windows of the property and from the amenity space immediately behind the house.
9. For this reason the proposal would significantly harm the living conditions of the occupiers of No 98 Imperial Way in relation to outlook, contrary to Policy BE1 of the UDP. This requires new development to respect the amenity of occupiers of neighbouring buildings and ensure their environments are not harmed by overshadowing.

Other matters

10. The benefits of additional living accommodation are appreciated and neither of the adjacent occupiers have objected, but these factors do not outweigh the concerns identified above. An unattractive side dormer is not the only alternative option. Finally, a side extension at No 88 Imperial Way was approved on appeal in 2011¹, but this did not involve a two storey rear extension or a single storey rear extension immediately adjacent to the neighbouring property.

Conclusion

11. Having regard to the above the appeal should be dismissed.

David Reed

INSPECTOR

¹ APP/G5180/D/11/2147236

Application:16/04781/FULL6

Address: 100 Imperial Way Chislehurst BR7 6JR

Proposal: Part one/two storey side/rear extension



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

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

Application No : 16/02911/FULL1

Ward:
Chislehurst

Address : Carola, Southfield Road, Chislehurst
BR7 6QR

OS Grid Ref: E: 546077 N: 168824

Applicant : Mr Wasim Afzal

Objections : YES

Description of Development:

Demolition of existing bungalow and construction of 5-bed dwelling with accommodation in the roofspace.

Key designations:

Biggin Hill Safeguarding Area
London City Airport Safeguarding
Smoke Control SCA 17

Proposal

Planning permission is sought for the demolition of existing bungalow and construction of 5-bed dwelling with accommodation in the roofspace. The new dwelling would have a maximum height of 6.5m width of 17.9 and depth of 15.7m.

Location

The application site is located on the northern side of Southfield Road and is one of five identical bungalows.

Consultations

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

- It looks like there are more bedroom possibilities than the three applied for on the plans, i.e. rather large studies. If this is the case and a large family bought the property, where would all the extra vehicles be parked, especially as the present drive which is to the side of the property would no longer exist.
- The proposal will raise the scene value of the street and property
- Loss of natural light to lounge and bedroom
- New development would be too large for site
- The daylight/sunlight diagrams do not take into account days where there is less light

- Unaware of the previous application history on the site.

Drainage:

The proposed works appear to be very close to or over existing public sewer(s); the applicant should be advised to consult TWU as soon as possible to ascertain the exact sewer locations and to establish what protection measures may be required.

Please advise the applicant that contrary to his answer to the question on the form there is no public surface water sewer near to this site. Surface water will therefore have to be drained to soakaways.

This site is within the area in which the Environment Agency – Thames region restrictions on the rate of discharge of surface water from new developments into the river Ravensbourne or its tributaries.

Please impose standard condition No. D02 on any approval.

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

Please impose Standard Condition D06 on any approval to this application.

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 6 – Delivering a wider choice of high quality homes

Chapter 7 – Requiring Good Design

London Plan (2015):

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

- 5.12 Flood Risk Management
- 5.13 Sustainable Drainage
- 5.14 Water quality and wastewater Infrastructure
- 5.15 Water use and supplies
- 5.16 Waste self-sufficiency
- 5.17 Waste capacity
- 5.18 Construction, excavation and demolition waste
- 6.5 Funding Crossrail and other strategically important transport infrastructure
- 6.9 Cycling
- 6.12 Road Network Capacity
- 6.13 Parking
- 7.1 Lifetime Neighbourhoods
- 7.2 An Inclusive Environment
- 7.3 Designing Out Crime
- 7.4 Local Character
- 7.5 Public Realm
- 7.6 Architecture
- 7.14 Improving Air Quality
- 7.15 Reducing and Managing Noise, Improving and Enhancing the Acoustic Environment and Promoting Appropriate Soundscapes.
- 7.19 Biodiversity and Access to Nature
- 8.3 Community Infrastructure Levy

Housing: Supplementary Planning Guidance. (March 2016)

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

Unitary Development Plan (2006):

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

Supplementary Planning Guidance 1: General Design Principles

Supplementary Planning Guidance 2: Residential Design Guidance

Planning History

Under planning reference 12/03816/FULL6 planning permission was granted for on the 28th January 2013 for a ground floor front extension, first floor rear extension, increase of the roof height and rear dormers.

Conclusions

It is considered the planning issues and considerations relate to:

- Principle of development and density;
- Housing Supply
- Design and scale;
- Neighbouring amenity;
- Standard of accommodation;
- Car parking and access;
- Cycle parking;
- Refuse;
- Trees;
- Sustainability and energy; and
- Community Infrastructure Levy.

Principle of development and density

The proposed development would make a minor contribution of 1 new dwelling towards the Council's target in accordance with Policy 3.3 of the London Plan.

National, regional and local plan policies promote redevelopment of brownfield sites and optimising site potentials. There is however no presumption in favour of development sites created from rear gardens of residential houses. In this respect, policy 3.5 of the London Plan (2015) states that housing developments should be of the highest quality internally, externally and in relation to their context.

Section 6 of the National Planning policy Framework (NPPF) requires that the design of new housing significantly enhances its immediate setting and should be sensitive to the defining characteristics of the local area. Section 7 further states that permission should be refused where a development fails to improve the character and quality of an area. Policy H7 of the Unitary Development Plan (UDP) clearly outlines the Council's policies for new housing.

Supplementary Planning Guidance No. 2 (Residential Design Guidance) states "local context is of particular importance when adding new buildings to established areas. Building lines, spaces between buildings, means of enclosure and the use and location of garden or amenity space should all respect the character of the locality".

Policy H7 seeks to prevent unacceptable residential developments on backland and infill sites and *will be expected to meet all of the following criteria:*

(i) the development complies with the density ranges set out in the density/ location matrix at Table 4.2 below;

(ii) in the interest of creating mixed and balanced communities, the development provides a mix of housing types and sizes, or provides house types to address a local shortage;

(iii) 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;

(iv) adequate private or communal amenity spaces are provided to serve the needs of the particular occupants;

(v) off street parking is provided at levels no more than set out in the Table at Appendix II. These are maximum parking standards. A higher provision will be acceptable only where it can be demonstrated that complying with the maximum standards would not be in the interest of the safety of highway users, or where additional parking is required to meet the needs of particular users, such as those with disabilities;

(vi) the layout is designed to give priority to pedestrians and cyclists over the movement and parking of vehicles; and

(vii) security and crime prevention measures are included in the design and layout of buildings and public areas.

This is supported in London Plan Policies 3.4 and 3.5.

The application site fronts onto Southfield Road and this would form the basis of its character reference for the proposal. This dwelling is one of five identical bungalows located on the northern side with two story houses on the southern side. The area generally has a mix of dwelling styles and designs. Whilst the proposal would result in the loss of one of the five bungalows it is considered that the proposal would fit into the established pattern and would not appear shoe horned into the built environment to the detriment of the areas character.

The site has a public transport accessibility level (PTAL) of 1b on a scale where 1 is poor and 6 is excellent. In terms of density Table 3.2 of the London Plan (LP) and Policy H7 of the UDP provide a density matrix and states for Suburban areas with a PTAL of 0-1 in LP or 1-2 in UDP the density level should be between 150-200hr/ha. The density level at this site is proposed to be 79hr/ha. Whilst this density is well below the ranges set out above, density is only one aspect of applications acceptability.

The site is currently developed for a less dense residential use. Therefore in this location the Council will consider residential replacement development provided that it is designed to complement the character of surrounding developments, the design and layout make suitable residential accommodation, and it provides for garden and amenity space. Any adverse impact on neighbouring amenity,

conservation and historic issues, biodiversity or open space will need to be addressed. Therefore the provision of the new dwellings on the land is acceptable in principle subject to an assessment of the impact of the proposal on the appearance/character of the surrounding area, the residential amenity of adjoining and future residential occupiers of the scheme, car parking and traffic implications, sustainable design and energy, community safety and refuse arrangements.

