



THE LONDON BOROUGH
www.bromley.gov.uk

BROMLEY CIVIC CENTRE, STOCKWELL CLOSE, BROMLEY BRI 3UH

TELEPHONE: 020 8464 3333

CONTACT: Lisa Thornley
lisa.thornley@bromley.gov.uk

DIRECT LINE: 020 8461 7566

FAX: 020 8290 0608

DATE: 13 September 2016

To: Members of the
PLANS SUB-COMMITTEE NO. 3

Councillor Katy Boughey (Chairman)
Councillor Douglas Auld (Vice-Chairman)
Councillors Kevin Brooks, Alan Collins, William Huntington-Thresher, Charles Joel,
Alexa Michael, Angela Page and Stephen Wells

A meeting of the Plans Sub-Committee No. 3 will be held at Bromley Civic Centre on
THURSDAY 22 SEPTEMBER 2016 AT 7.00 PM

MARK BOWEN
Director of Corporate Services

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

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

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

**To register to speak please telephone Democratic Services on
020 8313 4745**

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

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

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

A G E N D A

- 1 **APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS**
- 2 **DECLARATIONS OF INTEREST**
- 3 **CONFIRMATION OF MINUTES OF MEETING HELD ON 28 JULY 2016**
(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	Kelsey and Eden Park	7 - 24	(16/01330/FULL1) - Jacanda Lodge, North Drive, Beckenham BR3 3XQ
4.2	Kelsey and Eden Park	25 - 42	(16/01330/FULL1) - Jacanda Lodge, North Drive, Beckenham BR3 3XQ
4.3	Darwin Conservation Area	43 - 50	(16/01381/FULL1) - Cottage Farm, Cackets Lane, Cudham, Sevenoaks TN14 7QG
4.4	Darwin	51 - 62	(16/02755/FULL2) - Yonder Farm, Orange Court Lane, Downe, Orpington BR6 7JD
4.5	Mottingham and Chislehurst North	63 - 70	(16/03284/FULL6) - Pindi Lodge, Mottingham Lane, Mottingham, London SE9 4RW
4.6	Biggin Hill	71 - 82	(16/03639/FULL1) - 36 Village Green Avenue, Biggin Hill TN16 3LN

SECTION 3

(Applications recommended for permission, approval or consent)

Report No.	Ward	Page No.	Application Number and Address
4.7	Clock House	83 - 94	(16/02483/FULL1) - 261 Elmers End Road, Beckenham BR3 4EJ
4.8	Orpington	95 - 106	(16/02806/FULL1) - Orpington College of Further Education, The Walnuts, Orpington BR6 0TE
4.9	Chislehurst Conservation Area	107 - 122	(16/02974/FULL1) - Torphin, Wilderness Road, Chislehurst BR7 5EZ
4.10	Clock House	123 - 134	(16/03124/FULL1) - County House, 241 Beckenham Road, Beckenham BR3 4RP
4.11	Petts Wood and Knoll	135 - 140	(16/03230/FULL6) - 161 Crescent Drive, Petts Wood, Orpington, BR5 1AZ
4.12	Darwin	141 - 148	(16/03280/FULL1) - High Elms Golf Course Club House, High Elms Road, Downe, Orpington BR6 7JL
4.13	Penge and Cator	149 - 156	(16/03462/FULL6) - 115 Lennard Road, Beckenham BR3 1QR

SECTION 4

(Applications recommended for refusal or disapproval of details)

Report No.	Ward	Page No.	Application Number and Address
4.14	Bromley Town	157 - 164	(16/02253/FULL6) - 46 Ravensbourne Avenue, Bromley BR2 0BP
4.15	Crystal Palace	165 - 174	(16/02764/FULL1) - Keswick House, 207A Anerley Road, Penge, London SE20 8ER
4.16	Cray Valley East	175 - 178	(16/03539/FULL6) - 23 Perry Hall Road, Orpington BR6 0HT

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. 3

Minutes of the meeting held at 7.00 pm on 28 July 2016

Present:

Councillor Katy Boughey (Chairman)
Councillor Douglas Auld (Vice-Chairman)
Councillors Kevin Brooks, Alan Collins, Robert Evans,
William Huntington-Thresher, Russell Mellor, Alexa Michael and
Angela Page

Also Present:

Councillors Nicky Dykes and Catherine Rideout

5 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

Apologies for absence were received from Councillors Charles Joel and Stephen Wells - Councillors Robert Evans and Russell Mellor attended as substitutes.

