



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

TELEPHONE: 020 8464 3333

CONTACT: Lisa Thornley

E-mail: lisa.thornley@bromley.gov.uk

DIRECT LINE: 020 8313 4745

FAX: 020 8290 0608

DATE: 21 February 2017

To: Members of the
PLANS SUB-COMMITTEE NO. 2

Councillor Lydia Buttinger (Chairman)
Councillor Michael Turner (Vice-Chairman)
Councillors Kathy Bance MBE, Peter Dean, Nicky Dykes, Samaris Huntington-Thresher, Russell Mellor, Neil Reddin FCCA and Richard Scoates

A meeting of the Plans Sub-Committee No. 2 will be held at Bromley Civic Centre on
THURSDAY 2 MARCH 2017 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 5 JANUARY 2017**
(Pages 1 - 6)
- 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	Bromley Town Conservation Area		(16/03132/FULL1) - 124-126 High Street, Bromley, BR1 1DW <i>(Report to follow)</i>
4.2	Chislehurst	7 - 14	(16/04385/FULL1) - 5 White Horse Hill, Chislehurst, BR7 6DG
4.3	Chislehurst	15 - 22	(16/04390/FULL1) - 5 White Horse Hill, Chislehurst, BR7 6DG
4.4	Plaistow and Sundridge	23 - 28	(16/04477/LBC) - Sundridge Park Manor, Willoughby Lane, Bromley, BR1 3FZ
4.5	Plaistow and Sundridge	29 - 86	(16/04478/FULL1) - Sundridge Park Manor, Willoughby Lane, Bromley, BR1 3FZ
4.6	Darwin	87 - 96	(16/04600/FULL6) - Gordon House, Berrys Green Road, Berrys Green, Westerham, TN16 3AH

4.7	Copers Cope Conservation Area	97 - 112	(16/05164/FULL1) - 61 The Avenue, Beckenham, BR3 5EE
4.8	Kelsey and Eden Park	113 - 118	(16/05188/RECON) - Beckenham Town Football Club, Eden Park Avenue, Beckenham, BR3 3JL
4.9	Petts Wood and Knoll	119 - 132	(16/05466/FULL1) - 24 Keswick Road, Orpington, BR6 0EU
4.10	West Wickham	133 - 138	(16/05752/FULL6) - 42 Station Road, West Wickham, BR4 0PR
4.11	Mottingham and Chislehurst North	139 - 150	(17/00112/TELCOM) - Land at East Side of Mottingham Road Junction with Highcombe Close, Mottingham, London, SE9 4QW

SECTION 3

(Applications recommended for permission, approval or consent)

Report No.	Ward	Page No.	Application Number and Address
4.12	Bromley Common and Keston	151 - 158	(16/04459/FULL6) - 5 Barnet Drive, Bromley, BR2 8PG
4.13	Farnborough and Crofton	159 - 176	(16/04956/FULL1) - Lubbock House, 1 Northolme Rise, Orpington, BR6 9RF
4.14	Clock House	177 - 184	(16/05289/FULL6) - 66 Tremaine Road, Penge London, SE20 7TZ
4.15	Kelsey and Eden Park	185 - 194	(16/05798/FULL6) - 69 Broomfield Road, Beckenham, BR3 3QB
4.16	Copers Cope	195 - 210	(16/05849/FULL1) - 63 Copers Cope Road, Beckenham, BR3 1NJ
4.17	Orpington	211 - 214	(17/00113/PLUD) - 34 Dyke Drive, Orpington, BR5 4LZ

SECTION 4

(Applications recommended for refusal or disapproval of details)

Report No.	Ward	Page No.	Application Number and Address
4.18	Orpington	215 - 228	(16/05062/FULL1) - 23 The Drive, Orpington, BR6 9AR
4.19	Plaistow and Sundridge	229 - 236	(16/05424/FULL6) - 73 Hillcrest Road, Bromley, BR1 4AS

5 CONTRAVENTIONS AND OTHER ISSUES

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

6 TREE PRESERVATION ORDERS

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

PLANS SUB-COMMITTEE NO. 2

Minutes of the meeting held at 7.00 pm on 5 January 2017

Present:

Councillor Lydia Buttinger (Chairman)
Councillor Michael Turner (Vice-Chairman)
Councillors Kathy Bance MBE, Peter Dean, Nicky Dykes,
Russell Mellor, Neil Reddin FCCA and Richard Scoates

Also Present:

Councillors Simon Fawthrop

17 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

There were no apologies for absence.

18 DECLARATIONS OF INTEREST

Items 4.2 and 4.3 The applicant was the Bromley Conservative Association and the Chairman declared that most Members of the Sub-Committee were Members of the Conservative Party.

Councillors Nicky Dykes and Michael Turner declared Personal Interests as Members of the Bromley Conservative Association and withdrew from the Council Chamber for the debate and vote.

19 CONFIRMATION OF MINUTES OF MEETING HELD ON 3 NOVEMBER 2016

RESOLVED that the Minutes of the meeting held on 3 November 2016 be confirmed and signed as a correct record.

20 PLANNING APPLICATIONS

SECTION 2

(Applications meriting special consideration)

20.1 CHELSFIELD AND PRATTS BOTTOM

(16/02275/FULL6) - 8 Stephen Close, Orpington, BR6 9TZ

Description of application – Two storey rear, first floor side and single storey front extension and conversion of garage to habitable accommodation.

The Chairman referred to the grounds of deferral following consideration of the application at Plans Sub-Committee 4 on 11 August 2016 and there had been no reduction in the size and mass of the proposed development and therefore she proposed that the appeal on grounds of non-determination should be contested.

Members having considered the report and objections, **RESOLVED to CONTEST THE APPEAL AGAINST NON-DETERMINATION** for the following reason:-

1. The proposed extension, by reason of its depth and bulk, in relation to its proximity to the boundary would constitute a dominant and unneighbourly form of development, harmful to the amenities of the adjoining neighbour at number 9 Stephen Close, and contrary to Policies BE1 and H8 of the Unitary Development Plan.

**20.2
CHISLEHURST**

(16/04385/FULL1) - 5 White Horse Hill, Chislehurst, BR7 6DG

Description of application – Three storey rear extension to provide additional ground floor office accommodation and provision of 2 one bedroom flats on first and second floors.

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

The Chairman was concerned with the depth of the proposed development and took into consideration the future occupiers of the premises.

Members having considered the report and representations, **RESOLVED that the application BE DEFERRED**, without prejudice to any future consideration, to seek a reduction in the depth of the single storey rear extension.

**20.3
CHISLEHURST**

(16/04390/FULL1) - 5 White Horse Hill, Chislehurst, BR7 6DG

Description of application – Three storey rear extension, change of use of ground floor from Office (Class B1) to Residential (Class C3) and creation of 2 one bedroom and 1 two bedroom flats on ground, first and second floors.

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

The Chairman was concerned with the depth of the proposed extension and insufficient amenity space for the proposed ground floor flat and referred to the

Mayor of London's Housing Supplementary Planning Guidance. The Chairman and Councillors Russell Mellor and Peter Dean also had concerns at the potential loss of office accommodation. The Chief Planner's representative confirmed that the amenity space just met numerical guidance and was a matter of judgment.

Members having considered the report and representations, **RESOLVED that the application BE DEFERRED**, without prejudice to seek a reduction in the depth of the single storey rear extension and for the applicant to discuss improvements to the private amenity area with officers.

**20.4
BROMLEY TOWN**

**(16/04706/FULL6) - 46 Ravensbourne Avenue,
Bromley BR2 0BP**

Description of application - Erection of swimming pool/gym and 3 no outbuildings (comprising storage container, storage shed and greenhouse) in rear garden of no. 46 Ravensbourne Avenue.

It was noted that on Page 38 of the Chief Planner's report, that the second paragraph under the heading, 'Summary', should be amended to read, 'Having had regard to the above it was considered that the development in the manner proposed is acceptable and that it would result in a significant loss of amenity to local residents.

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

**20.5
COPERS COPE**

**(16/04982/FULL1) - Land at Grangewood Lane
Beckenham**

Description of application – Construction of a detached single storey 2 bedroom dwellinghouse with associated car parking, landscaping and refuse storage.

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

Ward Member Councillor Russell Mellor referred to paragraph 58 of the National Planning Policy Framework which required good design that protected residents from overshadowing, overbearing and high density inappropriate developments. Also there was no natural turning circle for vehicles. Whilst he appreciated the pressure to build more housing in his opinion this would be an overdevelopment.

Councillor Kathy Bance was concerned at the potential loss of vegetation and the impact on the adjoining properties.

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

1. The proposed development by reason of its size, design, location and the severely restricted nature of the site would constitute an overdevelopment of the site and would cause significant detriment to the outlook and amenity of the adjoining neighbours, contrary to Policies BE1, H8, and H9 of the Unitary Development Plan and Paragraph 58 of the National Planning Policy Framework.

SECTION 3

(Applications recommended for permission, approval or consent)

20.6 CRAY VALLEY WEST

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

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

Oral representations in objection to and in support of the application were received at the meeting. It was reported that further objections to the application had been received.

Councillor Dean stressed that Members should be solely concerned that the application met the policies of the Unitary Development Plan and not with potential construction works.

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

20.7 CHELSFIELD AND PRATTS BOTTOM

(16/04430/FULL1) - 195 Worlds End Lane, Orpington BR6 6AT

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

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

**20.8
HAYES AND CONEY HALL**

(16/04784/FULL6) - 55 Kechill Gardens, Hayes, Bromley, BR2 7NB.

Description of application – Part one/two storey front/side/rear extension.

It was reported that further objections from Hayes Village Association to the application had been received.

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

“1. The extension hereby permitted shall only be used for purposes incidental to the residential use of the main house and for no other purpose.

Reason: In order to comply with Policies BE1 of the Unitary Development Plan and in the interests of the residential amenities of the area.”

The Meeting ended at 7.42 pm

Chairman

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Application No : 16/04385/FULL1

Ward:
Chislehurst

Address : 5 White Horse Hill Chislehurst BR7 6DG

OS Grid Ref: E: 543433 N: 171244

Applicant : Bromley Conservative Association

Objections : NO

Description of Development:

Three storey rear extension to provide additional ground floor office accommodation and provision of 2 one bedroom flats on first and second floors

Key designations:

Biggin Hill Safeguarding Area
London City Airport Safeguarding
Smoke Control SCA 16

Proposal

Planning permission is sought for a three storey rear extension to provide an enlarged office at ground floor level to increase the accommodation of the existing ground floor office use. The existing upper floor office space and flat will be converted to form 2 one bedroom flats.

The proposed extension will have a rear projection of 3.3m at ground floor level, with a flat roof with a height of 2.9m. The first and second floor aspect of the extension will have a rear projection of 6m from the existing rear wall, incorporating a bay feature and an overall height of 10.1m with a flat roof.

The application was deferred from Plans Sub-Committee on the 5th January 2017 in order to seek a reduction in the rear projection of the ground floor rear extension. Amended plans have been submitted dated 01/02/17 indicating a reduction from 4.2m to 3.3m. The previous report is repeated below, updated where necessary.

Location

The site is located on the western side of White Horse Hill and comprises an end of terrace three storey building with a ground floor office occupied by the Bromley and Chislehurst Conservative Association. The upper floors contain a single flat and additional storage space. The wider area is largely residential in nature, with housing development sites under construction to the rear.

Comments from Local residents

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

Consultations

Highways – given the relatively minor nature of the proposal there is unlikely to be a significant increase in demand for parking and no objection is raised.

Environmental Health – concerns are raised that the floor areas of the two flats proposed do not appear to meet the minimum space standards. The flats proposed will be above a commercial premises and therefore noise transfer would be a potential issue. Internal doors should be included to improve escape routes in case of fire.

Planning Considerations

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

National Planning Policy Framework (NPPF) (2012)

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

Chapter 1 – Building a Strong and Competitive Economy
Chapter 4 – Promoting Sustainable Transport
Chapter 6 – Delivering a Wide Choice of High Quality Homes
Chapter 7 - Requiring Good Design

The 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 4.2 Offices
Policy 5.13 Sustainable Drainage
Policy 6.9 Cycling
Policy 6.13 Parking
Policy 7.4 Local Character
Policy 7.6 Architecture

Unitary Development Plan (2006)

BE1 Design of New Development
H1 Housing
H11 Residential Conversions
H7 Housing Density and Design
T3 Parking
T7 Cyclists
T18 Road Safety
EMP7 Business Support

Other Guidance

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 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 1 - Housing Supply
Draft Policy 4 - Housing Design
Draft Policy 9 – Residential Conversions
Draft Policy 30 - Parking
Draft Policy 31 - Relieving Congestion
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 83 – Non-Designated Employment Land
Draft Policy 86 – Office Uses Outside Town Centres and Office Clusters
Draft Policy 113 - Waste Management in New Development
Draft Policy 116 - Sustainable Urban Drainage Systems (SUDS)
Draft Policy 117- Water and Wastewater Infrastructure Capacity
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

There is no recent and relevant planning history at the site.

Conclusions

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

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.

Standard of Accommodation

The application includes the conversion of the existing upper floor office space and flat into 2 one bedroom flats. The access to the properties will be via the existing front door, providing a hallway to the side of the ground floor commercial premises similar to the existing situation at the site.

The Technical Housing Standards advise that one bedroom two person flats should have a GIA of 50 square metres. Each of the proposed flats will have a GIA of 55 square metres and therefore they would meet this requirement. The flats would not provide private amenity area and this would usually be expected for residential conversions. There are occasions where this is not possible and it is accepted that in this case, the provision of private amenity space would not be possible without further alterations to the building that may be considered unacceptable. In light of the neighbouring residential development that is currently under construction, it is considered that further outdoor amenity space may be unsuitable in this location. The site falls within an area that has a low PTAL rating, however it is in close proximity (150m) to the Walden Recreation Ground, therefore the lack of private amenity space is not considered to be harmful to the amenities of future occupants in this case. The units are also one bedroom and will not therefore be inhabited by families. The standard of accommodation is considered to be acceptable on balance.

Impact on the Character of the Area

The proposed extension will be to the rear of the building and will not affect the front elevation or the street scene in general. The roof will be flat and lower than the main roof height, and it will not be possible to view the extension from public areas. The extensions will not dominate the host building and are therefore considered to be acceptable in regards to the local character of the area.

Impact on Neighbouring Amenities

The proposed development will present a ground floor flat roofed extension that will project 3.3m to the rear of No. 7, which has been converted into a residential dwelling. The relationship resulting from the ground floor extension would not impact significantly on the amenities of No. 7, and the reduction in the rear projection would respect the light and outlook from the neighbouring rear window.

At first and second floor level, the proposed extension will be sited 1.5m from the flank boundary with No. 7, and will have a rear projection of 3.7m. The extension provides a bay that reduces bulk and it is considered that the impact from the first and second floor at No. 7 is acceptable on balance.

It is noted that the redevelopment of No. 1-3 White Horse Hill is currently in progress and therefore the extensions to the building must be considered in regard to the potential impact on this neighbouring property. The redevelopment of No. 1-3 comprises a three storey side and rear extension to provide flats. The approved plans indicate no significant flank windows facing No. 5 and therefore it is not

considered that the development of No. 5 would impact harmfully on the amenities of future occupants of No. 1-3.

Additional Office Accommodation

The proposal includes the provision of additional office accommodation at ground floor level that will provide a meeting room for the existing ground floor commercial use. This is considered to support the existing use and therefore no objection is raised.

Summary

Having had regard to the above it was considered that the proposed conversion would be acceptable as it would not impact harmfully on the character of the area and would not result in a significant loss of amenity to local residents. It is therefore recommended that Members grant planning permission.

Background papers referred to during production of this report comprise all correspondence on file ref(s): 16/04385 and 16/04390 excluding exempt information.

RECOMMENDATION: PERMISSION

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.

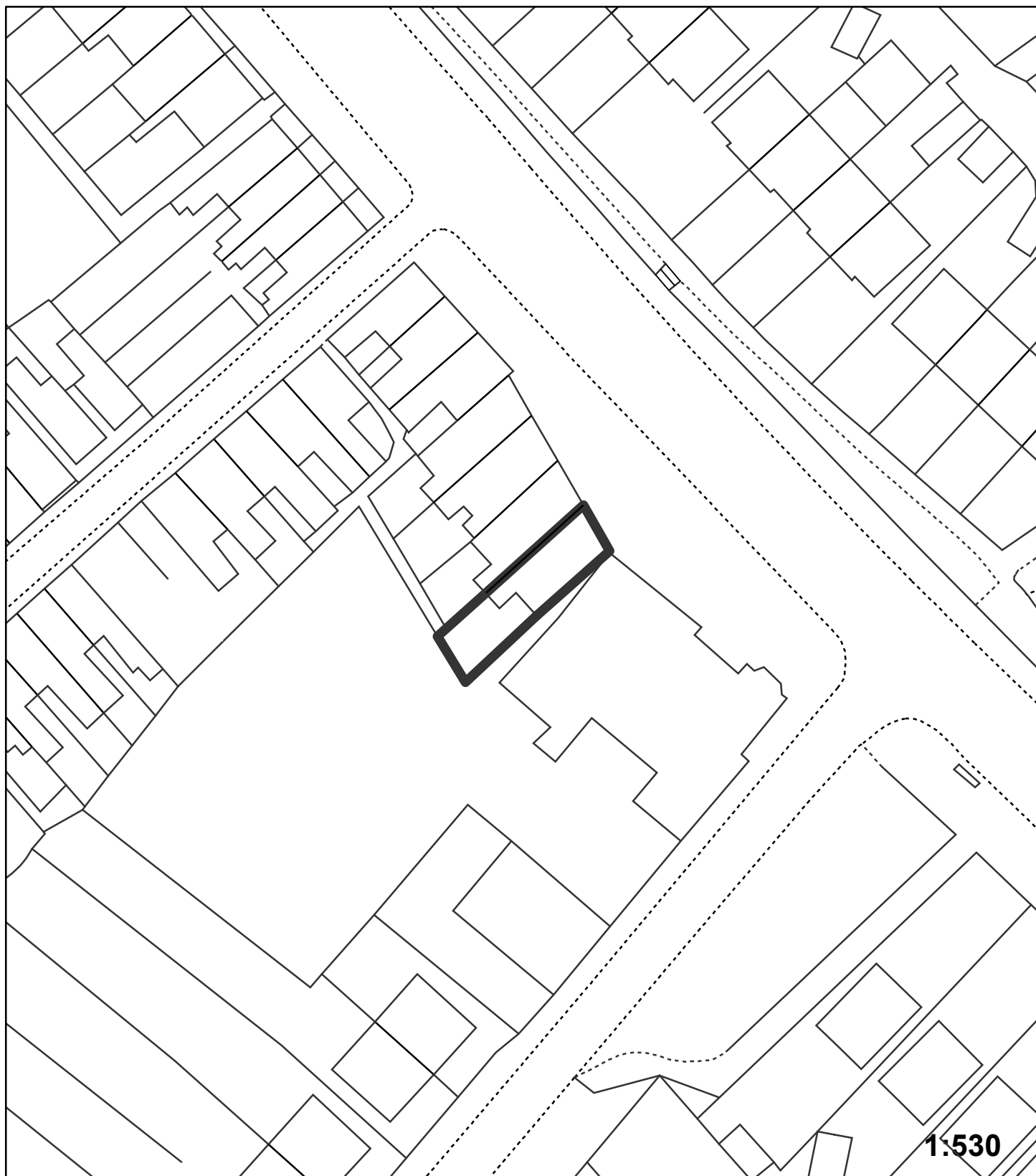
You are further informed that :

- 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.**

Application:16/04385/FULL1

Address: 5 White Horse Hill Chislehurst BR7 6DG

Proposal: Three storey rear extension to provide additional ground floor office accommodation and provision of 2 one bedroom flats on first and second floors



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

Page 13

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Application No : 16/04390/FULL1

Ward:
Chislehurst

Address : 5 White Horse Hill Chislehurst BR7 6DG

OS Grid Ref: E: 543433 N: 171244

Applicant : Bromley Conservative Association

Objections : YES

Description of Development:

Three storey rear extension, change of use of ground floor from Office (Class B1) to Residential (Class C3) and creation of 2 one bedroom and 1 two bedroom flats on ground, first and second floors

Key designations:

Biggin Hill Safeguarding Area
London City Airport Safeguarding
Smoke Control SCA 16

Proposal

Planning permission is sought to convert the ground floor office into a residential flat, along with the conversion of the upper floor flat and storage space into 2 one bedroom flats. The proposal includes a three storey rear extension.

The proposed extension will have a rear projection of 3.3m at ground floor level, with a flat roof with a height of 2.9m. The first and second floor aspect of the extension will also have a rear projection of 6m from the existing rear wall, incorporating a bay feature and an overall height of 10.1m with a flat roof.

Elevational alterations include changes to the front elevation to provide an additional front door for the new ground floor flat.

The application was deferred from Plans Sub-Committee on the 5th January 2017 in order to seek a reduction in the rear projection of the ground floor rear extension. Amended plans have been submitted dated 01/02/17 indicating a reduction from 4.2m to 3.3m. The previous report is repeated below, updated where necessary.

Location

The site is located on the western side of White Horse Hill and comprises an end of terrace three storey building with a ground floor office occupied by the Bromley and Chislehurst Conservative Association. The upper floors contain a single flat and additional storage space. The wider area is largely residential in nature, with housing development sites under construction to the rear.

Comments from Local residents

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

- Additional dwellings will require car parking in order to avoid further parking stress in the local area.

Consultations

Highways – given the relatively minor nature of the proposal there is unlikely to be a significant increase in demand for parking and no objection is raised.

Environmental Health – concerns are raised that the floor areas of the flats proposed do not appear to meet the minimum space standards. The flats proposed will be above a commercial premises and therefore noise transfer would be a potential issue. Internal doors should be included to improve escape routes in case of fire. The proposed ground floor flat lacks external amenity space for family habitation.

Planning Considerations

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

National Planning Policy Framework (NPPF) (2012)

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

Chapter 1 – Building a Strong and Competitive Economy
Chapter 4 – Promoting Sustainable Transport
Chapter 6 – Delivering a Wide Choice of High Quality Homes
Chapter 7 - Requiring Good Design

The 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 4.2 Offices
Policy 5.13 Sustainable Drainage
Policy 6.9 Cycling
Policy 6.13 Parking
Policy 7.4 Local Character
Policy 7.6 Architecture

Unitary Development Plan (2006)

BE1 Design of New Development

H1 Housing
H11 Residential Conversions
H7 Housing Density and Design
T3 Parking
T7 Cyclists
T18 Road Safety
EMP3 Office Development
EMP5 Development Outside Business Areas
EMP7 Business Support

Other Guidance

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

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 1 - Housing Supply
Draft Policy 4 - Housing Design
Draft Policy 9 – Residential Conversions
Draft Policy 30 - Parking
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Draft Policy 123 - Sustainable Design and Construction
Draft Policy 124 - Carbon Dioxide Reduction, Decentralise Energy Networks and Renewable Energy

Planning History

There is no recent and relevant planning history at the site.

Conclusions

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

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.

Standard of Accommodation

The application includes the conversion of the existing upper floor office space and flat into 2 one bedroom flats and the creation of a two bedroom flat at ground floor level. The access to the ground floor flat will be via the existing commercial door, with access to the upper floor flats via the existing front door, providing a hallway to the side of the ground floor commercial premises similar to the existing situation at the site.

The Technical Housing Standards advise that one bedroom two person flats should have a GIA of 50 square metres and 61 square metres for a two bedroom three person flat. Each of the proposed one bedroom flats will have a GIA of 55 square metres and the two bedroom flat will have a GIA of 61 square metres. Therefore all the flats would meet this requirement. The upper floor one bedroom flats would not provide private amenity area and this would usually be expected for residential conversions. There are occasions where this is not possible and it is accepted that in this case, the provision of private amenity space would not be possible without further alterations to the building that may be considered unacceptable. In light of the neighbouring residential development that is currently under construction, it is considered that further outdoor amenity space for the upper floor flats may be unsuitable in this location. The site falls within an area that has a low PTAL rating, however it is in close proximity (150m) to the Walden Recreation Ground, therefore the lack of private amenity space is not considered to be harmful to the amenities of future occupants of the upper floor flats in this case. These units are one bedroom and will not therefore be inhabited by families.

The ground floor proposed flat will have two bedrooms and will be likely to home a family. The ground floor is provided with a 15 sqm amenity area, which has increased in size from 9 sqm originally submitted. This increase results from the reduction to the rear extension. This amenity area meets the London Plan SPG requirement and the layout is improved to provide a higher quality external amenity space for family occupation. The standard of accommodation throughout the scheme is therefore considered to be acceptable on balance.

Impact on the Character of the Area

The proposed extension will be to the rear of the building and will not affect the front elevation or the street scene in general. The roof will be flat and lower than the main roof height, and it will not be possible to view the extension from public areas. The extensions will not dominate the host building and are therefore considered to be acceptable in regards to the local character of the area.

Impact on Neighbouring Amenities

The proposed development will present a ground floor flat roofed extension that will project 3.3m to the rear of No. 7, which has been converted into a residential dwelling. The relationship resulting from the ground floor extension would not impact significantly on the amenities of No. 7, and the reduction in the rear projection would respect the light and outlook from the neighbouring rear window.

At first and second floor level, the proposed extension will be sited 1.5m from the flank boundary with No. 7, and will have a rear projection of 3.7m. The extension provides a bay that reduces bulk and it is considered that the impact from the first and second floor at No. 7 is acceptable on balance.

It is noted that the redevelopment of No. 1-3 White Horse Hill is currently in progress and therefore the extensions to the building must be considered in regard to the potential impact on this neighbouring property. The redevelopment of No. 1-3 comprises a three storey side and rear extension to provide flats. The approved plans indicate no significant flank windows facing No. 5 and therefore it is not considered that the development of No. 5 would impact harmfully on the amenities of future occupants of No. 1-3.

Loss of Office Accommodation

The proposal would result in the loss of the existing office use at ground floor level. Nos. 7 and 9 benefit from planning permission for the ground floor to be used as residential accommodation, with No. 9 changing use from a dry cleaners under ref. 12/01237 and No. 7 changing from a betting office. Neither of these two neighbouring examples therefore involved the loss of an office.

Policy EMP3 of the Unitary Development Plan only permits the conversion of an office to other uses where it can be demonstrated that there is no local shortage of office floorspace and there is evidence of long term vacancy despite marketing of the premises; and where there is no likely loss of employment resulting from the proposal.

Policy EMP5 states that development of business sites outside of designated Business Areas will be permitted provided that:

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

In this case, the unit is occupied and no such evidence has been submitted to support the change of use in line with the requirements of the relevant planning Policies EMP3 and EMP5. No demonstration of the availability of local office floorspace and information on any loss of employment has been provided. No evidence of an unsuitability of the unit for continued office use in terms of its characteristics or failed marketing and long-term vacancy has been forthcoming. It is therefore considered that the proposal would result in the unacceptable loss of a viable office.

Summary

Having had regard to the above it was considered that the proposed conversion would be unacceptable as it would result in the unacceptable loss of an office unit with no evidence submitted to justify its loss. It is therefore recommended that Members refuse planning permission.

Background papers referred to during production of this report comprise all correspondence on file ref(s): 16/04385 and 16/04390 excluding exempt information.

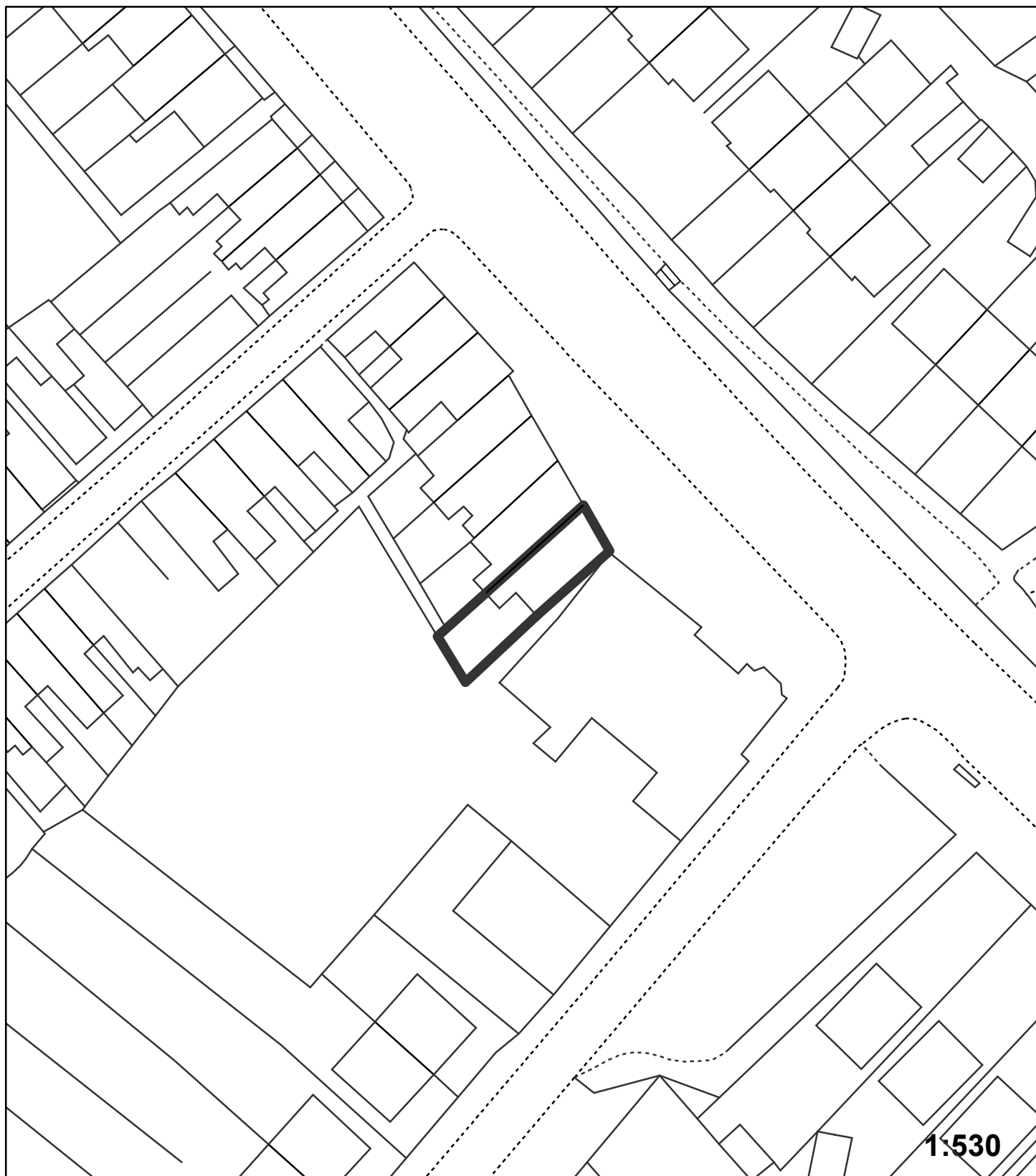
RECOMMENDATION: REFUSE for the following reason:

1. The proposal would result in the loss of the ground floor office use and no evidence has been submitted to justify the loss of the commercial use in this location, thereby the proposal is contrary to Policies EMP3 and EMP5 of the Unitary Development Plan.

Application:16/04390/FULL1

Address: 5 White Horse Hill Chislehurst BR7 6DG

Proposal: Three storey rear extension, change of use of ground floor from Office (Class B1) to Residential (Class C3) and creation of 2 one bedroom and 1 two bedroom flats on ground, first and second floors



"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 : 16/04477/LBC

Ward:
Plaistow And Sundridge

Address : Sundridge Park Manor Willoughby Lane
Bromley BR1 3FZ

OS Grid Ref: E: 541788 N: 170628

Applicant : City & Country Sundridge Ltd.

Objections : YES

Description of Development:

Change of use of existing Grade 1 listed Mansion to 20 residential dwellings, with associated internal/external alterations and partial demolition works, rear extensions, rear car park, cycle parking and refuse/recycling provision, hard and soft landscaping (including removal of some trees), woodland management and associated infrastructure. LISTED BUILDING CONSENT.

Key designations:

Biggin Hill Safeguarding Area
Green Chain
London City Airport Safeguarding
Metropolitan Open Land
Sites of Interest for Nat. Conservation
Smoke Control SCA 10

JOINT REPORT WITH 16/04478/FULL1

Proposal

Listed building consent is sought for the change of use of existing Grade 1 listed Mansion to 20 residential dwellings, with associated internal/external alterations and partial demolition works, rear extensions, rear car park, cycle parking and refuse/recycling provision, hard and soft landscaping (including removal of some trees), woodland management and associated infrastructure.

The detailed description and analysis of the acceptability of the scheme and the impact on the listed building is set out in the accompanying planning application report ref. 16/04478/FULL1 which appears elsewhere on this agenda.

Based on the conclusions of the above report, it is considered that Listed Building consent should be granted for the proposed works to the Sundridge Park Manor and relevant conditions are recommended below.

RECOMMENDATION: GRANT LISTED BUILDING CONSENT

Subject to the following conditions:

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

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

2. The development hereby approved shall be carried out strictly in accordance with the application plans, drawings and documents.

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

3. 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 hard landscaping materials 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. All internal and external works of making good to the retained fabric of the building shall be finished to match the adjacent work with regard to methods used and to material, colour, texture and profile. Details of the internal finishes of the accommodation within 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 and thereafter permanently retained on such.

REASON: In order to comply with Policy BE8 of the Unitary Development Plan and in the interest of the architectural and historic interest of the Listed Building.

5. Details of the proposed any external flues, including colour samples and fixing, shall be submitted to and approved by the local planning authority prior to the first installation of any of the flues and implemented in accordance with the approved details and permanently retained thereafter.

Reason: In order to comply with Policy BE1 and BE8 of the Unitary Development Plan and in the interest of the appearance of the building and the visual amenities of the area.

6. A sample of the proposed ironwork to be used to enclose the lightwell and terrace of flats 2 and 4 shall be submitted to and approved by the local planning authority prior to the first installation of any of the flues and implemented in accordance with the approved details and permanently retained thereafter.

Reason: In order to comply with Policy BE1 and BE8 of the Unitary Development Plan and in the interest of the appearance of the building and the visual amenities of the area.

7. Details of the materials to be used for the glazed extension for Flat 15 shall be submitted to and approved by the local planning authority prior to the first installation of any of the flues and implemented in accordance with the approved details and permanently retained thereafter.

Reason: In order to comply with Policy BE1 and BE8 of the Unitary Development Plan and in the interest of the appearance of the building and the visual amenities of the area.

8. A method statement setting out details of the removal and safe storage of existing landscape features to be removed during the construction period shall be submitted to and approved by the local planning authority prior to the first installation of any of the flues and implemented in accordance with the approved details and permanently retained thereafter.

Reason: In order to comply with Policy BE1 and BE8 of the Unitary Development Plan and in the interest of the appearance of the building and the visual amenities of the area.

9. Details of the measures to secure the protection of the pulhamite grotto and other landscape features in the vicinity of the construction site shall be submitted to and approved by the local planning authority prior to the first installation of any of the flues and implemented in accordance with the approved details and permanently retained thereafter.

Reason: In order to comply with Policy BE1 and BE8 of the Unitary Development Plan and in the interest of the appearance of the building and the visual amenities of the area.

10. Notwithstanding the details shown on submitted plans, further details of the design and layout of the forecourt area, including measures to prevent car parking and the installation of signage, shall be submitted to and approved by the local planning authority prior to the first installation of any of the flues and implemented in accordance with the approved details and permanently retained thereafter.

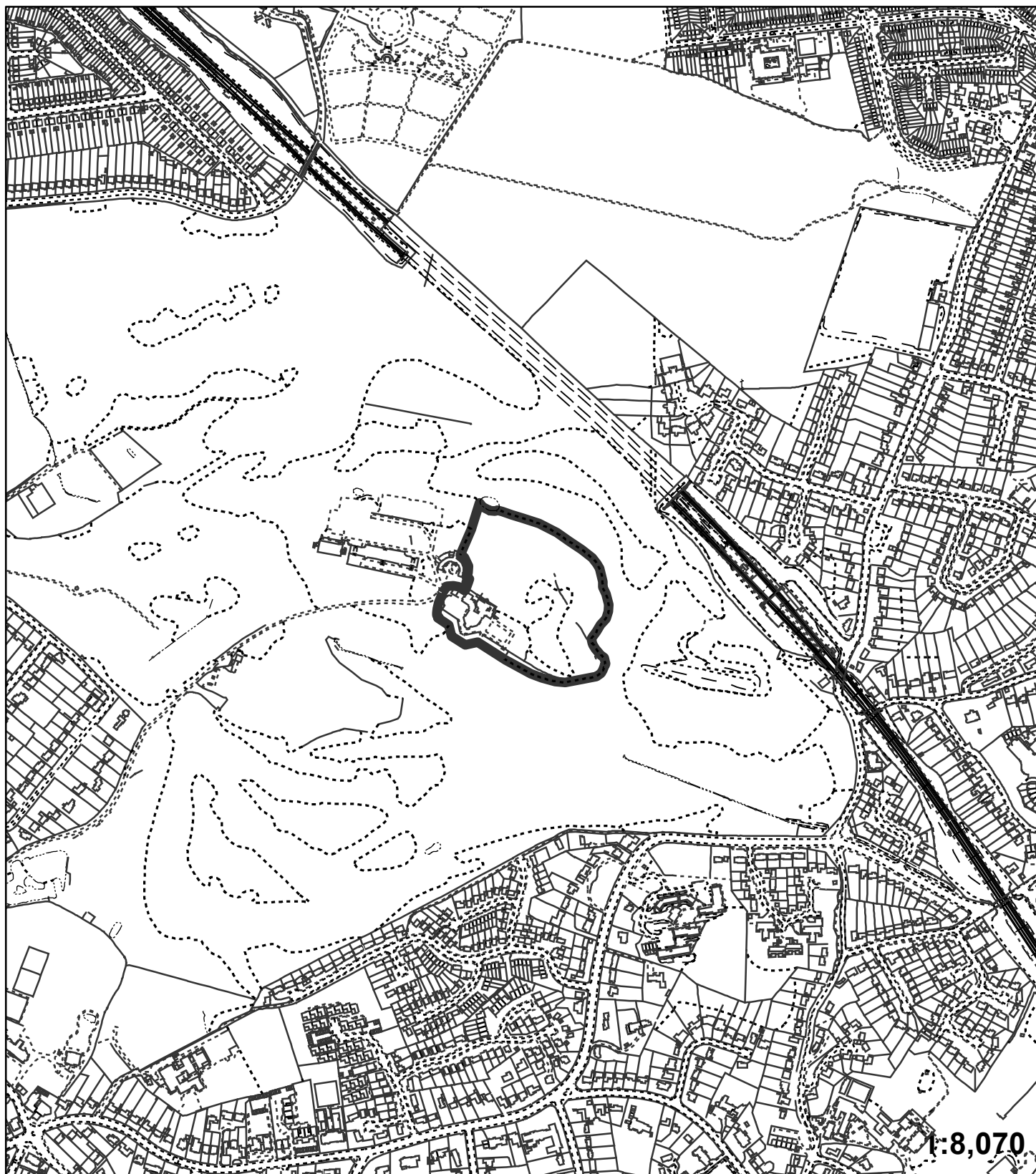
Reason: In order to comply with Policy BE1 and BE8 of the Unitary Development Plan and in the interest of the appearance of the building and the visual amenities of the area.