As such it is considered that the principle of development can be accepted as the development is in compliance with Policies 3.4 and 3.5 of the London Plan and Policies H1 and H7 of the UDP.

Housing Supply

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

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

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

Design and Scale

London Plan Policy 7.4 requires developments to have regard to the form, function, and structure of an area, place or street and the scale, mass and orientation of surrounding buildings. Policy 7.6 also relates to architecture and how buildings should be of the highest architectural quality, be of a proportion, composition, scale and orientation that enhances, activates and appropriately defines the public realm and comprise details and materials that complement, not necessarily replicate, the local architectural character.

Policy BE1 requires a high standard of design in new development and the scale and form of new residential development to be in keeping with the surrounding area, and the privacy and amenities of adjoining occupiers to be adequately safeguarded.

Policy H9 states that when considering applications for new residential development, including extensions, the Council will normally require the following:

(i) for a proposal of two or more storeys in height, a minimum 1 metre space from the side boundary of the site should be retained for the full height and length of the flank wall of the building; or

(ii) where higher standards of separation already exist within residential areas, proposals will be expected to provide a more generous side space. This will be the case on some corner properties.

The Council considers that the retention of space around residential buildings is essential to ensure adequate separation and to safeguard the privacy and amenity of adjoining residents. It is important to prevent a cramped appearance and unrelated terracing from occurring. It is also necessary to protect the high spatial standards and level of visual amenity which characterise many of the Borough's residential areas. Proposals for the replacement of existing buildings will be considered on their merits.

The Council will normally expect the design of residential extensions to blend with the style and materials of the main building. Where possible, the extension should incorporate a pitched roof and include a sympathetic roof design and materials.

The proposed new is to be located centrally within the plot and on approximately the same footprint as the original dwelling providing a side space of 1.48m to the eastern boundary and 1.69 (reducing to 1.02m) adjacent to the western boundary, however the angular orientation has been altered to face directly onto Southfield Road (south) the design of the new house and are seen within the borough, the properties within the neighbouring roads and as such would not appear alien to the established layout, pattern and distinctive character and appearance of dwellings in the area.

Therefore, it is considered the proposed development would comply with Policies 7.4 and 7.6 of the London Plan and Policies BE1 and H9 of the UDP in that the dwelling does have proportion, composition and scale that enhances, activates and appropriately defines the public realm. The proposal would have regard to the form, function, and structure of the surrounding area and would not provide a positive relationship between the proposed and existing urban context.

Neighbouring Amenity

Policy BE1(v) of the UDP that new development will only be permitted where it can be demonstrated that the proposal does not cause an unacceptable loss of amenity to adjacent occupiers by reducing the amount of daylight, sunlight or privacy they enjoy or result in an un-neighbourly sense of enclosure. This is supported by Policy 7.6 of the London Plan.

The proposed new house would be located to the west of Sunny Field and east of Red Roof a shadow study has been produced which shows the new development would not have any significant impact on neighbouring properties in terms of loss of light over and beyond the approved 12/03816/FULL6 whilst the permission was never implemented and has subsequently expired was considered acceptable and in terms of policy whilst the London Plan has been updated the policies broadly remain the same.

Given the location of the new house it is considered that this increase would not result in a loss of amenity in terms of light and increased sense of enclosure to any neighbouring property.

In terms of outlook, the fenestration arrangement will provide front and rear outlook for the new house overlooking the rear amenity space and street. The outlook from windows from the proposed property is considered to maintain a suitable level of privacy at the intended distances to existing neighbouring property. There are no flank windows proposed.

Standard of accommodation

The mayoral Housing SPG and the National Space Standards provides further guidance on suitable floor area standards, some examples are set out below for your information:

Single bedroom – floor area of at least 7.5m² and is at least 2.15m wide.

Double bedroom – floor area of at least 11.5m² one double (or twin bedroom) is at least 2.75m wide and every other double (or twin) bedroom is at least 2.55m wide.

Adequate private amenity space also needs to be provided with a minimum of 5 sq m of private outdoor space should be provided for 1-2 person dwellings and an extra 1 sq m should be provided for each additional occupant.

In addition, consideration needs to be given to Policies 3.5, 3.8 and 7.2 of the London Plan.

The proposed dwelling is a 5- bed dwelling and could theoretically house up to 10 persons due to the size of the bedrooms proposed. The minimum Gross Internal Area (GIA) of 128 sqm plus for 5b-8p and for units over this approximately 10 sq m per extra bedspace/person should be provided which would equate to 148 sqm. The GIA+ of the proposed dwelling would be over this and therefore complies with the minimum GIA.

The proposed amenity space to the rear would be accessed from the ground floor and would exceed the requirements of the Housing SPG.

Car Parking and Access

London Plan Policy 6.13 requires the maximum standards for car parking, which is supported by Policy T3 of the UDP. The proposed development would provide off-street parking spaces as the original unit and as such no highways objections are raised.

Cycle parking

London Plan requires two cycle spaces per dwelling, no details of any lockable storage has been provided, however subject to further details required in a condition no objection is raised in this regard.

Refuse

All new developments shall have adequate facilities for refuse and recycling. The applicant has provided details of refuse storage. Further details regarding a containment structure can be conditioned as necessary.

Trees and landscaping

An indicative landscaping layout has been submitted as shown on the proposed site plan drawing that details the areas given over to garden for external amenity for future occupiers. A greater provision for soft landscaping within the front curtilage is indicated to overcome concerns raised in the previous application. Subject to further details within a reserved matters application no objection is now raised 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.

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

Community Infrastructure Levy

The Mayor of London's CIL is a material consideration. CIL is liable for the construction of a new dwelling.

Conclusion:

Having had regard to the above it is considered that the It is considered that the development 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 existing surrounding in accordance with Policies 3.3, 3.4, 3.5, 3.8, 3.9, 5.1, 5.2, 5.3, 5.7, 5.9, 5.10, 5.11, 5.12, 5.13, 5.14, 5.15, 5.16, 5.17, 5.18, 6.5, 6.9, 6.12, 7.1, 7.2, 7.3, 7.4, 7.5, 7.6, 7.14, 7.15, 7.19 and 8.3 of the London Plan and BE1, BE7, H1, H7, H9, NE7, T3, T5, T6, T7, T16 and T18 of the UDP.

Having had regard to the above, Members are asked to consider if the proposed demolition of the existing bungalow and construction of a 5-bed chalet style bungalow is acceptable as detailed in the report. It is considered that the development has been carefully and sympathetically designed to ensure that the proposal would not result in any amenity implications that would harm the existing quality of life or character of the surrounding area.

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: 16/02911/FULL1 set out in the Planning History section above, excluding exempt information.

RECOMMENDATION: PERMISSION

Subject to the following conditions:

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

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

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

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

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

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

- 4 Before any part of the development hereby permitted is first occupied boundary enclosures of a height and type to be approved in writing by the Local Planning Authority shall be erected in such**

positions along the boundaries of the site(s) as shall be approved and shall be permanently retained thereafter.

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

- 5** 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.

- 6** 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.

- 7** 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.

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

Construction Management Plan shall be implemented in accordance with the agreed timescale and details.

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

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

Reason: In order avoid development without adequate parking provision, which is likely to lead to parking inconvenient to other road users and would be detrimental to amenities and prejudicial to road safety to comply with Policy T3 of the Unitary Development Plan and Policy 6.13 of the London Plan.

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

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

- 11 Notwithstanding the plans hereby approved no gates shall be installed at the vehicle entrance/exit to the site unless agreed in writing by the Local Planning Authority.**

Reason: In order to ensure that satisfactory means of access is provided and to comply with the Policy T18 of the Unitary Development Plan and Policy 6.12 of the London Plan

- 12 No extensions or alterations to the building hereby approved, whether or not permitted under Article 3 to Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking, re-enacting or modifying that Order) of that Order, shall be carried out without the prior written permission of the local planning authority.**

Reason: In order that, in view of the nature of the development hereby permitted, the local planning authority may have the opportunity of assessing the impact of any further development and to comply with Policy BE1 of the Unitary Development Plan.