6 DECLARATIONS OF INTEREST

Cllr Angela Page declared a non-pecuniary interest in agenda item 4.1 and left the room.

7 CONFIRMATION OF MINUTES OF MEETING HELD ON 26 MAY 2016

RESOLVED that the Minutes of the meeting held on 26 May 2016 be confirmed and signed as a correct record.

8 PLANNING APPLICATIONS

SECTION 2

(Applications meriting special consideration)

8.1 DARWIN

(16/01961/OUT) - Warren Farm, Berrys Green Road, Berrys Green, Westerham, TN16 3AJ

Description of application – Demolition of all existing buildings and erection of six detached dwellings, with reconfigured access road and dedicated parking spaces
OUTLINE APPLICATION REGARDING ACCESS AND LAYOUT.

Oral representations in support of the application were received.

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, and subject to the following additional conditions -

20. The total gross internal floor area of the development hereby permitted shall not exceed 1490 sq m.

REASON: In the interest of the visual amenities and openness of the Green Belt and to accord with Policies G1 and BE1 of the Unitary Development Plan and Section 9 of the National Planning Policy Framework.

21. The development hereby permitted shall be built in accordance with the criteria set out in Building Regulations M4(2) 'accessible and adaptable dwellings' and shall be permanently retained thereafter, unless otherwise agreed in writing by the Local Planning Authority.

REASON In order to accord with Policy 3.8 of the London Plan and in the interest of a suitable provision of accessible and adaptable dwellings.

8.2 COPERS COPE

(16/01994/FULL1) - 37 Stanley Avenue, Beckenham, BR3 6PU

Description of application – Part one/part two storey side/rear extension, alterations to the roof to include two dormers to accommodate the conversion of the existing dwelling into 2x3 bed dwellings.

Members having considered the report, objections and representations, **RESOLVED** that **PERMISSION BE GRANTED** as recommended subject to the conditions and informatives set out in the report of the Chief Planner, and subject to amendments to condition 4 to read -

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

8.3 BROMLEY COMMON AND KESTON

(16/02870/TELCOM) - Land adjacent 26 Hazel Walk, Bromley

Description of application – Installation of 10m high telecommunications replica telegraph pole and 1

equipment cabinet (CONSULTATION BY TELEFONICA AND VODAFONE REGARDING THE NEED FOR APPROVAL OF SITING AND APPEARANCE).

Members having considered the report, objections and representations, RESOLVED that **PRIOR APPROVAL IS REQUIRED AND GRANTED** as recommended subject to the conditions set out in the report of the Chief Planner.

SECTION 3

(Applications recommended for permission, approval or consent)

8.4 BROMLEY TOWN

(15/05521/FULL1) - The Ravensbourne School, Hayes Lane, Hayes, Bromley, BR2 9EH

Description of application – Temporary siting of a two-storey structure for educational use (Class D1) for 2 academic years (until 31 July 2019) and associated external works including access ramp and stairs.

Members having considered the report, objections and representations, RESOLVED that the application be **DEFERRED** without prejudice to await outcome of the application for a permanent site and to seek further information in respect of the demand for pupil places in the local area.

8.5 ORPINGTON

(16/01817/FULL1) - Burwood School, Avalon Road, Orpington, BR6 9BD

Description of application – Proposed partial demolition and erection of part one/two storey extensions to existing school building to provide for KS2 and KS3 pupils with elevational alterations, landscaping including the relocation of playground/games court, provision of bin and cycle stores, new boundary treatment and extensions and alterations to the existing car parking with new vehicle/pedestrian access points.

Oral representations in support of the application were received.

The Chief Planner's representative confirmed that an objection had been received from Sport England and that the application would need to be referred to the Secretary of State should Members resolve to grant planning permission.