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Application:16/04477/LBC

Address: Sundridge Park Manor Willoughby Lane Bromley BR1 3FZ

Proposal: Change of use of existing Grade 1 listed Mansion to 20 residential dwellings, with associated internal/external alterations and partial demolition works, rear extensions, rear car park, cycle parking and refuse/recycling provision, hard and soft landscaping (including removal of



"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 : 16/04478/FULL1

Ward:
Plaistow And Sundridge

Address : Sundridge Park Manor Willoughby Lane
Bromley BR1 3FZ

OS Grid Ref: E: 541788 N: 170628

Applicant : City & Country Sundridge Ltd.

Objections : YES

Description of Development:

Change of use of existing Grade 1 listed Mansion to 20 residential dwellings, with associated internal/external alterations and partial demolition works, rear extensions, rear car park, cycle parking and refuse/recycling provision, hard and soft landscaping (including removal of some trees), woodland management and associated infrastructure.

Key designations:

Biggin Hill Safeguarding Area
Green Chain
London City Airport Safeguarding
Metropolitan Open Land
Sites of Interest for Nat. Conservation
Smoke Control SCA 10

JOINT REPORT WITH 16/04477/LBC

Introduction

Planning permission and Listed Building Consent was refused under ref. 15/02398/FULL1 and 15/02399/LBC for the change of use of existing Grade 1 listed Mansion from hotel to 22 residential dwellings, with associated internal/external alterations and partial demolition works, rear extensions, rear car park, cycle parking and refuse/recycling provision, hard and soft landscaping (including removal of some trees), woodland management and associated infrastructure

The key changes to the development proposed since these previous refusals are as follows:

- number of flats reduced from 22 to 20
- reduction in built volume of 437 cubic metres from the rear car parking area at lower ground floor level (12 parking spaces out of the 24 tandem spaces proposed have been removed)

- 8 surface car parking spaces to be provided to south-west side of main forecourt accessed from Willoughby Lane (resulting in 340 square metres of additional hardstanding)
- overall quantum of parking reduced from 55 to 51 spaces

In addition, the applicant has provided legal documentation to demonstrate that the passing bays on Willoughby Lane will be retained in perpetuity.

Proposal

Planning permission is sought for the change of use of the existing building to 20 residential dwellings comprising 2x1 bedroom units, 14x2 bedroom units and 4x3 bedroom units. To accommodate these units, permission is sought to demolish part of the rear of the property (comprising mainly service areas) and the erection of a rear extension into the wooded bank to the rear of the existing building comprising a basement parking area and upper parking deck. Two storeys of residential flats will sit above part of the parking area but this element will not extend beyond the existing rear retaining wall. A separate 2 storey extension will be erected to the rear of the existing ballroom building.

A separate application for Listed Building Consent in relation to the above mentioned development is also pending consideration, under ref. 16/04477/LBC. This report assesses the merits of both the application for planning permission and for Listed Building consent, although the recommendation in respect of the Listed Building consent is to be found elsewhere on this agenda.

It should also be noted that there is an additional building on the site known as The Cottage which forms part of the hotel. Planning permission to convert this building into 4 flats was granted on 24.06.2016 under ref 15/02133.

Planning permission was refused on 10.06.2016 (ref. 15/02398/FULL1) for the change of use of existing Grade 1 listed Mansion from hotel to 22 residential dwellings, with associated internal/external alterations and partial demolition works, rear extensions, rear car park, cycle parking and refuse/recycling provision, hard and soft landscaping (including removal of some trees), woodland management and associated infrastructure. An appeal has been submitted to the Planning Inspectorate against this decision and a public inquiry is scheduled to take place in May 2017.

The reasons for refusal are as follows:

1. The proposed development of the site is considered to be inappropriate overdevelopment in Metropolitan Open Land due to the construction of new buildings which would have a greater impact on the openness of Metropolitan Open Land and the purpose of including land within it, than the existing development. This inappropriate development is by definition harmful to Metropolitan Open Land. This harm, together with the loss of trees, is not clearly outweighed by the benefits of the development including the heritage benefits to Sundridge Mansion and its setting, the Woodland Management Plan and Housing provision. Very special circumstances do

not therefore exist. As such the proposal is contrary to the aims and objectives of the NPPF (2012), Policy 7.17 of the London Plan (2015) and Policy G2 of the UDP (2006).

2. The proposed development of the site will require road surfacing and markings, signage and traffic lights in the vicinity of Stable Villas and Sundridge Mansion for road safety purposes, that will be harmful to the setting of the Listed Buildings, contrary to the aims and objectives of the NPPF (2012) and to Policy 7.8 of the London Plan (2015) and BE8 of the UDP (2006).
3. The long term provision of passing bays along Willoughby Lane which are required for road safety purposes has not been ensured contrary to policy T18 of the UDP (2006).

An accompanying application for Listed Building consent (ref. 15/02399/LBC) was refused in the absence of a planning permission for the proposed development.

Summary of development

- The overall number of flats proposed is 20.
- Some of the flats primarily occupy the retained historic parts of the building (flats 1, 3, 4, 7, 8, 9, 19 and 20 and 21).
- Some of the flats occupy part old/ part new parts of the building (flats 2, 5, 6, 10, and 14).
- The remainder of the flats are within the new build area (flats 12, 13, 16, 17, 18 and 22).
- A central courtyard will be created to internally link the new extension and the older part of the building which extends from the basement to roof level. This will provide pedestrian access to flats 3, 10,12,13, 14, 16, 17, 18, 19, 20, 21 and 22.
- The existing communal hallway will be retained and provide access to flats 1, 2, 5, 7, 8 and 9)
- Flat 6 has its own access.

Density

- The size of the units range from 60 sqm to 328 sqm. The largest units are within the older part of the building with the smallest within the proposed extension.
- The density of development is 6.5 units per hectare. This low density reflects the large site area of this development.

Amenity Space

- Flats 3, 4, 5, 6, 14 and 22 have private outdoor amenity spaces
- Flats 1 and 2 have direct access to the existing terrace.
- Flats 18, 19, 20 and 21 have immediate access to communal amenity space at roof level.

- Flats 16 and 17 have indirect access to the communal space at roof level.
- Flats 7, 8, 9, 10, 12 and 13 do not have private amenity space or direct access to communal amenity space.

Vehicle access

- Vehicular access to the development is via an existing vehicular access road to the rear of The Cottage. This access will be widened where it meets Willoughby Lane to provide a two way junction and the existing single width access will then run into the new extension. It will widen again to provide 2 ramps: one will go down into the basement and one will rise to provide vehicle access to an upper deck level (which is between ground and first floor height).
- A traffic light system is proposed to control the movements of vehicles along the access road.
- Signage is proposed to alert drivers to moving traffic in this area.

Car Parking

- A total of 51 car parking spaces are proposed.
- 43 spaces will be provided in the rear extension including 6 spaces allocated for The Cottage.
- A new car parking area on part of the south west side of the main forecourt and there will be 8 car parking spaces – 5 visitor spaces and 3 spaces for units 2, 13 and 17 will be provided in this outside parking area.
- For the Mansion, one unit will have 3 spaces, 18 units will have 2 spaces and 1 unit will have 1 space.
- Six parking spaces are allocated for The Cottage providing 2 flats with 2 spaces and 2 flats with 1 space each.
- Five visitor spaces are provided in the outside parking area.
- At basement level a total of 24 parking spaces will be provided. This provides spaces for 8 units, 1 space for units 13 and 17 and space for Flat 20. Disabled parking will be provided for units 10 and 18 at this level. Six spaces for the 4 units in The Cottage.
- At deck level a total of 19 spaces for 10 units are provided. Double garages are provided for 5 flats.

Cycle Parking

- A total of 44 cycle parking spaces are provided. This is partly provided within the garages and 2 separate secure and covered areas are provided within the basement parking area.
- The courtyard area in front of the main entrance will not be used for car parking. Servicing and deliveries only will take place from this area.

Waste Removal

- Refuse and recycling storage is provided in the basement area. Bins will be moved to a separate covered bin storage area near the front entrance on collection day and then returned to the internal binstore.

Trees

- The area to the rear of the building is partially covered by a woodland Tree Preservation Order. The TPO boundary is set back from the existing rear retaining wall and this area is not covered by the TPO.
- A total of 10 trees and 2 tree groups have been removed from the unprotected area and the area previously approved in 2011 for a 14 unit scheme on the site. A further 5 individual trees and 3 partial tree groups/areas have been agreed for removal under the consented scheme but remain in site at present.
- A further 14 individual trees and 3 tree groups/areas will need to be removed to enable the construction of the proposed extension.

Landscaping and Woodland Management

- A detailed landscaping strategy has been submitted setting out details of the historic context of the landscaping and proposals for formal planting immediately around the building itself.
- A separate Woodland Management Plan has been submitted setting out proposals for the long term management of the wider woodland.
- A separate report has been submitted relating to the restoration of the Pulhamite feature which is on the north-eastern side of the building.

Quantum of development

	Existing	Consented 11/01989	Refused 15/02398	Proposed 16/04478	Difference (existing and proposed 16/04478)	Difference (refused 15/02398 and proposed 16/04478)
Built footprint (sqm)	1,508	1,515	1,994	1,994	+486 (+32.2%)	No change
Built volume (cubic metres)	9,588.8	10,711	13,342.4	12,905.4	+3316.6 (+34.5%)	- 437 (- 5.6%)
Hardstanding (sqm)	2,305	2,098	2,172	2,512	+207 (+8.98%)	+340 (+14.8%)
Soft Landscaping (sqm)	2,908.18	2,658.58	3,106.67	3,555.67	+647.49 (+22.3%)	+449 (+15.5%)

(N.B. The above table includes the volume and footprint of the rear car parking area and garages which was previously shown separately in the report for application ref. 15/02398).

From this data it can be seen that the proposed development represents a 4.6% increase in built footprint and a 34.5% increase in built volume over the existing building. Comparatively, the previously refused scheme represented a 40.1% increase in volume owing to the additional car parking proposed in the rear parking area.

The application is accompanied by the following documents:

- Planning Statement – updated to reflect amendments contained in the revised scheme (revised Feb 2017),
- Design and Access Statement June 2016 - updated to reflect amendments contained in the revised scheme,
- Landscape, Metropolitan Open Land (MOL) and Visual Overview – new document assessing the impact of development on landscape character and visual impact on the MOL in terms of its increase in built form at the Mansion.
- Landscape and Visual Appraisal November 2016– new document that expands on the document above (Landscape, Metropolitan Open Land (MOL) and Visual Overview)
- Heritage Impact Statement and Addendum to Heritage Impact Assessment to include revisions made during the previous application (15/02398) and updated to address reasons for refusal of the 2015 application
- Heritage Impact Assessment: Western Approach – new document considers the impact of the proposed changes to the car parking, amendment to the shape of the entrance and changes to road surfaces required for safety
- Sundridge Park Mansion: Historic Justification for Forecourt Arrangement - unchanged,
- Response to Historic England Consultation Comments - unchanged
- Financial Viability Assessment – revised to reflect current reduced scheme and analysis of the viability of the 14 unit scheme (11/01989)
- Financial Appraisal Summary for current 24 unit scheme (including flats at The Cottage)
- Financial Appraisal Summary for current 14 unit scheme approved under 11/01989
- Landscape Report – updated to refer to proposed new car park on south side of the entrance to the main forecourt.
- Tree Survey, Arboricultural Impact Assessment Preliminary Arboricultural Method Statement and Tree Protection Plan dated 22.9.2016 – amended to show removal of fewer trees than for 2015 scheme,
- Sundridge Park Mansion Planning Application – Woodland Management, Response to Tree Officer comments dated 25.2.2016,
- Evaluation of Impact from Proposed Basement Car Park on Tree Canopy Cover in relation to Wider Site Context
- Sundridge Park Pulham work Survey report - unchanged,
- Lifetime Homes Assessment - unchanged,
- Accommodation schedule showing removal of previous flats 11 and 15 and increase in floor area of 5 flats
- Noise Assessment for vehicular noise from traffic movements and parking
- SAP Calculations - unchanged,

- Highways Statement and Highways Statement Addendum,
- Construction Traffic Management Plan - unchanged
- Construction Management Plan (further information for meeting on 13/04/2016) - unchanged
- Noise assessment for vehicular noise from traffic movements and parking dated 17.07.2015 - unchanged
- Designer's Response to Road Safety Audit Stage 1 - unchanged,
- Letters from The Morton Partnership dated 4.12.2015,
- Sitecheck Assess - unchanged,
- Energy Statement Sept 2016 – updated to reflect reduction in number of units from 20 to 22
- BRE Daylight and Sunlight Requirement - unchanged,
- Drainage Strategy Statement, Drainage Plan and Addendum to Drainage Strategy Statement - unchanged,
- Thames Water – Pre-development Enquiry Application response dated Dec 17 2015 – new document
- Draft Heads of Terms for s106 Agreement,
- Statement of Community Involvement – updated to refer to correspondence with residents in April 2016
- Ecology Report May 2016
- Protected Species Report Jan 2016
- Lighting Report Sept 2016 – amended to show 1 extra light column in the new surface car park
- Consented versus Proposed Architectural Comparison Document by Shaw and Jagger

Location

The application site is 3.34ha (8.25ac) and is on the edge of the suburban area to the north of Bromley Town Centre. The site is surrounded on all sides by the grounds of Sundridge Park Golf Club and is designated Metropolitan Open Land.

The Mansion is a statutory designated Grade 1 listed building with parts of the building dating back to 1795.

To the north-west of the Mansion is the converted Coach House/Stables (known as 1-5 Stable Villas). To the west is a new development of 41 residential units known as Repton Court including 2 houses at Wyatt House and Tower House (known collectively as Repton Court in this report). The properties are almost all complete and some are occupied. To the south are fairways and greens for the Sundridge Park Golf Course.

Within the site and to the north and east of the Mansion are woodland, lawns and terraces providing a parkland setting to the building.

The site is located within a Grade II registered park/garden. There are features within the site that are remnants of the landscaping from when this area was contained in one estate and are designated as curtilage structures.

The site is also within a Site of Interest of Nature Conservation.

There is one vehicular access to this site, Repton Court and Stable Villas via Willoughby Lane which is a single track road with the main entrance at the junction with Plaistow Lane.

Consultations

Comments from Local Residents

Nearby properties were notified of the proposal representations objecting to the proposal have been received from 8 residents. These responses have been summarised as follows:

Highways

- Increase in the number of cars entering and exiting Willoughby Lane will have an impact on safety
- The Lane is owned by the golf club and there is no guarantee that the club will maintain the passing bays.
- There is additional vehicle traffic in the Lane from the new car park for the golf club which can take 30 cars. Added to the traffic from Repton Court and Stable Villas, allowing more than 14 units at the Mansion will make the congestion on the Lane much worse.
- The junction of Willoughby Lane and Plaistow Lane is narrow and Plaistow Lane is very busy. Possible traffic congestion in Plaistow Lane from cars waiting to enter Willoughby Lane from Plaistow Lane at busy times.
- New residents of flats in the Mansion should contribute to upkeep of Willoughby Lane
- The extra parking, above the provision for the 14 unit scheme, is only a result of the additional units.
- The residents of Stable Villas objected to the proposed car park during the consultation exercise before the planning application was submitted.
- Raise concerns about the content of the Highways Statement (HS) as follows
 - Distance to the end of Willoughby Lane and the nearest train station will necessitate higher car movements than the HS quotes.
 - The AM peak time should be 7-8am as this reflects families leaving for the school run. This is also the case for residents leaving Stable Villas where 3 movements (60%) happen at this time. If this is applied to the Mansion there would be more than the estimated 4 depart trips leaving at peak time
 - Out of date reports estimating household car ownership levels have been used.
 - Access has not been used for large vehicles – bin collection was done from the entrance to the access. The proposed situation will not be better than the historic position.
 - 5 visitor spaces is insufficient for 26 units (Repton Court has 22+ visitor spaces for 41 units)

- Safety concerns about 5 streams of traffic merging into one area outside the Mansion would lead to confusion about rights of way and ultimately accidents.
- Car Park should be provided in the forecourt area as the exit here would be safer. Also this would reduce objections to increased noise from traffic, light pollution from headlights and safety objections.
- 1 waiting bay for vehicles entering the access road is not enough
- Lack of visibility from the access road to cars coming from Repton Court due to Stable Villas brick pier.
- Poor visibility for cars leaving Stable Villas.
- There is no evidence of attempts to highlight and limit the impact of traffic movements here.
- Use for residential will generate more vehicles travelling each way than the hotel use. Rarely traffic problems with the hotel use.
- Taking Repton Court, Stable Villas and the Mansion it is estimated that 150 cars could be coming up and down a single lane which is excessive, unjustified and harmful to the heritage asset with no substantial public benefit. There could be congestion on the Lane if the passing bays do not operate properly.
- Pedestrian access to Elmstead Station would reduce vehicle and pedestrian movements along Willoughby Lane.
- The use of land not in the ownership of the developers in front of Stable Villas is not acceptable as there is no guarantee that it can be purchased.
- Poor pedestrian safety on Willoughby Lane.

Policy concerns

- The development is not an extension so does not conform to NPPF or adopted plan policies in G4 so it is not appropriate development
- G4 limits extensions to 10% so it should be refused as it is not conforming to the development plan. Applicant assertions that the extension is within policy tolerance are incorrect.
- Car park is not on previously developed land and even if it is it fails the test of 'high environmental value' in NPPF 17.
- The development will not relieve pressure on the Metropolitan Land (MOL)
- Covering the car park with soil does not mitigate the impact of the building.
- Non viability of 14 unit approved scheme has not been proved and this is not a sufficient reason to add more units, together with all the disruption this causes.
- It is not acceptable that affordable housing contributions cannot be made from this larger scheme.
- Maybe the current applicant paid too much for site hence the need to try and accommodate so many more units and associated parking spaces.
- Insufficient infrastructure to cope with the new development at Repton Court, Stable Villas and a much larger scheme at the Mansion
- The previous scheme for 14 units was unopposed as it was the right balance of development for the site

- Site is being seriously overdeveloped with an unsympathetic extension and this will be demonstrably harmful to the setting of the Grade 1 listed building
- The NPPF requires a far more compelling case that the proposed development is sustainable than the applicant has giving.
- The scheme is not providing any affordable housing and doesn't comply with policy in this respect, despite improvements in the economic climate and the high number of units proposed.
- Housing supply shortfall should not put land designated as MOL under pressure to deliver more units.
- Smaller units are not so popular and do not sell well so larger units should be provided which will reduce the impact on existing residents.
- Refuse trucks now back into Stable Villas which will be dangerous if this new development goes ahead.

Heritage/Visual impact/Trees

- Proposed extension is incongruous to the only Grade 1 listed building in the borough and does not represent conservation and enhancement of the heritage asset.
- Loss of the trees and excavation of the bank in a Registered Garden is not acceptable.
- Some of the trees that have been removed already had a large diameter and are not just clearance of understorey. This is contrary to the position that the applicant claimed in the report to Members in 2015 when application 15/00892/TPO was considered. This was deferred by Members for clarification.
- Improvements to the woodland resulting from the development are not a public benefit as they will be only available to residents
- Impact of traffic movements on the existing 100 year old retaining wall
- Possible displacement of wildlife in the wooded area
- There will be more green spaces lost with the new plans where land is being taken for the collection day binstore and the road widening to the new access road.
- Additional trees have already been removed in the area to be use for the new car parking area next to the entrance gates is unacceptable.
- The long term management of the woodland does not seem to be secured through the application.
- Proposed markings, signage and traffic lights are harmful to the setting of the listed buildings.

Privacy/security/protection/amenity

- Buffer of trees remaining between Stable Villas and new car park will not help in winter months
- Users of the historic walkways will have clear views into Stable Villas units as they are not allowed to erect boundary fences
- Top level of car park will be visible from the nearest houses.
- Stable Vilas cannot put in double glazing so noise from the development will have an adverse impact on these residents.

- Light from car headlights will shine directly into windows of these properties.
- Concerns about the structural impact of earth removal and building a significant structure so close to Stable Villas, which are also listed buildings with shallow foundations.
- Minimal changes to the scheme are not enough to overcome previous objections.

Drainage

- Proposed extension would impermeable hardstanding and could increase the danger of flooding, which occurs at times on the Golf Course and Willoughby Lane

Comments from Consultees

Highways

The site is located in Sundridge Park Manor Willoughby Lane which is a private road. Also the development is within a lowest PTAL rate of 0 and because of remoteness of the site.

The applicant previously proposed to redevelop the existing Hotel, Conference and Events venue to provide a total of 26 residential dwellings (6 x 1 bed, 19 x 2 bed and 1 x 3 bed). The number of dwellings has been reduced by 2 units and also housing mix for the Mansion and Cottages has been changed. So now there are a total of 24 dwellings (Mansion 2 x 1 bed, 14 x 2 bed and 4 x 3 bed + Cottage 2 x 1 bed and 2 x 2 bed which total = 4 x 1 bed, 16 x 2 bed and 4 x 3 bed).

Previously the applicant proposed to provide a total of 55 car parking spaces including 5 for visitor car parking spaces. This has been reduced to 51 parking spaces. So there is a reduction of 4 spaces in total. Previously all of the parking spaces were located to the rear of the site and concealed in the proposed ground and first floor car park. There are more than 2 spaces per unit so I agree that this level of car parking is a practical and realistic level of parking when considering the site is aimed at the luxury housing market. The developer has once again shown allocation of parking bays for each unit, clarified how the spaces between Mansion and Cottages. This is satisfactory but I am of the opinion that parking bay number 2, 17 and 13 and at least 1 of the 5 visitor parking should be allocated to the residents of cottages. As agreed previously the applicant should submit a Car Parking Management Plan.

Previously provision for 46 cycle spaces was made. The applicant is now providing 44 cycle spaces. I am satisfied as this as per London Plan.

The applicant had relocated the Refuse Storage and I consulted LBB Waste Service regarding servicing of the 26 units. Location and Swept Path Analysis for refuse vehicle were satisfactory. I noticed that previously there were 5 bins and now there are 4 bins. The applicant has decreased 2 units in the Mansion but increased the size of other units. I think we should get this checked by the Waste

Services once again as the housing mix has changed so more waste will be generated.

The developer has now submitted a plan showing 9 passing places on Willoughby Lane. This would enable easier passage of vehicular movements along the narrow lane. However we would like to see an agreement between the owner of Willoughby Lane and the developer that these passing bays can be provided and kept for posterity.

The developer is suggesting that the forecourt will be kept as vehicle free as possible but will accommodate service and delivery vehicles. I have no objection to this.

I had seen revised Site Set Up Plan and am satisfied with the turning area/swept path analysis for vehicles that will be used during construction phase and wheel wash facility.

The retaining wall for the ramp is over a hundred year old and was merely for soil retention and not designed to take the proposed traffic of 26 units. The applicant has submitted a structural survey report / drawings for the existing / new retaining wall to demonstrate that it can sustain the additional traffic load / movement. My observation in respect of the retaining wall is that the developer should satisfy himself that it will have sufficient integrity to support loads as a result of change of use.

The developer had submitted a Stage 1 Road Safety Audit followed by Designers Response addressing auditor's points. That was satisfactory; however, we would like to see complete plans with increased level of details at Stage 2 Road Safety Audit, for example, details of the traffic lights, retaining wall, sight lines, signage and additional swept paths in light of cutting back the hedge area to widen the carriageway etc and separate drawings providing information about following:

1. Site clearance
2. General arrangement
3. Signs and Road Markings
4. Setting out
5. Standard details

Once again before any work is commenced on the access/highway works a Stage 2 Road Safety Audit (these may be combined with the prior agreement of the local Planning Authority) should be submitted to and approved in writing by the local Planning Authority. The works shall be implemented strictly in accordance with the approved details to the satisfaction of the local Planning Authority before any part of the development hereby permitted is first occupied. A Stage 3 Audit shall be submitted to and approved in writing by the local Planning Authority following satisfactory completion of the works and before they are opened to road users.

As Willoughby Lane is a private Road we have no objection to the proposed equipment and material.

Please condition Road Safety Audit and include the following with any permission:

H01 (details of access layout) ...Willoughby Lane

H03 (Satisfactory Parking)

H13 (Gradient of access drive) ...1:10

H16 (Hardstanding for wash-down facilities)

H19 (Refuse storage)

H22 (Cycle parking)

H23 (Lighting scheme for access/parking)

H29 (Construction Management Plan)

H32 (Highway Drainage)

Waste Advisor (summary)

Confirmed that the location of the proposed bin stores and the position of the collection point structure to be used on collection day is acceptable and of sufficient size.

Drainage (summary)

No objections raised subject to a condition to require that the development is carried out in accordance with the submitted drainage documents and plans and an informative regarding the discharge of surface water to public sewers is added.

Environmental Health (pollution) (summary)

No objections raised. Conditions recommended relating to the NOx emissions from gas boilers, the provision of electric car charging points. With regard the noise impact assessment the report finds no significant impact on neighbours from vehicle noise associated with the proposed car parking area. There would of course be audible traffic movements but the expected levels are reasonable and it is not usually considered necessary to achieve inaudibility. Overall no objections are raised on vehicle noise grounds.

Thames Water (summary)

No objections raised with regard to the sewerage infrastructure. In terms of surface water drainage TW raise no objection and recommend a condition that shall ensure that storm flows are adequately attenuated or regulated, regarding manhole connection . In terms of water an informative is recommended about water pressure.

Historic England (summary)

Under the previous 2015 application Historic England (HE) commented that they initially raised concerns about the scale of development proposed and considered that the increase in the number of units and the proposed basement extension had the potential to harm the significance of the Grade One Listed Mansion and Grade Two Registered Park. Following discussion with the applicant and the Council, HE provided the following advice on the 2015 scheme which is summarised below:

- The removal of the basement area for this unit is welcomed. The boiler flue should be colour matched to the elevation to make it as discreet as possible.
- Structural information to support the basement excavations to Flat 2 welcomed. Recommend a condition requiring submission of a sample of the

proposed railings to ensure they are high quality and sensitive to the setting of the Mansion.

- The proposed setting back of the roof extension for Flat 14 is welcomed. Arrangements to ensure there is no paraphernalia on the terrace should be put in place.
- The new 2nd floor glazing in the east elevation for Flat 15 (now flat 14) is an acceptable solution to achieve accommodation at this level. Details of the materials for this extension are required
- The provision of a window in the unused chimney stack for flat 19 is acceptable.
- A condition requiring the safe removal and storage of existing landscape features to meet the requirements of the Construction Traffic Management Plan is recommended.
- Further design information is required for the layout of the central courtyard to prevent parking and control the installation of signage as this is an important heritage benefit that must be implemented and permanently retained.
- The submission and implementation programmes for the Woodland Management Plan should be secured by S106 Agreement or condition as this aspect is an important heritage benefit of this scheme.

For the current application, HE have referred to the above advice and additionally to the advice below regarding the proposed new car park area adjacent to the south west main forecourt.

The reasons for refusal of the original scheme related to the amount of development proposed, and the resulting impact on Metropolitan Open Land and tree coverage (which form part of the Grade II listed Registered Park). Additionally, it was considered that the proposed road works and associated signage would harm the setting of the listed Mansion and neighbouring Stable Villas.

The current scheme seeks to resolve the heritage-related issues by reducing the number of residential units to 20 and decreasing the size of the rear car park. This is welcomed by Historic England. However, as a result, 8 new parking spaces are proposed to an area immediately south west of the main forecourt.

The revised Addendum to Heritage Impact Assessment (Ian Dieffenthaler, 22 September 2016) describes the current area proposed for the car park as a 'wasteland' which is 'well away from the principal elevations (of the Mansion) and well screened from the entrance drive' (p7). Two maps dating from 1862 and 1872 have been provided to demonstrate that the area subject to parking has undergone various changes over the years, and is unlikely to represent an original part of the Mansion's landscaping.

Paragraph 128 of the National Planning Policy Framework states that:

In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance.

Whilst we acknowledge that some information has been provided on the significance of the car park site, we note that no visualisations have been prepared to demonstrate that the car park would be visually discrete in key views of the Mansion. Your Council must therefore be satisfied that the submitted heritage assessment is sufficient for a Grade I listed building such as this in accordance with the key planning policy mentioned above.

The applicant has submitted a document entitled 'Response to Historic England Consultation' which comments that the piece of land to be used for the car park is not a key part of the original historic garden. In addition visualisations of the car park have been provided from Willoughby Lane to assess long distance views and a closer view once the Mansion has come into view. The document shows that new car park cannot be seen in long distance views from the Lane due to existing hedge and tree screening along the southern boundary here. The visualisation shows hedge planting around the proposed car park but this is not shown in detail on the submitted landscaping plans.

Conservation Officer

The proposed car park will be visible from the Mansion and it will be necessary to consider mitigation measures to minimise the impact on the setting of the building from this vantage point. It should be noted that the land level at this point is slightly lower than the level of the Mansion. The extent of hard surfacing is not considered to be excessive when viewed in the context of the hardstanding that is currently around this part of the site as a result of the forecourt area and the pathways around the south side of the main house. The use of materials that match the forecourt area and screen planting that complements the existing planting along the southern boundary will serve to minimise the provision of this new hardstanding area to ensure that the proposed car park would not have a harmful impact on the setting of the Mansion. I recommend a condition seeking the submission of details relating to materials and landscaping for this aspect of the development.

Tree Officer

The scheme has been reduced in scale at the back of the plot by removing parking bays on the lower level of the underground car park. This removes the need to stagger the retaining wall and will ultimately have a less damaging impact on this part of the woodland embankment. My previous comments associated with application 15/02398/FULL1 remain valid in respect of the overall impact of the development on protected trees. The parking requirement seems to have resulted in new parking being proposed on the south side of the western drive. Trees situated here are not subject to any restrictions and have already been managed to accommodate the proposed access here.

I am satisfied with the revisions made as part of the arboricultural submissions.

A request was received during the tree works and further to a site visit to assess trees and the perceived threat, a new Tree Preservation Order (TPO) was not seen as appropriate.

In this instance I would recommend the same conditions as application 15/02398/FULL1, should planning permission be granted. Additionally, I would recommend requesting a Tree Protection Plan (TPP) as this seems to be absent from the supporting documents.

B10 Trees – details of protective fencing

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.

Planning Considerations

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

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

- H1 Housing Supply
- H2 Affordable Housing
- H3 Affordable Housing – payment in lieu
- H7 Housing Density and Design
- T1 Transport Demand
- T2 Assessment of Transport Effects
- T3 Parking
- T6 Pedestrians
- T7 Cyclists
- BE1 Design of New Development
- BE8 Listed Buildings
- BE15 Historic Parks and Gardens
- BE17 High Buildings
- NE2 Development and Nature Conservation Sites
- NE3 Nature Conservation and Development
- NE7 Development and Trees
- NE8 Conservation and Management of trees and woodlands

G2 Metropolitan Open Land
G7 South East London Green Chain
L9 Indoor Recreation and Leisure
IMP1 Planning Obligations
Planning Obligations SPD and Addendum SPD dated January 2012
Affordable Housing SPD and Addendum to the Housing SPD dated January 2012
Bromley's Proposed Submission Draft Local Plan:

The final consultation for the emerging Local Plan was completed on December 31st 2016. It is expected that the Examination in Public will commence in 2017. The weight attached to the draft policies increases as the Local Plan process advances. These documents are a material consideration and weight may be given to relevant policies as set out in the NPPF paragraph 216 which states:

“From the day of publication, decision-takers may also give weight to relevant policies in emerging plans according to:

- *the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given)*
- *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*
- *the degree of consistency of the relevant policies in the emerging plan to the policies in this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).”*

Current draft Policies relevant to this application include:

Policy 1 Housing Supply
Policy 2 Affordable Housing
Policy 4 Housing Design
Policy 30 Parking
Policy 31 Relieving congestion
Policy 37 General Design of Development
Policy 38 Statutory Listed Buildings
Policy 50 Metropolitan Open Land
Policy 54 South East London Green Chain
Policy 69 Development and Nature Conservation Sites
Policy 73 Development and Trees
Policy 74 Conservation and management of trees and woodlands
Policy 116 Sustainable Urban Drainage Systems
Policy 123 Sustainable design and construction
Policy 124 Carbon reduction, decentralised energy networks and renewable energy
Policy 125 Delivery and implementation of the Local Plan

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

2.6 Outer London: vision and strategy
3.3 Increasing housing supply
3.4 Optimising housing potential

3.5 Quality and design of housing developments
3.8 Housing choice
3.11 Affordable Housing Targets
3.12 Negotiating affordable housing in individual private residential schemes and mixed use schemes
5.2 Minimising carbon dioxide emissions
5.3 Sustainable design and construction
5.6 Decentralised energy in development proposals
5.7 Renewable energy
5.8 Innovative energy technologies
5.0 Overheating and cooling
5.10 Urban Greening
5.11 Green roofs and development site environs
6.9 Cycling
6.13 Parking
7.2 An inclusive environment
7.3 Designing out crime
7.4 Local character
7.6 Architecture
7.8 Heritage assets and archaeology
7.17 Metropolitan Open Land
7.19 Biodiversity and access to nature
7.21 Trees and woodlands
8.2 Planning Obligations

Mayors Housing Supplementary Planning Guidance 2016
Housing Standards: Minor Alterations to the London Plan 2016
Parking Standards: Minor Alterations to the London Plan 2016

3. National guidance is included in the National Planning Policy Framework and the most relevant paragraphs are set out below.

Paragraph 14 states a presumption in favour of sustainable development where development accords with the development plan.

Paragraph 17 seeks to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings

Section 6 Requiring Good Design sets out a series of statements emphasising the need for good design to secure a positive contribution to making places better for people.

Section 9 relates to Green Belt development. The application lies on Metropolitan Open Land which benefits from the same protection as Green Belt Land. Therefore policies in this Section apply to this site. In particular, paragraph 89 advises that local planning authorities should regard the construction of new buildings as inappropriate in Green Belt. Exceptions to this include limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land) whether redundant or in continuing use which would not have a greater impact on the

openness of the Green Belt and the purpose for including land within it than the existing development.

Section 12: Conserving and enhancing the historic environment is also relevant including paragraphs 128, 131 -133 and 140. This advises that great weight will be given to the significance of a designated heritage asset. The more important the asset, the greater the weight should be. Any harm to the asset will be weighed against the public benefits of the proposal.

Planning History

There have been numerous applications for development at the Mansion since 2005.

04/00955/FULL2: Use of existing buildings at Sundridge Park for conference and training facilities, hotel or wedding reception with associated car parking and leisure facilities. Approved 17.45.2004

05/03503/FULL: Change of use of existing Grade I listed Mansion to single dwelling with associated internal and external alterations and extensions and change of use of existing Coach House/Stable Block to seven residential dwellings with associated internal and external alterations, all with associated landscaping and car parking. Approved 7.7.2006

05/03505/LBC: Internal and external alterations to and partial demolition of existing Grade I listed Mansion and Coach House/Stable Block including demolition of the existing annexe in the curtilage of the Mansion and landscape restoration. Approved 7.7.2006

11.01181/EXTEND: Extension of time limit for implementation of permission ref. 05/03503/FULL1 granted for change of use of mansion to single dwelling with associated internal and external alterations and extensions and change of use of existing Coach House/ Stable Block to 7 dwellings with associated internal and external alterations, all with associated landscaping and car parking. Approved 4.10.2011

11/01989/FULL: Partial demolition/external alterations and two storey rear extension with basement and surface car parking and change of use of Mansion and The Cottage from hotel to 13 two bedroom and 1 three bedroom flats This application was permitted in October 2011.

11/01994/LBC: Partial demolition, internal and external alterations and rear extension to Mansion. Approved 12.10.2011.

11/01523/LBC: Demolition of The Cottage. Approved 2.11.2012

14/03032/CONDIT: Details submitted in relation to planning permission ref.14/03032/RECON: Condition 8 - protect interior features. Approved 25.3.2015
Various applications in 2014 to discharge conditions and amend the wording of conditions to allow phased implementation of 11/01989

14/02683/FULL: Partial demolition/external alterations and two storey rear extension with basement and surface car parking and change of use of Mansion and The Cottage from hotel to 15 two bedroom flats. Held in abeyance.

14/02685/LBC: Partial demolition/external alterations and two storey rear extension with basement and surface car parking and change of use of Mansion and The Cottage from hotel to 15 two bedroom flats. Held in abeyance.

15/02398/FULL: Change of use of existing Grade 1 listed Mansion from hotel to 22 residential dwellings, with associated internal/external alterations and partial demolition works, rear extensions, rear car park, cycle parking and refuse/recycling provision, hard and soft landscaping (including removal of some trees), woodland management and associated infrastructure. Refused on 10.06.2016. Currently at appeal.

15/02399/LBC: Change of use of existing Grade 1 listed Mansion from hotel to 22 residential dwellings, with associated internal/external alterations and partial demolition works, rear extensions, rear car park, cycle parking and refuse/recycling provision, hard and soft landscaping (including removal of some trees), woodland management and associated infrastructure LISTED BUILDING CONSENT. Refused on 10.6.2016. Currently at appeal.