- 13** The development hereby permitted shall be built in accordance with the criteria set out in Building Regulations M4(2) 'accessible and adaptable dwellings' and shall be permanently retained thereafter.

Reason: To comply with Policy 3.8 of the London Plan 2015 and the Mayors Housing Supplementary Planning Guidance 2016 and to ensure that the development provides a high standard of accommodation in the interests of the amenities of future occupants.

- 14** 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.

- 15** 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 ER13 of the Unitary Development Plan.

- 16** 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 ER13 of the Unitary Development Plan.

You are further informed that:

- 1 The applicant is advised that any works associated with the implementation of this permission (including the demolition of any existing buildings or structures) will constitute commencement of development. Further, all pre commencement conditions attached to this permission must be discharged, by way of a written approval in the form of an application to the Planning Authority, before any such works of demolition take place.**
- 2 You should consult the Land Charges and Street Naming/Numbering Section at the Civic Centre on 020 8313 4742 or e-mail: address.management@bromley.gov.uk regarding Street Naming and Numbering. Fees and application forms are available on the Council's website at www.bromley.gov.uk**
- 3 You are advised that this application may be liable for the payment of the Mayoral Community Infrastructure Levy under the Community Infrastructure Levy Regulations (2010) and the Planning Act 2008. The London Borough of Bromley is the Collecting Authority for the Mayor and this Levy is payable on the commencement of development (defined in Part 2, para 7 of the Community Infrastructure Levy Regulations (2010)). It is the responsibility of the owner and /or person(s) who have a material interest in the relevant land to pay the Levy (defined under Part 2, para 4(2) of the Community Infrastructure Levy Regulations (2010)).**

If you fail to follow the payment procedure, the collecting authority may impose surcharges on this liability, take enforcement action,

serve a stop notice to prohibit further development on the site and/or take action to recover the debt.

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

- 4 Conditions imposed on this planning permission require compliance with Part M4 of the Building Regulations. The developer is required to notify Building Control or their Approved Inspector of the requirements of these conditions prior to the commencement of development.
- 5 Before works commence, the Applicant is advised to contact the Pollution Team of Environmental Health & Trading Standards regarding compliance with the Control of Pollution Act 1974 and/or the Environmental Protection Act 1990. The Applicant should also ensure compliance with the Control of Pollution and Noise from Demolition and Construction Sites Code of Practice 2008 which is available on the Bromley web site.
- 6 Before demolition commences, the Applicant is advised to have a full pre-demolition survey carried out to identify any asbestos containing products which may be in the building, and then contact the Health & Safety Executive to ensure compliance with all relevant legislation. The Applicant should ensure compliance with the Control of Asbestos Regulations 2012 and the Health and Safety at Work Act 1974 in relation to the safe removal of any asbestos on site prior to demolition.
- 7 If during the works on site any suspected contamination is encountered, Environmental Health should be contacted immediately. The contamination shall be fully assessed and an appropriate remediation scheme submitted to the Local Authority for approval in writing.
- 8 It is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0800 009 3921. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

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

- 10 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.**

Application:16/02911/FULL1

Address: Carola Southfield Road Chislehurst BR7 6QR

Proposal: Demolition of existing bungalow and construction of 5-bed dwelling with accommodation in the roofspace.



1:1,280

"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 : 16/03068/FULL6

Ward:
**Bromley Common And
Keston**

Address : 45 Longdon Wood, Keston BR2 6EN

OS Grid Ref: E: 542193 N: 164698

Applicant : Mr W Routledge

Objections : YES

Description of Development:

Partial demolition of a two storey six bedroom detached dwelling retaining some of the existing external walls, refurbishment and erection of a new two storey five bedroom detached dwelling

Key designations:

Conservation Area: Keston Park
Biggin Hill Safeguarding Area
London City Airport Safeguarding
Smoke Control SCA 14

Proposal

The application seeks consent for the partial demolition of a two storey six bedroom detached dwelling retaining some of the existing external walls, refurbishment and erection of a new two storey five bedroom detached dwelling. The proposal would also see the construction of a basement, with swimming pool.

Location

The application site is located on the eastern side of Longdon Wood and is occupied by a detached two-storey dwelling. The existing property has an 'L-shaped' arrangement, with a two-storey rear projection, which extends significantly into the rear garden. The property has also been extended by way of a single-storey extension with a swimming pool and rear dormer. The road and surrounding area is characterised by detached properties of varied architectural design and appearance forming a mix of storey houses, chalet bungalows and older style detached bungalows. The site is located within the Keston Park Conservation Area.

One of the main features of the area is the spacious plots, in which the original dwellings are situated, set well back from the highway with well planted established gardens and mature trees and landscaping. Redevelopment in the form of substantial sized detached housing replacing older type properties has taken place on a number of sites throughout the estate in recent years.

Consultations

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

- o The existing buildings footprint is already the deepest penetrating building into the garden by some length on the entire road. To extend it further into the garden seems unreasonable.
- o Mindful of the relationship of the development with neighbouring gardens and boundaries

Highways - The proposed development is on a private road. The access and parking arrangements appear satisfactory and I would have no comments on the proposal.

Environmental Health - No objections within the grounds of consideration. Recommend that a condition be attached to the amended application with regards to plant noise.

At any time the measured or calculated combined noise level from all fixed plant at this site in terms of dB(A) shall be 10 decibels below the relevant background noise level for that period of operation, (LA90 15mins) measured at the boundary of any noise-sensitive location. Furthermore, the noise rating level determined in accordance with the methodology BS4142:2014 shall not exceed the typical background level during the hours of operation.

Recommend that the following informatives are attached:

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

Before demolition commences, the Applicant is advised to have a full pre-demolition survey carried out to identify any asbestos containing products which may be in the building, and then contact the Health & Safety Executive to ensure compliance with all relevant legislation. The Applicant should ensure compliance with the Control of Asbestos Regulations 2012 and the Health and Safety at Work Act 1974 in relation to the safe removal of any asbestos on site prior to demolition.

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

Planning Considerations

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

BE1 Design of New Development

BE7 Railings, Boundary Walls and Other Means of Enclosure

BE11 Conservation Areas
BE14 Trees in Conservation Areas
NE7 Development and Trees
H1 Housing Supply
H7 Housing Density and Design
H9 Side Space
H11 Residential Conversions
ER10 Light pollution
T3 Parking
T7 Cyclists
T11 New Accesses
T18 Road Safety

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

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

Draft Keston Park Conservation Area SPG

London Plan (July 2015)

Policy 3.3 Increasing Housing Supply.
Policy 3.4 Optimising Housing Potential
Policy 3.5 Quality and design of housing developments
Policy 3.8 Housing choice
Policy 5.1 Climate change mitigation
Policy 5.2 Minimising carbon dioxide emissions
Policy 5.3 Sustainable design and construction
Policy 5.7 Renewable energy
Policy 5.9 Overheating and cooling
Policy 5.10 Urban greening
Policy 5.11 Green roofs and development site environs
Policy 5.12 Flood risk management
Policy 5.13 Sustainable drainage
Policy 5.14 Water quality and wastewater Infrastructure
Policy 5.15 Water use and supplies
Policy 6.9 Cycling
Policy 6.13 Parking
Policy 7.2 An inclusive environment
Policy 7.3 Designing out crime
Policy 7.4 Local character
Policy 7.6 Architecture
Policy 8.3 Community infrastructure levy

London Plan Supplementary Planning Guidance (SPG)

Housing: Supplementary Planning Guidance. (November 2012)

DCLG Housing Technical Standards (2015)

SPG 1 General Design Principles
SPG 2 Residential Design Guidance

Emerging Plans

According to paragraph 216 of the NPPF decision takers can also give weight to relevant policies in emerging plans according to:

- o The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- o The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- o The degree of consistency of the relevant policies in the emerging plan to the policies in the NPPF, the greater the weight that may be given).