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

**8.6
BIGGIN HILL**

(16/02176/FULL) - Biggin Hill Airport Ltd, Churchill Way, Biggin Hill, TN16 3BN

Description of application – Installation and operation of runway approach lights and associated security fencing for the end of runway 03 on land to the south-west and north-east of Main Road for use by London Biggin Hill Airport (LBHA).

Representations in support of the application from Ward Members, Councillors Melanie Stevens and Julian Benington, were received at the meeting. Members having considered the report, objections and representations, **RESOLVED** that **PERMISSION BE GRANTED** as recommended subject to the conditions and informatives set out in the report of the Chief Planner, and subject to the following condition:

5. Before the development hereby permitted is commenced, details of the design, height and materials of the proposed boundary fence around the proposed lighting located to the south-western side of Main Road shall be submitted to and approved in writing by the Local Planning Authority. The fencing shall be installed in accordance with the approved details and shall be permanently retained as such.

REASON: To ensure that the site is safe and secure and to protect the visual amenities of the Green Belt, in accordance with Policies BE1 and G1 of the Unitary Development Plan.

**8.7
MOTTINGHAM AND
CHISLEHURST NORTH**

(16/02213/FULL6) - Norfolk Villa, Mottingham Lane, Mottingham, London, SE9 4RW

Description of application – Single storey rear extension and first floor rear/side extension.

Oral representations in support of and in objection to the development were received at the meeting. The Chief Planner's representative reported that a late letter of objection had been received and that no objections had been received from the Tree Officer.

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.

**8.8
BICKLEY**

**(16/02273/RECON) - 20 Southborough Road,
Bickley, Bromley, BR1 2EB**

Description of application – Variation of condition 4 of planning permission 15/04663/FULL1 [for the change of use from A1 (Travel Agents) to Sui Generis (Private Hire/Taxi Booking Office)] to read “The application premises shall not be open for the picking up of customers between 0000 hours and 0530 hours”.

Oral representations in objection to the application were received. Oral representations in objection to the application were also received at the meeting from ward member Councillor Catherine Rideout. Members having considered the report, objections and representations, **RESOLVED** that permission be **REFUSED** on the following grounds -

1. The proposal would be contrary to Policies BE1 and S13 of the Unitary Development Plan, and prejudicial to the amenities of occupants of residential properties in the vicinity by reason of general noise and disturbance occasioned by the extended opening hours.

**8.9
BROMLEY COMMON AND
KESTON**

(16/02485/FULL6) - 1 Quiet Nook, Keston, BR2 8HR

Description of application: First floor side and single storey front extensions, elevational alterations to include changes to windows and timber cladding to ground floor front elevation. Alterations to existing driveway, new front boundary fence and decking to front.

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

The Chief Planner’s representative reported comments from the Council’s Trees Officer. 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.

9 TREE PRESERVATION ORDERS

9.1 CHISLEHURST **Confirmation of Tree Preservation Order No. 2624 at The Beech Studio, Hawkwood Lane, Chislehurst, BR7 5PW**

Members considered objections to the making of TPO 2624 relating to a mature beech tree located within the confines of the Beech Studio, Hawkwood Lane, Chislehurst.

Members having considered the report, **RESOLVED** that the Tree Preservation Order be **CONFIRMED** without modification.

10 URGENT SUPPLEMENTARY ITEM

10.1 ORPINGTON **(16/02826/TELCOM) - Land Outside 318 Court Road, Orpington**

Description of application – Installation of 12.5m Telecommunications Replica Telegraph Pole and one associated equipment cabinet. CONSULTATION BY TELEFONICA UK LTD AND VODAFONE LTD REGARDING THE NEED FOR APPROVAL OF SITING AND APPEARANCE.

The Sub-Committee agreed that the report, which was not included in the published agenda, should be considered as a matter of urgency on the following grounds –

”The application is a prior approval which will be granted by default unless determined before the application target date.”

Members having considered the report, objections and representations, **RESOLVED** that **PRIOR APPROVAL IS REQUIRED AND GRANTED** as recommended subject to the conditions set out in the report of the Chief Planner.