15/00892/TPO: Blue Area As shown on Plan: Fell selected understorey trees (of whatever species but primarily Holm Oak, Rhododendron, Elder, Bamboo, Sycamore, Yew Sweet Chestnut and Birch) up to a maximum DBH of 150mm and a maximum top height of approximately 5 metres.

Red Area As shown on Plan: Fell selected understorey trees (of whatever species but primarily Holm Oak, Rhododendron, Elder, Sycamore and Birch) within 3 metres of Pulhamite Grotto subject to: TPO 2432 (w1) Deferred by Plans Sub Committee and pending consideration

Conclusions

As with the previous application, it is considered that the main planning issues relating to the proposed scheme are as follows:

- Principle of Development including the impact on Metropolitan Open Land (MOL)
- Impact on Heritage Assets
- Highways and Traffic Matters (including Cycle Parking and Refuse)
- Trees and Landscaping
- Scale and Massing and Layout and Appearance
- Standard of Accommodation and Amenity Space
- Impact on Neighbour Amenity
- S106 contributions
- Other technical matters

Furthermore, specific consideration needs to be given to the reasons for refusal put forward in the refusal of the previous application (as set out at the beginning of the

report), and whether the amendments and information submitted with this application are sufficient to overcome the concerns raised therein.

Principle of Development

Acceptability of residential use of the site

The original use of the Mansion was residential until the use changed to a training and conference centre and more recently to a hotel. Planning permission was granted for the change of use of the Mansion to a single dwelling in 2005 but the scheme was not implemented. In 2011 planning permission was granted for the change of use of the Mansion and Cottage from hotel to 14 flats. The applicant advises that the scheme has been implemented by works carried out on site prior to the expiry of the permission in October 2014 in the form of provision of services, elevational alterations to The Cottage and the laying out of the landscaping in front of The Cottage.

It is considered that there is an established principle of the use of the Mansion for Class C3 residential use by virtue of this planning history and, therefore, the proposal to use the site for residential use in this application is acceptable, in principle.

The applicant has noted that the scheme will also contribute to the housing target for the delivery of additional housing in the borough, in accordance with London Plan Policy 3.3: Increasing Housing Supply.

Acceptability of proposed demolition

Detailed plans have been submitted setting out the extent of demolition to be carried out to enable the current development. The existing structures to be demolished are at the rear of the Mansion and these are mostly 19th and 20th century service buildings and are of less historic and architectural significance. The removal of these structures has previously been agreed as part of the approved 14 unit scheme. It should be noted that the areas to be demolished is less than agreed for the approved 14 unit scheme and this is welcomed.

On this basis the extent of demolition shown on the submitted plans is acceptable.

Impact on Metropolitan Open Land

The site lies within designated Metropolitan Open Land and as such the provisions of UDP policy G2 London Plan Policy 7.17 and Section 9, especially para 89, of the NPPF apply when considering the acceptability of development within MOL, which has the same planning constraints as Green Belt Land.

Para 87 of the NPPF states 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.

Para 89 states that ‘a local planning authority should regard the construction of new buildings as inappropriate in Green Belt’, and by extension, MOL. Exceptions to this are listed in the policy. The most relevant exceptions to this case are set out at bullet points 4 and 6, which state as follows:

- ‘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’
- ‘limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.’

Previously developed land is defined in the NPPF as ‘Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure.’

The proposal that was previously refused permission was found to be inappropriate development since it would have had a greater impact on the openness of the MOL and the purposes of including land within it than the existing development. It was concluded that the benefits of the scheme (including the heritage benefits, the Woodland Management Plan and the housing provision) would not clearly outweigh the harm to the MOL, when coupled with the other harm identified in the form of the loss of trees,

As with the previous proposal, it is necessary to first consider whether the proposal would constitute inappropriate development in MOL in principle. It is considered that the development is being carried out on previously developed land, including the garage extension. However, when taking account of the increase in built footprint and volume over and above the existing building (which is set out in the table below), it continues to be the case that the proposal would result in a greater impact on openness than the existing building by virtue of the increase in bulk and mass. On this basis it is considered that the proposal would continue to constitute inappropriate development, but resulting in a lesser degree of harm to the openness of the MOL than the previous proposal having regard to the reduction in the overall amount of development now proposed.

The table below sets out the quantum of development as currently existing, against the development proposed. A comparison is also provided with the previously refused proposal.

	Existing	Consented 11/01989	Refused 15/02398	Proposed 16/04478	Difference (existing and proposed 16/04478)	Difference (refused 15/02398 and proposed 16/04478)
Built footprint (sqm)	1,508	1,515	1,994	1,994	+486 (+32.2%)	No change
Built volume (cubic metres)	9,588.8	10,711	13,342.4	12,905.4	+3316.6 (+34.5%)	- 437 (- 5.6%)
Hardstanding (sqm)	2,305	2,098	2,172	2,512	+207 (+8.98%)	+340 (+14.8%)
Soft Landscaping (sqm)	2,908.18	2,658.58	3,106.67	3,555.67	+647.49 (+22.3%)	+449 (+15.5%)

(N.B. The above table includes the volume and footprint of the rear car parking area and garages which was previously shown separately in the report for application ref. 15/02398).

From these figures it can be seen that the development now proposed would represent a 34.5% increase in the volume and a 32.2% increase in the footprint of built development on the site, when compared to the existing situation. The previously refused proposal represented a 40.1% increase in the volume of built development, and as a result of these revised proposals, a reduction of 437 cubic metres of built development is proposed. Despite the reduction in the proposed car parking area at the rear of the site, the built footprint remains consistent between the two schemes. Whilst the footprint of development has been reduced at ground floor level, the first floor garage will now overhang the ground floor, and this extent of built development will now count towards the footprint figure. Furthermore, additional hardstanding is now proposed in the form of the new car parking area located to the south-west of the main entrance, following the removal of spaces from the rear car parking area at ground floor level.

It should be noted that the figures provided in the table above differ from those provided by the applicant in their planning statement (and as set out in the report for application ref. 15/02398). The applicant has included the first floor of the external car parking deck as hardstanding (area 417sqm), but has not counted any footprint beneath it. As the two-tier car parking area is a built structure, it is considered to have a footprint and should be included in this type of development, as opposed to hardstanding. The applicant's figures have been adjusted accordingly, with 417sqm added to the built footprint and 417sqm removed from the hardstanding figures.

Whilst it is acknowledged that the additional volume created by the car park extension at the rear of the Mansion would not have a significant visual impact on the MOL given its design and siting within the existing bank, the total increase in the amount of development proposed, even with the reduction proposed since the previously refused scheme, would represent a significant increase in the amount of built development within the MOL. As such, it is considered necessary to demonstrate that there are other considerations that clearly outweigh the potential harm to Green Belt by way of inappropriateness and any other harm (including the

loss of trees as identified in the first reason for refusal in the previous scheme), thereby resulting in 'very special circumstances'.

The applicant has addressed this issue in their Planning Statement and their submissions are summarised below. Each aspect referred to in this paragraph is discussed in more detail in the relevant sections of the report but the overall conclusions are set out here.

- The proposal will secure the optimum viable use of the Grade I Listed Mansion and Grade II Listed Park, removing risks from decay or vandalism, and protecting the wider area including the setting of the Grade II Listed Stable Villas
- The proposal will bring the building back into active use
- The proposal has been designed to sustain and enhance the significance of the heritage asset, with the heritage gains being significantly greater than those proposed in the consented 14 unit scheme
- The heritage gains include the following:
 - Relocation of vehicle movement and parking to the back of the Mansion thereby revealing the Mansion to better effect in accordance with the original intentions of John Nash and Humphry Repton
 - Removal of parking from the Western approach and restoration of the landscape to the original design intent and removal from landscape views
 - Visual separation of the Mansion and the Coach House by planting
 - Restoration of the formal gardens
 - Introduction of a Woodland Management Plan to restore original design character
 - Restoration of historic terraced walls and steps and re-establishment of historic carriage drives and woodland glades
 - Restoration of Pulhamite Grotto
 - A carefully considered and sensitive design including the retention of additional more historic fabric than the approved 14 unit scheme, no subdivision of principal rooms and the return of the main staircase back into communal use
- Will improve the Cottage proposals through the re-provision of car parking, cycle parking and waste storage secured under that permission as part of the Mansion redevelopment
- Provision of 20 new homes
- Proposal is of exceptional design quality
- Enhancement of biodiversity and ecological value of the site (particularly through the Woodland Management Plan)
- Reduced trip generation compared to the hotel use of the site
- Wide ranging socio-economic benefits

With regard to the visual impact of the development in the MOL, Officers consider that the proposed garage is considerable but it is well concealed and screened from public vantage points. Similarly, the proposed extensions, which are located broadly to the rear of the Mansion, would not have a significantly detrimental visual impact on the wider MOL.

In terms of the purpose of the MOL, it is necessary to consider if the increase built development would compromise the 5 purposes of MOL; check unrestricted sprawl of urban areas, prevent towns merging, safeguarding the countryside from encroachment, preserve the setting of historic towns and direct development to urban areas.

From its location on a very large site, to the rear of an existing building and adjacent to a significant wooded area officers consider that the development would not undermine the purposes of the MOL. This aspect is discussed in more detail elsewhere in this report.

The heritage gains are discussed in detail elsewhere in the report. However, briefly, officers consider that the development would contribute to securing the reuse of the listed building and bring it back into long term use, secure improvements to the fabric of the listed building which has not been properly maintained for some time, provide improvements to the woodland areas which have suffered from lack of management for some time and secure the removal of the cars from public vantage points which represents a significant heritage benefit that is endorsed by Historic England. It is considered that these benefits should be afforded a significant degree of weight in favour of the proposed development.

As previously stated the principle of the use of the property as Class C3 residential has been established through previous applications.

It is considered that the benefits generated by the proposed development, summarised above and discussed below, could clearly outweigh the harm to the MOL from the extent of the development in terms of its impact on openness and any other harm. As such the principle of development may be considered acceptable. This will be further addressed at the conclusion of this report.

Impact on Heritage Assets

In policy terms the application falls to be considered against policies BE8 of the UDP and Policy 7.8 of the London Plan. These policies seek to identify heritage assets so that the desirability of sustaining and enhancing their significance and of utilising their positive role in place shaping can be taken into account. UDP Policy BE8 states that applications for development involving a listed building or its setting will be permitted provided that the character, appearance and special interest of the listed building are preserved and there is no harm to its setting.

In addition the NPPF para 132 states that 'great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Substantial harm to or the loss of designated heritage assets of the highest significance... should be wholly exceptional'

Para 134 goes on to state that 'where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.'

The applicant has submitted a detailed Heritage Impact Assessment which describes the significance of all the heritage assets, including any contributions made by their setting in accordance with the requirements of NPPF para 128. In accordance with the nationally established assessment criteria, the report concludes that the aesthetic value of the house is 'exceptional' and the garden of 'some value'. The historic value of the house is 'considerable' and the garden has 'some' significance. There is 'some' scientific value. The social value of the house and garden is 'considerable'.

The individual rooms have been recorded in a Gazetteer and ranked in order of significance. The most significant rooms are found in Flat 2 and the rotunda staircase between the ground and first floors. The external walls on the south, west and east elevations are also of the highest significance. The lowest or neutral level of significance relates to the existing extensions at the rear and some of the internal rooms that were converted into hotel bedrooms. The report goes on to assess the impact of the proposed works on the internal and external layout.

In this respect, the report grades the impact of each of the interventions proposed and finds that 12 changes are graded as moderate or major beneficial and 3 as moderate adverse with the remaining changes of minor beneficial, neutral or minor adverse impact. The adverse impacts relate to the position of a door, the removal of a staircase and the addition of a new staircase.

The benefits relate to the improvements to the setting of the building including the restoration of woodland walks and the Pulhamite grotto and removal of cars from the forecourt area. Internally the reinstatement of the main entrance hallway to communal use (this was lost in the approved scheme and assigned to one flat) and the retention of much of the original historic fabric is significant.

Overall the applicants report concludes that when the impact of the proposals is considered cumulatively, the public benefits have been shown to far outweigh the predicted harm to the heritage assets.

In considering the acceptability of the proposed changes to the building in historic terms, Historic England have the authority to direct the local planning authority and they have authorised that the local planning authority can determine application as they think fit. Finally endorsement of this view is required by the Secretary of State and this is awaited.

In addition to the extension for the flats and garages there is a 2 storey extension proposed for the rear of the existing ballroom that will form part of Flat 6. This extension was approved as part of the 14 unit scheme and the extend of new build is the same as that approved. In this submission, the previous roof top amenity space has been removed and a condition to retain this position is recommended.

The proposal involves a range of demolition, repair and refurbishment works together with the erection of extensions at the rear of the building.

There are numerous factors to consider in the assessment of the acceptability of the overall proposal, namely:

The impact of the internal and external alterations on the historic fabric of the building:

The internal works proposed have been assessed as part of an on-going process with Historic England and the Council's Conservation Officer and it is considered that the proposed changes can be sympathetically carried out without causing harm to the overall historic fabric of the building.

The impact of the proposed extensions on the historic fabric of the building:

The primary extension to the building involves the demolition of much of the service areas which were added in Victorian times and which are at the rear of the building. These are largely hidden from view by the principal elevations and the loss of these parts of the structure is considered to be acceptable.

The replacement extension is in 2 parts namely the part to accommodate additional flats and the part to provide car parking and servicing for the building.

The rear elevation of that part of the extension which will provide the flats is broadly in line with the rear elevation of the scheme approved in 2011 for 14 flats. The width and height of this part of the building are greater than the approved building. However, this part of the building sits back from the existing retaining wall and in terms of height, mass and scale it is considered to be in keeping with the existing building and will not detract from the most valued historic elements of the building.

The part of the building that will provide the 2 levels of car parking will extend beyond the existing retaining wall by approximately 18m and this requires the removal of part of the existing wooded bank in this location. The impact of this in terms of the removal of trees is discussed elsewhere in this report.

In terms of the impact on the heritage asset of the building the garage part of the extension will be a significant feature. However it is located away from the most valued part of the listed building and beyond an extension that is similar in style and scale to one that has previously been approved. In addition the extension would not be visible from the north or west elevation

The appearance of the garages on the upper deck will be softened by extending the remaining bank over the roof of the garages and landscaping the rooftop area. In addition the landscaping plan shows additional tree planting in this area. From the East Lawn the garages will be shielded from view by a retaining wall which will enclose the upper deck and the land will be graded to meet the top of the retaining wall.

In this respect it is considered that the proposed garage extension would not have a significantly harmful impact on the most valued part of the Mansion building or the overall setting of the listed building.

In terms of the impact on the listed buildings at Stable Villas, the closest property is No 5 Stable Villas. The rear elevation is set back approximately 32m from the edge of the closest garage. However the view from any of the properties on this side of Stable Villas at ground floor level will not be of the garage itself as this will be set behind a retaining wall as a result of grading of the bank over the roof of the garages. In addition there are retained trees on the intervening land and the landscaping strategy shows additional planting to augment the retained trees. In this respect it is considered that the proposed structure will not have a significantly harmful effect on the setting of the listed buildings at Stable Villas.

The need to secure the long term future of the listed building.

The Mansion represents an important aspect of history and historical development in the borough and possesses significant heritage value. Several planning applications have been submitted and approved for schemes to secure the long term future of the building. To date none of the approved schemes have proved sufficiently viable to be brought forward by the then owners.

Elsewhere in this report details of the financial viability of the scheme are discussed and this is a relevant aspect of securing the long term future of the listed building.

The balance of the impact of the interventions against the benefits of the proposed development.

In heritage terms the justification for the changes to the listed building and its setting have been considered above. The interventions to the most valued part of the building are largely internal and have been discussed and amended to the proposals in the current submission and these are considered acceptable.

In terms of the external alterations the proposed car park is the most significant. The removal of the car parking from the forecourt to better reveal the main entrance to this Grade 1 listed building is strongly supported by Historic England and is seen as a significant benefit resulting from this proposal. In terms of tree removal, additional research work has been carried out to better understand the design of the existing rear bank and this has led to justification for the removal of part of the bank and placement of the parking in this area. Other significant external benefits include the restoration of the woodland, the woodland walks and the Pulhamite grotto, all of which are significant features of the setting of the listed building.

The previous application concluded overall that the proposed alterations and extensions to Sundridge Mansion and its setting would result in less than substantial harm and would be acceptable given the long term viable retention of the Mansion. However, in refusing planning permission, one specific 'heritage' ground was included, relating to the requirements for road surfacing, markings,

signage and traffic lights at the rear of the Mansion and adjacent to Stable Villas for road safety purposes, which were found to be harmful to the setting of these Listed Buildings. In the current application, details have again been provided in relation to the safety requirements for the junction as identified in the Road Safety Audit. The measures include:

- Road markings
- Traffic signals
- 3 warning signs to alert drivers to presence of vehicles emerging from the car park, Stable Villas and on to Willoughby Lane
- 1 convex mirror opposite the access from Stable Villas (not previously proposed under application ref. 15/02398/FULL1)

The applicant has provided specific commentary on this matter within the submitted Planning Statement. This assesses the impact of the road surfacing, markings, signage and traffic lights and suggests that to consider these in isolation, is considered to have been unreasonable given that when assessing the scheme as a whole no heritage harm is identified. However, in taking each element in turn, the applicant considers that the road surfacing, markings and signage would have a neutral impact, since being normal features within the setting of a listed building in a park setting and which could easily be designed to be in keeping with the buildings. Whilst the applicant considers that the traffic light could be construed as an intrusive feature to some extent, it would be no more than minor adverse, since it would be well designed and concealed behind the Cottage. The applicant concludes that if the features referred to were to be considered harmful, such harm would be 'less than substantial' and be very considerably outweighed by the public benefits of the proposal for the purposes of paragraph 134 of the NPPF.

Specific comments have been provided on this matter by the Council's Conservation Officer, including the addition of the convex mirror now proposed. No objections have been raised to this aspect of the proposal. Historic England have expressed some concerns around the potential for clutter but confirmed that they are happy for the Local Authority to lead on this issue taking account of their comments. It is recommended that the full details of the signage and traffic lights are secured by condition, to ensure a satisfactory appearance which is appropriate to the historic setting of the development.

The current application also proposes additional surface car parking in an area to the south-west of the main forecourt. The revised Addendum to the Heritage Impact Assessment confirms that this area is well away from the principal elevations of the Mansion and would be well screened from the Mansion drive. Historic England commented however that no visualisations have been provided to demonstrate that the car park would be visually discrete in key views of the Mansion. Such information has now been received which seeks to demonstrate that the car park area is not located within any key views of the Mansion.

In conclusion and in the light of the evidence that the applicant has submitted, it is considered that, on balance, the proposed alterations and extensions to Sundridge Mansion and its setting including the highway safety measures would result in less than substantial harm and are acceptable and in that the benefits of the

development, including the long term viable retention of the Mansion, would outweigh the harm identified.

Highways and Traffic Matters (including Cycle Parking and Refuse)

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

Within the submission, the applicant has provided information regarding existing and proposed traffic generation at the site, proposed vehicle access to Willoughby Lane, proposed access from Willoughby Lane to the Mansion site, proposed vehicle and cycle parking, refuse and recycling collection. A Road Safety Audit has been carried out to assess the safety of vehicle movements from Willoughby Lane to the access road to the rear of the Mansion and the impact this will have on the communal road layout in this area.

In general, the highways impacts arising from the previous proposal for the 22 flat proposal were found to be acceptable, with no adverse impacts on traffic capacity or parking demand anticipated. Again this is the case with the current proposal, which proposes a reduction in the number of flats to 20. However, the third reason for refusal raised a single point of concern in relation to the long term provision of passing bays on Willoughby Lane, which are considered to be necessary for road safety purposes to ensure that 2 vehicles can pass when travelling in opposite directions. As with the previous application, this is also a concern that has been expressed in representations from local residents.

To address this concern, the applicant has provided a deed confirming that they have a right of way over Willoughby Lane, including 8 passing bays with no provision for the Golf Club to remove any. From a legal perspective, this is satisfactory to demonstrate that there is a right of way granted which covers a right of access over the Lane and passing places, for any residential use approved by a full planning permission and listed building consent. On this basis, it is considered that the third reason for refusal in the previous application has now been addressed.

In this case, the level of parking provided (51 spaces) is considered to be acceptable, since representing more than 2 spaces per unit which is considered to be a practical and realistic level of parking considering the intended market for the proposed flats. Highways have however requested that a car park management plan is provided. Previously provision for 46 cycle spaces was made. The applicant is now providing 44 cycle spaces, which would accord with the London Plan. No technical highways objections have been raised to the proposed refuse storage and collection arrangements, although it is recommended that the capacity

is checked given the increase in the size of some of the units in comparison to the 22 flat scheme. Full details of refuse storage can be secured by condition.

In summary, the removal of cars from the forecourt area is considered to be a very important benefit of the proposed scheme and it is essential that acceptable alternative parking arrangements are in place. The extent of the proposed rear car park is a product of the number of units within the development and the low PTAL (zero) afforded to this site. The impact of the car park on the heritage assets, trees and the amenity of the adjacent residents are discussed elsewhere.

In terms of the impact from a highways point of view, it is considered that the number of trips generated by the development will not have a significantly detrimental impact on the highway network or the operation of Willoughby Lane in its own right and cumulatively with the Repton Development, Stable Villas and the car park for the golf course.

In terms of car parking for residents and visitors it is considered that there are a sufficient number of spaces and the conditions to deter parking on the forecourt are enforceable and reasonable. The proposed arrangements for vehicle access to the proposed car park have been scrutinised through a Road Safety Audit and the measures recommended to minimise adverse road safety conditions have been accepted by the applicant and demonstrated on submitted plans.

On this basis it is considered that the highway proposals or the development are acceptable subject to recommended conditions.

Trees and Landscaping

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

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

The applicant has submitted a detailed Tree Survey and Arboricultural Assessment. This document identifies all of the trees that were on the site at the time of the survey on February 3rd 2015, with updates provided in respect of the revised development now proposed. The survey makes recommendations for works to trees irrespective of the development proposals and then identifies the trees to be removed to enable the extension to be constructed. A total of 85 trees, 2 areas of trees, 2 groups of trees have been assessed as they lie in and around the area affected by the proposed development.

It should be noted that there is an area to the rear of the building is partially covered by a woodland Tree Preservation Order. The TPO boundary is set back from the existing rear retaining wall and this area is not covered by the TPO. In addition as part of the consented 14 unit scheme, terraces extended into the woodland bank at the rear of the Mansion and to enable this it was agreed that trees in this location could be removed.

Of the 85 trees, 2 groups of trees, 2 areas of trees and 1 woodland included within the tree survey, the tree removals proposed under the application proposals can be defined as follows:

Trees that have already been removed which comply with the consented 14 unit scheme are T002, T007, T008, T009, T015 , T036, T085, G001 (1 tree from) and A001 – partial removal. Of these trees, five were designated Cat U and were considered a hazard to site personnel. (5xU, 2xC, 0xB, 0xA sections of 2 Cat C groups or areas). Total of 7 individual trees and 2 partial groups/areas.

Other trees which have already been removed are T001, T003, T004 (0xU, 2xC, 1xB, 0xA). Total of 3 individual trees.

All of the above trees and low level vegetation, which have already been removed, were located outside of the Tree Preservation Order and therefore did not require prior permission for removal. They were removed to enable safe and clear access to carry out additional survey work on the embankment and within the woodland.

Of the trees approved for removal within the consented 14 unit scheme the following items remain outstanding – T014, T015, T016, T019 , T037, A001–partial, G001 – remaining specimens, and have yet to be removed. Several of the trees detailed individually within the previous survey are included within the understory items grouped as A001. Total of 5 individual trees and 2 partial groups/areas.

In addition to the previously approved removals under the consented 14 unit scheme, the following tree removals are required as a result of the proposed construction (not previously consented): T005, T006, T010, T011, T012, T013, T017, T018, T020, T021, T022, T023, T028, T043, A001 – partial, A002 – partial and W001 – partial. (1xU, 5xC, 8xB, 0xA, sections of 3 C areas/groups/woodland). Total of 14 individual trees and 3 partial areas/woodland groups

Of the outstanding tree removals listed above, 11 individual trees as well as partial low level vegetation from A001, A002 and W001 are covered by the TPO.

The partial removal of low level vegetation in A001, A002 and W001 was previously recommended for approval by the Tree Officer under application 15/00892/TPO.

With regard to the remainder of the trees, these will be retained with works recommended for some to ensure their long term survival.

The report also sets out details of tree protection measures during construction. An evaluation report of the impact of the proposed car park on tree canopy cover in the wider context has been submitted by the applicant. The construction will be undertaken using a sheet piling system to minimise the required extent of excavation. A deep soil layer will be provided on top of the roof of the proposed garages and a scheme of mitigation replacement tree planting has been submitted. It is anticipated that it will take 10-15 years to provide full canopy replacement.

In addition the evaluation report advises that this woodland is in a severely neglected state, with the spread of unwanted species and vegetation, and significant investment of resources will be required to improve this feature of the site. The development of the site in the manner proposed will allow works to restore and enhance the character of the woodland within the ownership of the applicant as well as open up access routes through the woodland and allow the restoration of the Pulhamite feature on the site.

The Council's Tree Officer has assessed the application and advises that the majority of trees that would be lost as a result of this development are shown to be in poor condition following the removal of much of the invasive species in this area. Whilst some of the trees are graded as category Class B, their individual value is limited.

The scheme has been reduced in scale at the back of the plot by removing parking bays on the lower level of the underground car park. This removes the need to stagger the retaining wall and will ultimately have a less damaging impact on this part of the woodland embankment. The amendments will allow for the retention of an additional 50m² of tree canopy cover. The previous comments associated with application 15/02398/FULL1 remain valid in respect of the overall impact of the development on protected trees. The parking requirement has resulted in new parking being proposed on the south side of the western drive. Trees situated here are not subject to any restrictions and have already been managed to accommodate the proposed access here.

The remainder of the woodland has fallen out of regular management and appears overgrown with pioneer species dominating the canopy layer. The opportunity to secure much needed improvements to the wider woodland and the provision of mitigating replacement planting in the area above the proposed garages outweigh the loss of trees proposed as part of this application is welcomed. There will also be additional planting between the side elevation of the garage and the boundary with 5 Stable Villas to improve the screening of this boundary.

With regard to the proposed landscaping for the site, the applicant has submitted a detailed Landscape Report which sets out the historical context of the landscaped park that was designed by Sir Humphry Repton. It is intended that the views to and from the existing gardens and woodland shall be enhanced wherever possible. The principle change in the landscaping is the removal of car parking from the gravel area in front of the main entrance and laying out of an oval shaped carriageway which is a similar layout to the original Repton design for this area. The importance of this feature has already been discussed in the section entitled Impact on Heritage Assets. To the east the lawns will be re-laid and retain the existing layout.

As mentioned above the woodland behind the Mansion will be managed and replanted with appropriate species. The Pulhamite features and woodland walks will be restored. Formal planting will be provided on the terraces to the south and east of the building. In addition there will be formal planting in the centre and around the perimeter of the entrance forecourt to provide an appropriate setting for the Grade 1 listed building.

Historic England have been consulted on the Landscaping Report for this Registered Park and they strongly support the woodland management plan, the planting of historic tree species, the restoration of significant historic features such as the historic pathways and carriageways and the Pulhamite features. The removal of the car parking at the front of the Mansion is a necessary historic benefit of the proposals for the Mansion and they consider it essential to have measures in place to prevent vehicles from parking at the edges of the carriageway.

In order to secure the significant improvements to the woodland within the applicant's ownership and other landscape related benefits described above and the implementation of that plan, it is recommended that a woodland management plan is secured by S106 legal agreement.

Scale and massing and layout and appearance

Design is a key consideration in the planning process. Good design is an important aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. The NPPF states that it is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes.

The NPPF requires Local Planning Authorities to undertake a design critique of planning proposals to ensure that developments would function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development. Proposals must establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit; optimise the potential of the site to accommodate development, create and sustain an appropriate mix of uses and support local facilities and transport networks. Developments are required to respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation. New development must create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion; and are visually attractive as a result of good architecture and appropriate landscaping.

UDP Policies BE1, BE11, H7 and H9 and London Plan Policies 3.5, 7.4 and 7.6 set out specific policy requirements relating to the standard of residential development that is expected in the borough. In addition Policy BE11 sets out standards expected for development involving or related to listed buildings. These policies refer to the design of new development, the standard that the development is

expected to meet and the impact on the amenities of future occupants of the development and occupants of nearby properties.

In terms of layout and appearance of the building, the following changes will be made to the existing Mansion building to accommodate the proposed 20 flats:

Excavation of existing basement areas:

The existing proposal shows substantial excavation of the existing basement to provide accommodation for flats 2, 3 and 4. The works will be entirely within the envelope of the existing basement with the exception of a new lightwell for flat 4 and a new basement terrace for flat 2 which will be on the eastern elevation. The terrace will be enclosed by railings at ground floor level and the lightwell will have planting around it.

A letter has been submitted by a specialist historic structural engineer who considers the impact of the excavation of the structural integrity of the building.

No concerns to this element are raised from an historic point of view and it is considered that the proposed basement terrace and lightwell will not detract from the appearance of the Mansion.

Increase in development at roof level:

Apartments 19, 20, 21 and half of 22 will be within the existing roof structure. Three new flats (Nos 18, 14 and half of 22) will be created at roof level by extending the existing roof structure. For flats 14 and 22 the new facade will be set back from the east elevation of the building significantly reducing the visibility of the roof extension. Flat 18 will be set back from the western elevation. Where the new extension on the east elevation meets the existing building a small 'link' has been provided at roof level.

No concerns to this element are raised from an historic point of view and it is considered that the proposed roof extension will not detract from the appearance of the Mansion.

Extension to the ballroom:

This is unchanged from the extension approved for the 14 unit scheme.

Internal courtyard:

A new internal central courtyard is proposed with a staircase extending from basement level to roof level, This will primarily link the new extension to the historic part of the building, provide primary and level access to all of the flats in this part of the building, including the roof top flats, and light and natural ventilation into this part of the building.

The design of the internal elevation and the staircase reflect the design of the rest of the building to ensure that this part of the building makes a positive contribution to the overall building.

Rear extension to provide new flats and car parking:

The external appearance of the flatted element of the rear extension has been designed to reflect the historic references to the original architect, John Nash. The scheme has distinctive set back arched fenestration which is a hallmark of John Nash and brings a distinctive appearance to the rear elevation of the extension. Some of the detailing, such as coping and string courses, is used to tie together the new and old elements of the building but the ornate features of the historic part of the building are not replicated on the new, giving it a simpler appearance.

The layout of the residential part of the new extension on the north side of the Mansion is similar to the layout previously approved but the width has increase by approximately 3m and the height by approximately 2m. This lifts the windows of the flats at first floor level above the cars that will be parked on the upper deck and allows level access to be provided from the car park, with the use of the lift, to the properties in this part of the building.

The previously approved scheme shows new flats in the extension at first and second floor levels and terraces for the first floor flats extending into the banked area at the rear. The proposed scheme extends into the bank by approximately 14m beyond the previously approved terrace and provides the 2 levels of car parking for the development.

The proposed car parking element of the extension will be at part ground floor and part first floor with access ramps down to the lower level and up to the upper garage/parking deck.

In terms of layout, this element will have the greatest impact on the future layout of the site. The applicant has taken measures to reduce the visual impact of the garage extension. The upper floor will be submerged with the proposed garages being covered with a deep layer of soil to incorporate the structure into the landscape. As previously discussed the garage will be largely screened from public view by existing buildings but it will be visible from the upper floors of some properties in Stable Villas.

Increase in number of units from 14 to 20:

As with the previous 22 unit scheme, some of the new units are achieved by reducing the size of some of the previously large units and some are achieved by new extensions, such as on the roof area.

Scale and massing:

As discussed above there is little change between the scale and bulk of the Mansion between the approved 14 unit scheme and the proposed scheme. The additional height and width of the flatted element of the rear extension and the

additional floorspace provided in the extensions at roof level are not considered to be substantial nor would it be detrimental to the setting of the listed building.

Impact on the character and appearance of the area

The Mansion forms part of a group of buildings that have seen significant change in form and use in recent years. The site, referred to as Repton Court, was previously called the Butten Building primarily residential accommodation associated with the use of the Mansion as a training and conference facility that operated from the mid 1950's until 2004 when planning permission was granted for conference, training, hotel and wedding function use of the Mansion and the Butten Building.

In 2005, permission was granted for the demolition of the Butten building and erection of 61 flats. The scheme at Repton Court today comprises a total of 41 flats and houses built in a traditional style which relates to the style of the Mansion. At the time of writing this report the units are largely complete and some are now occupied.

Permission was also granted for the change of use of the Coach House, now Stable Villas, to 5 units and this has been implemented. The building itself is statutory listed in its own right and was largely unchanged to achieve its conversion to residential.

At this time permission was granted for the Mansion to be a single dwelling.

The extant scheme for 14 units was granted and the applicant submits that this permission has been implemented. At present the site remains unchanged in its external physical form. The previous hotel use ceased in November 2014 and has been vacant since it was bought by the applicant at that time.

The setting of the buildings is determined by the extensive parkland and wooded area surrounding this collection of buildings which is a Grade II Registered Park. The land is used as a golf course which largely retains the form of the historic parkland with some additional tree planting over time to augment the golf course.

The area around the Mansion site is wholly residential with a grandeur that is derived from the historic buildings, the parkland and the form and appearance of the new development at Repton Court. As previously discussed the visual appearance of the Mansion from the wider public realm will be largely unchanged, particularly the west and southern elevations facing Willoughby Lane and the golf course. The new build extensions here will be largely screened by the existing buildings, including the view of the proposed parking part of the rear extension. From the east lawn, which can only be accessed from the Mansion, there will be some changes to the elevation towards the woodland but these will be in keeping with the historic appearance of this part of the building.

The removal of the car parking in the forecourt of the Mansion and the landscaping of this area to replicate the historical carriageway will have a significant visual impact on the character and appearance of the area. This will influence the

approach to all of the properties in this area and it is considered that this will have a significantly beneficial visual impact.

In terms of the impact of the additional vehicle movements in this area, the current proposals to develop the Cottage and the Mansion amount to an increase of 10 units above the extant permission for the site. This will generate more car vehicle movements to and from the site which will be entirely to the rear of The Mansion. It is considered that, when taken in comparison with traffic movements envisaged in 2005 and 2011, the volume of traffic generation will not be significantly greater or result in more harm to the area.

In summary it is considered that, taking account of all of these factors, the proposed development of the Mansion will not have an adverse impact on the character and appearance of the area or the setting of the listed buildings.

To conclude this section of the report the acceptability of the overall design of the development must take account of all of the aspects above. It is considered that the scale and massing, layout and appearance of the proposed restoration and new build elements of the scheme. In their own right, come together to provide a high quality design that will not detract from the character and appearance of the area or the setting of the listed Mansion.

Standard of Accommodation and Amenity Space

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

All new housing will be required to meet the standards set out in Policy 3.8 which seeks 90% of all new housing to meet Building Regulations 2010 M4(2) and 10% to achieve Building Regulations 2010 M4(3)(2)(b) for wheelchair accessible dwellings. This recently introduced standard has replaced the Lifetimes Homes and the GLA Wheelchair standards. In this case the layout of the wheelchair units should demonstrate that they are easily adaptable for future residents who are wheelchair users. The aim of this policy is to provide housing that is easily adaptable in order to lead dignified and independent lives. In order to secure these standards, it is necessary to apply a condition that the development meets the requirements meet the relevant Building Regulation standards.

In terms of the mix and type of house sizes, this development proposes the provision of units with a mix of sizes namely 2 x 1 bed units 14 x 2 bed units and 4 x 3 bed units. All of the units will be market units with no provision for affordable housing. This matter is discussed in more detail elsewhere in the report.

In terms of the size of the proposed units the smallest 1 bed flat measures 60.1 sqm and the relevant size standard in the London Plan is 50 sqm. The smallest 2 bed flat measures 73.7 sqm and the relevant size standard in the London Plan is 70 sqm. The smallest 3 bed unit measures 110.4 sqm, which exceeds the minimum space standard of 95 sqm.

In terms of wheelchair housing, flats 10 and 18 are identified to be wheelchair adaptable. The applicant has submitted detailed plans for each unit to demonstrate how it will meet that the wheelchair standards in the London Plan. A condition securing the compliance with the Building Regulations Part M4(2) and M4(3) is recommended.

In terms of amenity space, 10 of the flats would not have direct access to any private or communal amenity space. This is contrary to London Plan guidance in this respect which seeks to have private amenity space for all units. Whilst this is not a desirable position, it is relevant to take into account that all future residents will have access to the east lawn and the extensive woodland area to the north of the Mansion, the condition of which will be greatly improved under the proposed woodland management plan. On this basis the absence of private amenity space is considered to be acceptable.

All of the flats are dual aspect. In terms of the impact on daylight and sunlight, within the existing building to be retained there are not considered to be any daylight or sunlight issues. It should be noted that the flats in the northern elevation will not receive any direct sunlight.

The BRE study shows that the habitable rooms that take their light from the central courtyard cannot meet the angle of light required. In these cases efforts have been made to provide mitigating measures such as large windows, room layout changes and full height glazing. In the northern elevation many of the bedrooms and 2 of the living rooms that cannot achieve the angle of light required due to the tree back where the closest trees will be 36m away from this elevation,. In mitigation the applicant advises that the position for this proposal is an improvement on the position relating the 14 unit scheme where ceilings were lower and this elevation would have been closer to trees on the northern back.

Impact on Neighbour Amenity

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

Considerable concern has been raised by existing residents about the impact that the proposed vehicle access arrangements will have on their amenity and on road

safety grounds. Their concerns regarding highway safety are dealt with elsewhere in this report.

In terms of the impact on amenity there are several areas of concern, namely noise from vehicle movements in the parking courtyard and along the access road, disturbance from headlights of travelling vehicles and the impact of the alterations to the access road on the existing retaining wall (this has been discussed elsewhere in the report).

In the previous application, no objections were raised in respect of noise impacts from vehicular movements, and in this case, given the reduction in the number of units proposed, it is not considered that the noise impacts would be any greater than previously anticipated.

In terms of the impact of car headlights on nearby residents, the main concern is the impact of lights from cars leaving the upper deck after dark. The nearest property that could be affected directly are properties facing the courtyard in Stable Villas. The closest property is adjacent to the access road. Adjacent to this property is a retaining wall that will afford some protection from lights when the cars are in the deck area. At this point there will be a separation of approximately 34m and the rear elevation of the nearest property. There are also trees between the deck area and the rear of this closest property. There is also a garage building between the house and the access road which would provide some protection from headlights.