As set out in paragraph 216 of the National Planning Policy Framework, emerging plans gain weight as they move through the plan making process.

The following emerging plans are relevant to this application.

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.

Planning History

88/00196/FUL- Single storey rear extension for swimming pool and games room and dormer extension. Refused 28.04.1988

Appeal (Ref: T/APP/G5180/A/88/99439/P4) allowed on the 12th January 1989.

88/02906/FUL - Dormer extension detached house. Permission 15.09.1988

90/02930/FUL - First floor side/rear extension. Permission 14.03.1991

Of relevance are several planning applications of a similar nature which have been granted planning permission along Longdon Wood:-

No.5 - Demolition of existing dwelling and erection of part one / two storey 5 bedroom dwelling with accommodation in roof space and integral garage. Planning permission granted on 30th August 2011.

No.15 - First floor side and two storey rear extensions and elevational alterations - Application Reference: DC/13/02240. Refused by LBB but allowed on appeal on 3rd December 2013.

No.39 - Demolition of existing dwelling and erection of a two storey four bedroom house with integral garage and accommodation in roof space. Planning permission granted 9th July 2013

No.41 - Two storey five bedroom detached dwelling with accommodation in roof space and integral garage. Planning permission granted on 15th February 2012

No.54 - Demolition of existing dwelling and erection of detached two storeys dwelling with accommodation in the roof space and integral double garage. Planning permission granted 13th June 2011.

No 21 - Demolition of the existing dwelling and detached garage and shed and the construction of a new detached 5 bedroom dwelling with integral garage. Planning permission granted 9th July 2015.

Conclusions

The main issues relating to the application are the principle of development, together the design and subsequent impact on the character and appearance of the streetscene and Conservation Area. Consideration should also be given to neighbouring amenity and any highways issued.

Principle of development

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

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

The proposal would see the demolition of the existing residential dwelling and the construction of a replacement dwelling. The site is located within the Keston Park Conservation Area. It is noted that a number of dwellings within Longdon Wood have been demolished and rebuilt within recent years. The Conservation Area officer has not raised objections to the principle of development and the existing dwelling is not considered to be of particular architectural or historical merit.

The draft Keston Park Conservation Area SPG explains that the up until the beginning of the 20th Century Keston Park was an area of woodland traversed by

picturesque rides, within the parkland of Holwood House Estate. The land was eventually sold off and development of the new estate began in 1922. The owner, Eric Rogers, sought to create a low density but high quality residential area. He conceived a layout which allowed the landscape of the park to be appreciated, and many of the trees remain. Furthermore, detached houses could be developed by individual purchasers, using the designs of their own architects. Paragraph 3.3 of the draft SPG goes on to explain that "The nature of the Park is such that the re-development (demolition and replacement) of individual dwellings may be possible if the proposal involves the replacement of a house that does not make a positive contribution to the character and appearance of the Park. As a consequence of the individual requirements of clients buying individual building plots, the Park contains a diverse mixture of house types and styles. The character of the Park is maintained by two components; a "strong landscape framework (a. common approach to tree and shrub planting, the design and layout of paths and driveways and other equivalent elements) and a very low development density. As a result, the houses sit within a dominant landscape setting. Any new development proposal should demonstrate that it has taken good account of the existing landscape of the site and surroundings and incorporated as much as possible into a sympathetic new landscape treatment".

In this case, the existing dwelling is considered to make a neutral contribution to the Conservation Area. The area around the site is residential and the buildings in the Park are of a variety of styles and scales. The area has seen many replacement dwellings in recent years, and therefore the principle of a replacement house at the site is not considered to be unacceptable.

Design, siting and appearance.

Policy BE1 requires all new development to be of high standard of design and layout. It should therefore complement the scale and form of adjacent buildings and areas and should not detract from existing street scene and/or landscape and should respect important views, skylines or landscape features. Whilst BE11 Conservation Areas states that in order to preserve and enhance the character or appearance of CAs, a proposal for new development should respect the layout of existing buildings.

Many of the houses along Longdon Wood have been extended and a number have been demolished and rebuilt. There are examples of modern dwellings and generally, the architectural language is varied. As noted above, the draft CA SPG explains that the Park evolved over a period of time and included individually designed houses. The key characteristic of the locality includes a strong landscape framework along the roads, with trees and landscaped frontages, together with low density development. The introduction of a modern dwelling is not therefore considered to be significantly out of character within this setting.

The existing property is set back from the road and includes off-street parking and grass frontage. It has a cat-slide roof design, front facing dormers and a pitched roof front gable. The existing property has been significantly extended over the years, with a large two-storey rear projection and single-storey extension incorporating a swimming pool. Both elements project significantly into the rear garden. The existing dwelling spans almost the full width of the site and retains

minimal side space. The neighbouring dwellings are also set within close proximity to the side boundary and the overall appearance is a slightly more cramped than other development within Longdon Wood.

The proposed dwelling is bulkier than the existing property due to the use of two front facing gables and a crown roof with deeper flank elevations. It would mirror the width of the existing property and would therefore retain a similar side space. It would also be slightly lower in height at the ridge; however the use of the flat roof and front gables, compared to the existing subservient cat-slide roof and lower eaves height, would appear more imposing within the streetscene. This is further compounded by the minimal side space. However, the narrow space between the buildings and siting of neighbouring development would prevent long views of the flank elevations from the streetscene, meaning a significant proportion of this mass would not be visible from the public realm. Furthermore, the scale of the building, when viewed from the front, would be similar to other examples found within Longdon Wood. It is however noted that the neighbouring property to the north, at No 43 Longdon Wood is of smaller scale than the application property. The proposed dwelling would maintain a similar existing front building line and would therefore retain the spacing, off-street parking and garden area to the frontage. A condition could be imposed to ensure a suitable landscape treatment in order to protect the character and appearance of the streetscene. Improved landscaping to the frontage could also soften the appearance of the dwelling within the streetscene.

The proposal would include a large part one/part two-storey rear projection into the rear garden. This projection is larger than other examples within the locality; however it is not dissimilar to the footprint of the existing building, which included a part one/two storey rear projection across the entire width of the property. In this case, the rear projection is approximately 3.2m deeper at first floor level and 4m at ground floor level. The two-storey rear projection has been centralised within the plot, but would include a roof which pitches away from the common boundary. The single-storey element would also now sit adjacent to the southern boundary and would include a glazed roof, which has a lighter and more permeable appearance. This feature would also no longer span the full width of the property. In this context, the projection and footprint of the dwelling as a whole would not overwhelm the plot. The rear garden is generous and ample amenity space would remain. The applicant has indicated that the proposal would be utilise high quality materials, including brickwork for the external elevations, which could be agreed via condition. Given the above, it is considered that the proposal would, on balance, preserve the character and appearance of the Conservation Area.

Given the above, Members may consider that the proposal is of an acceptable design which accords with Policies BE1, BE11 and H7 of the Unitary Development Plan and preserves the character and appearance of the Keston Park Conservation Area.

Standard and quality of accommodation

The London Plan and London Plan Housing SPG, together with the DCLG prescribed Technical Housing Standards set out minimum floor space standards for dwellings of different sizes. These are based on the minimum gross internal

floor space requirements for new homes relative to the number of occupants and taking into account commonly required furniture and spaces needed for different activities and moving around. The quality of the proposed accommodation needs to meet these minimum standards.

The proposal would see the construction of a replacement five bedroom two-storey dwellinghouse, which would comply with the minimum prescribed housing standards. All rooms would also achieve a satisfactory level of light, outlook and ventilation.

The dwelling would also have private and secure amenity space located to the rear of the property.