The meeting ended at 8.23 pm

Chairman

SECTION '2' – Applications meriting special consideration

Application No : 16/01330/FULL1

Ward:
Kelsey And Eden Park

Address : Jacanda Lodge North Drive Beckenham
BR3 3XQ

OS Grid Ref: E: 537981 N: 168462

Applicant : Northern Land Developments Ltd

Objections : YES

Description of Development:

Demolition of two detached dwellinghouses and construction of a crescent terrace of 7 three storey four bedroom plus roof accommodation townhouses with basement car parking, refuse store and associated landscaping

Key designations:

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

Proposal

Planning permission is sought for the demolition of two detached dwellinghouses and construction of a crescent terrace of 7 three storey four bedroom plus roof accommodation townhouses with basement car parking, refuse store and associated landscaping.

This involves the demolition of the existing detached houses at Jacanda Lodge and North Lodge. A crescent shaped terrace of houses is proposed to replace the dwellings comprising of seven separate dwellings. Four floors of habitable accommodation are proposed with living space on the ground floor, bedrooms on the first and second floor and games room storage/plant on the third floor within a mansard roof space. A basement level will provide storage areas and parking for three spaces for each dwelling accessed by a subterranean level via a separate vehicle access ramp from North Drive. The subterranean level is located beneath the houses and the whole of the rear gardens of each property and a separate communal garden. Plot widths taper from front to rear with 10m depth rear gardens and private front curtilages varying in depth from 1m to 7.5m to the communal access path with the crescent shape of the building addressing the street frontage.

A traditional design approach has been opted for in a classical style with a curved front elevation to the building producing the crescent shape of the whole terrace. Overall building height is approximately 13.8m at maximum with an additional basement area below ground.

Location

The site is located on the eastern side of South Eden Park Road at the junction with Wickham Way, Park Avenue, Wickham Road and Hayes Lane on the traffic roundabout known locally as the Chinese Garage roundabout. The site comprises two detached dwellings accessed from the entrance adjacent to North Drive and from North Drive itself to the south, which is private access road. Further south is an open area of land designated as Urban Open Space. East of the site are large two storey detached properties located within the Park Langley Conservation Area which adjoins the eastern boundary of the site. West of the site is the Chinese Garage building which is Grade II Listed with more modern unlisted single storey buildings to the rear associated with its use for vehicle repairs/workshops. To the north of the site on the opposite side of the roundabout are two Grade II Listed residential dwellings and a small commercial shopping parade. The boundary of the whole site adjoining the roundabout is screened with a high wall and Laurel hedging and a number of mature trees.

Consultations

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

- Too large in number of houses.
- Height is excessive. Other four storey developments not in as prominent a position as this one.
- Totally out of character for the Chinese roundabout.
- Building is too imposing. Will not frame the junction but will dominate it.
- Highly visible from the conservation area.
- Will cause a loss of amenity to neighbours dominated by tall buildings where currently greenery and trees.
- Overlooking from seven new homes with bird eye views of private gardens.

Internal Consultations

Highways:

The development is located to the north of North Drive. This section of North Drive is private. The PTAL rating of the site is 2. Access to the development site will be provided via a new access junction at the southern extent of the site boundary onto North Drive. The access leads to a basement parking area via a dedicated ramp. The ramp (1:10 gradient) is designed adequately for two cars to pass each other. A separate footway leads to the front entrances of the properties and to the rear of the private garden space. In terms of car parking, each dwelling will benefit from three dedicated car parking spaces within the basement, which is acceptable. Servicing and refuse collection will take place from South Eden Park Road as the existing arrangement. Bin stores will be located within an acceptable walk distance for residents and waste disposal team. No objection to the proposal in principle.

Environmental Health - Pollution:

Noise - The acoustic assessment finds relatively high road traffic noise levels and mitigations are required including acoustic glazing, treatments to ceilings and window surrounds and a mechanical ventilation system. With the mitigations in place a reasonable standard of amenity can be achieved.

Contamination - The site is close to a number of potentially contaminative current uses so I would recommend that a standard condition is attached to require a Phase 1 contamination assessment.

Air Quality - The site is within an Air Quality Management area for NOx. I would recommend that standard conditions are attached in respect of gas boiler discharges and electric car charging points.