In view of the above it is considered that the disturbance from headlights is not likely to lead to a significant loss of amenity to nearby residents.

In terms of overlooking and privacy, the closest habitable room windows to adjacent properties serve bedrooms and a kitchen/diner in Flat 6, and living rooms in Flats 13 and 17 at 1st and 2nd floor levels respectively. None of the windows will look directly at the adjacent properties and the separation to the closest window is approximately 26m. On this basis it is considered that there would not be any significant harm to nearby residents by way of overlooking and loss of privacy.

S106 considerations

Policy IMP1 of the UDP and Policy 8.2 of the London Plan seeks planning contributions to mitigate the impact of development where they are appropriate, necessary and relevant to the development. In this case financial contributions to health and education are expected together with the provision of affordable housing. In addition the preparation and implementation of a woodland management plan should be secured by legal agreement.

The applicant has submitted a financial viability assessment, as part of the consideration of the provision of affordable housing. The FVA seeks to demonstrate that the current scheme is not viable for the provision of affordable housing or health and education on the grounds that the overall scheme is unviable as it is below accepted profit targets for development.

The viability assessment has been independently assessed on behalf of the Council and the appointed consultant has considered the report in detail. Their conclusions have verified the claims of the applicant that the scheme will not fall within an acceptable profit threshold if affordable housing, health and education contributions are sought. In addition, the Council's consultant has also provided advice on the viability of the previously consented 14 unit scheme. This would also fail to achieve the required level of profit to enable the development to proceed, with a lower return than the scheme now under consideration.

The proposed improvements to the woodland area discussed below are included in the development proposal and it is recommended that the submission and implementation of the woodland management plan to secure improvements to the wider landscaped area within this site are secured by legal agreement.

In addition measures should be included in the legal agreement to ensure that any hardstanding for car parking and any structures for cycle parking and bin store associated with residential use of The Cottage are removed should planning permission be granted for the current scheme for the Mansion. Furthermore, it is recommended that the long term availability of the passing bays along Willoughby Lane, as set out in the submitted deed, also be secured through the S106 agreement. These matters are discussed elsewhere in the report.

Other Technical Matters

Ecology

In policy terms this report is assessed against Policy 7.19 of the London Plan which seeks a proactive approach to the protection, enhancement, promotion and management of biodiversity in support of the Mayor's Biodiversity Strategy.

In respect of the previous application, no ecology concerns were raised based on the submitted information. The applicant has again submitted a Protected Species Assessment that concludes as follows:

- Historic and up to date surveys do not identify any bat roosts within the building so no further survey work in this respect is needed.
- The pond and woodland habitats were flagged up as potential great crested newt habitats. However the car park extension is not likely to cause disturbance due to its distance from the pond (the pond is located outside the application site beyond the woodland approximately 150m to the north)
- The trees to be felled should be inspected for present bat species by an ecologist and retained trees should be protected to reduce the implications of heavy machinery.
- The reinstatement of the woodland walks could put the habitat of great crested newts at risk and it is recommended that no works on the woodland walk shall be undertaken until the results of a survey of the off-site pond has been carried out. If necessary mitigation measures will be required. A further report regarding the likely presence of GCN at this pond confirming that all tests for GCN at the pond tested negative.

- Removal of dead wood in the construction zone should be carried out carefully to protect any stag beetle larvae.
- There is no evidence to support the presence of badgers. Hedgehogs may be present but no further survey work is required.
- The Woodland Management Plan should include measures to enhance the biodiversity value of the site.

As with the previous application it is recommended that the development is carried out in accordance with the findings and recommendations of the report.

Sustainability and Energy

The applicant has submitted an Energy Statement which sets out measures to meet London Plan policies 5.2: Minimising carbon dioxide emissions and Policy 7.7: Renewable energy.

The report is considered to be thorough and addresses the constraints of the listed building. The applicant concentrates on energy efficiency to meet the London Plan targets and no renewables are included. This is acceptable in these circumstances and a condition is recommended seeking the submission of a further assessment once all the details have been confirmed.

Drainage

The site lies within Flood Zone 1. The applicant has submitted a Drainage Strategy Assessment with the application submission. On the basis of the information supplied the Councils Drainage Officer raises no objections to the proposed Drainage Strategy subject to standard conditions.

Mayoral Community Infrastructure Levy

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

Environmental Impact Assessment

The proposed development is Schedule 2 development (under paragraph 10(b) being an 'urban development project' with a site area of more than 1 hectare.

An EIA screening opinion was undertaken on January 5th 2015 for the development of this site for 22 units and, taking account of the selection criteria in Schedule 3 of the Regulations, the development now proposed would not be likely to have significant effects on the environment generating a need for an EIA by virtue of its nature, size, location or the characteristics of potential impact and is not EIA development.

Overall conclusion

The proposed development presents a development that the applicant advises will result in a feasible scheme that would secure the long term future for this site.

The site is a Grade I listed building which sits within a Grade II Registered Park and, as such, has considerable heritage value at local and national level. Previous proposals for the Mansion have not come forward and the building is now vacant.

The proposal represents a scheme which is considered to be inappropriate development within Metropolitan Open Land on the basis that the proposal would result in an increase in the amount of built development on site and would impact on openness. The previous proposal for the extension and conversion of the Mansion to provide a total of 22 flats was refused on three grounds, including that the harm to the MOL, together with other harm including the loss of trees, was not clearly outweighed by the benefits of the development including the heritage benefits to Sundridge Mansion and its setting, the Woodland Management Plan and housing provision.

This revised proposal is for a reduced amount of built volume on the site, achieved through the removal of a row of car parking spaces within the car parking area at the back of the Mansion. It is also considered that this would have some additional benefit in terms in removing the need to stagger the retaining wall, which will ultimately have a less damaging impact on this part of the woodland embankment.

The total increase in built volume on the site would now be 34.5%, in comparison to 40.1% as previously proposed (under ref. 15/02398/FULL1), whilst the footprint would remain the same as proposed under ref. 15/02398/FULL1, representing a 32.2% increase above the existing footprint of development on the site. The extent of hardstanding and soft landscaping has increased however, as a result of the inclusion of additional land within the application site boundary and the provision of additional car parking at surface level.

Therefore, it is again necessary to demonstrate that 'very special circumstances' exist that clearly outweigh the potential harm to the MOL by way of inappropriateness and any other harm.

Detailed documentation of the benefits that the proposed development would deliver to overcome the main objection on MOL grounds have been submitted and discussed above. It is considered that the primary material considerations in this respect are as follows:

- The reuse and extension of the building will secure the long term future of this Grade I listed building of significant importance.
- Improvements to the setting of the listed building by the removal of existing car parking from the forecourt and returning this area to landscaping.
- Significant improvements to the existing woodland and other landscape features, including the woodland walks and the Pulhamite Grotto in the Grade II Registered Park.
- Delivery of 20 new homes to contribute to the delivery of the Council's housing targets.
- Visual impact of the proposed development is reduced by the siting of most of the increase in the floorspace volume to the rear of the Mansion.

The viability of the scheme has been assessed by the applicant and an independent consultant appointed by the Council and it has been found that the proposed scheme is feasible for the applicant but falls below the profit threshold that is widely recognised to be appropriate.

In addition it is necessary to balance the benefits from the proposed development with the concerns of residents particularly in terms the visual impact of the proposed garage extension, loss of trees, traffic generation, highway safety and the impact on amenity.

The proposed garage extension will provide parking for a considerable number of cars. The applicant has assessed the likely traffic flow and found that it would not be unduly excessive. The access arrangements have been carefully considered and tested through a Road Safety Audit. With mitigating measures that the applicant accepts, it is considered that the operation of the proposed access road is acceptable.

The proposed upper deck of the car park and the entrance to the lower deck may be visible from the upper floors of the nearest residential properties but the separation distance and intervening trees are likely to reduce the visual impact of this part of the development. A Noise Impact Assessment has been submitted which concludes that the forecast traffic movements will not have an unduly harmful impact on residents.

In terms of the loss of trees, many of the trees to be lost are already agreed for removal under a previously consented scheme or are outside the TPO area at the rear of the Mansion. The impact of the trees that will be lost will not have a significant impact on the wider view of the woodland and its importance in the setting of the listed building and replacement tree planting is shown on the landscaping plans. In this respect the benefits of the proposed improvements to the wider woodland, which has been severely neglected and in poor condition, must be considered. No further arboricultural concerns have been raised in respect of additional tree removal required to facilitate the car parking area to the south-west of the main forecourt.

Taking all of these factors into account it is considered that the identified benefits of the proposed scheme would amount to 'very special circumstances' which clearly outweigh the reduced level of harm done to the MOL as set out in this application and any other harm identified in this report, and the proposal is acceptable.

Having considered all of the factors above it is considered, on balance, that the proposed development is acceptable and planning permission is recommended subject to conditions and the signing of a S106 legal agreement to secure the submission and implementation of the woodland management plan and the removal of car parking spaces, cycle parking and bin stores structures associated with The Cottage if the development for 4 units is completed in this building before the completion of any scheme for the conversion and extension of the Mansion, as well as the long term availability of the passing places on Willoughby Lane.

Background papers referred to during the production of this report comprise all correspondence on file ref: 16/04478/FULL1 and 16/04477/LBC, excluding exempt information.

RECOMMENDATION: PERMISSION SUBJECT TO PRIOR COMPLETION OF LEGAL AGREEMENT to secure the submission and implementation of the woodland management plan and the removal of car parking spaces, cycle parking and bin stores structures associated with The Cottage, and the availability of the passing bays along Willoughby Lane.

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 only be carried out in complete accordance with the details shown on the submitted plans and documents.

Reason: For the avoidance of doubt and to ensure the satisfactory implementation of the development in accordance with Policy BE1 of the 3. Bromley Unitary Development Plan

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 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 and samples of all external hard landscaping materials 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

5. Details and samples of new 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. Any replacement windows shall match the design and materials of the windows to be removed.

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. Prior to the commencement of the development hereby permitted a Construction Traffic 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
- 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,
- Details of the main issues and challenges (e.g. narrow streets, close proximity to residential dwellings and how would a 20 tonne tipper lorry move on Willoughby Lane 3 times per day and how would traffic marshals make ensure that there are no conflicts with other developments in the area and on the route.
- Full contact details of the person responsible for dealing with any complaints from local residents and businesses, etc and person responsible for the implementation of the CMP (Construction Management Plan).
- Accurate scaled drawings of any highway works necessary to enable construction to take place (e.g. construction of temporary vehicular accesses).
- Detailed (to-scale) plan showing the impact on the public highway including; the extent of hoarding, pedestrian routes, parking bay suspensions and remaining road width for vehicle movements
- Details of all safety signage, barriers and accessibility measures such as ramps and lighting etc.
- A swept path drawings for any tight manoeuvres on vehicle routes to and from the site including proposed access and egress arrangements at the site boundary
- but shall not be limited to these.

The Construction Traffic Management Plan shall be implemented in accordance with the agreed timescale and details.

Reason: In order that the local planning authority may be satisfied that the demolition and construction process is carried out in a manner which will minimise possible noise, disturbance and pollution to neighbouring properties and to ensure satisfactory vehicle management in accordance with Policies BE1 T5, T6, T7, T15, T16 & T18 of the Unitary Development

7. Details of the layout of the access road and turning area including its junction with Willoughby Lane and dimensions of visibility splays shall be submitted to and approved in writing by the Local Planning Authority and these access arrangements shall be substantially completed before any part

of the development hereby permitted is first occupied. There shall be no obstruction to visibility in excess of 0.6m in height within the approved splays except for trees selected by the Authority, and which shall be permanently retained.

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

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

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

9. Before to the commencement of highways works to the rear access road, a Stage 2 Road Safety Audit shall be submitted to and approved in writing by the Local Planning Authority. The submission shall include details of traffic lights, retaining wall, sight lines, signage and additional swept path in light of cutting back the hedge area to widen the carriageway, site clearance, general arrangement, signs and road marking, setting out, standard details. The works shall be implemented strictly in accordance with the approved details 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 approved works and before they are opened to road users. The road safety auditor should also request for a member of LBB traffic team to be present on site at the time of stage 2 audit.

Reason: In order to comply with Policy T5, T6, T7, T15, T16 & T18 of the Unitary Development Plan and in the interests of highway safety.

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

The statement shall include details of:

- **Type and siting of protective fencing, and maintenance of protective fencing for the duration of project;**
- **Type and siting of scaffolding (if required);**
- **Details of the method and timing of demolition, site clearance and building works**

- **Depth, extent and means of excavation of foundations and details of method of construction of new foundations**
- **Location of site facilities (if required), and location of storage areas for materials, structures, machinery, equipment or spoil, and mixing of cement or concrete;**
- **Location of bonfire site (if required);**
- **Details of the location of underground services avoiding locating them within the protected zone**
- **Details of the method to be used for the removal of existing hard surfacing within the protected zone**
- **Details of the nature and installation of any new surfacing within the protected zone**
- **Methods proposed for the watering of the trees during the course of the project**

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

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

11. Before any work on site is commenced, a site-wide energy strategy 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 an agreed reduction in carbon dioxide emissions of at least 35% above the TER level required by the Building Regulations 2013. 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 the most up to date scheme at the time of implementation and to achieve compliance with the Mayor of London's Energy Strategy and Policy 5.2 and 5.7 of the London Plan 2011

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

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

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

Reason:: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to impact on local underground sewerage utility infrastructure.

14. Prior to the commencement of any works for the restoration of the pulhamite feature, a detailed specification of works, including a timetable of works, shall be submitted to and approved by the local planning authority and the works shall be carried out in strict accordance with the approved specification in accordance with the timetable of works and permanently retained in good order thereafter.

Reason: In order to comply with policies G2, BE1 and H8 of the Unitary Development Plan and improve the character and appearance of the area and the setting of the listed building.

15. Details of any signage erected on the site shall be submitted to and approved by the local planning authority prior to the first erection of any signage and implemented in accordance with the approved details and permanently retained thereafter.

Reason: To protect the setting of the heritage assets and avoid unnecessary clutter and to comply with Policies BE1 and BE8 of the Unitary Development Plan.

16. The development hereby permitted shall be built in accordance with the criteria set out in Building Regulations 2010 M4(2) 'accessible and adaptable dwellings' for the units identified in the application as non-wheelchair units and shall be retained permanently thereafter

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

17. The development hereby permitted shall be built in accordance with the criteria set out in Building Regulations 2010 M4(3) 'wheelchair user dwellings' for the units identified in the application as wheelchair units (Units 10 and 18) and shall be retained permanently thereafter.

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

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

18. With the exception of tree protection measures, work to trees on the site shall be carried out in accordance with the recommendations in the report entitled Tree Survey, Arboricultural Impact Assessment Preliminary Arboricultural Method Statement and Tree Protection Plan by Hayden's dated 22.9.2016 Rev D. The works shall be completed prior to the first occupation of any of the residential units.

Reason: In order to comply and the approved report and with Policy NE7 of the Unitary Development Plan.

19. With the exception of the Mansion forecourt area, the area to the south-west of the forecourt entrance and the requirement to submit details of the hard landscaping materials, the landscaping scheme set out in the report entitled Sundridge Park Mansion Planning Application - Landscape report by Liz Lake Associates dated April 2016 and plan 1295 A4 01F: General Arrangement Hard Landscape, shall be implemented in the first planting season following the first occupation of the buildings or the substantial completion of the development whichever is the sooner. Any trees or plants which within a period of 5 years from the substantial completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species to those originally planted.

Reason: In order to comply with Policy BE1 and BE8 of the Unitary Development Plan and to secure a visually satisfactory setting for the listed building that respects the existing historic environment .

20. There shall be no car parking in the western forecourt area, and on the south and east side of the Mansion building at any time. Details of measures to secure this, including soft and hard landscaping layout shall be submitted to and approved in writing by the local planning authority prior to the first occupation of any of the residential units in the Mansion, implemented in accordance with the approved plans and permanently retained thereafter.

Reason: In order to comply with policies G2, BE1 and H8 of the Unitary Development Plan and improve the character and appearance of the area and the setting of the listed building.

21. Prior to the first occupation of any of the residential units a Service and Delivery Plan for the use of the forecourt area shall be submitted to and approved in writing by the local planning authority and the forecourt shall be used by vehicles in accordance with the approved details which shall be permanently retained thereafter.

Reason: In order to comply with Policy BE1 and BE8 of the Unitary Development Plan and to secure a visually satisfactory setting for the listed building that respects the existing historic environment.

22. Before commencement of the use of the land or building hereby permitted parking spaces and garages and turning space shall be completed in accordance with the approved details and thereafter shall be kept available for such use. No permitted development whether permitted by the Town and Country Planning (General Permitted Development Order 1995 (or any Order amending, revoking and re-enacting this Order) or not shall be carried out on the land or garages indicated or in such a position as to preclude vehicular access to the said land or garages.

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

23. The floor of the garages shall be constructed at such level that the gradient of the access drives does not exceed 1:8 at any point, as calculated from the levels of the back edge of the footway to the front of the garage floors.

Reason: In order to comply with Appendix 2 of the Unitary Development Plan and in the interest of pedestrian and vehicular safety.

24. 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.

25. 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. The collection day bin storage area shall be used for the storage of bins on collection day only and all bins shall be returned to the bin store within the Mansion on collection day.

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

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

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

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

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

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

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

29. Prior to the first occupation of the development hereby approved drainage works shall be carried out in accordance with the Drainage Strategy Statement by GH Bullard and Associates dated December 2015 and Addendum to Drainage Strategy Statement dated March 2016 and plans 154/01 (50) 101C and 183/2015/01 Rev P1. The approved works shall be carried out in strict accordance with the approved plans and documents 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.

30. All external lighting shall be carried out in accordance with the Lighting Strategy Report dated August 2015 and plans 12115/1A and 1295 A3 04C by Liz Lake and shall be implemented prior to the first occupation of any of the units and permanently retained in operational order thereafter.

Reason: In the interests of the amenity and security of the occupants of the proposed dwellings and in accordance with Policy BE1 of the Unitary Development Plan.

31. No structure, plant, equipment, machinery or domestic furniture or associated outdoor paraphernalia shall be placed, erected or installed on or above the roof or on external walls.

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.

32. Demolition and construction works associated with the approved scheme shall not take place before 0800 or after 1800 on any weekday nor before

0800 and 1300 on any Saturday. No works shall take place on any Sunday, Bank Holiday, Christmas Day or Good Friday unless otherwise approved in writing by the local planning authority

Reason: To protect the amenities of local residents and the wider area and to comply with Policy BE1 of the Unitary Development Plan.

33. Prior to the first occupation of any of the flats, the findings and recommendations of the ecology report entitled Protected Species Assessment by The Ecology Partnership dated January 2016 shall be implemented in accordance with the details of the report and permanently retained thereafter.

Reason: In the interests of improving biodiversity and to comply with Policy 7.19 of the London Plan 2016.

34. 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.

35 A Car Park Management Plan shall be submitted to and approved by the Local Planning Authority and implemented prior to first occupation of the development in accordance with the approved details and retained permanently thereafter.

Reason: To ensure adequate access to car parking spaces in accordance with the Policy P3 of the Unitary Development Plan.

36 Details of hard and soft landscaping for the area on the south-west side of the main entrance, including the new car parking area, shall be submitted to and approved by the Local Planning Authority and implemented prior to the first occupation of any of the proposed units and permanently retained thereafter.

Reason: In the interests of the setting of the listed building and to comply with policies BE1 and BE8 of the Unitary Development Plan.

Informatives

1. You are advised that this application may be liable for the payment of the Mayoral Community Infrastructure Levy under the Community Infrastructure

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

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

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

2. You should consult Street Naming and Numbering/Address Management at the Civic Centre on 020 8313 4742, email address.management@bromley.gov.uk regarding Street Naming and Numbering.

3. 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.

4. 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

5. With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses, or suitable sewer, In respect of surface water it is recommended that the applicant should ensure the storm flows are attenuated or regulated into the receiving public network through on and off site storage. When it is proposed to connect to a combined sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777

6. Thames Water recommend that all petrol/oil interceptor be fitted to all car parking/washing/repair facilities. Failure to enforce the effective use of petrol/oil interceptors could result in oil-polluted discharges entering local watercourses.

Thames Water aim to provide customers with a minimum pressure of 10m head (approx. 1 bar) and a flow rate of 9litres/minute at the point where it

leaves Thames Water pipes. The developer shall take account of this minimum pressure aim the design of the proposed development.

7. A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or emailing wwwriskmanagement@thameswater.co.uk. Application forms should be completed online via www.thameswater.co.uk/wastewaterquality.

8. The applicant should incorporate within their proposal, protection to the property by installing for example, a non-return valve or other suitable device to avoid risk of backflow at a later date, on the assumption that the sewerage network may surcharge to ground level during storm conditions.

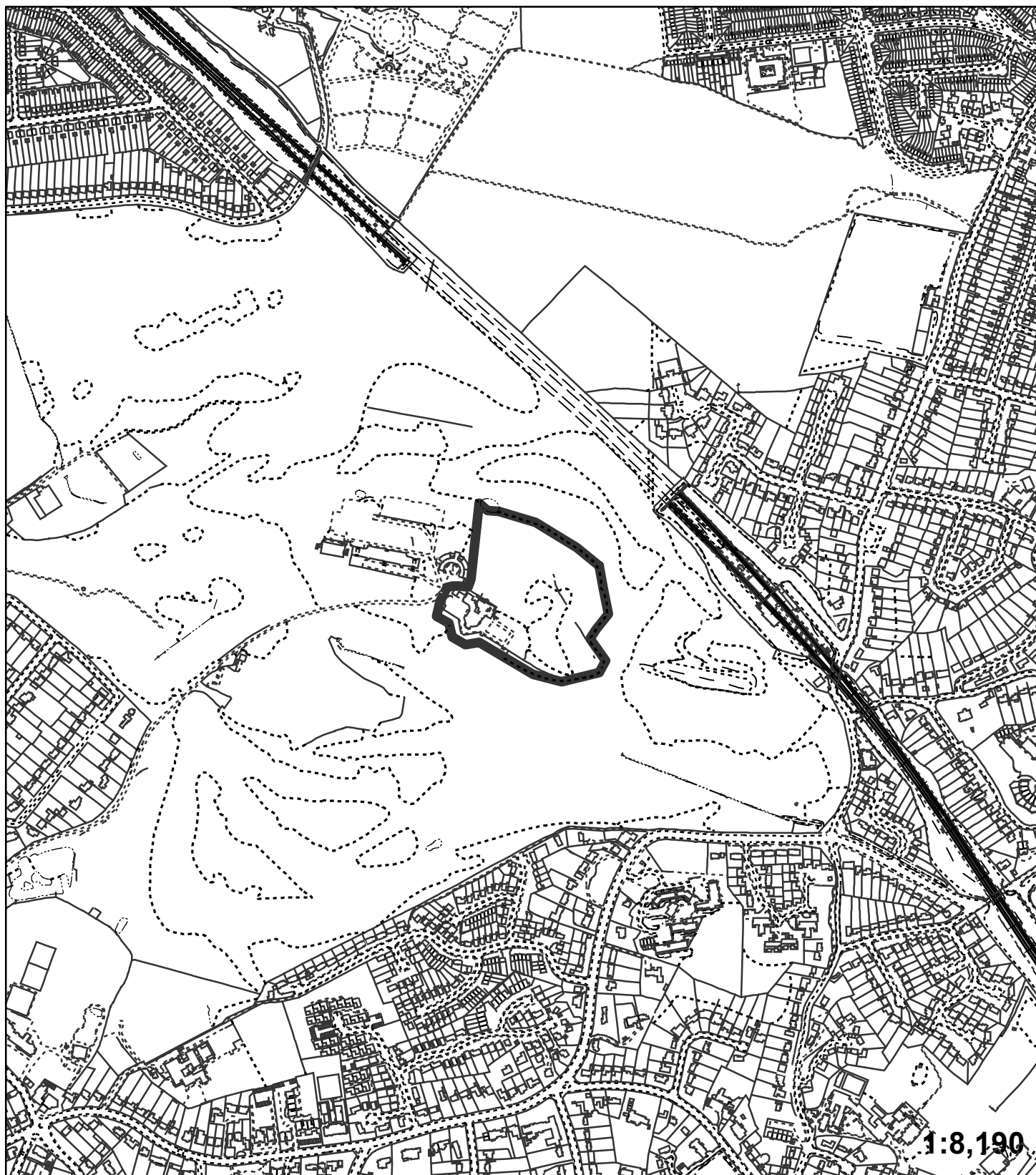
9. Conditions imposed on this planning permission require compliance with Part M4 of the Building Regulations. The developer is required to notify Building Control of the requirements of these conditions prior to the commencement of development.

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Application:16/04478/FULL1

Address: Sundridge Park Manor Willoughby Lane Bromley BR1 3FZ

Proposal: Change of use of existing Grade 1 listed Mansion to 20 residential dwellings, with associated internal/external alterations and partial demolition works, rear extensions, rear car park, cycle parking and refuse/recycling provision, hard and soft landscaping (including removal of



"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 which were approved under refs: 16/00679/HHPA and 16/04202/PLUD.

The original house as approved in 1922 and 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 Berrys 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 (2016):

The most relevant London Plan policies are as follows:

- 5.1 Climate change mitigation
- 5.2 Minimising carbon dioxide emissions
- 5.3 Sustainable design and construction
- 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
- G4 Extensions / Alterations to Dwellings in the Green Belt or on Metropolitan Open Land

Draft Local Plan (2016):

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 37 General Design of Development
- Draft Policy 49 The Green Belt

Other Guidance

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

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 Green Belt;
- Design, scale and bulk; and
- Neighbouring amenity

Principle of Development:

The primary consideration in this case is whether the proposed extension 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 (granted on 15th November 2016) for single storey side and rear extensions and detached outbuilding however, will marginally increase the overall height of the building but in doing so would create a cohesive development which would not cause harm to

the Green Belt by reason of inappropriateness and thus would constitute very special circumstances as identified in paragraph 87 of the NPPF. As such it is considered that the proposal would comply the above policies.

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 inappropriate within the Green Belt as specified by paragraphs 87, 88 and 89 of the NPPF. It is noted that 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 extension this property lacks cohesion in its design and therefore the main focus of the proposal is to harmonise the external appearance of the building. However, the applicant has put forward the following very special circumstances in order to justify the inappropriate development over the design which 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.

Summary:

Whilst the extensions in total represent inappropriate development in the Green Belt by definition, it is considered that the harm by reason of its inappropriateness is outweighed by other considerations so as to constitute very special circumstances. 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.

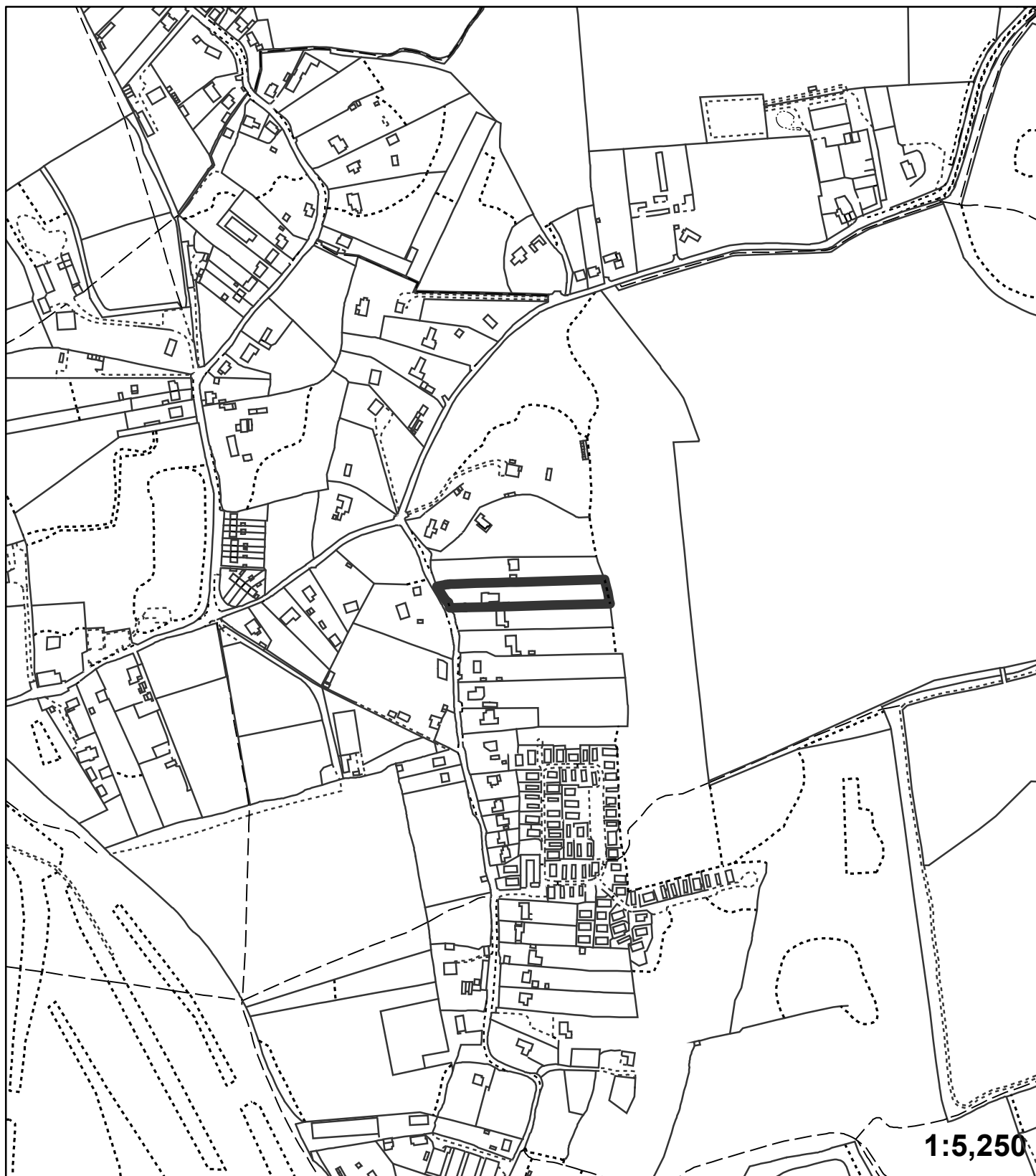
- 3 Details of the materials to be used for the external surfaces of the extension shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced. The works shall be carried out in accordance with the approved details.**

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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SECTION '2' – Applications meriting special consideration

Application No : 16/05164/FULL1

Ward:
Copers Cope

Address : 61 The Avenue Beckenham BR3 5EE

OS Grid Ref: E: 538603 N: 169870

Applicant : Avestron Development Ltd

Objections : YES

Description of Development:

Demolition of existing dwelling and erection of 2 no. two storey detached dwellings with accommodation in roof space; formation of additional vehicle access.

Key designations:

Conservation Area: Downs Hill
Biggin Hill Safeguarding Area
London City Airport Safeguarding
Smoke Control SCA 12

Proposal

It is proposed to demolish the existing detached dwelling and to erect two detached two storey dwellings with accommodation in the roof space along with the formation of a vehicular access.

The detached dwellings would be sited with their front elevations at a right angle to each other, with House A sited adjacent to the western boundary of the site, broadly aligning with No. 59a. House B would be sited adjacent to the northern boundary of the site, adjacent to No. 67 The Avenue.

A separation of approx. 3.3m is shown to be provided between the flank elevation of House A and the western boundary and approx. 2.8m side space would be provided between the northern flank elevation of House B and the boundary. The dwellings would be sited with a separation between the individual dwellings of approx. 5m.

Each dwelling would provide 5/6 bedrooms arranged over the first and attic floors (taking into account a room annotated as a study). The proposed dwellings would incorporate a deeply pitched roof sloping down from the ridge to end above the top of the ground floor front facing window, with a modest front facing dormer set within this roof slope. Gabled front projections are also proposed to each dwelling, to the western side of House A and the northern side of House B.

The decorative gable of House A would be tile hung while that of House B would be incorporate decorative brick set within a mock-tudor timber/render detailing.

To the front of the proposed dwellings a hardstanding would provide off-street parking at a level of 3 spaces per house. Bicycle storage would be provided in structures sited between and forward of the proposed dwellings. Refuse stores would be provided within each proposed curtilage towards the front of the site,

adjacent to the vehicular accessway. The parking spaces would be accessed via crossovers towards the western and northern boundaries on either side of the site. The application redline site incorporates the verge area to the front of the site. The agent has confirmed that a licence has been obtained from the landowner (Cator Estates) to carry out the crossover works and other landscaping works in front of the boundary.

Private amenity space would be provided through the installation of 1.8m high close boarded fencing at the rear between the dwellings. As a consequence of the orientation of the dwellings in relation to each other the shape and depth of the rear gardens would differ, with the rear garden of House A being approx. 16m wide and 12m deep and the garden of House B being 8.5m wide at its narrowest point and 17m deep. Further amenity space would be provided to the front and side, with soft landscaped grounds with the exception of the hardstanding parking areas.

First floor rear balconies would be provided above the ground floor bay projection from the kitchen/family room of each dwelling. The balconies would each have a full height brick screen wall elongating the first floor western and northern flank elevations of House A and House B respectively.

Location

The application site is located to the northern edge of The Avenue at its eastern end, towards the junction with Downs Hill. It forms the southern boundary of the Downs Hill Conservation Area. The Avenue is an unmade and unadopted highway.

The application site is occupied by a detached two storey dwelling close to the northern boundary of the site. The site is a prominent, large corner site, elevated above the road junction. The host dwelling is not considered to be of any particular architectural merit.

Other properties in the locality are of commensurate size and scale to the existing dwelling, although the nearest dwellings in The Avenue are generally set more modest plots than is characteristic to the north, west and east of the site, incorporating that part of Downs Hill that lies within the Conservation Area. The siting of the existing dwelling towards the northern boundary of the site leaves a generous area of garden land between the host property and the southern and eastern boundaries, and this retained space between built development makes a positive contribution to the Downs Hill Conservation Area since it can be seen from within Downs Hill. The site is densely treed and the mature trees, landscaping and spaciousness of the site contribute to a semi-rural quality to the area.

To the south of the site and on the opposite side of The Avenue is a flatted development known as West Oak, which falls outside of the Conservation Area. The four properties within the conservation area to the west are detached two storey dwellings. Beyond this to the west at both northern and southern edges of The Avenue the development comprises predominantly blocks of flats ranging in size and design.

The Downs Hill Conservation Area was designated in 1989 and the Council adopted a Supplementary Planning Guidance (SPG) document for the Downs Hill Conservation Area which was the subject of public consultation.

The Conservation Area is broadly characterised by detached dwellings, unified by their age and their incorporation of neo-Tudor and neo-vernacular elements, including timber beams and cottage effect modest dormer windows.

Consultations

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

- While the proposal has attempted to overcome the concerns expressed by the Planning Inspectorate, the plans represent an overdevelopment of the site
- Second floor/three storey accommodation is not a feature common to the character of the Conservation Area and while the Inspector did not explicitly state that three storey development was unacceptable, reference was made of the mass of development close to neighbouring properties and the bulk and scale of the proposals being informed by the deep roof accommodating a second floor
- The lack of garages does not conform with neighbouring and nearby properties. The increased hardstanding would reduce the green open space on the site
- The first floor balconies would set a precedent and result in loss of privacy
- The footprint is too big and there would be inadequate garden space
- Lack of parking would result in overflow parking in Downs Hill
- The ridgeline of the proposals are higher than adjoining properties
- The proposals would result in the loss of views of the large host garden and landscaping, detrimental to the Conservation Area

A letter of support has been received which can be summarised:

- Two family houses are an acceptable solution for the development of the site
- The present site and the entrance to The Avenue is unsightly and the latest proposal will enhance the entrance, improving the road surface and the proposed landscaping to the frontage

Technical Comments

Advisory Panel for Conservation Areas

No objections were raised.

Environmental Health

There are no objections to the scheme. If permission is granted, a condition relating to Air Quality Management is recommended.

Thames Water

There are no technical objections to the proposal from a water and sewerage infrastructure capacity perspective.

Highways

The site is located in an area with a PTAL rate of 2. The current application for two dwellings is an improvement from a highways perspective on the previous proposals and the level of parking for the proposed development is acceptable. Cycle parking should be relocated as close to the entrance of the proposed development in order that convenience and security may be maximised.

Planning Considerations

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

- BE1 Design of New Development
- BE11 Conservation Areas
- BE12 Demolition in Conservation Areas
- H1 Housing Supply
- H7 Housing Density and Design
- H9 Side space
- NE7 Development and Trees
- T3 Parking
- T18 Road Safety

Supplementary Planning Guidance 1 & 2.

Supplementary Planning Guidance: Downs Hill Conservation Area.

The Council is preparing a Local Plan. A period of consultation on the proposed draft Local Plan (under the Town and Country Planning (Local Planning) (England) Regulations 2012 as amended) ran from November 2016 and closed on December 31st 2016. It is anticipated that the draft Local Plan will be submitted to the Secretary of State in 2017.

- | | |
|-----------------|-------------------------------|
| Draft Policy 1 | Housing Supply |
| Draft Policy 64 | Housing Design |
| Draft Policy 30 | Parking |
| Draft Policy 37 | General Design of Development |
| Draft Policy 8 | Side Space |
| Draft Policy 11 | Conservation Areas |
| Draft Policy 73 | Development and Trees |

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

- 3.3 Increasing Housing Supply

- 3.4 Optimising Housing Potential
- 3.5 Quality and Design of Housing Developments
- 3.8 Housing Choice
- 3.9 Mixed and Balanced Communities
- 5.12 Flood Risk Management
- 5.13 Sustainable Drainage
- 6.9 Cycling
- 6.13 Parking
- 7.1 Building London's Neighbourhoods and Communities
- 7.2 An Inclusive Environment
- 7.3 Designing Out Crime
- 7.4 Local Character
- 7.6 Architecture
- 7.8 Heritage Assets and Archaeology
- 7.21 Trees and Woodland
- 8.3 Community Infrastructure Levy.

The Mayor's Housing Supplementary Planning Guidance.

The National Planning Policy Framework, with which the above policies are considered to be consistent.