Neighbouring amenity

Policy BE1 expects all development proposals to be of a high standard of design and should respect the amenity of occupiers of neighbouring buildings and those future occupants and ensure 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 adjoining neighbours surrounding the site.

The existing dwelling has been extended over the years and therefore has a large footprint, with a significant part one/part two storey rear projection into the rear garden. The existing dwelling, including extensions, measures approximately 24.2m in depth at ground floor level. The building has a two-storey 'L-shaped' arrangement with an existing 13m rearward projection from the rear elevation of the main dwelling. This element sits adjacent to the common side boundary with No 47 Longdon Wood. There is also an extensive single-storey extension, which currently houses the swimming pool and infills the space between the two storey rear projection and common boundary with No 43 Longdon Wood.

The proposed dwelling maintains the existing front building line of the existing property. The depth of the main part of the proposed dwellinghouse, discounting rearward projections is 9m deep. The existing dwelling also includes a cat-slide roof at the rear; however a full width dormer has been erected on the rear roof slope. This eaves line of this existing cat-slide marks the edge of the original rear building line and is similar to the rear extent of No 43 Longdon Wood.

No 43 is located to the north of the application site and is of a much smaller scale than the existing property. This neighbour benefits from a small glazed conservatory at the rear and a large rear garden. The two dwellings share a similar front building line; however the existing two-storey element and ground floor rear additions project significantly beyond the rear elevation of this neighbour. The existing single-storey addition is currently located approximately 1m from the common boundary and extends approximately 11.2m past the rear of No 43 at its closest point. There is also an additional 4.5m rear projection set 3m from the common boundary. In total, the extensions at ground floor level project approximately 15.5m beyond the rear building line of No 43. The two storey element is set back from the common side boundary by approximately 11.5m.

No 47 is located to the south of the application site and appears to be a more recent development, with permission being granted under 89/00786/FUL for a 'Detached two-storey five bedroom house'. There are a number of windows located within the north facing side elevation of No 47, which are located at both ground and first floor level. The existing dwelling includes a two-storey rear projection adjacent to this common boundary for a depth of 13m. To the rear of this, is a further single-storey rear extension measuring 4.5m in deep, which is set back from the common boundary by 5m.

The proposed dwelling has been designed to incorporate a similar 'L-shaped' arrangement with a two-storey rear projection. This projection has however been centralised on the rear elevation and a single-storey glazed pitched roof extension would sit along its southern elevation and wrap around its rear elevation. The proposed two-storey element would have an approximate depth of 12.5m, however when taken with the bulk of the main house this would extend 3.3m beyond the line of the existing two-storey rear projection. This would also be set away from the common side boundary with No 47 by approximately 4m. The single-storey element of the proposal would now be set along the south elevation of this projection and would span its full depth. It would then wrap around its rear elevation with a 3m rear projection. It would include a glazed roof, which pitches away from the common boundary with No 47 and has an eaves height of 2.9m.

The size and scale of the proposed dwelling is considered to be significant, however in weighing up the affect to neighbouring amenity and any subsequent harm, consideration should be given the existing built form and its relationship with neighbouring dwellings.

No 43 is located to the north and given its orientation and smaller scale, the proposal would clearly result in some impact on the visual amenities of this neighbour. However, this property currently experiences some visual incursion from the depth of the existing built development. The proposed two-storey rear projection would be located approximately 7.6m away from the common boundary. Whilst the depth of this element is significant, there would no longer be a single-storey extension adjacent to the common boundary. The depth of the two-storey rear projection would be marginally deeper and closer to the common boundary with this neighbour; however the removal of the ground floor element would improve the immediate spatial relationship. Furthermore, when comparing the height, location and depth of the existing building in relation to proposal, it is considered that the visual impact in respect of light and visual dominance would not be significantly worse than the current situation. The generous depth and width of the rear gardens would continue to maintain a degree of openness to the rear.

No 47 is located to the south of the site. The size and location of the existing built development has result in an established degree of visual incursion in terms of outlook. The proposed two-storey rear projection would be deeper but would also now be set back from the common boundary. A single-storey glazed wrap around element is now proposed along this common side boundary, which has lighter and a far less bulky appearance. Whilst there would be some visual impact in terms of bulk and dominance from the current proposal, this is not considered to be

significantly worse than the current relationship. Furthermore, the orientation of the site would prevent any significant loss of light or overshadowing.

In respect of privacy and overlooking there is already an established degree of overlooking towards the front and rear of the site. Windows are proposed within the front, side and rear elevations of the dwelling at ground and first floor level. No windows are proposed within the south facing flank elevation at first floor level and the design of the building and glazing from the single-storey wrap around would not result in a level of overlooking which exceeds the current situation.

Three windows are proposed within the upper floor north facing flank elevation, which faces No 43 Longdon Wood. It is noted that the existing building already has habitable room windows facing the same direction, however the location and height of existing single-storey extension partially obscures the neighbouring garden from view. The proposal would be set closer; however the applicant has clarified that the windows within this north elevation would be located at eaves level, with a Velux sitting at roof level and the lower half being located within the side elevation. This lower element would be obscured to prevent direct overlooking. A cross section has been provided to clarify this arrangement and in this case, this detail is considered to suitably mitigate any material harm from the development. A condition could be imposed to ensure this arrangement is retained in perpetuity.

Given the above, Members may consider that the proposal would not result in unacceptable harm to neighbouring residential amenities.

Highways

The application site is located on a private road. The Council's Highways officer has been consulted and not objected to the proposed scheme. An existing off-street parking area would be retained to the front of the site, which is considered to be acceptable. As the proposal is to replace an existing residential dwelling no objections are raised on parking or highway grounds.

Trees

Saved Policy BE14 states that development will not be permitted if it results in the loss of any trees in Conservation Areas unless (i) removal of the tree/s is necessary in the interest in good Arboricultural practice, or (ii) the reason for the development outweighs the amenity value of the tree/s and (iii) in granting permission for the development, one or more appropriate replacement trees of a native species will be sought.

The proposed dwelling would be sited largely within the footprint of the existing dwelling. Mature trees are limited to the rear garden and it is considered that they will not be at risk of harm, provided that protection measures are implemented. There are a number of trees located along the common side boundaries, which may be impacted by the proposed development. The applicant indicates that no trees will be pruned or removed as part of the current proposal. It is considered essential for the healthy retention of trees in the rear garden, that protective fencing is erected to contain the development. The Council's Arboricultural officer has reviewed the scheme and raised no objections subject to suitable conditions requiring the submission of a Tree Protection Plan (TPP). It is also considered that

a level of pruning will be necessary alongside the boundaries to facilitate the development. In light of the Conservation Area designation and special landscaped character it is considered reasonable and necessary to condition this information in order to protect any trees on site or adjacent to the development.

On balance, Members may consider that the replacement house is of an acceptable design and would maintain the spatial standards of the street and would not look out of place when viewed amongst other modern properties located in the road. Members may also considered that the proposed development would neither harm the character and appearance of the Conservation Area, nor impact the amenities of adjoining residential properties to such an extent as to warrant refusal of planning permission.

As amended by documents received on 28.09.2016 18.11.2016

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

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

- 4 Before 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.

- 5 Details of tree pruning to the overhanging boundary vegetation shall be submitted to and approved in writing by the Local Planning Authority before any part of the development hereby permitted is first occupied, and the pruning shall be carried out in accordance with the approved details.

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.

- 6 At any time the measured or calculated combined noise level from all fixed plant at this site in terms of dB(A) shall be 10 decibels below the relevant background noise level for that period of operation, (LA90 15mins) measured at the boundary of any noise-sensitive location. Furthermore, the noise rating level determined in accordance with the methodology BS4142:2014 shall not exceed the typical background level during the hours of operation.