Standard conditions are suggested to address the above.

Drainage:

Details of a surface water drainage scheme is recommended to be sought by condition.

Arboriculture:

Mature trees are limited to the periphery of the application site. There is currently no protection offered to the existing trees, however, the neighbouring land is located within the conservation area. Significant trees on neighbouring land will not be at risk as a result of the development proposals. The trees proposed for removal, as outlined on the arboricultural report, do not warrant preservation and can be replaced as part of the new landscape scheme. Standard conditions are recommended in the event that planning permission is granted.

Environmental Health - Housing

General concerns raised regarding siting of utility rooms on the upper levels, lighting and ventilation to living and dining rooms and the upper level games room could be used as a further habitable bedroom.

External Consultations

Thames Water:

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

Planning Considerations

The National Planning Policy Framework is a material consideration. Sections 4 'Promoting sustainable transport'; 6 'Delivering a wide choice of high quality homes'; 7 'Requiring good design'; and 10 'Meeting the challenge of climate change, flooding and coastal change' are of relevance.

London Plan 2015:

- 3.3 Increasing Housing Supply
- 3.4 Optimising Housing Potential
- 3.5 Quality and Design of Housing Developments
- 3.8 Housing Choice
- 3.9 Mixed and Balanced Communities
- 5.1 Climate change mitigation
- 5.2 Minimising Carbon Dioxide Emissions
- 5.3 Sustainable Design and Construction
- 5.7 Renewable Energy
- 5.10 Urban Greening
- 5.11 Green Roofs and Development Site Environs
- 5.12 Flood Risk Management
- 5.13 Sustainable Drainage
- 5.14 Water quality and wastewater Infrastructure
- 5.15 Water use and supplies
- 5.16 Waste self-sufficiency
- 5.17 Waste capacity
- 5.18 Construction, excavation and demolition waste
- 5.21 Contaminated land
- 6.3 Assessing Effects of Development on Transport Capacity
- 6.5 Funding Crossrail and other strategically important transport infrastructure
- 6.9 Cycling
- 6.12 Road Network Capacity
- 6.13 Parking
- 7.1 Lifetime Neighbourhoods
- 7.2 An Inclusive Environment
- 7.3 Designing Out Crime
- 7.4 Local Character
- 7.5 Public Realm
- 7.6 Architecture
- 7.8 Heritage assets and archaeology
- 7.14 Improving Air Quality
- 7.15 Reducing and Managing Noise, Improving and Enhancing the Acoustic Environment and Promoting Appropriate Soundscapes.
- 7.19 Biodiversity and Access to Nature
- 8.3 Community Infrastructure Levy

Housing: Supplementary Planning Guidance. (March 2016)

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

Unitary Development Plan:

- BE1 Design of New Development
- BE7 Railings, Boundary Walls and Other Means of Enclosure
- BE8 Statutory Listed Buildings
- BE13 Development Adjacent to a Conservation Area
- ER7 Contaminated Land

- H1 Housing Supply
- H7 Housing Density and Design
- H9 Side Space
- NE7 Development and Trees
- T3 Parking
- T5 Access for People with Restricted Mobility
- T6 Pedestrians
- T7 Cyclists
- T16 Traffic Management and Sensitive Environments
- T18 Road Safety

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

Emerging Bromley Local Plan:

A consultation on the Draft Local Plan policies was undertaken early in 2014 in a document entitled Draft Policies and Designations Policies. In addition a consultation was undertaken in October 2015 in a document entitled Draft Allocation, further policies and designation document. These documents are a material consideration. The weight attached to the draft policies increases as the Local Plan process advances.

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

Planning History

87/02950/FUL: North Lodge - Use as visitors accommodation erection of car port and formation of vehicular access to classified road. Approved 28.01.1988

98/01319/FUL: North Lodge - Single storey side and rear extensions and detached double garage. Approved 03.08.1998

98/01321/LBCSET: North Lodge - Single storey side and rear extension and detached double garage. Listed building consent. Approved 10.08.1998

98/02964/FUL: North Lodge - Single storey side and rear extensions revisions to permission 98/1319. Approved 24.12.1998

98/02965/LBCALT: North Lodge: Partial demolition of rear extensions erection of side and rear extension and internal and external alterations listed building consent. Approved 24.12.1998.