Planning History

81/01123 Permission refused for two detached houses

82/01136 Permission refused for four terraced dwellings

Both these applications relate to the erection of No. 59 and No. 59a on land that was formerly part of No. 61. The refusal of two dwellings under ref. 81/01123 was subsequently allowed at appeal.

15/02906

Under reference 15/02906 planning permission was refused for the demolition of the existing dwelling and the erection of 2 part two/three storey flatted blocks. Permission was refused on the ground:

"The proposals, by reason of the size, height, bulk and massing of the buildings, would result in an overdevelopment of the site and would fail to preserve or enhance the character and appearance of the Downs Hill Conservation Area, thereby contrary to Policies BE1, BE11 and H7 of the Unitary Development Plan and Policy 3.5 of the London Plan."

A subsequent appeal against the refusal of planning permission was dismissed.

The Inspector identified "unifying factors" within the Conservation Area, including the widespread use of bay windows, applied timber framing and white rendering, with a cottage effect in some dwellings achieved through the provision of small dormers set into the roof.

The Inspector considered that the substantial footprint and volume of the buildings would have meant that the proposal would have appeared cramped and out of keeping with the surrounding area. In particular, she referred to the small gap provided between the buildings and the consequent relationship between the buildings being very close when compared to most other buildings in the conservation area. The Inspector further referred to the bulkiness of the roof forms of the proposed buildings, incorporating a central flat roofed element which would have appeared much bulkier when compared with other more traditional roof forms in the area, while noting that the overall roof heights would have been broadly consistent with 59A and the general increase in ridge heights along Downs Hill.

In conclusion, it was found that the proposed development would have failed to preserve or enhance the character and appearance of the conservation area, with particular concern expressed as summarised above, regarding the cramped nature of the development, lack of space between the buildings and the bulkiness of the roof forms.

14/03502

Under reference 14/03502 planning permission was refused for the demolition of the existing detached dwelling and the erection of two storey buildings with accommodation within the roofspace to provide eight two bedroom flats. The previously refused proposal incorporated 12 car parking spaces accessed via a total of 3 vehicular access points (2 new vehicular accesses and the retention of the existing access). Planning permission was refused on the following grounds:

"1. The proposals, by reason of the size, height, bulk and massing of the buildings, would result in an overdevelopment of the site, which would fail to preserve or enhance the character and appearance of Downs Hill Conservation Area, thereby contrary to Policies BE1, BE11 and H7 of the Unitary Development Plan and London Plan Policy 3.9.*

2. The proposed rear balconies would result in overlooking of neighbouring properties which would be detrimental to residential amenity and contrary to Policy BE1 of the Unitary Development Plan."

*The appeal Inspector acknowledged at the subsequent appeal that this was a typographical error and that rather than Policy 3.9, Policy 3.5 of the London Plan was relevant.

A subsequent appeal against the Council's refusal of planning permission was dismissed under reference APP/G5180/W/14/3001656. The Inspector considered that the main issues for consideration were the character and appearance of the Conservation Area and the impact of the proposals on residential amenity.

With regards to the impact of the proposal on residential amenity, referred to in reason 2 of the Council's decision notice, the Inspector found that the screening and distance between the existing and proposed development would mitigate the level of overlooking to an acceptable extent. He also considered that although the

scheme may have resulted in some additional overshadowing of neighbouring properties, that impact was not significant and that there would not be a conflict with Policy BE1 in respect of the impact of the proposals on residential amenity.

With regards to the impact of the proposal on the character and appearance of the area, however, the Inspector found that the scheme would fail to preserve or enhance the character and appearance of the Conservation Area. The Inspector reasoned that the appeal site is prominently located and elevated above the road junction. The depth of two storey development was considered to be greater than both neighbouring properties, and the height and depth of development, including a deep roof accommodating a second floor, would "give each block a substantial bulk and scale."

He considered that "The mass of development so close to neighbouring buildings would cause the scheme to have a cramped and dominant appearance, which would contrast unfavourably with the more spacious characteristics of the CA."

The two new driveways would to an extent offset the retention of trees along the site's frontage and the additional proposed landscaping, opening up some views into the site from the highway. At paragraph 14 of the decision notice the Inspector stated: "The 3 driveways together with hardstanding areas for 12 cars to the front and side of the buildings, and residents' bin enclosures, would result in a more intensely used and urban character, which would contrast markedly with the CA's established character of single detached dwellings, and its semi-rural appearance."

In conclusion, the Inspector found:

"It is each block's substantial massing so close to neighbouring development, together with the introduction of large areas of parking, driveways and other facilities towards the front of this prominent plot that would harm the streetscene, and make the proposal significantly at odds with other development in the CA."

Conclusions

The current proposal seeks to overcome the grounds for refusal in respect of the previous application and the deficiencies in the scheme identified by the appeal Inspector in dismissing the subsequent appeal against the Council's refusal of planning permission.

The main issues in the determination of this application are considered to be the impact of the proposal on the visual amenities of the area in general and the impact of the proposal on the character and appearance of the Downs Hill Conservation Area in particular. In addition, the impact of the proposals on residential amenity falls to be considered.

Impact upon residential amenity

It is important to note that in neither of the appeals regarding the previous schemes has the Inspector in that case found that there would be a conflict with Policy BE1's requirement that development should respect the amenities of neighbouring occupants. The refusal of application 14/03502 included a ground of refusal

relating to the impact of the scheme on residential amenity which was not supported by the Inspector in dismissing the scheme at appeal. The subsequent application 15/02906 was refused solely on the grounds of the visual impact of the scheme and its failure to preserve or enhance the character and appearance of the Conservation Area.

The current scheme is not considered to have an appreciably greater potential impact on residential amenity than the previous proposals. It is noted that concerns have been expressed with regards to the impact of the proposal on the amenities of neighbouring dwellings, referring in particular to loss of privacy occasioned by the rear first floor balconies. However, the previous scheme also incorporated rear balconies which were not considered to have a significant impact on residential amenity. In the previous scheme the balconies would arguably have been likely to have been more intensively used as a consequence of their serving flatted development rather than family dwellings with private rear gardens.

Notwithstanding the conclusion in both previous schemes that the proposals would have had no significant impact on privacy, the applicant has amended the current scheme to provide a brick screen which would considerably reduce the potential for sideways overlooking to neighbouring properties to the north and west of the application site.

Impact of the proposal on the visual amenities of the area and the character and appearance of the Conservation Area

It has been acknowledged at appeal that the Council has no objection in principle to the loss of the existing building as the house itself is not considered to be of any particular architectural merit. The Inspector in each case has not disagreed with this view.

A summary of the differences between the current scheme and the previously unsuccessful proposal may be helpful in reaching a conclusion regarding the extent to which the current proposal has addressed the adverse impacts identified by the Inspector in dismissing the previous appeal.

From the perspective of built form upon the application site, the individual dwellings would be 5m apart in comparison with the 1.9m space provided between flatted blocks A and B under reference 15/02906 and 2.6m space provided under reference 14/03502.

The flank elevation of dwelling A would be sited a similar distance from the western boundary to that refused under reference 15/02906 but separation to the northern boundary has increased from 1m in application 14/03502 and 2m in application 16/05164 to 2.85m.

The front elevation of each proposed dwelling is set further back from the respective front boundaries of the proposed dwellings than the flatted development previously proposed and the overall bulk of the second floor accommodation is less prominent than that proposed under 15/02906, with the roof/second floor accommodation being less immediately appreciable. In providing 2 dwelling

houses rather than 8 flats and the overall decrease in the footprint of proposed development on the site, the proportion of the site given over to buildings and hardstandings has reduced.

It is considered that the proposals represent a significant improvement over the previous scheme in that the design, scale and siting of the proposed dwellings would more readily complement the character and appearance of the Conservation Area. There has been a substantial reduction in scale and site coverage over previous applications, and the design of the new houses is traditional and would not cause harm to the Conservation Area.

It is acknowledged that the proposal would result in a larger proportion of the site being developed than is currently the case. However, while the development would result in the loss of the host dwelling and infill development between the existing dwelling and the boundary with No. 59a, the separation of the buildings in relation to each other and to the northern boundary would, in tandem with the overall reduction in bulk and the footprint of the development, result in the development retaining a level of spaciousness appropriate to the Conservation Area setting.

Conclusions

It is considered that the access and parking levels proposed are acceptable to serve the needs of future occupants.

With regards to the impact of the proposal on residential amenity, the proposed scheme would not project significantly to the front or rear of neighbouring dwellings and adequate side space is retained to ensure that the proposed dwellings would not have a detrimental impact on the residential amenities of established adjacent dwellings. While the balconies at the rear may afford some mutual overlooking of the proposed rear gardens of the dwellings on the site, it is not considered that this would be significantly detrimental to the amenities of the prospective occupants, and the provision of brick screening effectively restricts potential views from the balconies to existing neighbouring dwellings.

The separation between the dwellings, their design and their siting in relation to the proportions of the plot would preserve the character and appearance of the conservation area and would result in development of a form, design and scale commensurate with other dwellings in the immediate locality.

In view of the orientation of the dwellings in relation to each other, the proportions and layout of the development and the Conservation Area location of the site, if permission is granted it would be appropriate to remove the permitted development rights ordinarily associated with dwellinghouses in order to prevent an overdevelopment of the site and to ensure that the impact of future development on residential amenity may be fully assessed.

As amended by documents received on 25.01.2017 15.12.2016

RECOMMENDATION: PERMISSION

Subject to the following conditions:

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

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

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

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

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

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

- 4 Before 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 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.

- 6 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.

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

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

- 8 Prior to the commencement of the development hereby permitted, a survey of the condition of the road shall be submitted and agreed by the Local Planning Authority and any damage caused to the surface of the road during the construction phase of the development will be reinstated to a standard at least commensurate with its condition prior to the commencement of the development.

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

- 9 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 demission rate of <40mg/kWh.

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

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

Reason: In the interest of the visual and residential amenities of the area and to prevent an overdevelopment of the site, in accordance with Policies BE1 and H7 of the Unitary Development Plan.

- 11 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 Conservation Area and to accord with Policies BE1, BE11 and H7 of the Unitary Development Plan.

You are further informed that :

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

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Application:16/05164/FULL1

Address: 61 The Avenue Beckenham BR3 5EE

Proposal: Demolition of existing dwelling and erection of 2 no. two storey detached dwellings with accommodation in roof space; formation of additional vehicle access.



"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 : 16/05188/RECON

Ward:
Kelsey And Eden Park

Address : Beckenham Town Football Club Eden
Park Avenue Beckenham BR3 3JL

OS Grid Ref: E: 537264 N: 167726

Applicant : Peter Palmer

Objections : YES

Description of Development:

Variation of condition 3 of planning permission 16/00326/FULL1 which allowed the replacement and upgrading of lamps and holders of existing floodlights to allow the lights to be used on a Saturday between 3pm and 6.00pm and a Wednesday evening between 7pm and 10.00pm.

Key designations:

Biggin Hill Safeguarding Area
London City Airport Safeguarding
Smoke Control SCA 18
Urban Open Space

Proposal

Planning permission if sought for the variation of condition 3 of planning permission 16/00326/FULL1 which allowed the replacement and upgrading of lamps and holders of existing floodlights to allow the lights to be used on a Saturday between 3pm and 6.00pm and a Wednesday evening between 7pm and 10.00pm.

Location

Beckenham Town Football Club is located to the west of Eden Park Avenue and surrounded by residential properties to the north west and east, To the south of the site is the railway line. The main access to the ground is from Eden park Avenue.

Consultations

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

- The lights already seem to be working fine and are plenty bright enough
- Why are the floodlights already being used on a Wednesday night?
- The Eden Park Residents Association supports the application.

Environmental Health - The proposal does involve some light spillage to domestic gardens although this is at a relatively low level. The documents state that the lights result in greater overspill containment than the present installation and therefore no objections. As far as noise is concerned, it is more difficult to estimate and control. Would suggest either limiting the number of occasions or requiring

kick off to be no later than say 3.15 on a Saturday and 6.45 on Wednesdays, accepting that on occasions extra time will be played which will take advantage of the extended hours. This would give residents more comfort that the extended hours were not used on a regular basis.

Network Rail -previously raised no objections

Planning Considerations

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

BE1 Design of New Development
C2 Community facilities and development

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 closed on December 31st 2016 (under The Town and Country Planning (Local Planning) (England) Regulations 2012 as amended). The updated Local Development Scheme was submitted to Development Control Committee on November 24th 2016 and Executive Committee on November 30th 2016, and indicated the submission of the draft Local Plan to the Secretary of State in the early part of 2017.

Draft Policy 37 General Design of Development

Relevant Planning History

00/00696/RENEW Variation of condition 4 of permission 94.0887 to permit floodlights to be illuminated between the hours of 7pm and 9.30pm Granted 12.04.2000

98/03029/FUL Variation of condition 3 of permission 940887 to permit floodlights to be illuminated between the hours of 7pm and 9.30pm. Granted 01/03/1999

16/00326/FULL replacement and upgrading of lamps and holders of existing floodlights. Granted 023/06/2016

Conclusions

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

Planning permission was granted in June 2016 for the replacement and upgrading of lamps and holders of the existing floodlights. Each pole serves three lamps but the proposal will involve two lamps per pole, reducing the number of lamps from 24 to 16 in total. It is understood that these floodlights are now in place. A renewal of planning permission 98.03029 was granted in April 2000 for the floodlights to be illuminated between the hours of 3pm and 5.30pm on a Saturday and 7pm and 9.30pm on any Monday to Friday. However Condition 1 stated that 'the floodlights shall not be used on any Monday to Friday after April 2003'. Given the close proximity of residential properties surrounding the football ground, upon granting planning permission for the replacement lights, officers attached a condition

restricting the use of the floodlights to be illuminated between the hours of 7pm and 9.30pm on a Saturday only.

The applicant now seeks the variation of this condition to allow the lights to be used on a Saturday between 3pm and 6pm and a Wednesday evening between 7pm and 10pm.

Following Council's Environmental Health officers comments in relation to light spillage, a block plan has been submitted which shows that light spillage would be minimal and therefore no objections are raised on this element. However it is acknowledged that noise is more difficult to estimate and control.

In response to noise, the applicant has provided the following supporting information; *'We play in five senior cup competitions; only two have a requirement for extra time and both of these are Football Association Competitions (The FA Cup and the FA Vase). In the FA Vase you can chose whether you want extra time or not, and the FA have expressed in a recent statement that they are considering removing extra time altogether and replacing it with penalties. So that you are able to judge the frequency of the occurrence of extra time, we have had one match in the last three years which involved extra time. I have explained many times that the Football Association impose requirements that far exceed the Club's needs. A Saturday match kicking off at 3:00pm finishes at 4:45pm, and with extra time at 5:30pm*

With regard to the midweek matches, a 7:30pm kick off results in matches finishing at 9:15pm which would be within your generally approved time limit. In the unlikely event of extra time being required, the finishing time would be 9:45pm. Regarding re-assuring the residents, such is the changes to Senior Cup Competitions that we can assure the residents that the extended hours - far from being used regularly - would hardly be used at all.

Furthermore the club use Bromley Football Club's 3G pitch for midweek training and therefore their midweek useage during the football season is completely confined to occasional matches on a Wednesday.

In order to protect the amenities of the surrounding residents, one suggested approach was to impose a condition requiring kick off times to be earlier on a Saturday and Wednesday, however the applicant has indicated that this would not be acceptable to the FA.

Beckenham Rugby Club is in close proximity to the site and they have a condition limiting the number of floodlit matches between September to April which reads:

There shall be no more than ten floodlit matches on the main pitch which shall take place between September and the following April, both months inclusive and the floodlighting of this pitch shall not be used before 10am or after 9.30pm on any day or at any time on any Sunday, bank holiday, Christmas day or Good Friday.

Given the applicant has indicated that should the occasional extra time be required a match would be finished at 9.45pm, it would seem appropriate to apply the same

condition as Beckenham Rugby Club, but until 945pm rather than 930pm for a Wednesday.

On balance it is therefore considered that the proposed condition would limit the use of the floodlight, protecting the amenities of the surrounding residents.

Having had regard to the above members may consider on balance that the restriction on the numbers of floodlit matches would not result in a significant loss of amenity to local residents.

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- 1 The floodlights can only operate at the following times as outlined below:**
 - **No more than ten floodlit matches on a Wednesday and the floodlights should not be used before 19:00 or after 21:30 (or after 21:45 if extra time is required) which shall take place between 1st September and 30th April.**
 - **On a Saturday between 15:00 and 18:00**

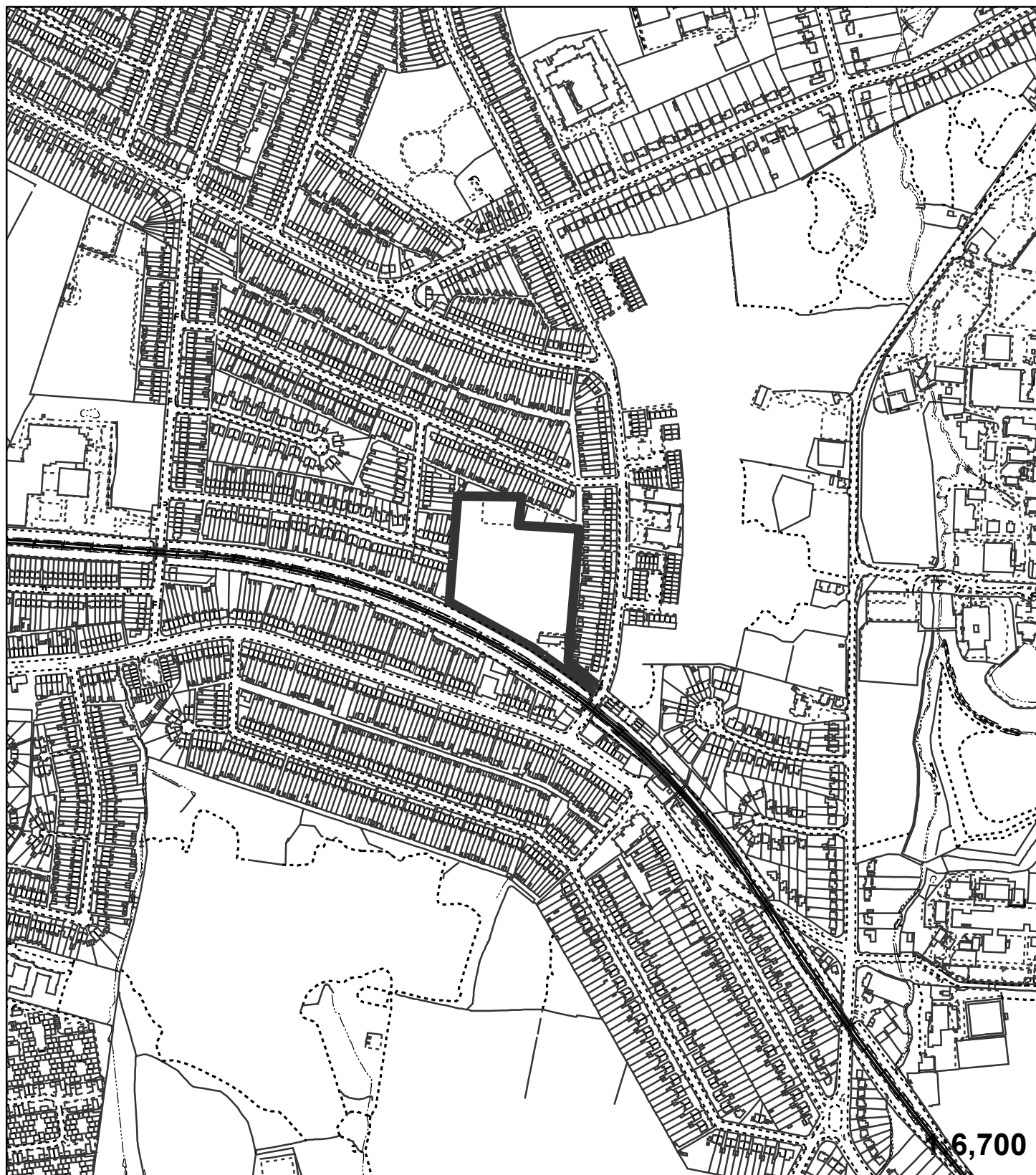
and at no other times.

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

Application:16/05188/RECON

Address: Beckenham Town Football Club Eden Park Avenue
Beckenham BR3 3JL

Proposal: Variation of condition 3 of planning permission 16/00326/FULL1 which allowed the replacement and upgrading of lamps and holders of existing floodlights to allow the lights to be used on a Saturday between 3pm and 6.00pm and a Wednesday evening between 7pm and 10.00pm.



"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 : 16/05466/FULL1

Ward:
Petts Wood And Knoll

Address : 24 Keswick Road Orpington BR6 0EU

OS Grid Ref: E: 545955 N: 166439

Applicant : Mr Joey Macedo

Objections : YES

Description of Development:

Demolition of existing dwelling and detached garage at rear, and erection of 2 two storey 4 bedroom semi-detached dwellings with accommodation in roofspace, associated accesses and 4 car parking spaces

Key designations:

Smoke Control SCA 4

Proposal

It is proposed to demolish the existing chalet bungalow on the site and a detached garage at the rear, and construct 2 two storey 4 bedroom semi-detached dwellings with accommodation in the roofspace which would front onto Keswick Road. The side wings of the dwellings would have a lower roofline and would be set back from the front elevation.

Minimum separations of 2.1m would be provided to the side boundaries of the site, and the rear parts of the dwellings would be staggered 6-6.5m away from the side boundaries. The plot width of each property would be approximately 11-12m, and each dwelling would have a rear garden depth of 23m.

Two car parking spaces would be provided for Plot 1 via a new vehicle access from Stanley Road adjacent, whilst the 2 spaces for Plot 2 would be located at the front of the site adjacent to No.22 Keswick Road using an existing access.

Location

This site lies at the corner of Keswick Road and Stanley Road, and is occupied by a detached chalet-style bungalow which has been extended in the past. It is bounded to the north by a two storey dwelling at No.22, and the site slopes upwards to the west where it is bounded by a large detached dwelling at No.2 St. Kilda Road. The surrounding area contains a mixture of detached and semi-detached dwellings set within varying plot sizes.

Consultations

Nearby owners/occupiers were notified of the application and representations were received, including from Knoll Residents' Association, which can be summarised as follows:

- overdevelopment of the site
- out of character with the surrounding area

- loss of light, privacy, views and outlook to neighbouring properties
- property could be divided into flats which is out of character with the area
- building would project forward of the main front building line
- insufficient separation would be provided to the side boundaries
- semi-detached properties are not characteristic of the area
- loss of a much needed bungalow
- poor design of replacement building
- there would be reduced visibility at the junction of Keswick Road and Stanley Road
- lack of adequate parking
- hazardous access onto Stanley Road
- proposals would obstruct sightlines at the junction of Keswick Road and Stanley Road
- proposals could damage a protected tree at No.22
- damaging impact on wildlife in the area including bats and badgers
- noise and disturbance during construction works
- would set an undesirable precedent
- inaccuracies in submitted documents
- landscaping scheme is unfeasible
- if garages are built where the parking spaces are, they would be an eyesore.

The application has been called into committee by a Ward Councillor.

Comments from Consultees

No objections are raised to the proposals from a highways point of view. The on-street parking bay layout would need to be altered which would be at the applicant's expense.

No objections are raised from a drainage point of view, and Thames Water has no concerns.

Planning Considerations

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

BE1 Design of New Development

H7 Housing Density and Design

H9 Side Space

T3 Parking

T18 Road Safety

NE7 Development and Trees

The Council is preparing a Local Plan and commenced a period of consultation on its proposed submission draft of the Local Plan on November 14th 2016 which closed on December 31st 2016 (under The Town and Country Planning (Local Planning) (England) Regulations 2012 as amended). It is anticipated that the draft Local Plan will be submitted 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. The relevant policies are as follows:

- Draft Policy 4 - Housing Design
- Draft Policy 8 - Side Space
- Draft Policy 30 - Parking
- Draft Policy 32 - Road Safety
- Draft Policy 37 - General Design of Development
- Draft Policy 73 - Development and Trees

London Plan (2015) Policies:

- 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 5.16 Waste net self-sufficiency
- Policy 5.17 Waste capacity
- Policy 5.18 Construction, excavation and demolition waste
- Policy 6.5 Funding Crossrail and other strategically important transport infrastructure
- Policy 6.9 Cycling
- Policy 6.13 Parking
- Policy 7.2 An inclusive environment
- Policy 7.3 Designing out crime
- Policy 7.4 Local character
- Policy 7.6 Architecture
- Policy 7.14 Improving Air Quality
- Policy 8.2 Planning obligations
- Policy 8.3 Community infrastructure levy

Housing Supplementary Planning Guidance (2016)

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

Planning History

Outline permission was refused in 1986 for a detached dwelling in the rear garden of No.24 fronting onto Stanley Road (ref.86/00071), on grounds relating to the unsatisfactory subdivision of the plot, cramped overdevelopment, inadequate

amenity space for the existing and proposed dwellings, and the detrimental impact on neighbouring properties. The subsequent appeal was dismissed in 1987.

Conclusions

The main issues in this case are whether the proposals would result in an acceptable amount and standard of development on the site, and the impact of the proposals on the character and spatial standards of the surrounding area, on the amenities of neighbouring residential properties, on parking provision and road safety in the highway, and on important trees on or adjacent to the site.

Density and standard of accommodation

Table 3.2 of Policy 3.4 (Optimising Housing Potential) of the London Plan (2015) gives an indicative level of density for new housing developments, and in this instance, the proposal represents a density of 18 dwellings per hectare with the table giving a suggested level of between 35-95 dwellings per hectare in a suburban area with a 2 PTAL location. The proposals would therefore result in an intensity of use of the site that would be below the thresholds in the London Plan. However, the proposals need to be assessed against the wider context in terms of the character, spatial standards and townscape value of the surrounding area.

The proposals comprise 2 three storey 4 bedroom 8 person dwellings. The London Plan suggests that the minimum size of a four bedroom 8 person dwelling over three storeys should be 130sq.m. Each dwelling would provide 310sq.m. floorspace, thereby achieving this standard.

The applicant has confirmed that the proposals would comply with Part M4(2) of the Building Regulations "accessible and adaptable dwellings", and therefore complies with Policy 3.8 of the London Plan 2015 and the Mayors Housing Supplementary Planning Guidance 2016.

Impact on character and spatial standards

The application site forms a large corner plot within a residential area characterised by mainly detached dwellings set within varying sizes of plot, although there are semi-detached properties in close proximity to the site at Nos.19 and 21 Keswick Road and Nos.4 and 6 Stanley Road. The plot widths of surrounding dwellings vary between 9-28m, whilst the proposed dwellings would have plot widths of 11-12m. The plot depths would be 46-48m and the rear garden depths would be 23m which is characteristic of Keswick Road, and the overall size of the plots would not therefore be out of character with the area. Although detached dwellings predominate in the area, the construction of a pair of semi-detached dwellings on this plot is not considered to appear out of character with the area in principle given the close proximity of semi-detached dwellings in Keswick Road and Stanley Road which have similar plot sizes to the proposed dwellings.

The proposed dwellings would be 2.5-4.5m higher than the existing chalet bungalow, but would be a similar height to the adjacent dwelling at No.22. This property has a width of approximately 15m, and whilst the proposed building at No.24 would have a width of 19m, the side wings would have a significantly lower

roofline with the first floor accommodation contained within the roof, and the northern wing would be set back from the front elevation thus giving a subservient appearance.

A separation of 2.1m would be provided to the side boundary with No.22, whilst a separation of between 2.1-2.7m would be provided to the southern flank boundary with Stanley Road. The proposed dwellings would be sited approximately 1.5-7m forward of the existing dwelling which currently angles slightly away from Keswick Road towards Stanley Road, and the building would project 1.5m forward of No.22 at its nearest point. The building would still be set back 6.8-9.5m from the front boundary of the site, and given the side separations to the neighbouring dwelling and the lower rooflines to the side, Members may, on balance, consider that the proposals would not be significantly detrimental to the character and spatial standards of the area.

Impact on residential amenity

With regard to the impact on the adjacent property at No.22 Keswick Road, the rearmost part of the dwellings would project 5.5m further to the rear of this property, but this aspect would be set back 8.5m from the adjacent dwelling, whilst the nearest part of the building would project only 1m further to the rear. This part of the building would also have a significantly lower roofline (2.6m below the main roof) which would also help to lessen the impact on the adjacent property in terms of any loss of light or outlook.

The proposed building would also project 1.5m forward of the dwelling at No.22, but there would be 4m between the dwellings, and the light to and outlook from the dwelling at No.22 and its rear garden would not be unduly affected. No first floor flank windows are proposed that would face No.22, but there are a number of rooflights to the second floor accommodation, and it is not clear whether they would be high-level. However, they appear to be largely secondary windows, and can be conditioned to be obscure glazed in order to prevent any undue overlooking.

The dwelling to the rear of the application site at No.2 St Kilda Road is set at a higher level than the application site and has a garage located on the boundary. It would be set approximately 28m away from the proposed dwellings, and the proposals are not considered to result in a significant loss of privacy or outlook.

The occupiers opposite at No.1 Stanley Road have raised concerns about loss of outlook and privacy to the rear of their property and their rear garden which backs onto Keswick Road. The new dwellings would appear more bulky than the existing chalet bungalow which has only one front dormer window at first floor level, and a total of 8 front windows are proposed at first floor level, 2 of which would be to bathrooms, and 6 to bedrooms. Although some loss of outlook and privacy may occur, the new dwellings would be located a minimum 36m away from the rear elevation of No.1, and windows at this level are not uncommon on this side of Keswick Road. On balance, Members may consider that the relationship between these properties is acceptable.

Residents have also raised concerns about a rear balcony at first floor level, but this would be balustrading only with the doors opening inwards, therefore, no overlooking would occur.

The proposals are not therefore considered to result in a significant loss of amenity to neighbouring properties.

Impact on parking and road safety

The Council's Highways Officer has raised no objections to the proposals in terms of the parking spaces provided, the layout and the means of access, subject to reinstating two of the existing accesses as footway, and alterations to the on-street parking bays.

In response to neighbour's concerns, the applicant has confirmed that no garages are proposed as part of the proposals.

Impact on trees

There are no trees of significance on the site, however there is a pine tree in the front garden of No.22 immediately adjacent to No.24 which is protected by a TPO. The existing driveway access from Keswick Road, which would serve the parking for Plot 2, passes beneath the protected pine tree, but the overhanging canopy is minimal which indicates that clearance pruning has taken place in the past. The current drive is hard surfaced and the two car parking bays proposed close to the neighbouring tree would be constructed to a no-dig design. The proposals are not therefore considered to be harmful to the adjacent protected tree.

Conclusions

The proposals are not considered to result in an overdevelopment of the site, would be in keeping with the character and spatial standards of the area, and would not unduly impact on residential amenity, parking, road safety or trees.

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** There shall be no excavation works beneath the canopy of any trees shown to be retained on the submitted plan. The drive and car parking spaces shall be constructed in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason: In order to comply with Policy NE7 of the Unitary Development Plan to ensure works are carried out using a "no-dig" method of work and according to good arboricultural practice, and in the interest of the health and visual amenity value of trees to be retained.

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

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** 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

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

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

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

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

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

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

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

Reason: In order to comply with Policy T3 of the Unitary Development Plan and to avoid development without adequate parking or garage provision, which is likely to lead to parking

inconvenient to other road users and would be detrimental to amenities and prejudicial to road safety.

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

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

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

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

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

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

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

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

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

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

14 Before the development hereby permitted is first occupied, the proposed rooflights in the northern flank roof slope shall be obscure glazed to a minimum of Pilkington privacy Level 3 and the rooflights 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

15 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.

16 The existing buildings on the site shall be demolished and the site cleared within three months of the first occupation of the building hereby permitted.

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

17 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.

18 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 retained permanently thereafter.

Reason: To comply with Policy 3.8 of the London Plan 2015 and the Mayors Housing Supplementary Planning Guidance 2016 and to ensure that the development provides a high standard of

accommodation in the interests of the amenities of future occupants.

You are further informed that:

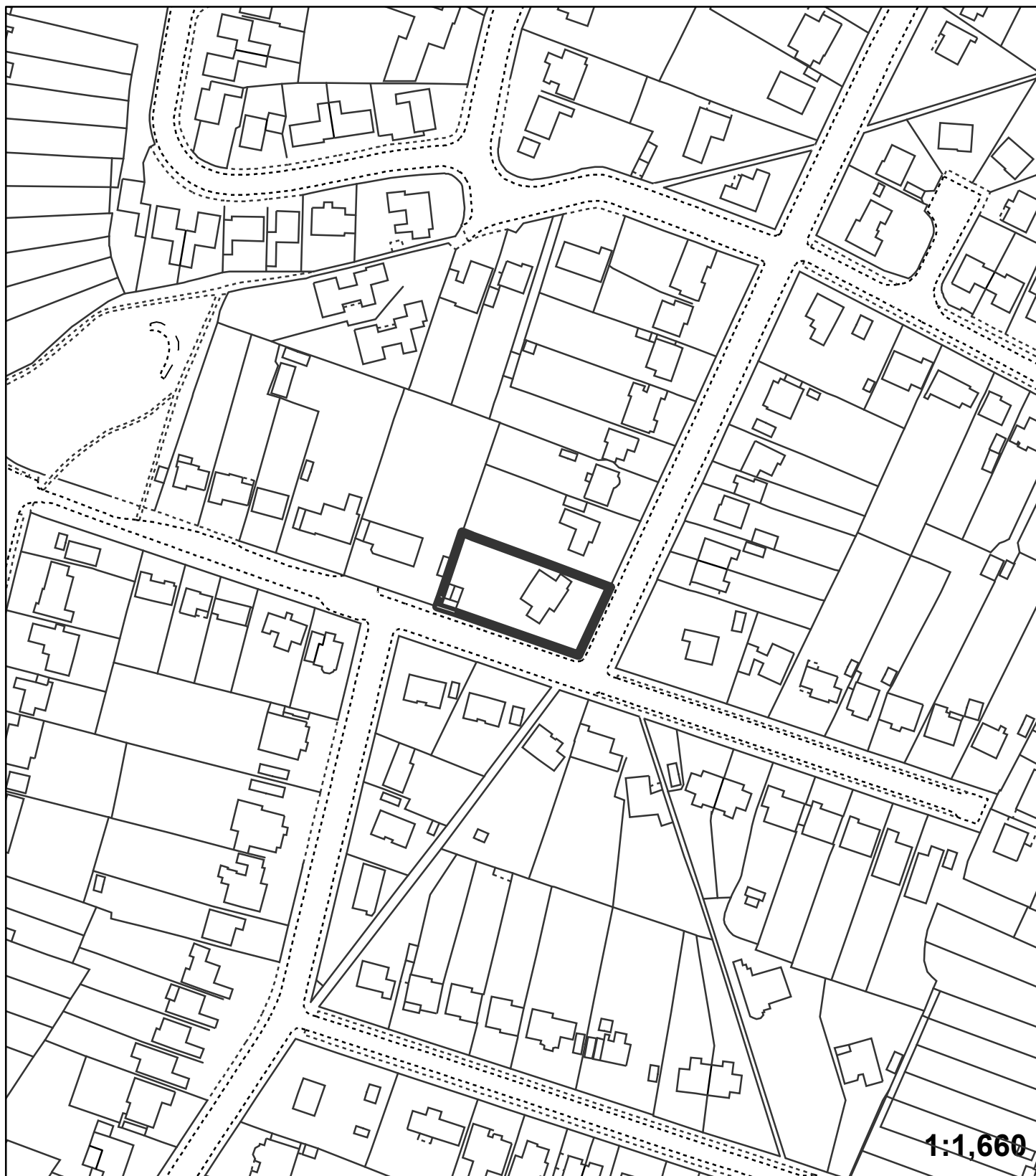
- 1 You are advised that this application may be liable for the payment of the Mayoral Community Infrastructure Levy under the Community Infrastructure Levy Regulations (2010) and the Planning Act 2008. The London Borough of Bromley is the Collecting Authority for the Mayor and this Levy is payable on 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:16/05466/FULL1

Address: 24 Keswick Road Orpington BR6 0EU

Proposal: Demolition of existing dwelling and detached garage at rear, and erection of 2 two storey 4 bedroom semi-detached dwellings with accommodation in roofspace, associated accesses and 4 car parking spaces



"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 : 16/05752/FULL6

Ward:
West Wickham

Address : 42 Station Road West Wickham
BR4 0PR

OS Grid Ref: E: 538283 N: 166245

Applicant : Mr & Mrs Ismail

Objections : NO

Description of Development:

Formation of a rear hip-to-gable loft conversion and erection of side dormer to create access from downstairs.

Key designations:

Smoke Control SCA 51

Proposal

The application is for the construction of a hip-to-gable loft conversion on the rear roof slope, together with the erection of a side dormer.

Location

The application site comprises a detached dwellinghouse located on the western side of Station Road West Wickham. The property is not listed and does not lie within a conservation area or any area of special designation.

Consultations

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

Planning Considerations

Unitary Development Plan and the London Plan:

BE1 Design of New Development
H8 Residential Extensions

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:

- The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);

- 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
- 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.

Draft 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 closed on December 31st 2016 (under The Town and Country Planning (Local Planning) (England) Regulations 2012 as amended). It is anticipated that the submission of the Local Plan to the Secretary of State will be in the early part of 2017.

Relevant policies:

Draft Policy 6 Residential Extensions
Draft Policy 37 General Design of Development

Planning History

96/01885/FUL - Single storey front/side extension. Permission 02.10.1996

06/01461/FULL6 - Single storey side and side dormer extensions. Permission 31.05.2006

09/03037/PLUD- Rear Dormer Certificate of lawfulness for a proposed development. Refused 24.12.2009

16/04673/PLUD - Loft conversion with hip to gable, rear balcony and side dormer Lawful development certificate (proposed) -Refused 02.12.2016

Refused for the following reason:

1. The proposal as submitted would not constitute permitted development under Class B.1(e)(i) of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015, as the proposal includes a balcony

The above application is currently subject to an outstanding appeal ref: APP/G5180/X/16/3165829.