Reason: In the interests of the amenities of nearby residential properties and to accord with Policies BE1 and H8 of the Unitary Development Plan

- 7 Before the development hereby permitted is first occupied the proposed windows in the first floor north facing flank elevation, which are detailed on Drawing Numbers 992/07/A, 992/09A and 992/10 (Received 18/11/16) 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

- 8** 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

You are further informed that :

- 1** You are advised that this application may be liable for the payment of the Mayoral Community Infrastructure Levy under the Community Infrastructure Levy Regulations (2010) and the Planning Act 2008. The London Borough of Bromley is the Collecting Authority for the Mayor and this Levy is payable on the commencement of development (defined in Part 2, para 7 of the Community Infrastructure Levy Regulations (2010)). It is the responsibility of the owner and /or person(s) who have a material interest in the relevant land to pay the Levy (defined under Part 2, para 4(2) of the Community Infrastructure Levy Regulations (2010)). If you fail to follow the payment procedure, the collecting authority may impose surcharges on this liability, take enforcement action, serve a stop notice to prohibit further development on the site and/or take action to recover the debt. Further information about Community Infrastructure Levy can be found on attached information note and the Bromley website www.bromley.gov.uk/CIL
- 2** Before works commence, the Applicant is advised to contact the Pollution Team of Environmental Health & Trading Standards regarding compliance with the Control of Pollution Act 1974 and/or the Environmental Protection Act 1990. The Applicant should also ensure compliance with the Control of Pollution and Noise from Demolition and Construction Sites Code of Practice 2008 which is available on the Bromley web site.

Before demolition commences, the Applicant is advised to have a full pre-demolition survey carried out to identify any asbestos containing products which may be in the building, and then contact the Health & Safety Executive to ensure compliance with all relevant legislation. The Applicant should ensure compliance with the Control of Asbestos Regulations 2012 and the Health and Safety at Work Act 1974 in relation to the safe removal of any asbestos on site prior to demolition.

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

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Application:16/03068/FULL6

Address: 45 Longdon Wood Keston BR2 6EN

Proposal: Partial demolition of a two storey six bedroom detached dwelling retaining some of the existing external walls, refurbishment and erection of a new two storey five bedroom detached dwelling



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

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

Application No : 16/04371/FULL6

Ward:
Penge And Cator

Address : 26 Albert Road, Penge, London
SE20 7JW

OS Grid Ref: E: 535661 N: 170539

Applicant : Ms Veronica Branton

Objections : NO

Description of Development:

Single storey rear extension

Key designations:

Conservation Area: Alexandra Cottages
Biggin Hill Safeguarding Area
London City Airport Safeguarding
Smoke Control SCA 33

Proposal

The application seeks planning permission for a single storey rear extension. The proposed extension will replace an existing single storey rear structure with a partly pitched partly flat roof which extends 3.5m from the rear of the two storey dwelling with a new 5.2m deep flat roofed single storey extension. The proposed extension will have a parameter parapet to a height of 3m and will extend along the boundary with no. 25 for a width of 5.6m, projecting 0.6m beyond of the side wall of the main dwelling. It is shown to be constructed of brickwork to match the existing dwelling with aluminium sash windows and timber doors.

Location

The application site comprises a two storey semi-detached dwellinghouse located on the western side of Albert Road, Penge. The property is locally listed, along with the surrounding dwellings, and lies within the Alexandra Cottages Conservation Area.

The Alexandra Cottages Conservation Area is located in Penge in the north West of Bromley Borough. The conservation area is a compact estate of mid-late Victorian artisans cottages off Parish Lane. It includes properties in Albert Road, Edward Road, Hardings Lane, Parish Lane, Princes Road, and Victor Road.

Consultations

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

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

Comments from Consultees

The Advisory Panel for Conservation Areas (APCA) has raised objections with regards to overdevelopment, bulk, poor design and have stated that the projection from the flank wall is not desirable.

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
BE10 Locally Listed Buildings
BE11 Conservation Areas
H8 Residential Extensions

Supplementary Planning Guidance 1 General Design Principles
Supplementary Planning Guidance 2 Residential Design Guidance
Supplementary Planning Guidance Alexandra Cottages Conservation Area

London Plan Policy 7.4 Local Character
London Plan Policy 7.8 Heritage Assets and Archaeology

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

Planning history

Under ref: 08/00286/FULL6, planning permission was granted for a single storey rear extension.

Conclusions

The main issues relating to the application are the effect that it would have on the character and appearance of the host dwelling and the area in general, with particular regard to the locally listed designation and location with the Alexandra Cottages Conservation Area, as well as the impact that it would have on the amenities of the occupants of surrounding residential properties.

Character and Appearance

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 BE10 looks specifically to ensure that any alteration or extension to a locally listed building is sympathetic to the character, appearance and special interest of the building and will respect its setting. Policy BE11 also seeks to ensure that developments within conservation areas will preserve or enhance the character and appearance of the conservation area by respecting or complimenting the layout, scale, form and materials of existing buildings.

Policy 7.4 of the London Plan seeks that buildings should provide a high quality design that has regard to the pattern and grain of the existing spaces and streets in orientation, scale, proportion and mass and contributes positively to the character of the area. In addition, Policy 7.8 of the London Plan states that development

affecting heritage assets and their settings should conserve their significance, by being sympathetic to their form, scale, materials and architectural detail. 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 property is located within the Alexandra Cottages Conservation Area which is also covered by an Article 4 direction restricting the permitted development rights of the property. The property is also locally listed along with the other properties within the road and surrounding area.

Paragraphs 6.49 to 6.52 of the Alexandra Cottages Conservation Area SPG relate specifically to extensions and states that the rear elevation is the preferred location of extensions and that these should be limited to single storey and should not be so big as to cover the entire rear garden. In addition, it states that "extensions should reflect the traditional style, proportions, materials and details of the buildings within the conservation area".

Objections have been received from the Advisory Panel for Conservation Areas (APCA) with regards to the size and bulk of the extension. However, there are a number of similar single storey rear extensions within the street, including at both No.'s 25 and 27 which neighbour the site. The property itself also benefits from an existing, albeit smaller, rear extension which is shown to be removed to facilitate the proposed extension. The total rearward projection of the extension of 5.2m from the two storey rear elevation is substantial, but would extend only 0.57m beyond the existing extension at no. 25, and would extend over existing hard landscaping at the rear to maintain the existing grassed rear garden.

The maximum height of the extension which includes the perimeter parapet would be 3m, which is around 0.3m higher than the existing extension at the adjoining semi. The extension is shown to be constructed of brickwork to match the existing dwelling and will incorporate sash windows, again to match the proportions and style of the existing windows. Therefore, taking this into account, Members may consider that the size and design of the extension respects the surrounding scale and form of development and preserves the character and appearance of both the host dwelling and the conservation area within which it lies.

APCA also raised concern with regards to the projection of the extension beyond the side wall. Paragraph 6.50 of the Alexandra Cottages SPG does state that rear extensions should "ideally not project beyond the flank wall of the house", but goes on to state that this is to ensure adequate space around and between buildings and to avoid visual terracing or the appearance of cramped development. The proposed extension is shown to project 0.6m beyond the side wall of the main dwelling. However, this would be no further than the existing single storey rear structure which also currently projects 0.6m beyond the main flank wall. It is acknowledged that the height of the extension would be greater than existing, but given its set back from the street the visual impact of this from the road would be minimal. It would also be partly obscured by the existing side porch at the dwelling.

In addition, the extension would retain a separation of 1.4m to the side boundary helping to ensure adequate space between the application dwelling and neighbouring property at no. 27 and preventing the appearance of terracing. It should also be noted that a number of similar extensions exist within the road and as such the extension would not be out of keeping with the prevailing character within the streetscene.

Taking all the above into account, Members may consider that the proposed extension would accord with the aims and objectives that Policies H8, BE1, BE10, BE11 and the Alexandra Cottages SPG seek to achieve in respect of the design and scale of the extension.