99/00409/FULL1: North Lodge: Single storey side and rear extensions and detached double garage. Approved 14.04.1999.

99/00410/FULL1: Detached five bedroom house with detached triple garage with access from South Eden Park Road Land Adjoining North Lodge - Retrospective application. Refused 14.04.1999

00/00039/FULL1: Detached five bedroom house and detached garage. Approved 21.08.2000

00/03436/FULL1: Detached five bedroom house and detached garage. Refused 15.02.2001

02/00165/FULL1: Detached five bedroom house and detached garage (Revision to scheme permitted under ref. 00/00039, with revised location for vehicular access). Approved 18.04.2002

15/05418/FULL1: Demolition of two detached dwellinghouses and construction of a crescent terrace of 8 three storey four bedroom plus roof accommodation townhouses with basement car parking, refuse store and associated landscaping. Refused 15.02.2016

Refusal reason:

The proposal by reason of its prominent siting, excessive scale and massing, design, sub-standard spatial relationship to the existing dwellings in the locality and the number of dwellings proposed in this prominent location results in an over intensive use of the site and retrograde lowering of established spatial standards and represents a cramped overdevelopment of the site which would appear detrimental to and out of character with surrounding development and harmful to the visual amenities of the area contrary to Policies BE1, H7 and H9 of the Unitary Development Plan.

The application was subsequently appealed and dismissed by the Planning Inspectorate.

In summary the Inspector commented in the Appeal Decision that the development *"would result in a significant increase in the scale and amount of built development on the site.....Its siting together with its form, height and the removal of some*

existing boundary screening means that in contrast to the existing dwellings, the new building would be clearly visible from and prominent in the streetscene."

Furthermore The Inspector commented that *"whilst there are a variety of building styles surrounding the roundabout and in the immediate vicinity, having particular regard to the siting and scale of the building, I (Inspector) do not consider that it complements the scale, form and layout of adjacent buildings and the area generally."*

"Though of varying styles and designs, existing buildings surrounding the roundabout and in the immediate area are smaller in scale and where larger scale buildings do exist, for example along Wickham Road, these are generally well set back from the road frontage."

"Given the height of the proposed building and its largely uniform frontage and roofline, I do not consider that the set back distances proposed are sufficient and consequently the proposal would appear cramped. The proposed building would present a very formal frontage to the surrounding roads and the roundabout and this would be at odds with and harmful to the existing character and appearance of the area which is generally more spacious and domestic in scale. Rather than complementing the character of the surrounding area the proposal would dominate it."

16/01338/FULL1: Demolition of two detached dwellings houses and construction of a crescent terrace of 8 three storey four bedroom townhouses with basement car parking, refuse store and associated landscaping. Pending consideration at time of writing.

Conclusions

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

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

Principle of development

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

Policy H7 of the UDP advises that new housing developments will be expected to meet all of the following criteria in respect of; density; a mix of housing types and

sizes, or provides house types to address a local shortage; the site layout, buildings and space about buildings are designed to a high quality and recognise as well as complement the qualities of the surrounding areas; off street parking is provided; the layout is designed to give priority to pedestrians and cyclists over the movement and parking of vehicles; and security and crime prevention measures are included in the design and layout of buildings and public areas.

The site is currently developed for a less dense residential use. Therefore in this location the Council will consider residential replacement development provided that it is designed to complement the character of surrounding developments, the design and layout make suitable residential accommodation, and it provides for garden and amenity space. Any adverse impact on neighbouring amenity, conservation and historic issues, biodiversity or open space will need to be addressed. Therefore the provision of the new 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.

Housing Supply

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

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

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

At the time of writing a recent appeal decision has indicated that the Council does not have an adequate five year Housing Land Supply. The absence of a five year housing land supply means in brief that under the NPPF paragraph 49 the Council should regard relevant development plan policies affecting the supply of housing as 'out of date'. This does not mean that 'out of date' policies should be given no weight or any specific amount of weight. In this case the following sections of the assessment of this application will be given appropriate weight in the consideration of the scheme.