Conclusions

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

Design

The proposed hip-to-gable element of the roof extension would be contained on the rear roof slope but the extended form of the roof would be visible from the public realm due to the generous spacing between the properties. It would however retain a pitched roof design and large dormers are evident within the surrounding locality. It would incorporate large windows and an inset balcony. The large windows are set back behind the balcony and overhanging roof, which would reduce their prominence but their scale would give the appearance of a third floor. This is not entirely sympathetic to the character of the dwelling, but this design feature would only be visible from neighbouring gardens and the pitched form of the roof would be in keeping with the existing dwelling. A half hip dormer is also proposed on the side roof slope. This has been set back from the front elevation and would not appear overly prominent within the streetscene. The applicant has indicated that tiles or alternatively, timber or zinc cladding could be used for the external materials. It is considered that whilst the design of the scheme is contemporary, the use of a material other than matching tiles would result in an overly prominent and incongruous form of development due to the generous spacing between the properties. It is therefore considered reasonable and necessary to condition the use of matching materials and tiles as indicated on the application form. Subject to this condition, the proposal development is considered to be on balance acceptable.

Neighbouring amenity

The main impact of the scheme would be on the immediate neighbouring occupiers. The development would be contained well within the confines of the site and would be set sufficiently back from the boundary and neighbouring gardens to not appear overly dominant or intrusive.

In relation to overlooking, the proposal would include large rear windows and an inset balcony. This would be set behind and within an overhanging roof. The depth of this balcony is not considered to be excessively deep and any overlooking would be via oblique views due to the overhanging roof. There is already an established degree of overlooking towards the rear gardens and the properties at the rear are set some 65m from the development. On balance the proposal is considered to have an acceptable impact on neighbouring residential amenities.

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

RECOMMENDATION: PERMISSION

Subject to the following conditions:

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

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

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

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

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

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

- 4 Before the development hereby permitted is first occupied the proposed window(s) in the north facing elevation of the side dormer 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

Application:16/05752/FULL6

Address: 42 Station Road West Wickham BR4 0PR

Proposal: Formation of a rear hip-to-gable loft conversion and erection of side dormer to create access from downstairs.



"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 : 17/00112/TELCOM

Ward:

**Mottingham And Chislehurst
North**

Address : Land At East Side Of Mottingham Road
Junction With Highcombe Close
Mottingham London

OS Grid Ref: E: 542048 N: 172948

Applicant : Damian Hosker

Objections : YES

Description of Development:

Installation of 10m high telecommunications replica telegraph pole, 1no. equipment cabinet at ground level and associated works
(56 DAY CONSULTATION BY TELEFONICA UK LTD AND VODAFONE LTD REGARDING THE NEED FOR APPROVAL OF SITING AND APPEARANCE)

Key designations:

Biggin Hill Safeguarding Area
Green Chain Walk
London City Airport Safeguarding
Open Space Deficiency
Retail Shopping Frontage
Smoke Control SCA 51

Proposal

The application seeks prior approval for the installation of a 10m high replica telegraph pole and one equipment cabinet at ground level.

The proposed mast would be sited on the pedestrian footway at the junction of Mottingham Road and Highcombe Close.

Consultations

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

- Site is at the centre of a residential area and village centre which is not suitable.
- Prominent siting and out of character in the streetscene.
- Would dominate and detract from the important and attractive War Memorial and Village sign.
- Blight on nearby residential properties.
- Harm the safety of nursery and infant schools.
- May increase phone usage / technological developments.

- Exploratory hole which has been dug is dangerous to pedestrians.
- The site should be designated a no-go area for masts.
- Previous applications have been refused following strong objections from local residents.
- Probability of other companies adding their antenna to the mast could increase visual impact.
- Siting on the corner would be a hazard to pedestrian safety.
- Siting would impair sightlines of traffic turning left into the garage.
- Whilst evidence of harm to humans is inconclusive, studies urge caution on the siting of masts and this is located near to residents and schools which would be constantly exposed.
- Evidence could change and Bromley Planning should consider possible legal action at a later stage if so.
- Would set a precedent for other telecommunications companies to apply for further developments.
- Mobile phone coverage is already reasonable, is it necessary for another mast?
- Blight on nearby residential properties.
- Would bring no value to the community.
- Would damage the cultural and historical character of our village.
- Exploration works could damage underground pipes and cables.
- Works would cause a nuisance to local residents in terms of noise and pollution and traffic impacts.
- Would reduce the value of nearby properties.
- If permitted it may be expanded to the scope of the first proposal.

From a heritage point of view no objections are raised regarding the impact of the proposal on the War Memorial given its siting approximately 40m away. The setting of the War Memorial would not be harmed and the proposed siting is an improved location over that which was previously proposed.

Highways Officers raised no objection to the proposal from the highway point of view.

Environmental Health Officers raised no objection to the proposal.

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

Of particular relevance to this application is BE1(ii) which states that "Development should not detract from the existing street scene and/or landscape and should respect important views, skylines, landmarks or landscape features."

BE22 Telecommunications Apparatus

This Policy states that in a development involving telecommunications installation, the developer will be required to demonstrate that there is a need for the development. The equipment should meet the ICNIRP guidelines on the limitation of exposure to electro-magnetic field. The installation shall not adversely affect the character and appearance of the area nor the visual and residential amenities of neighbouring properties and the visual impact of the development should be minimised by the use of screening by trees or other landscaping.

Policy T18 - Road safety

This policy states that in all planning applications the Council will consider the potential impact on road safety.

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 32 Road Safety
Draft Policy 37 General Design of Development
Draft Policy 89 Telecommunications Development

The National Planning Policy Framework

Paragraph 14 of the National Planning Policy Framework states that "At the heart of the NPPF is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking."

Chapter 5 of the National Planning Policy Framework relates to "Supporting High Quality Communications Infrastructure. Paragraph 43 states that local planning authorities should support the expansion of electronic communications networks while aiming to keep the number of masts and sites for such installations to the minimum consistent with the efficient operation of the network. The need for a new site must be justified and where new sites are required the equipment associated with the development "should be sympathetically designed and camouflaged where appropriate."

It is emphasised that the planning system is not the appropriate arena for the determination of health safeguards so long as the installation would comply with International Commission guidelines for public exposure.

With regard to the importance of good design, the National Planning Policy Framework states at Paragraph 56 that the Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable

development, is indivisible from good planning and should contribute positively to make places better for people. Paragraph 60 states that it is proper to seek to promote or reinforce local distinctiveness.

London Plan 2015

Paragraphs 1.38 - 1.41 of the London Plan relate to the need to ensure the infrastructure to support growth within London, referring to the strategic importance of providing adequate infrastructure, including modern communications networks.

Chapter 4 of the London Plan includes the strategic objective in Policy 4.11 of "encouraging a connected economy." The policy itself states that the Mayor, GLA and all other strategic agencies should facilitate the delivery of an ICT network to ensure suitable and adequate network coverage across London which will include "well designed and located street-based apparatus."

Planning History

The site has previously been the subject of the following applications;

- 10/2565/TELCOM - 12.5m high mast with shrouded antennae and two cabinets - Refused

It is further noted that two nearby applications have been refused as detailed below;

- 15/04140/TELCOM - Land Adjacent Mottingham Service Station - 12.5m high mast – Refused
- 15/05647/TELCOM - Land Opposite 1 Grove Park Road - Installation of 12.5m high telecommunications mast - Refused

Conclusions

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

The application seeks prior approval for the installation of a 10m high replica telegraph pole and one equipment cabinet at ground level. The proposed mast would be sited on the pedestrian footway at the junction of Mottingham Road and Highcombe Close. The mast would be set in approximately 1m from Highcombe Close. The proposed cabinet would be sited 3m further to the east, adjacent to an existing wall which encloses a grass area adjacent to the petrol station. The proposed equipment would be approximately 40m to the west of the War Memorial statue which is Grade II Listed. The proposed mast would involve the sharing of infrastructure between two telecommunications operators,

The application site has previously been the subject of an application (ref: 10/02565) for a 12.5m high mast at a similar siting to that proposed. This was refused on the grounds that due to its height, siting and design it would be an obtrusive and highly prominent feature in the street scene, out of character and detrimental to the visual and residential amenities of the surrounding area.

Two further applications for 12.5m high masts have been refused nearby on similar grounds, with the application ref: 15/4140 also refused due as it was considered its siting would be detrimental to the setting of the statutory listed war memorial.

The current application seeks to overcome these grounds by reducing the height of the proposed mast to 10m. The proposed mast is to be a replica telegraph pole design and the style proposed is considered to help blend the proposed mast within the streetscene, which already consists of a variety of existing street furniture. The design and height proposed would significantly reduce the impact on the mast compared to the previous application at this siting (ref: 10/02565) The mast would be 10m high which would be similar to the existing streetlight and Victoria Stack within close proximity, and the backdrop of the existing petrol station to the north-east would further mitigate its impact. The height and design of the proposed mast is therefore considered acceptable in principle and would reduce the impact of the mast on the character of the area in comparison to the previous applications.

A number of other sites have been considered and discounted when selecting the site for the proposed mast for a number of reasons, including that they were not suitable for the required height or to provide the needed coverage within the area. Owners of other sites were not interested in accommodating an installation whilst a site at No.31 was considered more exposed than the current proposal. The proposed site was therefore selected to meet the need for new coverage whilst minimising the impact on the area.

The mast is to be sited approximately 40m to the west of the War Memorial statue which is Grade II Listed. Accordingly, it is considered that this would be a sufficient distance to prevent any direct impact on the structure or interrupt particular views of it. It is therefore considered that the setting of the War Memorial would not be harmed.

The mast would be sited a sufficient distance away from the nearby residential properties so as to limit any significant harm to their amenities in terms of loss of outlook or visual amenity.

Highways Officers have raised no objections in relation to the impact of the proposed siting of the mast and cabinet on highway or pedestrian safety.

It is noted that concerns have been raised by residents in respect of health issues, particularly given the proximity of the site to a school. However, the applicant has certified that the proposed development would meet the guidelines of the International Commission on Non-Ionising Radiation Protection (ICNIRP) for public exposure. Government guidance is that in these circumstances it should not be necessary to consider further the health aspects and concerns about them.

As with all telecommunications applications there is a balance between technical need and the amenities of the area. The benefits of the applications are that 2 operators will "mast share" one site. This is in line with central government and local policy, providing that the environment is not unduly harmed by such a development.

The applicants have submitted a technical justification for the need for additional telecommunications equipment in the area. It is considered that the proposal would not have a detrimental impact on highways safety and that the impact on residential and visual amenity would be acceptable.

Background papers referred to during production of this report comprise all correspondence on file refs. DC/17/00122 and other planning history excluding exempt information.

RECOMMENDATION: PRIOR APPROVAL REQUIRED AND GRANTED

- 1 The siting and appearance of the mast and associated cabinet shall be carried out in complete accordance with the submitted drawing(s) unless previously agreed in writing by the Local Planning Authority.**

Reason: In order to comply with Policies BE22 and BE23 of the Unitary Development Plan and in the interest of the visual amenities of the area.

- 2 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 BE22 and BE23 of the Unitary Development Plan and in the interest of the visual amenities of the area.

- 3 Before the operation of the development hereby permitted the mast and equipment cabinet shall be painted in a colour and finish to be submitted to and approved in writing by the Local Planning Authority. Thereafter the facility shall be retained in that colour and finish and kept free of graffiti.**

Reason: In order to comply with Policies BE22 and BE23 of the Unitary Development Plan and in the interest of the visual amenities of the area.

- 4 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.**

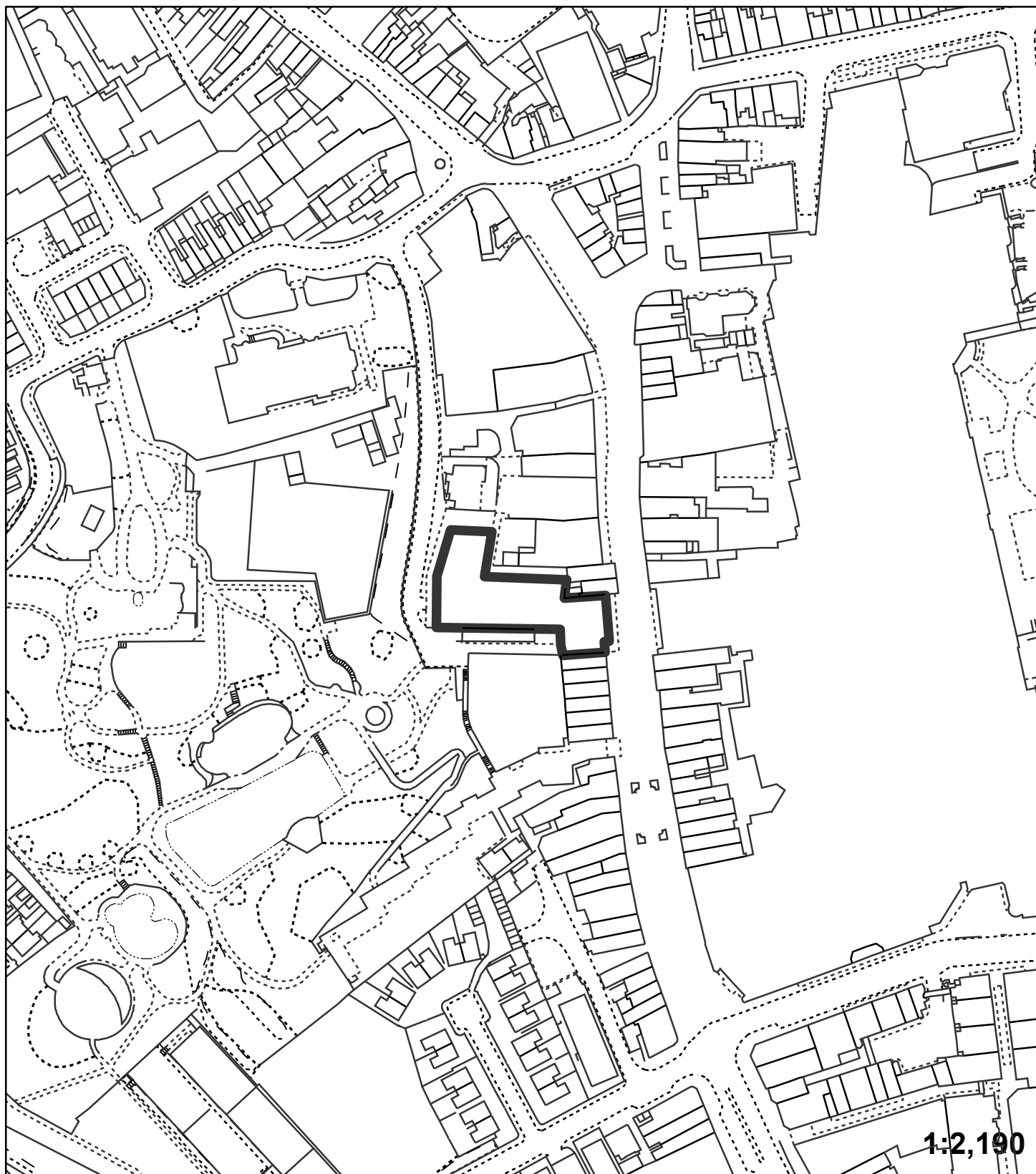
Reason: In order to comply with Policy T5, T6, T7, T15, T16 & T18 of the Unitary Development Plan and in the interest of the amenities of the adjacent properties.

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Application:16/03132/FULL1

Address: 124 - 126 High Street Bromley BR1 1DW

Proposal: Retention of basement, ground and first floor retail use (Class A1) and change of use of second floor retail use (Class A1) and third floor office use (Class B1) to residential (Class C3), including extension to third floor and construction of fourth floor extension to provide a total of 42



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

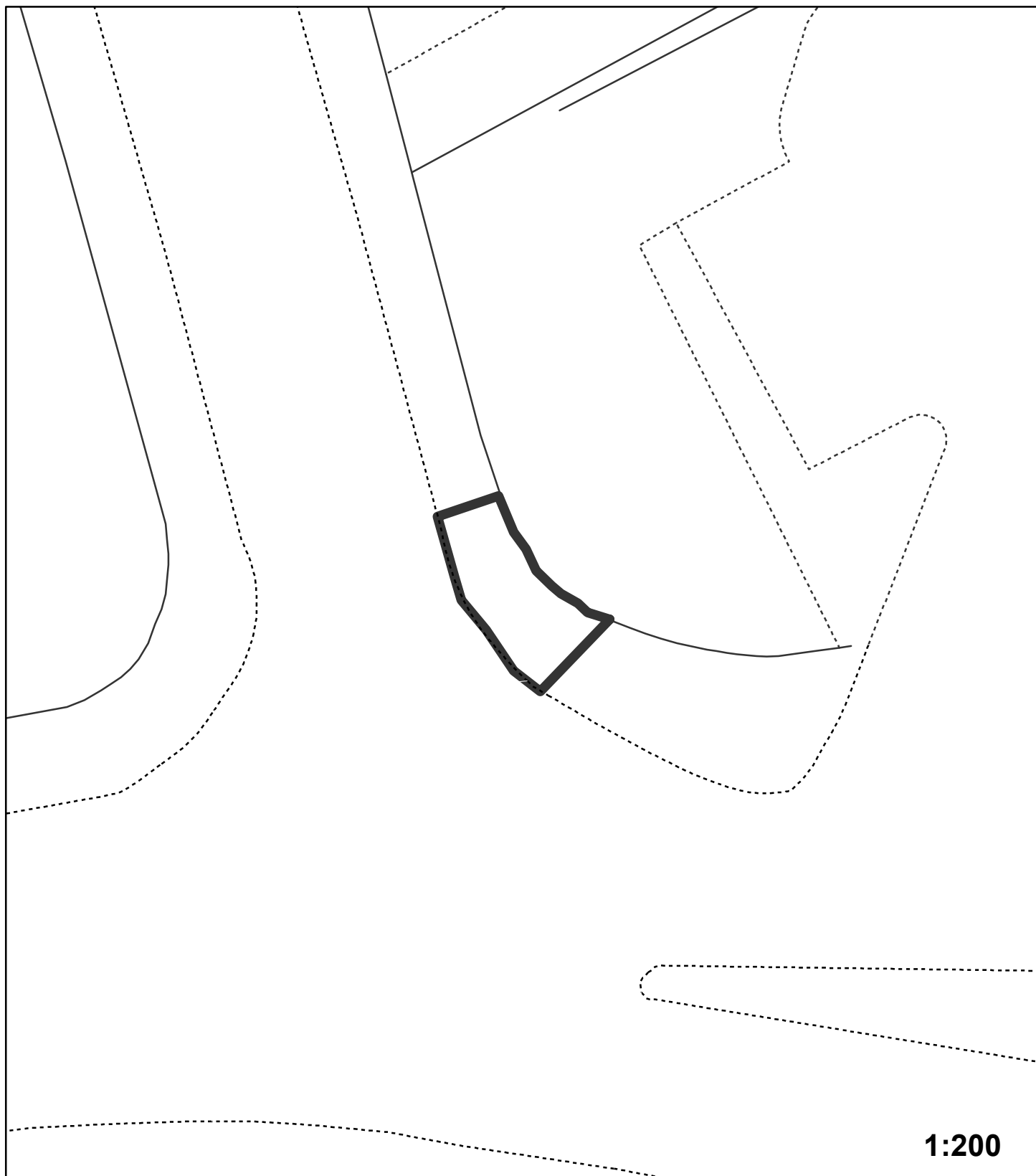
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Application:17/00112/TELCOM

Address: Land At East Side Of Mottingham Road Junction With Highcombe Close Mottingham London

Proposal: Installation of 10m high telecommunications replica telegraph pole, 1no. equipment cabinet at ground level and associated works
(56 DAY CONSULTATION BY TELEFONICA UK LTD AND VODAFONE LTD REGARDING THE NEED FOR APPROVAL OF SITING AND



1:200

"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 : 16/04459/FULL6

Ward:
Bromley Common And
Keston

Address : 5 Barnet Drive Bromley BR2 8PG

OS Grid Ref: E: 542292 N: 165727

Applicant : Mr Clive Litchmore

Objections : YES

Description of Development:

Alterations to the rear elevation to include the removal of the existing pitched roof to the single storey rear extension and the formation of a balcony at first floor level with associated obscure glass screening and stainless steel balustrading- PART RETROSPECTIVE

Key designations:

Biggin Hill Safeguarding Area
London City Airport Safeguarding
Smoke Control SCA 22

Proposal

Planning permission is sought retrospectively for alterations to the rear of the property to incorporate a flat roof to the existing rear extension from the previously permitted pitched roof design, (revisions of permissions 13/01511/FULL6 and 15/03450/FULL6, both of which were allowed on Appeal). Along with the formation of a balcony at first floor level, with associated obscure glass screening and stainless steel balustrading.

The proposed balcony will have a width of 5.8m and a depth of 2.7m. The proposed obscure glass screening along the western boundary with No.3 will have a height of approximately 1.7m.

It should be noted that the property has also been extended and now provides accommodation within the roofspace (as seen in the site photographs on the application file). This does not form part of this application and are therefore not shown on the drawings currently under consideration.

The host property is a two storey semi-detached dwellinghouse located on the north side of Barnet Drive, Bromley.

Consultations

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

- We have built a brick wall on our side of the boundary which has effectively screened us from No.5's balcony and therefore restored our privacy as per the images attached.

Neighbouring properties were re-notified on the 12th January after amended plans were received by the Council:

- A pitched roof was never constructed so it is incorrect to say it will be removed- it never existed. Instead a balcony was built.
- We were concerned about our privacy because of the balcony and we emailed the applicant of number 5 about this.
- The applicant said he has no plans to use the space as a balcony.
- We contacted him again about the privacy issue as seen from our bedroom window and he said he was fine with our building of a wall on our property so as to screen us from the balcony.
- Reverting back to the attached drawing this shows a 'new door' opening to the balcony. Therefore it clearly is the intention to use the space as a balcony. This means our whole property including our garden will be overlooked, meaning we will have no privacy at all.

Planning Considerations

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

National Planning Policy Framework:

Chapter 7- Requiring Good Design

London Plan:

Policy 7.4 Local character

Policy 7.6 Architecture

Unitary Development Plan:

BE1 Design of New Development

H8 Residential Extensions

SPG1 General Design Guidance

SPG2 Residential Design Guidance

According to paragraph 216 of the NPPF decision takers can also give weight to relevant policies in emerging plans according to:

- The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- 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
- 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.

Draft 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 closed on December 31st 2016 (under The Town and Country Planning (Local Planning) (England) Regulations 2012 as amended). It is anticipated that the submission of the Local Plan to the Secretary of State will be in the early part of 2017.

Draft Policy 6 Residential Extensions
Draft Policy 37 General Design of Development

Planning History

00/01157/FULL1-Two storey side extension, single storey conservatory extension to rear and single storey porch to front- Application Permitted- Date issued- 28.06.2000

08/01344/FULL6-Part one/two storey side and rear extensions and single storey front extension- Application Refused- Date issued-06.06.2008

11/02792/FULL6-Single storey rear/side extension with pitched roof- Application Permitted- Date issued-14.11.2011

13/01511/FULL6-Single storey rear extension, part one/two storey front/side extension, and roof alterations- Application Refused- Date issued-14.08.2013- APPEAL ALLOWED- DATE-07/11/2013

15/01502/FULL6-Single storey rear extension, part one/two storey front/side extension and roof alterations (amendment to reference 13/01511 to include two storey bay windows and roof alterations at front)-Application Refused- Date issued- 16.06.2015

15/03450/FULL6-Revision to permission 13/01511/FULL6 for single storey rear extension, part one/two storey front/side extension, and roof alterations to include two storey bay windows and roof alterations at front to hipped design- Application Refused- Date issued-08.10.2015- APPEAL ALLOWED- DATE- 17/02/2016

Conclusions

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

Design

Policies H8, BE1 of the UDP, the Council's Supplementary design guidance and London Plan Policy 7.4 of the London Plan seek to ensure that new development, including residential extensions are of a high quality design that respect the scale

and form of the host dwelling and are compatible with surrounding development. Consistent with this, the National Planning Policy Framework (NPPF) states that new development should reflect the identity of local surroundings and add to the overall quality of the area.

The existing and proposed alterations would be confined to the rear of the property, not visible from public spaces. As a result, the proposal is not anticipated to have a detrimental impact on the character of the surrounding area or the wider street scene, thus within the limitations of Policies BE1 and H8 of the UDP and 7.4 of the London Plan.

Impact on Residential Amenity

The main concern is the potential loss of amenity to neighbouring residents. Policy BE1 of the UDP and 7.6 of the London Plan seek 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.

Concern is raised over the possible loss of amenity to neighbouring residents by way of privacy caused by overlooking. Amended drawings were received on the 10th January, which show a reduction to the depth of the balcony, along with proposed obscure glass screening to be erected along the western roof/boundary line, at a height of approximately 1.7m.

It is considered that the proposed glass screening will limit the possibilities of potential overlooking and loss of privacy to the first floor windows of the adjoining neighbouring property. Furthermore, it was noted on the site visit that natural screening exists along the adjoining boundary, thus reducing the risk of significant overlooking into the adjoining neighbour's garden.

In addition, the reduction in depth of the balcony is also considered to respect the amenities of the neighbouring property at No.7. The reduction in size of the proposed balcony will prevent the occupiers of the host dwelling using the entirety of the flat roof as a balcony, thus limiting the potential for overlooking. The reduction will restrict any overlooking to 'long views' of No.7's rear garden, rather than 'short views' which would result in a significant loss of privacy to the occupiers of No.7.

In terms of noise and disturbance from the balcony, whilst the balcony is at first floor level and close to the adjoining bedroom window of No. 3, the balcony can only be accessed from a bedroom thereby limiting its potential use, together with the proposed screening and the reduced size on balance would not result in a significant increase in noise and disturbance to the neighbouring occupiers of Nos. 3 and 7 Barnet Drive.

Background papers referred to during production of this report comprise all correspondence on the file ref: 15/03450/FULL6 and 15/01502/FULL6 as set out in the Planning History section above, excluding exempt information.

Summary

Taking into account the above, Members may therefore consider that the development in the manner proposed is on balance acceptable. Whilst it is recognised that the balcony may lead to a degree of overlooking and increased noise and disturbance, it is considered that the revisions made to the proposed balcony would preserve the amenities of neighbouring properties. Moreover, the existing flat roof is not expected to have a detrimental impact on the host building or character of the area.

As amended by documents received on 10.01.2017

RECOMMENDATION: PERMISSION

Subject to the following conditions:

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

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

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

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

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

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

- 4 The use of the flat roof as a balcony/terrace shall be limited to the area identified on the approved plans received by the Council on the 10/01/2017 and the remaining flat roof shall not be used as a balcony or for sitting out at any time**

Reason: In the interests of the amenities of the adjacent properties and to comply with Policy BE1 of the UDP.

- 5 The privacy screening for the balcony shall not be carried out otherwise than in complete accordance with the plans approved**

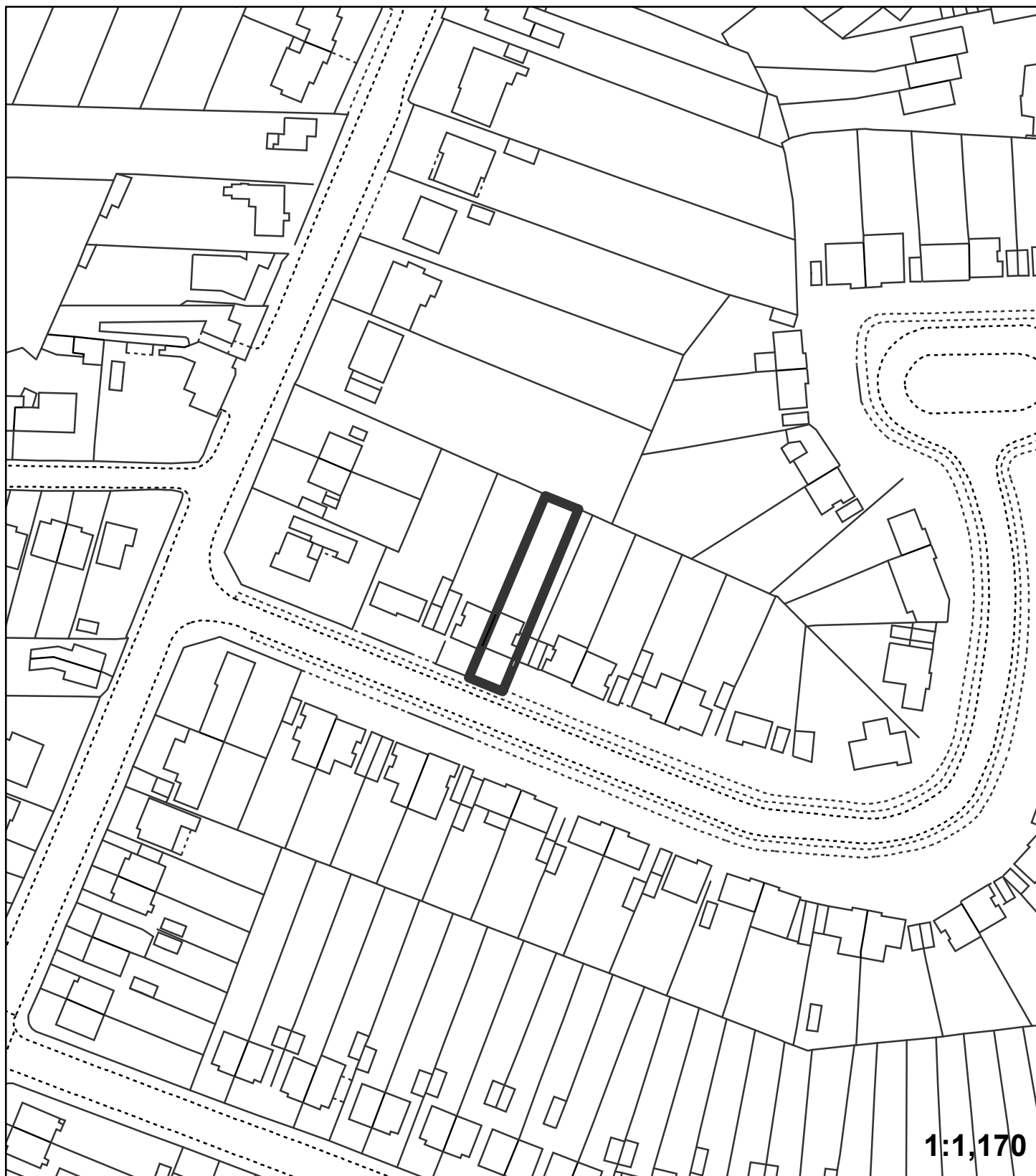
under this planning permission unless previously agreed in writing by the Local Planning Authority and permanently retained as such.

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.

Application:16/04459/FULL6

Address: 5 Barnet Drive Bromley BR2 8PG

Proposal: Alterations to the rear elevation to include the removal of the existing pitched roof to the single storey rear extension and the formation of a balcony at first floor level with associated obscure glass screening and stainless steel balustrading- PART RETROSPECTIVE



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

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

Application No : 16/04956/FULL1

Ward:
Farnborough And Crofton

Address : Lubbock House 1 Northolme Rise
Orpington BR6 9RF

OS Grid Ref: E: 545228 N: 165514

Applicant : Affinity Sutton

Objections : YES

Description of Development:

Demolition of existing building and construction of nine 2-storey 4-bedroomed dwellings with accommodation in the roof, within three terraces of three units each, with associated access, car parking and landscaping.

Key designations:

Biggin Hill Safeguarding Area
London City Airport Safeguarding
Open Space Deficiency
Smoke Control SCA 14

Proposal

Planning permission is sought for the demolition of existing building and construction of nine 2-storey 4 bedroomed dwellings with accommodation in the roof, within three terraces of three units each, with associated access, car parking and landscaping.

The accompanying Design and Access Statement describes the scheme as being designed to remain in the style and character of the surrounding context. A traditional design approach is opted for within the scheme. The footprint of the buildings have been arranged with a 1.5m gap between the sets of terraces and a 6m gap between unit No. 9 and the western boundary of the site and ~2.5m between the flank elevation of unit No. 1 and the eastern boundary of the site.

The building footprint will measure approximately 10.2m width and 16.8m depth at its maximum extents. The height of the building will be approximately 13.7m at the highest ridge point. The footprint of the building has been arranged with a 1m gap to the boundary with No132 and adjacent to the boundary with No128.

At the front of the buildings there will be 18 car parking spaces (2 for each unit) and bin storage. Cycle storage is shown in either in the rear gardens or garages of the units and provide 2 spaces per unit. The bin and cycle parking storage for 8 cycles is located within the rear curtilage. Pedestrian access to the building is from the front door with an additional access via a side entrance gate with the shared access.

At the rear gardens are provided for each unit.

The proposed materials are indicated to reflect the local character and match neighbouring buildings with feature bay windows to the front elevation and brick band detailing.

Location

This site is located on the southern western side of Northolme Rise within a residential area, approximately 400m from Orpington Station which lies to the north east of the site. The site is not located within a conservation area and currently contains a three storey block which was a former care home containing 30 flats which was built under planning ref: 86/3422. The surrounding area is characterised generally by single family dwelling and are typically two storeys in height with some three storey dwellings including the building on the application site and also opposite the site at No 27, Northolme Rise.

The site has an area of approximately 0.29 hectares and is rectangular in shape with ground levels sloping down from the north to the south. The current development is set within this sloping site with retaining walls at the northern end of the site to first floor level. Access to the site from Northolme Rise.

The site boundaries contain a mixture of deciduous and evergreen trees of differing ages and sizes, some of which are protected by tree preservation orders (TPO No 1089 and 949). An Arboricultural Implications Assessment has been submitted with the application which provides a detailed assessment of all trees.

Consultations

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

- Loss of privacy;
- Loss of light;
- New development is overbearing and oppressive;
- New development is an overdevelopment and out of character with the area;
- Devaluation of property given the loss of the trees the rear of the property will look towards the side of the new buildings;
- Concern over the impact during construction in terms of noise, dust and disturbance;
- Concern over the increase in traffic and safety implications;
- Concern over the impact the demolition and construction vehicles/work will have on the road and if it will be re-surfaced;
- Detailed Construction Management Plan should be conditioned which also include contact details, vehicle movements, hours of construction/demolition and vehicle routes;
- Concern over safety and the rear access gates to the properties;
- Concerns over the existing and proposed boundary treatments;
- Concerns that the existing land owners do not have a good relationship with residents and this might continue into the demolition/build phases of the development;

- Original permission for 18-30 Northolme Rise identified that off street parking for these properties, it is unclear if these will be retained;
- Concern over the impact on the trees; and
- Questions over the future occupants (private or social housing).

Internal Consultations

Highways - This section of Northolme Close is a cul-de-sac and so the traffic flows past the site are likely to be low, there is also no accident record in the road. Whilst sightlines from the access are poor given these factors I think it would be difficult to sustain a ground of refusal. The garages have dimensions of at least 6m x 2.6m. As such conditions regarding parking, garages, hardstanding and Construction Management Plan should be included with any permission.

Environmental Health – Housing:

Environmental Health Housing stated that the applicant is advised to have regard to the Housing Act 2004 Part 1 - Housing Health and Safety Rating System (HHSRS).

External consultations

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

Planning Considerations

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 (2016):

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

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

Housing: Supplementary Planning Guidance. (March 2016)

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

Unitary Development Plan (2006):

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

Supplementary Planning Guidance 1: General Design Principles

Supplementary Planning Guidance 2: Residential Design Guidance

Bromley's Proposed Submission Draft Local Plan (2016):

The final consultation for the emerging Local Plan was completed on December 31st 2016. It is expected that the Examination in Public will commence in 2017. The weight attached to the draft policies increases as the Local Plan process

advances. These documents are a material consideration and weight may be given to relevant policies as set out in the NPPF paragraph 216 which states:

“From the day of publication, decision-takers may also give weight to relevant policies in emerging plans according to:

- *the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given)*
- *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*
- *the degree of consistency of the relevant policies in the emerging plan to the policies in this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).”*

Current draft Policies relevant to this application include:

Draft Policy 1 Housing Supply
Draft Policy 4 Housing Design
Draft Policy 37 General Design of Development
Draft Policy 30 Parking
Draft Policy 32 Road Safety

Planning History

86/03422/LBB – Planning permission was granted 16/07/1987 for the construction of a three storey building comprising of 30 sheltered housing flats.

Conclusions

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

- Principle of development
- Housing Density
- The design and appearance of the scheme and the impact of these alterations on the character and appearance of the area and locality
- The quality of living conditions for future occupiers
- Access, highways and traffic Issues
- Impact on adjoining properties
- Sustainability and energy; and
- Community Infrastructure Levy

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 small scale infill development in previously developed residential areas provided that it is designed to complement the character of surrounding developments, the design and layout make suitable residential accommodation, and it provides for garden and amenity space.

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

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

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

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

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

Density

The density of the proposal would be 145hr/ha. Table 3.2 of the London Plan sets out the appropriate density range for a site with a PTAL of 5 in a suburban area as 200–350 hr/ha.

Given, the density of the proposal is below the guide lined density criteria the amount of development on site is considered suitable at this location.

Design, character and appearance

Policies 3.4 and 3.5 of the Further Alterations to the London Plan (March 2015) (FALP) reflect the same principles. Policy 3.4 specifies that Boroughs should take into account local context and character, the design principles (in Chapter 7 of the Plan) and public transport capacity; development should also optimise housing

output for different types of location within the relevant density range. This reflects paragraph 58 of the National Planning Policy Framework, which requires development to respond to local character and context and optimise the potential of sites.

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

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

The 9 units are split into a three terraces of 3 units which provides a break in the elevation and pedestrian access to the rear gardens. The design of the terraces are traditional in style with pitched roofs, gable ends incorporated a central gable feature within each row of terraces. The design has included two types of brick, a red and buff multi-stock to give a variety, texture and play in differing light conditions. The units have been designed as 2.5 storeys to provide accommodation within the roofspace but reduce the overall height of the buildings. The buildings will gradually step down the site with the sloping topography to reduce the impact on neighbouring properties.

The footprint of the buildings have been arranged with a 1.5m gap between the sets of terraces and a 6m gap between unit No. 9 and the western boundary of the site and ~2.5m between the flank elevation of unit No. 1 and the eastern boundary of the site. The footprint of the buildings have been arranged with a 1.5m gap between the sets of terraces and a 6m gap between unit No. 9 and the western boundary of the site and ~2.5m between the flank elevation of unit No. 1 and the eastern boundary of the site.