Impact on neighbouring amenity

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

The proposed extension will abut the boundary with the adjoining semi at No. 25, but is shown to extend only 0.56m beyond the existing extension at this adjoining dwelling. Given this and the modest height of 3m, it is not considered to result in any undue harm to the amenities of this neighbouring dwelling.

The extension will maintain a separation of 1.4m to the side boundary shared with no. 27 and will not extend beyond the rear of this existing dwelling, which also benefits from a single storey rear extension. The proposed extension includes two windows within the flank elevation facing No. 27. It is noted that this neighbouring dwelling also benefits from windows and a door within the ground floor flank elevation which faces the application site and as such the proposed windows would look towards these existing windows. However, there is also a window and door within the flank elevation of the existing single storey structure at no. 26 and therefore there is already a degree of mutual overlooking between the properties. Taking all this into account, the proposed extension is not considered to result in any additional loss of privacy, nor any significant loss of light or outlook.

Taking the above all into account, Members may consider that the siting, size and design of the proposed extension is acceptable, and would not result in any significant harm to the character and appearance of the host dwelling or the Alexandra Cottages Conservation Area in general nor the amenities of the host or neighbouring properties. Therefore, the extension is considered to accord with the aims and objectives of Policies BE1, BE10, BE11 and H8 of the UDP as well as the Alexandra Cottage SPG, and Policies 7.4 and 7.8 of the London Plan.

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

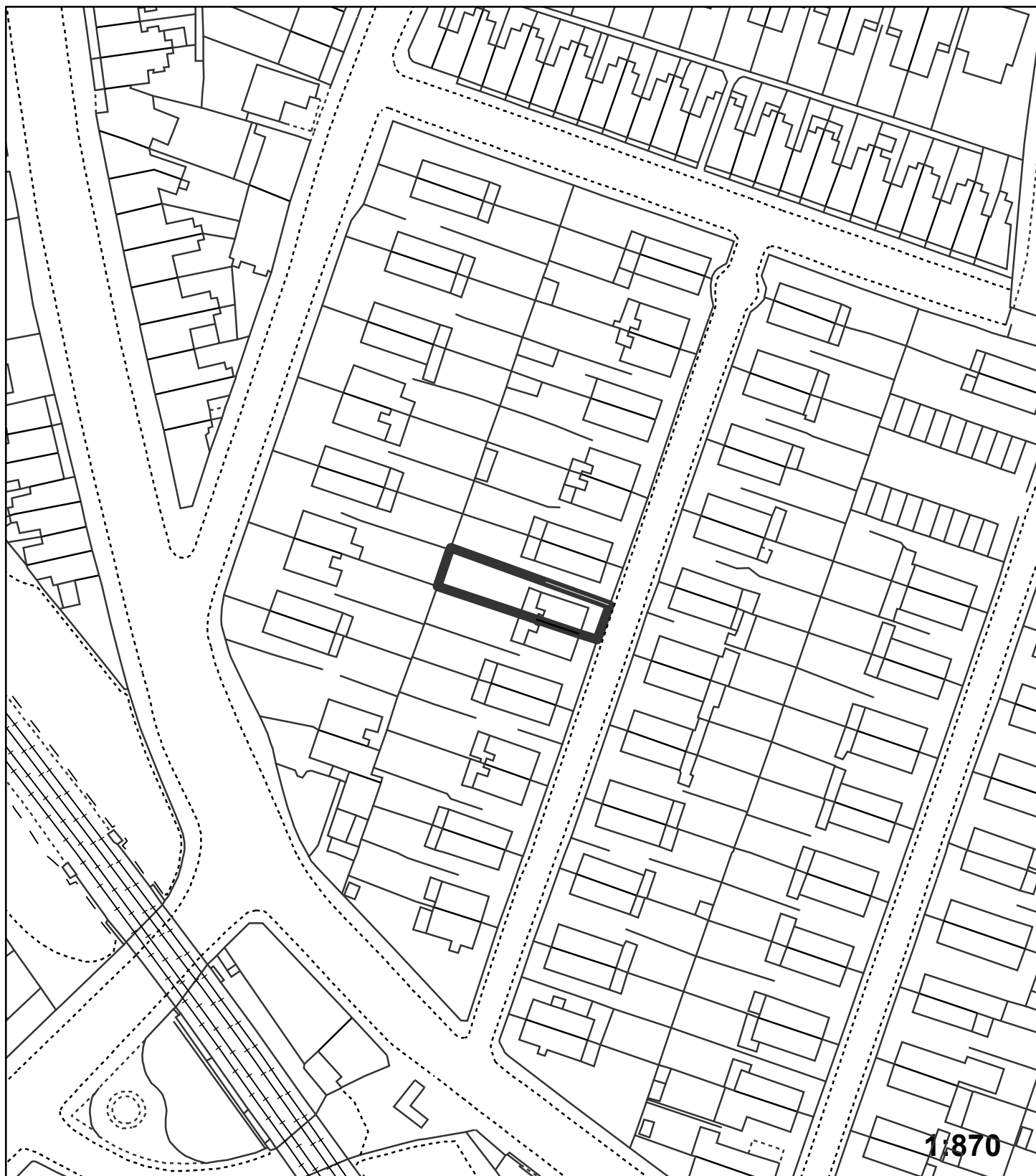
REASON: In order to comply with Policy BE1 of the Unitary Development Plan and in the interest of the visual and residential amenities of the area.

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Application:16/04371/FULL6

Address: 26 Albert Road Penge London SE20 7JW

Proposal: Single storey rear extension



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

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

Application No : 16/04580/FULL6

Ward:
Bromley Common And
Keston

Address : 309 Southborough Lane, Bromley
BR2 8BG

OS Grid Ref: E: 543203 N: 167704

Applicant : Mr Chrysostomou

Objections : No

Description of Development:

First floor side/rear extension and single storey front and rear extensions

Key designations:

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

Proposal

The application seeks consent for the construction of a first floor side/rear wrap around extension and single-storey front and rear extension.

The proposed single storey rear extension would measure 4m in depth and would have span the width of the dwelling. It would have a flat roof with a height of 3.3m at eaves level. It would incorporate a glazed lantern and at its maximum point it would measure 4m. The proposal would also include a 1m front extension, which would sit forward of the existing side extension and would include a pitched roof, which partially wraps around the front elevation.

The proposed first floor side/rear extension would have a depth of 5.6m; include a 3m rearward projection. The side element is set 5.7m back from the front elevation and wraps around the rear elevation of the property. The proposal would include a flat roof and would sit above the side and rear ground floor additions.

Location

The application relates to a two-storey semi-detached residential dwelling, which is located on the north east side of Southborough Lane. The property benefits from an existing single-storey rear conservatory and a dormer roof extension.

Consultations

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

Planning Considerations

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

BE1 Design of New Development

H8 Residential Extensions

H9 Side Space

SPG 1 General Design Principles

SPG 2 Residential Design Guidance

Planning History

93/00612/FUL - Single storey side and rear extension. Permission 12.05.1993

98/00055/FUL - Gable end extension to roof and rear dormer. Permission 04.03.1998

04/00790/FULL6 - Single storey rear extension. Permission 07.04.2004

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 proposed front extension is considered to be modest alteration and is generally of a scale, form and design which respect the character and appearance of the host dwelling. It is noted from the officer site visit that a number of other properties along Southborough Lane benefit from single-storey front extensions. In this case, the proposal would not appear out of the character and generally compliments existing development. It is also noted that a small front extension has recently been granted permission at No 307 Southborough Lane under reference DC/16/00562.

The proposed single-storey rear extension would not be visible from the streetscene. Similar sized extensions are noted on neighbouring properties, including the adjoining neighbour at No 311. The size, scale and design of the rear extension is considered to be compatible with surrounding development and would generally respect the character and appearance of the host dwelling. A similar size extension has recently been approved under DC/16/00562 at No 307 and in this context the proposal is considered to be an acceptable alteration, which accords with policies BE1 and H8 of the UDP.