It is noted that a vehicular parking is to be located in the front garden which takes up a large part of the front curtilage. However, with suitable landscaping mitigation as indicated in the submitted plans, on balance it is considered that the visual amenity of the streetscene will not be detrimentally affected.

Residential Amenity - Standard of Residential Accommodation

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

The floor space size of each of the 9 units ranges between 150m² and 158m² respectively. The nationally described space standard requires 112m² for a 3-storey six person 4 bed roomed unit. On this basis, the floorspace provision for all of the units is considered compliant with the required standards and is considered acceptable.

The shape and room sizes in the proposed building are considered satisfactory. None of the rooms would have a particularly convoluted shape which would limit their specific use.

Amenity Space

In terms of amenity space private rear garden areas is indicated to be landscaped for use by all residents the provision is broadly acceptable at this location.

Car parking

Eighteen parking spaces area provided accessed via the new access from Northolme Rise, the Council's Highways Officer has not raised objection in this regard.

Cycle parking

Cycle parking is required to be 2 spaces for per dwellings. The applicant has provided details of a secure and lockable storage area cycle storage for each unit comprising of 18 spaces. This is considered satisfactory.

Refuse

All new developments shall have adequate facilities for refuse and recycling. The applicant has provided details of refuse storage for the units within the front curtilage. The location point is considered acceptable within close proximity of the highway for collection services.

Impact on Adjoining Properties

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

In terms of outlook, the fenestration arrangement will provide mainly front and rear outlook for each unit overlooking amenity space or overlooking the street. Secondary outlook is additionally provided midway within the flanks of the building looking into the flank elevations of the terraces or the side access way to the end of the site. To ensure privacy these flank windows are to be obscure glazed and secured by condition. Therefore, it is considered that a suitable level of privacy at the intended distances to existing neighbouring property will be maintained generally.

The new buildings have been designed to be lower than the existing building together with the new buildings gradually stepping down with the topography on site to reduce the impact on the surrounding residential properties.

The western and central terraces are generally within the footprint of the existing building, however the eastern terrace is located on the exciting garden area. The flank wall of this terrace will be located 14.2m from the rear elevation of the rear properties along Wodhead Drive whilst this terrace is at an elevated position given the distance and the existing boundary screening on balance 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.

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 Design and Access Statement has indicated appropriate sustainability measures to ensure that the development strives to achieve these objectives.

Landscaping

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

Community Infrastructure Levy

The Mayor of London's CIL is a material consideration. CIL is payable on this application and the applicant will be required to complete the relevant form.

Summary

The development would have a high quality design and would not have an unacceptable impact on the amenity of neighbouring occupiers, subject to suitable conditions. It is considered that the density and tenure of the proposed housing is acceptable and that the development would not be detrimental to the character of the area. The standard of the accommodation that will be created will be good. The proposal would not have an adverse impact on the local road network or local

parking conditions. The proposal would be constructed in a sustainable manner and would achieve good levels of energy efficiency. It is therefore recommended that planning permission is granted subject to the imposition of suitable conditions.

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: 16/04956/FULL1 set out in the Planning History section above, excluding exempt information.

RECOMMENDATION: PERMISSION as amended by docs received 13.01.2017

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: 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.

- 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 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

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

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

- 6** 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** Garages shall have minimum internal dimensions of 2.6m x 6m and there shall be a minimum clear space in front of their doors of 6m (or of 7.5m where the garages are in a compound or opposite a structure or means of enclosure) to allow for manoeuvring and these dimensions shall be permanently retained as such thereafter.

Reason: In order to comply with Appendix II of the Unitary Development Plan to ensure that adequate on-site parking is provided and in the interest of pedestrian and vehicular safety.

- 8** Details of the finished surfaces of the access road, garage drives and parking areas, which shall include coloured materials and block paving, and of the street lighting installations, shall be submitted to

and approved in writing by the Local Planning Authority before the development commences and the access road, drives, parking areas and street lighting shall be completed in accordance with the approved details before any of the dwellings hereby permitted are first occupied.

Reason: In order to comply with Policy H7 of the Unitary Development Plan and in the interest of the visual amenities of the area

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

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

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

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

- 12** The storage of refuse and recyclable materials (including means of enclosure for the area concerned where necessary) shall be completed in accordance with drawing No. (PL)_101 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 completed in accordance with drawing No. (PL)_101, 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 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.

- 15 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 retained permanently thereafter.

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

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 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.
- 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. 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.
- 6 A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk

Management Team by telephoning 02035779483 or by emailing wwqriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality.

- 7 The applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0800 009 3921. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.
- 8 Legal changes under The Water Industry (Scheme for the Adoption of private sewers) Regulations 2011 mean that the sections of pipes you share with your neighbours, or are situated outside of your property boundary which connect to a public sewer are likely to have transferred to Thames Water's ownership. Should your proposed building work fall within 3 metres of these pipes we recommend you contact Thames Water to discuss their status in more detail and to determine if a building over / near to agreement is required. You can contact Thames Water on 0800 009 3921 or for more information please visit our website at www.thameswater.co.uk
- 9 Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

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Application:16/04956/FULL1

Address: Lubbock House 1 Northolme Rise Orpington BR6 9RF

Proposal: Demolition of existing building and construction of nine 2-storey 4-bedroomed dwellings with accommodation in the roof, within three terraces of three units each, with associated access, car parking and landscaping.



1:2,610

"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 : 16/05289/FULL6

Ward:
Clock House

Address : 66 Tremaine Road Penge London SE20
7TZ

OS Grid Ref: E: 534965 N: 169096

Applicant : Mr Kadhum Hindi

Objections : YES

Description of Development:

Part one/two storey rear extension with steps

Key designations:

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

Proposal

UPDATE

This application was deferred without prejudice by Members of the Plans Sub Committee 4 held on the 2nd February 2017, in order to seek a reduction in height to the extension. The applicant has sent through revised plans showing a reduction in height to the two storey rear element from 7.95m to 7.63m to the hipped roof. The contents of the original report are repeated below.

Proposal

The application seeks planning permission for a part one/two storey rear extension, with associated steps. The proposed extension will have a rearward projection of 5m with a width of 5.7m. In terms of height, the proposal will have a height to the flat roof of the single storey element of 3.7m, whilst the two storey element will have a height of approximately 7.95m to the hipped roof. The proposed decked area proposes a 2m projection (at just under 1m in height) with steps leading down to the rear garden.

Location and Surroundings

The application site is a two storey end of terrace dwelling located on north-east side of Tremaine Road, Penge.

The host dwelling is adjoined to the north-west by the newly formed property at No.64A permitted under planning reference: 15/05593/FULL1, for the erection of a new two storey building to accommodate 1 two bedroom flat and 2 one bedroom flats. To the south-east the host dwelling is adjoined by the neighbouring semi-detached property at No.68.

Consultations

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

Comments were received in objection from the adjoining neighbouring property at 68:

- This is the same application that has now been rejected twice
- The proposed extension continues to be excessive and obtrusive and not in keeping with the surrounding houses
- It will leave our property significantly overlooked as all the side shrubbery will need to be removed to allow for this extension.
- We strongly object to both the size of the ground floor extension and particularly to the first floor extension

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

SPG1 General Design Guidance
SPG2 Residential Design Guidance

According to paragraph 216 of the NPPF decision takers can also give weight to relevant policies in emerging plans according to:

- The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- 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
- 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.

Draft 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 closed on December 31st 2016 (under The Town and Country Planning (Local Planning) (England) Regulations 2012 as amended). It is anticipated that the submission of the Local Plan to the Secretary of State will be in the early part of 2017.

Emerging Local Plan Draft Policies:

Draft Policy 6 Residential Extensions
Draft Policy 37 General Design of Development

The London Plan

Policy 3.5 Quality and design of housing developments
Policy 5.3 Sustainable design and construction

Mayor's Housing Supplementary Planning Guidance (2015)

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

Planning History

16/02024/PLUD-Rear dormer and front rooflights. Lawful Development Certificate (Proposed).-Proposed Development is Lawful- Date issued-20.06.2016

16/02027/FULL6-Part one/two storey rear extension with steps- Application Refused- Date issued-01.07.2016- Appeal Allowed- 03/11/2016

Refusal Grounds:

1. The proposed extension would, by reason of its excessive rearward projection appear as dominant obtrusive form of development, which would seriously affect the amenities of the neighbouring occupiers of 68 Tremaine Road and the future occupants of 64A Tremaine Road, contrary to Policies BE1 and H8 of the Unitary Development Plan.

16/03679/FULL6-Part one/two storey rear extension with steps- Application Refused-
27.10.2016

Refusal Grounds:

1. The proposed extension would, by reason of its excessive rearward projection appear as dominant obtrusive form of development, which would seriously affect the amenities of the neighbouring occupiers of 68 Tremaine Road and the future occupants of 64A Tremaine Road, contrary to Policies BE1 and H8 of the Unitary Development Plan

Conclusions

Design

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

Framework (NPPF) states that new development should reflect the identity of local surroundings and add to the overall quality of the area.

As outlined above the Appeal decision is considered to be a material consideration in the assessment of this planning application. The current proposal appears to be similar to the original application in terms of the size and depth of the extension along with the rear decking/steps. The only material difference between the two applications is that the applicant, in light of the Inspector's report, has added a hipped roof to the first floor rear extension. Presumably in order to overcome the concerns raised by the Inspector in regards to the previously proposed flat roof design, which was considered to significantly affect the character and appearance of the host building.

Despite the Inspector's comment it is considered that the proposal would still appear as a dominant and obtrusive form of development. Furthermore, the addition of a hipped roof would add to the size and bulk of the development. However, Members should consider the Inspector's comments carefully and despite concerns raised by the Council the Appeal decision is a material consideration that should not be ignored. As a result, it is considered that the proposed design and appearance of the development is acceptable when considering the weight the Appeal decision holds.

Impact on residential 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.

Further to the above the Inspector considered that the initial proposal would not lead to any undue loss of amenity to neighbouring dwellings, despite the concerns raised by the Council.

The Inspector summarised by saying that due to the pathway separating the host dwelling and No. 64A along with the fence enclosing site, together with the relative position of the rear elevation of No.64A, means that the extensions would not have an adverse effect on the outlook of residents or any future residents of No. 64A.

In regards to No.68 the Inspector considered that the proposed extension would not project significantly beyond the existing extension at no.68. Furthermore, the first floor extension would be set away from the shared boundary. Notwithstanding the concerns raised by the Council the Planning Inspectorate has determined that the proposal would not give rise to a significant loss of amenity to neighbouring dwellings.

Summary

Taking into account the above, Members may therefore consider that the development in the manner proposed is acceptable, when considering the matters raised by the Inspector in the prior Appeal statement (planning reference:

16/02027/FULL6). The Appeal Decision is considered to be a significant material consideration in the assessment of this planning application. The revised scheme has added a hipped roof design, which was considered to be integral to the design of the development in order to complement the character and appearance of the host dwelling. Whilst the original proposal was not considered to give rise to any undue loss of amenity to neighbouring properties, despite concerns raised by the Council in the original grounds for refusal. As a result, it is considered that the proposal is acceptable and within the limitations of Policies BE1 and H8 of the UDP.

RECOMMENDATION: PERMISSION

Subject to the following conditions:

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

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

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

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

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

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

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Application:16/05289/FULL6

Address: 66 Tremaine Road Penge London SE20 7TZ

Proposal: Part one/two storey rear extension with steps



1:1,290

"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 : 16/05798/FULL6

Ward:
Kelsey And Eden Park

Address : 69 Broomfield Road Beckenham
BR3 3QB

OS Grid Ref: E: 536504 N: 168498

Applicant : Mr Nelson Teixeira

Objections : YES

Description of Development:

Part one/two storey side extension to include side dormer, roof alterations to include front and rear rooflights, single storey rear extension and decking to rear.

Key designations:

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

Proposal

The application seeks permission for the addition of a part one/two storey side extension to include side dormer, roof alterations to include front and rear rooflights, a single storey rear extension, and decking to the rear.

The proposed part one/ two storey side extension would replace the existing single storey garage which is to be removed. It would have a depth of 9.8m at ground floor level and 9m at first floor level, with a width of 2.42m. The first floor element would be set in approximately 0.8m from the front projection at ground floor level. The roof of the extension would match the ridge and eaves height of the existing dwelling at first floor level, and would feature a side dormer. Three rooflights would also be added to the front roofslope of the property. The ground floor element would feature a flat roof with a height of 2.8m.

The extension would adjoin a proposed single storey rear extension. This element would project a further 0.9m from the rear of the proposed side extension for a width of 4.2m. It would then increase in depth to 3m for a width of 3.6m. The extension would feature a flat roof with a height of 3m featuring three rooflights, which would project the full width of the proposed dwelling for a depth of 3m so as to also provide a canopy for part of the proposed decking.

The decking to the rear would project 2m beyond the rear of the proposed single storey element and would wrap around the side of the proposed extension. It would be raised approximately 0.2m from ground level.

Location

The application site hosts a two storey end of terrace dwelling located on the eastern side of Broomfield Road, Beckenham. The southern flank boundary of the site adjoins the rear of the properties which face onto Eden Park Avenue.

The site is not located within a Conservation Area, nor is it Listed.

Consultations

Comments from Local Residents

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

- Object to large window less than 1m from patio of neighbouring property that would result in loss of privacy.
- Three new windows for the stairs would also directly overlook neighbouring garden - no objection to these if they were obscure glazed.
- No objection to the height or other dimensions of the plans.

Highways Officers raised no objections to the proposal.

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.

London Plan (2016):

7.4 Local Character
7.6 Architecture

Unitary Development Plan 2006

BE1 Design of New Development
H8 Residential Extensions
H9 Side Space

Draft Local Plan 2016

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 closed 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 6 Residential Extensions
Draft Policy 8 Side Space
Draft Policy 37 General Design of Development

Planning History

The site has previously been the subject of the following applications;

- 87/00266/FUL - Single storey side extension for granny annexe - Permitted 04.03.1987
- 03/00228/FULL6 - Single storey rear extension - Permitted 26.02.2003

Conclusions

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

Design

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

The 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 extension would have a modest width and would provide a continuation of the existing ridge and eaves height. The proposed side dormer element would have a reduced height to maintain a subservient appearance to the main dwelling. The extensions are sympathetically designed to complement the host building, with the first floor set back from the front and the proposed materials to match the existing. As such the extension would not appear overly bulky or dominant within the street scene, and would not detract from the character and appearance of area generally.

Side Space

Policy H9 requires a minimum of 1m side space to be provided for proposals of two or more storeys in height, and this should be retained for the full height and length of the flank wall or building. Furthermore, where higher standards of separation exist proposals are expected to provide a more generous side space.

The southern flank boundary of the site tapers so that the proposed side extension would provide a side space of 1.59m to the front and 0.875m to the rear. The first floor element would provide a side space of between 1.535m and 0.93m. Whilst

the development would not provide a minimum side space of 1m the proposal would not result in a terracing effect between the extension and any neighbouring property and the proposed extension would also not cause a cramped appearance within the wider streetscene. Given the generous side space provided towards the front of the extension, and that there is a considerable distance to the other properties adjoining this boundary which face Eden Park Avenue, the proposal would not result in a cramped appearance and would not result in a detrimental impact to the spatial standards of the area. As such, it is considered that the proposal does not conflict with the reason for the side space policy and as such is compatible.

Impact on residential amenity

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

In terms of the impact on the adjacent neighbours, the proposed extension would project 2.42m closer to the properties facing Eden Park Avenue at first floor level and 4m further to the rear than the existing garage. However, the extension would not project beyond the rear of the existing property at first floor level and would not exceed the height of the existing roof. Furthermore, the orientation of the properties is such that the extension would not result in any significant loss of light to the rear gardens, and there is a significant distance to the rear of these dwellings. A single storey garage adjacent to the rear of No.17, adjacent to the rear boundary, would also partially mitigate the impact of the extension. Given the above, the proposal is not considered to result in significant harm in terms of loss of light and outlook to the properties facing Eden Park Avenue.

Concerns have been raised regarding potential for overlooking from the proposed flank windows to the properties facing Eden Park Avenue. The submitted plans indicated that the upper floor windows serving the staircase would be obscure glazed and this would prevent any significant opportunities for overlooking.

The ground floor element of the extension includes a playroom which features a ground floor flank window directly facing the rear boundary with No.17 Eden Park Avenue. Concern has been raised from neighbours regarding loss of privacy, however given the window is at ground floor and the rights afforded under permitted development to allow the insertion of flank windows at ground floor without consent it is considered that on balance the proposal would not result in a significant loss of privacy.

In terms of the impact to No.67 Broomfield Road the proposed single storey rear element would project 1m further to the rear than the existing conservatory. Furthermore, No.67 benefits from an existing rear extension which would mitigate the impact of the proposed rear extension. With regards to the first floor element this would not be visible from this property. It is therefore considered that the proposal would not result in any significant harm to the amenities of No.67.

The proposed decking would project 2m beyond the rear of the proposed single storey element and would wrap around the side of the proposed extension. It would be raised approximately 0.2m from ground level. Given the modest height of the proposed decking and the rights currently afford under permitted development which allow for decking to a maximum height of 0.3m above natural ground level it is considered that the proposal would not result in any significant opportunities for overlooking and is an acceptable addition to the property.

Highways Impacts

The proposed side extension would also result in the loss of the existing garage, however the dimensions of this are below the Council's preferred size and it currently has limited use for parking, though it would offer refuse and cycle storage. The increase in the number of bedrooms would potentially increase parking demand associated with the dwelling. The existing drive is proposed to be widened but looks as if it would be too narrow to readily accommodate 2 cars parked off street. However, Broomfield Road is a wide residential street capable of accommodating parking on both sides without detriment to the free flow of traffic or condition of safety in the Highway, and is not subject to waiting restrictions. Therefore, Highways Officers raised no objections to the proposal, subject to conditions.

Conclusion

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

Background papers referred to during production of this report comprise all correspondence on the file ref: 16/05798/FULL6 set out in the Planning History section above, excluding exempt information.

RECOMMENDATION: PERMISSION

Subject to the following conditions:

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

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

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

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

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

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

- 4 Before the development hereby permitted is first occupied the proposed window(s) in the southern first floor flank elevation and dormer shall be obscure glazed to a minimum of Pilkington privacy Level 3 and shall be non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed and the window (s) shall subsequently be permanently retained in accordance as such.

REASON: In the interests of the amenities of nearby residential properties and to accord with Policies BE1 and H8 of the Unitary Development Plan.

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

REASON: In order to comply with Policies BE1 and H8 of the Unitary Development Plan and in the interest of the amenities of the adjacent properties.

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

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

You are further informed that :

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

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Application:16/05798/FULL6

Address: 69 Broomfield Road Beckenham BR3 3QB

Proposal: Part one/two storey side extension to include side dormer, roof alterations to include front and rear rooflights, single storey rear extension and decking to rear.



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"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 : 16/05849/FULL1

Ward:
Copers Cope

Address : 63 Copers Cope Road Beckenham
BR3 1NJ

OS Grid Ref: E: 536785 N: 170367

Applicant : Springhead Capital Management & Omega Mears **Objections :** YES

Description of Development:

Change of use from care home (Class C2) to a temporary residential support centre/hostel (sui Generis)

Key designations:

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

Proposal

- Temporary change of use for up to 3 years from Nursing Home (Use Class C2) to a residential support centre/hostel to provide short-term accommodation for people on the Council's housing waiting list (Use Class Sui Generis)
- No external alterations are proposed however the building will undergo some updating internally including the provision of additional kitchen/dining areas
- 41 bedrooms will be provided (5 x single bedrooms/35 x double bedrooms/1 x disabled bedroom)
- 5 communal kitchen/dining areas are proposed along with family room/shared communal facilities and quiet areas
- 30 bedrooms will be ensuite and additional shared W/Cs and bathrooms will be provided
- An office is proposed on the ground floor and a staff room on the lower ground floor and the building will be staffed 24 hours per day, 365 days of the year

The applicant has submitted the following documents in support of their application:

Supporting letter/Planning Statement ref.26791/A3/AJ (Dec 2016):

In summary, this document concludes that the proposal will bring a vacant former care home back into useful occupation whilst contributing towards meeting an identified need for additional accommodation for people on the Council's housing waiting list. The applicant considers that the proposal accords with planning policy

and that it would not harm the character or visual amenity of the area, nor would it result in an unacceptable impact on residential amenity. The applicant refers to 2 recently approved developments in Orpington (ref's 13/01055/FULL2 and 15/00969/FULL2).

Management Plan by Omega Mears (Nov 2016):

This document sets out a comprehensive strategy for the management of the premises and the conduct expected of staff.

Supporting Statement from the London Borough of Bromley's Housing Department (Dec 2016):

This sets out the case for why additional temporary accommodation is required. It states that the number of households in temporary accommodation in Bromley more than doubled between 2011 and 2016. The proposed accommodation will provide cost effective, local, supported temporary accommodation for local households, against the alternative use of nightly paid accommodation, ensuring they are close to local support networks, employment and schooling. Furthermore, the intensive housing management and support service will provide residents with the help they need to gain the necessary skills to sustain independent living and to avoid repeat homelessness in the future.

Marketing letter from B&K Consultancy (June 2015):

This letter outlines the marketing activities that have taken place in relation to the site and the responses which have been received along with feedback received. It recommends that approaches be made to alternative use purchasers, such as residential developers, since these types of enquiries have been more prevalent and offers have been received in respect of re-developing the site for residential use.

A supporting letter from the applicant was received on 9th February 2017 confirming the approximate number of staff employed by the nursing home prior to when it closed. It states that there were 18 employees at that time, however, if operating at full capacity the figure would have been closer to 30.

Location

- The application site is approximately 0.11 hectares in area and is positioned on the corner of the junction of Copers Cope Road and Park Road;
- It comprises a large detached building maximum three storeys in height which has been in use as a Nursing Home under Use Class C2 of the Town and Country Planning (Use Classes) Order 1987 (as amended);
- The building is currently vacant;
- To the north of the site on the opposite side of Park Road is the boundary of the edge of the Copers Cope Conservation Area which extends north along Copers Cope Road and to the east as far as No.48 Park Road;
- Immediately to the west of the site is No.123 Park Road, a detached dwellinghouse;
- To the south of the site, at No.53 Copers Cope Road, is a four storey flatted development;
- The surrounding area is predominantly residential in character comprising large flatted developments as well as single dwellinghouses; New

Beckenham train station lies approximately 40m to the west of the site. The application site is within an area with a public transport accessibility level (PTAL) of 2 (on a scale of 0 - 6b where 6b is the most accessible).

Consultations

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

- Will make area unsafe for children walking to the nearby school
- There will be drug dealing and other illegal business in the under passage next to New Beckenham Station
- This area is fully residential with no shopping facilities or other facilities that the proposed residents may want and so is completely unsuitable
- Astounded that Bromley Council closed care home for the elderly to replace with a halfway house
- Worried how many families will be housed as many local residents are elderly and prone to noise
- traffic from New Beckenham station creates parking problems
- no street lighting
- do not wish to feel even more vulnerable
- the area will be "exposed" to the problems of the residents at the centre
- behavioural problems, anti-social behaviour, increase in crime, creation of fear in neighbourhood, noise, littering, criminal damage, loitering
- additional congestion
- potential for more accidents on Copers Cope Road
- why is it necessary to wait for 2 years prior to building a block of luxury flats?
- Discrepancy over length of period of use
- Area is not very well lit and slightly "off the beaten track"
- Not the right place for a homeless shelter
- Not in keeping with residential nature and ambience of Beckenham
- Detrimental to local residents
- Could become a permanent fixture
- This application and the Lawful Development Certificate application are mutually exclusive
- Proposed use does not fall within Class C2 or any other use class, it is sui generis
- Guidance on the use of temporary conditions does not support a three year period which is being sought
- If the use accords with planning policy it is not appropriate to seek to make the permission temporary
- The need identified by the Council's Housing Department has no planning relevance to this specific application
- There is no evidence of any unsuccessful marketing
- Inadequate parking
- The site has a low PTAL rating and is therefore not easily accessible by public transport

- The intensification of use which will have an impact on amenity is not resolved by management within the hostel itself
- No jobs available nearby
- There were problems when this property was a Barnados home with youths living there
- Number of dwelling units excessive for the size of the site and will result in congestion
- Would be better to use for care to release hospital beds
- The Council should be focusing on securing self-contained accommodation
- Report does not indicate the building is unsuitable for use as a care home
- No assurance that the occupants will be families
- Beckenham tram stop is not 'nearby'
- Management Plan heightens fears
- Don't want to live amongst people with issues again
- Insufficient supporting evidence on the socio-economic impact of the proposals on the local community.

The Council's Highways Development Engineers: no objections subject to occupiers of the development not having access to a motor vehicle which should be secured through the tenancy agreement.

The Council's Environmental Health Team: no objections from a pollution perspective; the Housing Enforcement Officer has provided detailed comments on the internal living standards of the proposed accommodation in accordance with LB Bromley's adopted standards for HMO's.

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
 BE13 Development Adjacent to a Conservation Area
 C1 Community Facilities
 C5 Facilities for Vulnerable Groups
 C6 Residential proposals for people with particular accommodation requirements
 H4 Supported Housing
 IMP1 Planning Obligations
 T1 Transport Demand
 T2 Assessment of Transport Effects
 T3 Parking
 T7 Cyclists
 T8 Other Road Users
 T9 and T10 Public Transport
 T18 Road safety

Planning Obligations SPD (2010)

The final consultation for the Preferred Submission draft Local Plan was completed on December 31st 2016. It is expected that the Examination in Public will

commence in 2017. The weight attached to the draft policies increases as the Local Plan process advances. These documents are a material consideration (albeit it of limited weight at this stage). Policies relevant to this application include:

Draft policy 11: Specialist and Older People's Accommodation
Draft policy 21: Opportunities for Community Facilities
Draft policy 30: Parking
Draft policy 32: Road Safety
Draft policy 37: General Design of Development
Draft policy 42: Development adjacent to a Conservation Area
Draft policy 99: Residential Accommodation
Draft policy 125: Delivery and implementation of the Local Plan

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

3.5 Quality and design of housing developments
3.8 Housing choice
3.9 Mixed and balanced communities
3.14 Existing Housing
3.16 Protection and enhancement of social infrastructure
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
7.8 Heritage assets and archaeology
7.13 Safety, security and resilience to emergency
7.14 Improving Air Quality
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:

3.8 Housing Choice
6.13 Parking

The relevant London Plan SPGs are:

Housing (March 2016)
Accessible London: Achieving an Inclusive Environment (2014)

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
56 to 66: design of development
69-70: promoting healthy communities
128 -137: heritage assets

Planning History

There is an extensive planning history attached to this site. The most relevant applications are as follows:

89/02526/FUL: Planning permission granted for change of use from children's home to nursing home, conversion of basement into flat, part single storey/part three storey rear extension and three storey external fire escape.

92/02698/FUL: Planning permission granted for enlargement of nursing home to include 4 storey side extension, entrance ramps and canopy to front with alterations to front car park.

94/02351/FUL: Part basement/2 storey/4 storey side/rear extension to nursing home access ramp detached pagoda and 4staff parking spaces with vehicular access at rear, amended fenestration to flank elevation of 4 storey side extension granted permission under ref.92/2698.

16/05422/PLUD: Change of use of nursing home (C2 use) to residential support centre providing accommodation, care, support services and training to occupiers under Use Class C2. **LAWFUL DEVELOPMENT CERTIFICATE (PROPOSED) - APPLICATION WITHDRAWN**

Conclusions

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

- Acceptability of the loss of the existing nursing home use and acceptability, in principle, of the proposed use;
- Impact on neighbouring amenity;
- Highways impacts;
- Housing Issues;
- Planning Obligations.

Acceptability in principle

The NPPF, at paragraph 69 states that planning policies and decisions, in turn, should aim to achieve places which promote:

- opportunities for meetings between members of the community who might not otherwise come into contact with each other, including through mixed-use developments, strong neighbourhood centres and active street frontages which bring together those who work, live and play in the vicinity;

- safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion; and

- safe and accessible developments, containing clear and legible pedestrian routes, and high quality public space, which encourage the active and continual use of public areas.

Furthermore, to deliver the social, recreational and cultural facilities and services the community needs, planning policies and decisions should:

- plan positively for the provision and use of shared space, community facilities (such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments;

- guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs (Para 70, NPPF).

Proposals which would result in the loss of social infrastructure in an area where there is a defined need for such a use will be resisted. In the case of redundant or vacant premises, their suitability for the provision of other forms of high quality social infrastructure for which there is a defined need in the locality should be considered (Policy 3.16, London Plan). Policy 3.14 of the London Plan relates to existing housing and identifies the need to retain existing housing stock for all elements of the community and paragraph 3.83 refers to the retention of existing sites providing an element of care and indicates that where shortfalls of specialist housing needs have been identified the possibility of using these sites for other providers of specialist or supported needs accommodation should be explored.

UDP policy C1 is the current adopted policy in respect of the retention of community uses however this does not specifically identify the retention of C2 Care Home uses. Draft Policy 11 of the Draft submission Local Plan resists the loss of sites currently providing specialist accommodation unless it can be demonstrated that there is no demand for the existing accommodation and no demand for sites from alternative providers, or there is equal or greater replacement provision of improved specialist accommodation in an alternative appropriate location. Although this is a draft policy its weight is increasing as the Local Plan progresses.

At the same time the London Plan makes clear 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 and promotes mixed and balanced communities across London stating that "Local Authorities' homelessness strategies will also be important tools in delivering this aim" (Para 3.58, policies 3.8 and 3.9). Furthermore, policy H4 of the UDP permits proposals which increase the provision of supported housing, except where it can be demonstrated that there would be significant harm to residential amenity.

Shared accommodation or houses in multiple occupation is a strategically important part of London's housing offer, meeting distinct needs and reducing pressure on other elements of the housing stock, though its quality can give rise to concern (Para.3.55, London Plan).

According to the applicant, the application site ceased to operate as a nursing home on 4th September 2016 and has been vacant since then. A supporting document was received on 2nd Feb 2017 confirming that the site has been marketed since September 2014, however, limited interest was received in respect of the continued use of the site as a care/nursing home. Furthermore, the overall feedback received was that the internal layout makes the building inadequate for meeting current requirements for accommodation and accessibility. They conclude that it would not be viable to redevelop the site for a care home or nursing home use.

The application is also accompanied by a letter from LB Bromley Housing Department (Dec 2016) which sets out the need for accommodation for homeless persons. In essence, a reduction in new build accommodation, increases in private sector rents and changes within social housing has meant that the number of people in temporary housing has dramatically increased in recent years. The proposal will provide 41 units of cost-effective temporary accommodation, providing residents with the support and skills they need to sustain future independent living.

In terms of accessibility, it is noted that although the site is in an area with a fairly low PTAL rating of 2, New Beckenham station is located within 40m of the site and there is a bus stop within approximately 160m of the site serving bus routes which go near to Beckenham junction station and direct to Beckenham High Street. As such occupiers of the development would be able to access nearby amenities without reliance on private transport.

As confirmed in the accompanying letter from the Council's Housing Department, there is clear need for temporary residential accommodation for homeless families in the Borough and the supporting marketing information submitted confirms that the existing use as the building as a nursing or care home is demonstrably no longer in demand. Furthermore, there is a strong emphasis in national and local policy towards the need to create mixed and balanced communities and promoting social inclusion and more sustainable and healthy communities. In this respect, the proposed residential support centre/hostel is considered acceptable, in principle, in this predominantly residential location.

Impact on residential amenity

There have been numerous objections received from local residents regarding concerns over increased noise, crime and anti-social behaviour in the vicinity of the site and around the existing pedestrian subway to the west of the site. Paragraph 3.1.24 of the Draft Submission Local Plan recognises the importance of ensuring that the impact of community facilities in respect of noise, hours of operation, highway safety or other environmental impacts are appropriately mitigated, for example through planning conditions or obligations. Similarly, adopted policy BE1

of the UDP seeks to ensure that occupiers of neighbouring buildings are not harmed by noise and disturbance while policy C5 states that facilities for vulnerable groups will be resisted where it can be demonstrated that such development would have a significant adverse effect on residential amenity.

In contrast to the existing lawful use of the site as a nursing home (Use Class C2), the proposed sui generis use would constitute a material change of use of the site with different characteristics to the previous use, particularly in terms of the external effects on the character of the area and on local residents which are likely to be more significant since residents of a nursing home will generally be less mobile than residents of the proposed homeless hostel who will be able to come and go more freely.

However, it is noted that the facility will be staffed at all times, including by onsite security at night time and 24 hours per day at the weekend to help ensure it has minimal impact on local residents. In addition, the supporting statement from LBB's Housing Department assures there are a clear set of proposals to ensure that lines of communication are continually available for local residents to report any concerns. It is also important to recognise that the hostel facility would accommodate a range of people on the Council's housing waiting list, whose backgrounds and needs are diverse and include families and those with children, vulnerable young adults and others whose needs arise from health care or other issues. As such it is unlikely that the proposed development, given the diverse nature of its occupants, would give rise to a significant loss of amenity to local residents.

Furthermore, the applicant states that the staffing levels for the proposed use will be significantly less intensive than that required for the previous use home with 6 full time staff proposed as opposed to a maximum of 30 which could have potentially been employed by the nursing home when it was operating at full capacity. Therefore, while there may be some intensification of use in terms of numbers of residents; this will be off-set in part by the reduction in the staff numbers. On balance, it is therefore considered that the proposed use will not, in itself, give rise to a significant loss of amenity to neighbouring residents as a result of any intensification of the use.

There are no external alterations proposed to the main building or within the site's curtilage which would impact on the daylight, outlook or privacy of occupiers of adjacent buildings and, overall, the proposal is unlikely to significantly impact on the character and appearance of the area or on adjacent Heritage Assets.

Nevertheless, it is suggested that a time-limiting condition for the proposed use is applied to any grant of planning permission, reflecting the temporary length of use required by the applicant. This would enable the impact on local residents to be reconsidered in light of the circumstances at that time and also to enable reconsideration of the loss of the C2 use in light of the adopted Local Plan and the demand for specialist accommodation. The NPPG, at paragraph 014, provides guidance on the use of time limiting conditions, stating that where the proposed development complies with the development plan, or where material considerations indicate otherwise that planning permission should be granted,

these will rarely pass the test of necessity. However, circumstances where a temporary permission may be appropriate include where a trial run is needed in order to assess the effect of the development on the area. There is no presumption that a temporary grant of planning permission should be granted permanently.

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. The NPPF clearly states that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

London Plan and UDP Policies encourage sustainable transport modes whilst recognising the need for appropriate parking provision. For facilities for vulnerable groups, parking requirements will be dependent upon the nature of the facility.

The proposal will utilise 7 existing car parking spaces to the front of the site, accessed from Park Road, for staff and disabled users only. Concerns have been raised by local residents regarding additional parking and traffic congestion in the site's vicinity. The applicant maintains that housing will only be made available to those without a motor vehicle, which can be secured through a clause in the tenancy agreement and a condition is recommended accordingly. Furthermore, as set out above, the proposed use is unlikely to result in a significant intensification of the number of vehicle trips to the site given that staffing numbers will be lower than for the previous use of the site.

Cycle parking should also be provided in accordance with policy 6.9 and table 6.3 of the London Plan. The applicant has confirmed in their planning statement that opportunities for the provision of secure cycle parking spaces exist within the site and a cycle parking condition is recommended accordingly. Details of the provision of refuse and recycling facilities are also required by way of condition.

Overall, the proposal is therefore considered acceptable from a highways and road safety perspective.

Housing Issues

Density:

In relation to the proposed development, The London Plan SPG; Housing, confirms that the density matrix at table 3.2 of the London Plan relates only to Use Class C3 dwelling houses. It is not intended for applications to short term serviced

accommodation, student hostels, or residential institutions (Para.1.3.12, Housing SPG).

Standard of Residential Accommodation:

The Mayor's Housing SPG sets out guidance in respect of the standards required for all new residential accommodation to supplement London Plan policies. The standards set out the minimum level of quality and design that new homes should meet, however, the SPG makes clear that the standards do not apply to specialist forms of housing which are not in the C3 use class such as student housing, care homes and homes in multiple occupation. In the case of the application proposal, the standard of accommodation being proposed would, in this instance, not fall under the remit of the planning system.

Furthermore the access standards, which are set through the Part M of the Building Regulations, do not generally apply to dwellings resulting from a conversion or change of use (para.2.1.13, Housing SPG).

Planning Obligations

The London Plan, at policy 3.16, states that Borough's should ensure that adequate social infrastructure provision is made to support new development, particularly in areas of major new development. The Council's Planning Obligations SPD supplements the policies of the UDP and sets out the requirements and mechanisms for infrastructure contributions. Education and health contributions, it states, will only usually be sought from major residential developments and specialist accommodation will normally be excluded from education calculations. This application does not fall within the statutory definition of a 'major development' as the site less than 1ha in area and the proposal does not involve the provision of any additional floorspace. Also, being a specialist form of accommodation, the proposal would not be liable to provide contributions towards health or education infrastructure.

Summary

The application site has been marketed for a continued Class C2 use (as a care home) and the use of the building for such uses is demonstrably no longer in demand. Furthermore, there is a defined need for temporary residential accommodation for homeless families in the Borough. In this instance the application site is considered suitable for the proposed residential support centre/homeless people's hostel use in terms of its accessibility to sustainable transport modes and the highways impacts it would have which are also considered acceptable.

While it is clear the external effects of the proposed use would be more significant than that of the previous use as a nursing home, in this instance it is not considered that the impact on local residents would be harmful enough to warrant refusal of the application, particularly as the applicant is only seeking a temporary change of use for up to 3 years (including a 1 year period of internal

modifications/refitting), which would see this empty property brought back into use prior to any longer term regeneration plans coming forward for the site.

Background papers referred to during production of this report comprise all correspondence on the file refs 16/05849/FULL1 set out in the Planning History section above, excluding exempt information.

as amended by documents received on 31.01.2017 02.02.2017 09.02.2017
RECOMMENDATION: PERMISSION

Subject to the following conditions:

- 1 The use hereby permitted shall be discontinued on or before the 31st March 2020.**

Reason: In order to comply with Policies BE1 and H4 of the Unitary Development Plan and so that the situation can be reconsidered in the light of the circumstances at that time and in the interest of the amenities of the area.

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

Reason: In order to comply with Policies BE1 and H4 of the Unitary Development Plan and in the interest of the residential amenities of the area.

- 3 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.

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

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

- 6** 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.

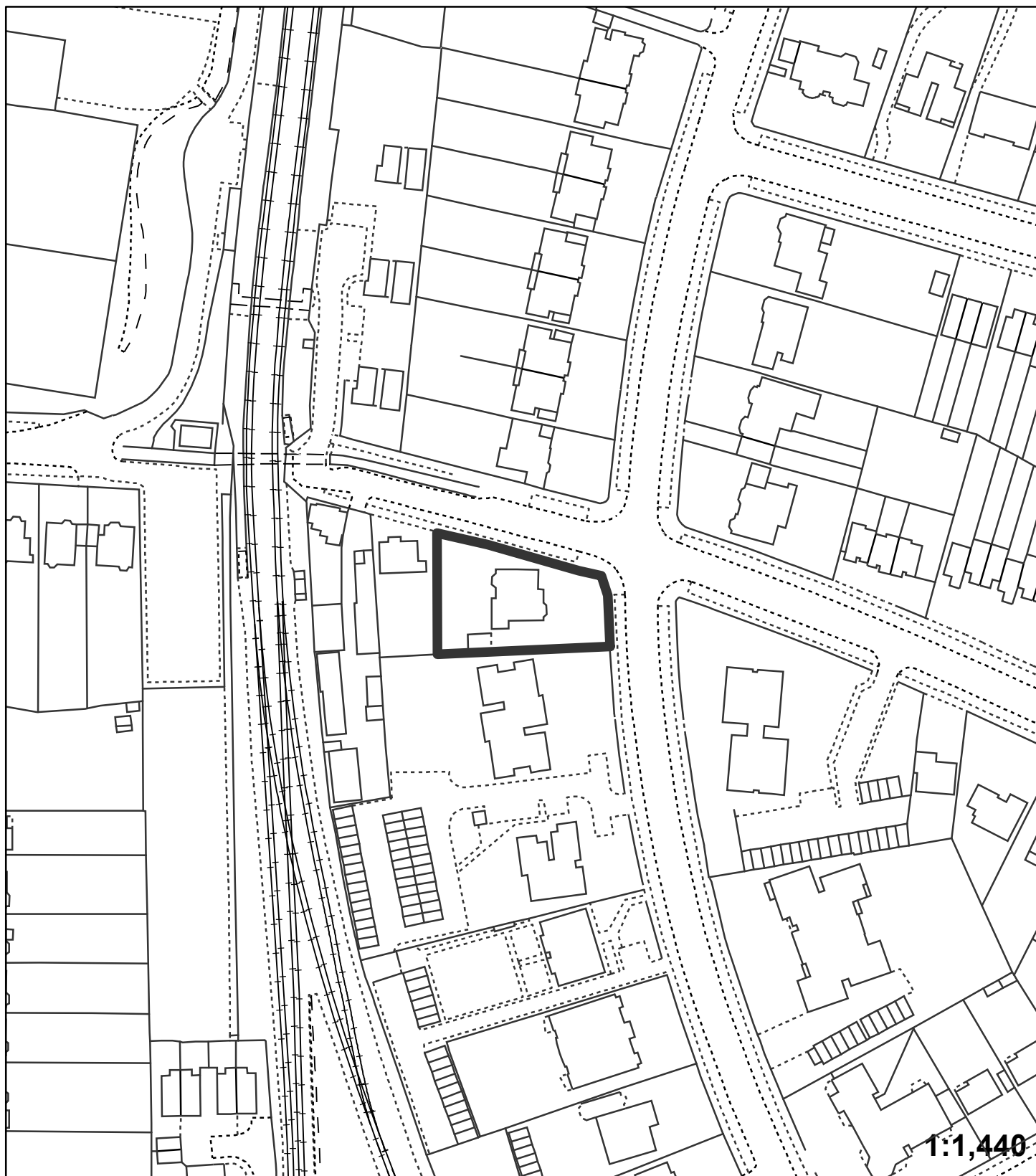
Reason: In order to comply with Policy T3 of the Unitary Development Plan and to avoid development without adequate parking or garage provision, which is likely to lead to parking inconvenient to other road users and would be detrimental to amenities and prejudicial to road safety.

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Application:16/05849/FULL1

Address: 63 Copers Cope Road Beckenham BR3 1NJ

Proposal: CHANGE OF USE FROM CARE HOME (CLASS C2) TO A TEMPORARY RESIDENTIAL SUPPORT CENTRE / HOSTEL (SUI GENERIS)



"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 : 17/00113/PLUD

Ward:
Orpington

Address : 34 Dyke Drive Orpington BR5 4LZ

OS Grid Ref: E: 547073 N: 166614

Applicant : Mr Nigel Hannington

Objections : NO

Description of Development:

Single storey rear extension. Lawful Development Certificate (Proposed).

Key designations:

Areas of Archeological Significance
Biggin Hill Safeguarding Area
London City Airport Safeguarding
Smoke Control SCA 31
Urban Open Space

Proposal

The proposal involves a single storey rear extension which would have a rearward projection of 2.3m and would extend for the full width of the dwelling (6.2m). The proposed extension would have a mono-pitched roof with a maximum height of 3.5m and two rooflights.

The application site hosts a semi-detached dwelling, on the eastern side of Dyke Drive.

Consultations

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

Planning Considerations

The application requires the Council to consider whether the proposal falls within the parameters of permitted development under Class A of Schedule 2, Part 1 of the Town and Country Planning (General Permitted Development) (England) Order 2015 and specifically whether any limitations/conditions of the Order are infringed.

Planning History

There is no planning history at the application site.

Conclusions

The application site was visited by the case officer and it was confirmed that the proposal would fall within permitted development tolerances and the Certificate should be granted.

The proposed single storey side extension is considered to be permitted development for the following reasons:

With regards to Class A:

- The total area of ground covered by buildings including the proposed extension would not exceed 50% of the curtilage of the site.
- The extension would not exceed the highest part of the roof of the original house
- The height of the eaves of the extension would not exceed the eaves height of the original house
- The extension would not be made to an elevation which forms the principal or side elevation AND fronts a highway
- The extension is a single storey and does not extend beyond 3m of the rear elevation.
- The extension would not exceed 4m in height and would be single storey only.
- The extension would be within 2m of the side boundaries but would not exceed the 3m eaves height restriction.
- The proposal would not extend beyond the side wall of the original dwelling
- No verandahs, balconies or raised platforms are proposed
- No antennae, flues, pipes or chimneys are proposed.
- The dwelling lies within a conservation area however;

- (a) materials will match the original dwelling which is brick,
(b) the proposal would not extend beyond a side elevation and
(c) the extension is for a single storey only.

Materials will match the existing house

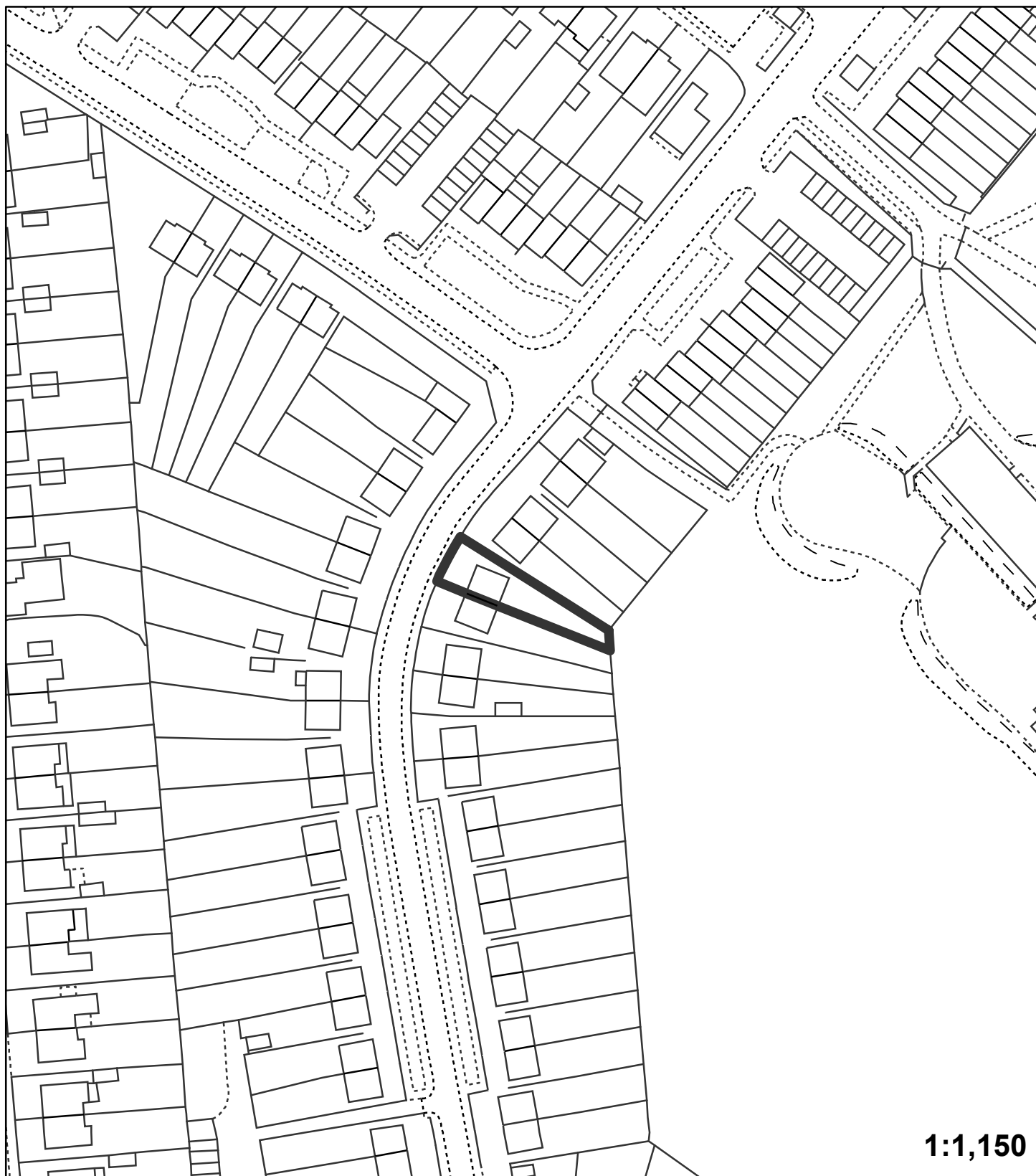
RECOMMENDATION: CERTIFICATE BE GRANTED

- 1 The proposed single storey rear extension as submitted would constitute permitted development by virtue of Class A of Part 1 (No. 2) of the Town and Country Planning (General Permitted Development) (England) Order 2015.**

Application:17/00113/PLUD

Address: 34 Dyke Drive Orpington BR5 4LZ

Proposal: Single storey rear extension. Lawful Development Certificate (Proposed).



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

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Section '4' - Applications recommended for REFUSAL or DISAPPROVAL OF DETAILS

Application No : 16/05062/FULL1

Ward:
Orpington

Address : 23 The Drive Orpington BR6 9AR

OS Grid Ref: E: 545856 N: 165672

Applicant : Mrs Elaine Hamilton

Objections : YES

Description of Development:

Sub-division of existing plot and construction of 3-bed 2 storey detached dwelling to the rear of no.23 The Drive, with 2 car parking spaces with access from The Avenue

Key designations:

Smoke Control SCA 29

Proposal

Planning permission is sought for the sub-division of the existing plot and creation of a new three bedroom detached dwelling from part of the rear garden of No.23 The Drive. The new dwelling would be accessed via The Avenue by utilising the existing cross-over.

The new dwelling would be two storeys in height with car parking spaces for 2 vehicles at the front. The proposed dwelling would have a width of 10 metres and depth of 7 metres with a gable ended pitched roof to a maximum height of 9 metres (eaves 5 metres). The proposal also includes a front porch which is located centrally within the new frontage and have a projection of 1.2 metres, 3.1 metres wide with a mono-pitched roof to a maximum height of 3.7 metres.

Location

The application site hosts a detached family dwellinghouse on a sizeable plot set along the southern side of The Drive, with a large garden to the rear. The application site relates to the rearmost part of the rear garden of the host dwelling, and the front boundary of the proposed new plot fronts onto The Avenue.

Consultations

Comments from Local Residents:

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

- Result in an overdevelopment of the site;
- Permission has already been refused for a 2-bed house and now they are applying for a 3-bed house;

- The proposed house would set a precedent for other houses to develop their rear gardens;
- Loss of privacy to neighbouring properties;
- Impact on amenities of neighbouring properties;
- The new dwelling is large incorporating non-essential rooms;
- Impact on the character and detracts from the existing street scene; and
- Concern over the trees and hedges on site.

The Knoll Residents Association has objected to this application, they have raised concerns that the previous application for a 2-bed dwelling was refused and dismissed at appeal. This application proposes an even larger house which will have a greater adverse effect on the character and appearance of the area. Most nearby homes are on relatively large plots and subdividing this site will lower spatial standards. Although the plot is the full width of the original site the size and position of the new house mean leaves only a small garden located at the side. There will also be a family room with large patio doors on this side of the house which will reduce the privacy of the garden at no.21. The existing 4 bedroom house will also have a much smaller garden. Although this is described as a 3 bedroom property we note that the third bedroom is exceptionally small at 2.6 x 2.3 m. The Knoll Residents Association is also concerned that this would set a precedent for further piecemeal development along The Avenue which will change the character of the area.

Comments from Consultees:

Environmental Health Housing stated that the applicant is advised to have regard to the Housing Act 2004 Part 1 - Housing Health and Safety Rating System (HHSRS).

Highways Engineer stated there are 2 spaces proposed for the new dwelling. There is just more than the normally required 4.5m depth for a parking space, however the second space is at an angle and will require manoeuvring to access and is also directly adjacent to the front door of the proposed property.

The site is within a high (5) PTAL location and the surrounding roads have parking controls so there would be an incentive to park on the frontage. No objections are raised subject to conditions regarding parking arrangements to be constructed as set out in the plans, Construction Management Plan and drainage.

Thames Water raised no objection subject to informatives being imposed upon any permission granted.

Planning Considerations

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 (2016):

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

Housing: Supplementary Planning Guidance. (March 2016)

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

Unitary Development Plan (2006):

- BE1 Design of New Development
- BE7 Railings, Boundary Walls and Other Means of Enclosure
- ER7 Contaminated Land
- H1 Housing Supply
- H7 Housing Density and Design

- H9 Side Space
- T3 Parking
- T5 Access for People with Restricted Mobility
- T6 Pedestrians
- T7 Cyclists
- T16 Traffic Management and Sensitive Environments
- T18 Road Safety

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

Bromley's Proposed Submission Draft Local Plan (2016):

The final consultation for the emerging Local Plan was completed on December 31st 2016. It is expected that the Examination in Public will commence in 2017. The weight attached to the draft policies increases as the Local Plan process advances. These documents are a material consideration and weight may be given to relevant policies as set out in the NPPF paragraph 216 which states:

"From the day of publication, decision-takers may also give weight to relevant policies in emerging plans according to:

- the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given)
- 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
- the degree of consistency of the relevant policies in the emerging plan to the policies in this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given)."

Current draft Policies relevant to this application include:

- Draft Policy 1 Housing Supply
- Draft Policy 4 Housing Design
- Draft Policy 37 General Design of Development
- Draft Policy 30 Parking
- Draft Policy 32 Road Safety

Planning History

Permission granted under 02/02173 for rear dormer extension and new flank window at the host dwelling No.23 The Drive.

Under ref: 15/01292/FULL1 planning permission was sought for a new dwelling which would have a width of approximately 9 metres along the front elevation, approximately 6 metres along the rear elevation, and approximately 7 metres along the flank elevations notwithstanding the staggered elevation along the eastern flank. A minimum of 1 metre would be retained between the flank elevations and the newly formed property boundaries.

The application was refused for the following reasons:

1. The proposal involves the unsatisfactory subdivision of a residential plot in order to introduce a new residential unit that would create an overintensive use of the site, that would be out of character in the area by reason of its limited curtilage and size of rear garden, and would be detrimental to the privacy and amenities of the occupiers of neighbouring properties, thereby contrary to Policies BE1 and H7 of the Unitary Development Plan and Policy 3.5 of The London Plan.

2. The proposal, by reason of the restricted site dimensions and substandard GIA of habitable accommodation for the proposed new dwelling, would result in an unsatisfactory piecemeal form of development, out of character with and prejudicial to the proper planning of the area, and an unsatisfactory form of development for future occupiers of the proposed dwelling, contrary to Policies BE1 and H7 of the Unitary Development Plan and Policy 3.5 of The London Plan.

3. The proposal, by reason of its size and design, would represent an overdevelopment of the site resulting in a significant lowering of spatial standards that would be out of scale and character with, and would be detrimental to the visual amenities of the street scene, contrary to Policies BE1 and H7 of the Unitary Development Plan and Policy 3.5 of The London Plan.

4. The proposal would result in the removal of two parking bays along The Avenue, where there is a general presumption against this, contrary to Policy T3 of the Unitary Development Plan.

The application was subsequently dismissed at appeal on the 3rd May 2016, the Inspector considered that the development would have a detrimental impact on the character and appearance of the area and street scene by forming a cramped form of development. Additionally provide poor living conditions for the future occupiers by not providing enough amenity space.

Conclusions

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

- Principle of development
- Housing Density
- The design and appearance of the scheme and the impact of these alterations on the character and appearance of the area and locality
- The quality of living conditions for future occupiers
- Access, highways and traffic Issues
- Impact on adjoining properties
- Sustainability and energy; and
- Community Infrastructure Levy

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 (2016) generally encourage the provision of small scale infill development in previously developed residential areas provided that it is designed to complement the character of surrounding developments, the design and layout make suitable residential accommodation, and it provides for garden and amenity space.

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

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

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

In cases such as this, which the Council would class as "backland development", the layout of the site and the level of amenity space that is provided around the buildings are critical to whether the proposal will be acceptable.

Policy H7 of the UDP requires that the site layout, buildings and space around buildings are designed to a high quality and recognise as well as complement the qualities of the surrounding areas. It also required that adequate amenity space is provided to serve the needs of the particular occupants and the remaining host dwelling.

As the supporting text to Policy H7 states, "Many residential areas are characterised by spacious rear gardens and well-separated buildings. The Council will therefore resist proposals which would tend to undermine this character or which would be likely to result in detriment to existing residential amenities." The supporting text goes on to state that "backland development, involving development of land surrounded by existing properties, often using back gardens and creating new access, will generally also be resisted". Such development is only likely to be allowed where it is small-scale and sensitive to the surrounding residential area.

Policy 3.5 of The London Plan seeks to ensure the quality and design of housing and developments. This policy requires that housing development should be of the highest quality internally, externally and in relation to their context and to the wider environment in order to protect and enhance London's residential environment and attractiveness as a place to live. In addition, the design of all new housing development should enhance the quality of local places, taking into account physical context, local character; density; tenure and land use mix; and relationships with, and provision of, public, communal and open spaces.

Policy 3.5 of the London Plan further states that directly and indirectly back gardens play important roles in addressing many policy concerns, as well as being a much cherished part of the London townscape contributing to communities' sense of place and quality of life.

In terms of providing a strong evidence base, there is a strong and consistent pattern of spatial standards that exist in The Drive and along The Avenue, with front and rear gardens of broadly similar lengths. These standards are also reflected in the wider area, where properties were constructed during broadly the same period. As such it is considered that the introduction of the proposed new dwelling would ultimately reduce the garden size of the host dwelling at No.23 The Drive, and would also introduce a new dwelling with substandard amenity space in relation to the general prevailing character of the wider area, contrary to Policy 3.5 of the London Plan.

It is noted that that historically some sub-divisions of gardens along The Drive have been approved dating spanning from 1960's to 1980's, however planning policy has evolved since the other properties were approved and built, and backland development is now largely resisted by the Council where it is considered to be inappropriate.

Pressure for new housing means that back gardens can be threatened by inappropriate development and their loss can cause significant local concern, as has occurred in this instance with a number of local residents raising concern with regard to the proposal. The London Plan therefore supports development plan-led presumptions against development on back gardens where locally justified by a sound evidence base. It is considered that the proposal, by introducing new residential development into existing rear garden land, does not comply with Policy 3.5 of the London Plan and does not protect the existing context of the host site and character of the wider area.

Density

The density of the proposal would be 218.5 hr/ha. Table 3.2 of the London Plan sets out the appropriate density range for a site with a PTAL of 5 in a suburban area as 200-350 hr/ha.

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

Design, character and appearance

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

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

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

The design of the dwelling would be traditional in style and similar to Nos. 14 - 8 The Avenue and seen within the borough and as such would be acceptable and comply with the objectives set out within design sections of the policies described above.

With regards to the siting of the development the application proposes a two storey dwelling located 1m from the western boundary with No. 20 The Avenue and 7.575m from the eastern boundary with No. 21 The Drive. There are a mix of property designs and spacial standards along The Drive and The Avenue, and it is considered that the relationship from the boundaries would be acceptable and fit within the general pattern of the area. However, size of the overall plot is considerable smaller than other plots in the area. The Inspector noted in the appeal decision that "the footprint of the proposed dwelling covers a large part of the appeal site and this together with the fact that the frontage of the site is taken up by parking spaces means that the proposed rear garden is modest in size compared to the size of the proposed dwelling" whilst it is appreciated that this current application has increased the width of the new building plot by now including the full width of the rear garden to No. 23 nevertheless the comparable modest size and shape of the garden together with the front parking area would result in a cramped form of development that would be out of keeping with the generally spacious character and appearance of the area.

Residential Amenity - Standard of Residential Accommodation

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

The floor space size for a 3 bed 5 person new dwelling would be 93 sqm and there are minimum size standards for a single and double bedrooms. Whilst the two double bedrooms exceed the minimum size standard the single 3rd bedroom only measures 6 sqm which is well below the minimum size. The shape and room sizes

in the proposed building are considered satisfactory. None of the rooms would have a particularly convoluted shape which would limit their specific use.

Whilst overall the GIA would be approximately 117 sqm which is above the minimum standard, concern is raised over the acceptability in terms of the size of the 3rd bedroom and as such provide sub-standard size of internal accommodation.

Amenity Space

In terms of amenity space provided this is located to the eastern side of the new property. The space has been increased from the previously refused scheme as the plot now includes the remaining width of the rear garden of No. 23 which results in an amenity space of ~68 sqm to the side of the eastern side of the new property. Whilst the space provided would serve the needs of the future occupiers concern is raised over its location to the east of the main dwelling as it is not secluded, however on balance the provision is broadly acceptable at this location.

Car parking

Two car parking spaces are proposed to the front, however it is noted that the second space is at an angle and will require manoeuvring to access and is also directly adjacent to the front door of the property.

The site is located within a good provision of public accessibility the provision of 2 spaces would be acceptable as such the Council's Highways Officer has not raised objection in this regard.

Cycle parking

Cycle parking is required to be 2 spaces, the applicant has not provided details of a secure and lockable storage area cycle storage however this could be conditioned given the available size of the plot.

Refuse

All new developments shall have adequate facilities for refuse and recycling. The applicant has not provided details of refuse storage however this could again be conditioned given the overall size of the plot.

Impact on Adjoining Properties

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

In terms of outlook, the fenestration arrangement will provide front and rear outlook at ground floor with only windows serving the bedrooms at the front elevation for first floor level (rear elevation windows will serve ensuite, bathroom and landing)

with no first floor flank windows proposed. The inspector also considered this aspect when assessing the previous application and considered that the "site is off set from the rear elevations of the existing dwellings at 23 and 25 The Drive and is located adjacent to the rear part of the gardens of those properties. As such given the position of the proposed dwelling set away from the rear boundary of the appeal site, I do not consider that the outlook from the rear elevations or rear gardens of Nos 23 and 25 would be significantly adversely affected by the proposal. Similarly having regard to the position and location of the proposal I do not consider that the outlook from any other nearby properties would be significantly adversely affected".... "Having regard to the relative position of the existing and proposed dwellings and to the position and nature of the first floor windows in the rear elevation of the proposed dwelling, I do not consider that there would be any significant overlooking from these windows".

As such it is considered that the proposal would not have an adverse effect on the living conditions of occupiers of neighbouring properties having regard to privacy and outlook. The proposal therefore complies with policies BE1 and H7 of the UDP and Policy 3.5 of the London Plan.

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 of sustainability measures have been provided to ensure that the development strives to achieve these objectives as set out above.

Landscaping

No details of landscaping layout have been submitted, notwithstanding this full detail of hard and soft landscaping and boundary treatment can be sought by condition.

Community Infrastructure Levy

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

Summary

It is considered that the proposal represents backland development that is not sensitive to the surrounding area, is contrary to the fundamental aims of Policy H7 of the UDP and should therefore be resisted. The proposal is considered to represent an overdevelopment of the site that would result in a significant lowering

of spatial standards that would be out of character and detrimental to both the host dwelling and the surrounding area, where there is a general presumption against this.

It is noted that there are properties along The Avenue that have been built within the rear garden of other properties along The Drive, however these appear to be dated from the 1960s-1970s and planning policy has since evolved and now seeks to protect back garden land from built development of this type.

Having had regard to the above, it is considered that it would be difficult to achieve a plot of sufficient size in this location, particularly in view of the existing spatial standards of the area, that would both respect the spatial standards of the area and provide sufficient developable area and amenity space for an additional dwelling. In addition, concern is raised over the size of the 3rd bedroom and the resulting room would fall short of the London Plan requirements, indicating that the accommodation provided for any future occupiers would be insufficient and likely to lead to a poor standard of living.

As such, the principle of introducing a new dwelling and residential curtilage into the existing rear garden of No.23 The Drive is considered unacceptable and likely to result in an inappropriate form of development that would be harmful to the visual and residential amenities of the occupiers of the host dwelling, would result in an uncharacteristically small plot in an area that is largely governed by large, spacious detached dwellings with sizeable rear gardens, and likely to lead to a substandard level of accommodation for future occupiers.

Background papers referred to during production of this report comprise all correspondence on the file ref(s) 15/01292 and 16/05062/FULL1 set out in the Planning History section above, excluding exempt information.

RECOMMENDATION: APPLICATION BE REFUSED

The reasons for refusal are:

- 1. The proposal involves the unsatisfactory subdivision of a residential plot in order to introduce a new residential unit that would create an overintensive use of the site, that would be out of character in the area by reason of its limited curtilage and size of rear garden, and would be detrimental to the privacy and amenities of the occupiers of neighbouring properties, thereby contrary to Policies BE1 and H7 of the Unitary Development Plan and Policy 3.5 of The London Plan.**
- 2. The proposal, by reason of the restricted site dimensions and substandard GIA of habitable accommodation for the proposed new dwelling, would result in an unsatisfactory piecemeal form of development, out of character with and prejudicial to the proper planning of the area, and an unsatisfactory form of development for future occupiers of the proposed dwelling, contrary to Policies BE1**

and H7 of the Unitary Development Plan and Policy 3.5 of The London Plan.

3. The proposal, by reason of its size and design, would represent an overdevelopment of the site resulting in a significant lowering of spatial standards that would be out of scale and character with, and would be detrimental to the visual amenities of the street scene, contrary to Policies BE1 and H7 of the Unitary Development Plan and Policy 3.5 of The London Plan.

You are further informed that:

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

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

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

Application:16/05062/FULL1

Address: 23 The Drive Orpington BR6 9AR

Proposal: Sub-division of existing plot and construction of 3-bed 2 storey detached dwelling to the rear of no.23 The Drive, with 2 car parking spaces with access from The Avenue



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

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Section '4' - Applications recommended for REFUSAL or DISAPPROVAL OF DETAILS

Application No : 16/05424/FULL6

Ward:
Plaistow And Sundridge

Address : 73 Hillcrest Road Bromley BR1 4SA

OS Grid Ref: E: 540223 N: 171587

Applicant : Mr Marcus Rutherford

Objections : NO

Description of Development:

Demolition of existing garage to side and erection two storey side and rear extension with accommodation within the roofspace.

Key designations:

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

Proposal

The application seeks permission for the demolition of the existing garage and the erection of a two storey side and rear extension, with accommodation within the roofspace.

The two storey side extension would have a maximum width of 5.3m and depth of 9.1m. The property is located on a triangular shaped plot and as such the extension is set back from the front elevation by 1.786m and increases in width from 3.819m to 5.3m at the rear of the site to follow the boundary. The extension will project 3.5m beyond the original rear elevation (1.2m beyond the existing single storey rear extension).

The roof would be gabled and would provide a continuation of the existing ridge height at 7.2m high for a further 6m in width, before stepping down in height to 6m for a width of 1.25m. The roof also includes a dormer in the rear roofslope with a width of 3.9m and depth of 3.5m.

Location

The application site hosts a two storey end of terrace property located on Hillcrest Road. The site is not located within a Conservation Area, nor is it Listed.

Consultations

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

Highways Officers raised no objection to the proposal.

Planning Considerations

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

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.

London Plan (2016):

7.4 Local Character

7.6 Architecture

Unitary Development Plan 2006

BE1 Design of New Development

H8 Residential Extensions

H9 Side Space

Draft Local Plan 2016

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 closed 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 6 Residential Extensions

Draft Policy 8 Side Space

Draft Policy 37 General Design of Development

Planning History

The application site has no previous planning history.

Conclusions

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

Design

London Plan Policy 7.4 requires developments to have regard to the form, function, and structure of an area. Policy BE1 states that all development proposals, including extensions to existing buildings, will be expected to be of a high standard of design and layout. Policy H8 states that the design and layout of proposals for the alteration or enlargement of residential properties will be required to (i) the

scale, form and materials of construction should respect or complement those of the host dwelling and be compatible with development in the surrounding area and (ii) space or gaps between buildings should be respected or maintained where these contribute to the character of the area.

The property benefits from an existing garage to the side of the property which would be removed. A two storey side extension would be erected which would have a maximum width of 5.1m and depth of 9.1m. The property is located on a triangular shaped plot and as such the extension is set back from the front elevation by 1.786m and increase in width from 3.819m to 5.3m at the rear of the site to follow the boundary. The extension will project 3.5m beyond the original rear elevation (1.2m beyond the existing single storey rear extension).

The proposal would be set back 1.8m from the front of the existing dwelling to provide a degree of subservience to the host dwelling. However, the proposed roof would be gabled and would continue the existing ridge height at 7.2m high for a further 6m in width, before stepping down in height to 6m for a width of 1.25m. The roof also includes a dormer in the rear roofslope with a width of 3.9m and depth of 3.5m. The area is predominantly characterised by hipped roofs to the end of terrace properties, though it is noted that there is one example of a gable end opposite at No.65A. The proposed extension is therefore not considered in keeping with the general character of the area, and would also result in a significant addition of bulk to the existing property.

Furthermore, the proposed two storey extension features a flat roof to the rear. Policy H8 states that flat-roofed side extensions of two or more storeys to dwellings of traditional roof design will normally be resisted, and given the siting of the property on a prominent plot adjacent to the access road, this would not be considered an acceptable design.

The size of the extension would give the appearance of a separate dwelling, similar to that granted under appeal at No. 65 Hillcrest Road under planning ref: 07/00705/FULL1. The extension would include an additional kitchen at ground floor level, an internal staircase and two bedrooms with en-suites at first floor level. Concern is therefore raised over the potential severance of this extension to form a separate dwelling which could result in a substandard accommodation with inadequate privacy, access provision or parking for the future occupiers.

Therefore, given the scale, bulk and design of the proposed extension, it would be considered to result in a detrimental impact on the character of the host dwelling and street scene in general. It is noted that a similar proposal was been granted permission under 06/00482/FULL6 for No.65, however this was granted permission before the Unitary Development Plan was adopted in June 2006, and in any case the current proposal is different in its design and would result in a bulkier addition to the host dwelling.

Side Space

Policy H9 normally requires proposals of two or more storeys in height to provide a minimum 1 metre space from the side boundary of the site for the full height and

length of the flank wall of the building. Whilst the extension would be set back and staggered, it would abut the boundary at separate points and would not provide a minimum side space of 1m for the full length of the flank wall. However, given the property is separated from the boundary of the adjacent site at No.71 by an access road with a width of approximately 3m and therefore the extension would not result in unrelated terracing. It is also noted that a similar application was granted approval under ref: 06/00482/FULL6 at No.65 for a first floor side extension adjacent to the boundary of an access road, and therefore the principle of this would not be out of character or harmful to the existing spatial standards of the area. As such it is considered that the proposal does not conflict with the reason for the side space policy.

Residential Amenity

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

In terms of impact upon the neighbouring properties, the two storey side/rear extension would project beyond the rear of the existing property by 1.2m at ground floor level and 3.5m at first floor level. Given that the extension would be sited a minimum of 5.3m from the boundary with No.75, and therefore is not considered to result in any significant harm to this neighbour in terms of loss of light or outlook. The facing flank wall would be blank and there would be no loss of privacy.

The neighbour at No.71 is separated by the access road which would mitigate the impact of the proposed extension. Furthermore, due to that staggered design of the extension the majority of it would have a further distance away from the boundary and any impact on outlook if therefore not considered substantial. The orientation of the properties is such that the proposal would not result in a significant loss of light to this neighbour. The flank walls would be blank at first floor level and therefore there would be no loss of privacy. It is therefore considered that the proposal would not significant harm the amenities of the neighbouring properties.

Highways / Parking

The proposed side extension would replace an existing single storey garage which abuts the boundary. The development would therefore result in the loss of one parking space, however there are spaces available within the site's curtilage which would be utilised for parking. Therefore, no objections were raised by Highways Officers, subject to conditions.

Summary

Having had regard to the above, it is considered that the development in the manner proposed is not acceptable in that it would not respect the character of the host dwelling. It would result in an unacceptable level of additional bulk, harmful to the character of the host dwelling and the streetscene in general.

Background papers referred to during production of this report comprise all correspondence on the file ref: 16/05798/FULL6 set out in the Planning History section above, excluding exempt information.

RECOMMENDATION: APPLICATION BE REFUSED

The reasons for refusal are:

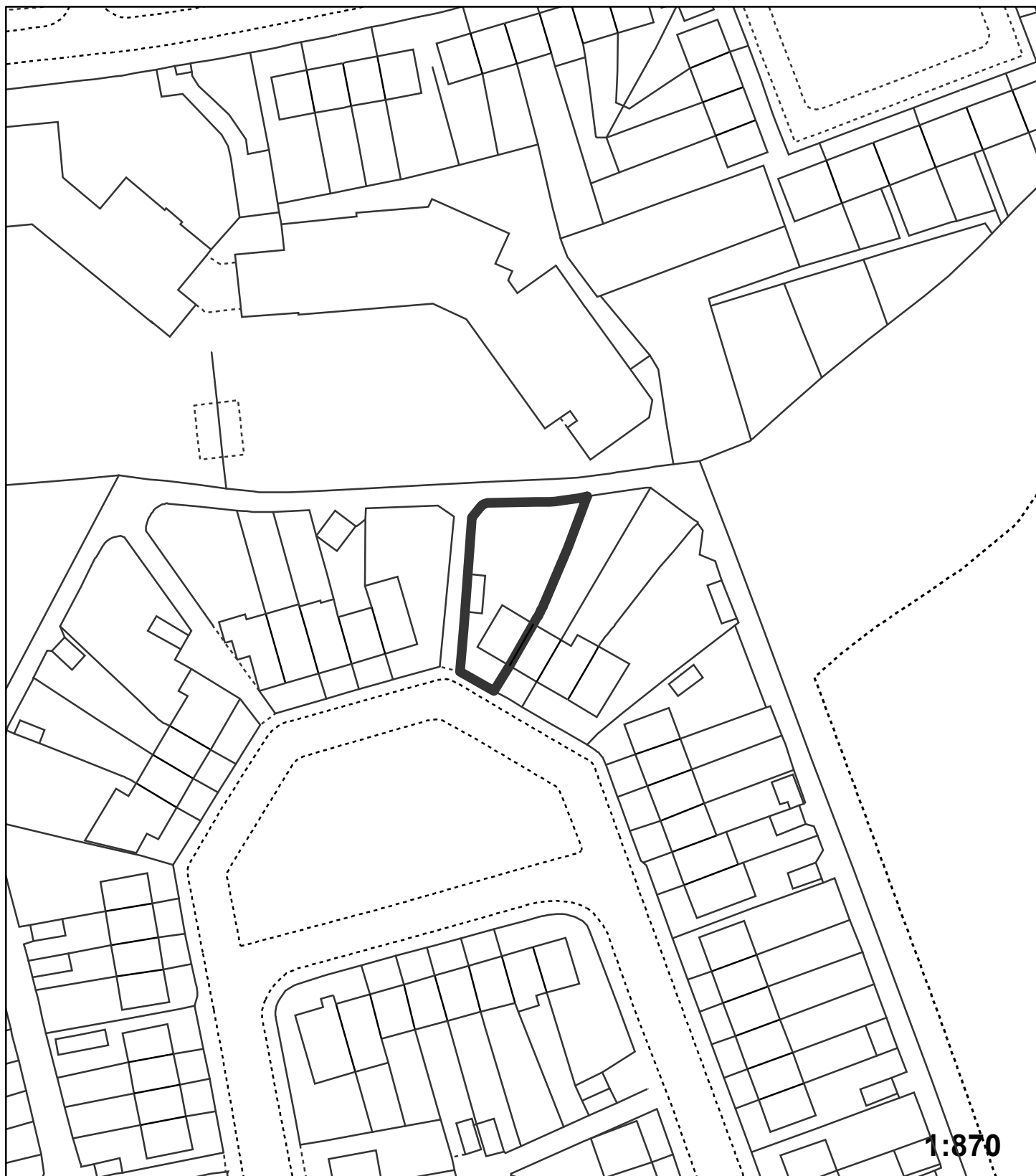
- 1 The proposal would result in a bulky form of development and an incongruous addition that does not respect the scale or form of the host dwelling, out of character with the surrounding area, contrary to Policies H8 and BE1 of the Unitary Development Plan.**

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Application:16/05424/FULL6

Address: 73 Hillcrest Road Bromley BR1 4SA

Proposal: Demolition of existing garage to side and erection two storey side and rear extension with accommodation within the roofspace.



"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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