The application also seeks consent for the construction of a first floor side/rear extension, which wraps around the rear of the property. Policy H9 states that for a proposal of two or more storeys in height, a minimum 1 metre space from the side boundary of the site should be retained for the full height and length of the flank wall of the building. In this case, the first floor element of the scheme would be set 1m away from the boundary but would be set above and existing side extension, which extends up to the boundary. The proposal would therefore fail to achieve a minimum set-back for the 'full height and length of the flank wall of the building'.

Paragraph 4.48 of Policy H9 states that 'the retention of space around residential buildings is essential to ensure adequate separation and to safeguard the privacy and amenity of adjoining residents. It is important to prevent a cramped appearance and unrelated terracing from occurring. It is also necessary to protect the high spatial standards and level of visual amenity which characterise many of the Borough's residential areas'.

In this case the proposed first floor side/rear extension would be set back 5.7m from the front elevation and would retain a 1m separation from the boundary. When viewed from the front, this element would appear subservient and not overly prominent. However, it would incorporate a flat roof, which sits slightly above the eaves of the main dwelling. Whilst first floor side and rear extensions are noted on a number of other properties within the wider locality, similar flat roof extensions are less common and are not found within the immediate vicinity. However, first floor dormer extensions are noted on the cat-slide roof properties opposite the site. Paragraph 4.44 of Policy H8 states that 'flat roof side extensions of two or more storeys to dwellings of traditional roof design will normally be resisted unless the extension is set well back from the building line and is unobtrusive'. Given the set back from the front elevation, Members may consider that the proposal would appear sufficiently subservient and unobtrusive and would not therefore result in unacceptable harm to the character and appearance of the dwelling or streetscene.

In respect of neighbouring amenity the main impact would be on the immediate neighbouring occupiers.

No 311 is located to the south east of the application site and benefits from a single-storey rear extension. The proposed ground floor rear extension would abut the common side boundary for a depth of 4m but would not project beyond the rear elevation of the neighbouring development. The proposed first floor rear extension would measure 3m in depth and would be set away from the side boundary by 3m. It is considered that the ground neighbouring floor extension would however mitigate any significant visual harm from the bulk of the proposals. The size of the rear garden and openness of land to the rear of the gardens would prevent an unacceptable sense of enclosure and loss of light. The impact on the visual amenities of No 311 is therefore considered to be acceptable.

No 307 is located to the north west of the application property. At the time of the case officer's site visit it appeared works were being carried out to the property and it is noted that planning permission was granted under DC/16/00562 for the construction of a rear extension measuring 4m in depth. Whilst this is not currently in place, a dormer extension has been erected and it appears an existing conservatory has recently been demolished. It is therefore considered that there is a reasonable prospect of this development coming forward. The proposed ground floor extension would abut the common side boundary with this property, however the depth would be similar to the recently approved neighbouring extension and this would effectively mitigate the visual impact of the proposed development. Similarly, the proposed first floor extension would measure 3m in depth from the rear of the existing elevation and would be set 1m away from the common boundary. It is noted that the neighbouring proposal also includes a proposed side extension which spans the full depth of the property. The proposal is not

considered to be overly dominant and is set back from the front elevation. Whilst the location and orientation of the site may result in some overshadowing this is not considered sufficient to warrant a refusal when taking into account the overshadowing caused by the height of the existing property, size of the rear garden and neighbouring proposal. No objections have been received from this neighbour and on balance, it is considered that the impact on the visual amenities of No 307 would be acceptable.

In respect of privacy there is an established degree of overlooking towards the rear of the site. The design of the extensions and fenestration arrangement would not result in a level of overlooking which is significantly worse than the current situation.

Given the above, Members may consider that the proposal would not result in unacceptable harm to neighbouring residential amenities and permission should 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 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.

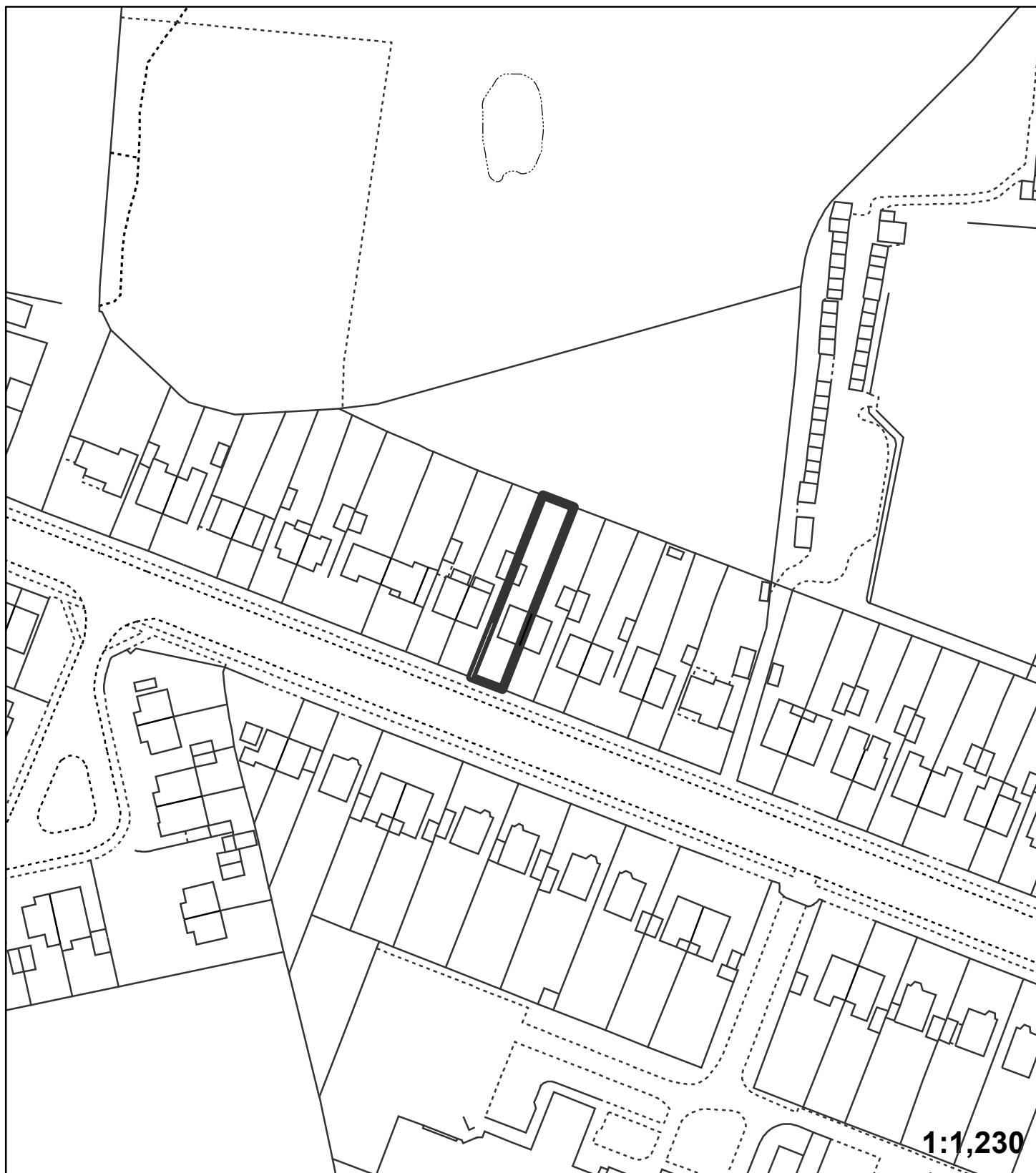
- 3 The development hereby permitted shall not be carried out otherwise than in complete accordance with the plans approved under this planning permission unless previously agreed in writing by the Local Planning Authority.**

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:16/04580/FULL6

Address: 309 Southborough Lane Bromley BR2 8BG

Proposal: First floor side/rear extension and single storey front and rear extensions



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

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