The Planning Inspector commented on the previous scheme that even if the Council could not demonstrate a five year housing land supply, the adverse impact of the proposal on the character and appearance of the area would significantly

and demonstrably outweigh the benefits. Substantial weight is given in this respect in the determination of this application.

Density

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

The site has a PTAL rating of 2 and is within a suburban setting. In accordance with Table 3.2, the recommended density range for the site would be 35-65 dwellings per hectare. The proposed development would have a density of 24 dwellings per hectare.

Therefore, the proposed development for seven houses would sit marginally below the guideline measure for this location. A numerical calculation of density is only one aspect in assessing the acceptability of a residential development. Policy 3.4 is clear that in optimising housing potential, developments should take account of local context and character, design principles and public transport capacity.

This was clearly identified by the Planning Inspector in the previous scheme where it was identified that the proposal was not considered to have due regard to local context and character.

Design and Conservation

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

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

Policy H7 of the UDP set out a number of criteria for the design of new development. With regard to local character and appearance development should be imaginative and attractive to look at, should complement the scale, form, layout and materials of adjacent buildings and areas. Development should not detract from the existing street scene and/or landscape and should respect important views, skylines, landmarks or landscape features. Space about buildings should

provide opportunities to create attractive settings with hard or soft landscaping and relationships with existing buildings should allow for adequate daylight and sunlight to penetrate in and between buildings.

Policy BE1 of the UDP requires development to be imaginative and attractive to look at and to 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 the relationship 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.

Policy BE8 states that 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.

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

The main change in the current scheme as to that previously refused and dismissed at Appeal is the loss of the provision of one house immediately adjacent to the junction of South Eden Park Road and Wickham Way along with the alteration of one of the central feature houses that incorporates a moderate step forward within the front elevation to align with the main terrace elevation. The total provision is now seven houses.

In respect of the impact of the adjacent conservation area and close proximity of listed buildings as detailed above, whilst the site is outside the conservation area, it does immediately abut its boundary and therefore the effect on the setting of the conservation area is applicable. The site is also directly opposite the important Chinese Garage Listed Building, so that the character, appearance and special interest of the building and its setting is needed to be considered. The accompanying heritage statement concludes that the setting of neither of these assets would be harmed.

In this regard it is considered that the proposed development would not generally harm the setting of the conservation area as it would not obscure or harm the significant views into or out of that area which in this case would primarily be along Wickham Way with the retention also of some degree of screening as detailed in the Heritage Statement.

Furthermore, in terms of the setting of the listed Chinese Garage it is suggested by the applicants agent that the view of the front of the Chinese Garage building and the small area of landscaping facing the roundabout is the most significant view. As the proposed development would be on the opposite side of the road at a distance of approximately 30 metres it is considered that this relationship is acceptable in terms of the setting of the listed building even though the proposed scheme would be higher, due to there being sufficient space around the asset to appreciate its significance.

Notwithstanding the on balance neutral effects concerning heritage assets, the predominant character of this part of Beckenham is of large detached and semi-detached houses on substantial plots, in a mature landscaped setting. This includes the properties along Wickham Way to the east, in particular those within the adjacent Conservation Area, which comprises a number of large detached two storey dwellings with generous spatial standards and large mature rear gardens. The open Urban Open Space to the south and further two storey semi-detached and detached properties to the west of the site add further to the low rise spacious character of the immediate locality.

The applicant's agent has opined that the site requires a 'landmark' building that will frame the junction and present a frontage to the curve of the road and responds to the potential of the site. The requirement for a landmark building on the site is a subjective opinion. Nevertheless, the building proposed is considered substantial and overly prominent in fulfilling this approach.

The resiting of the northern end of the proposed terrace building in the current scheme with its north western flank situated a greater distance from the roundabout has been put forward by the applicant to address the Appeal Inspectors views. While this would increase the separation buffer to the roundabout nominally the building would remain in close visual proximity to the boundaries of the site in all other directions. Therefore, the set back distances are considered to remain insufficient, an opinion concurred with by the Inspector at Appeal with regard to the previous scheme.

Similarly as within the previous scheme, in order to achieve the quantum of development desired by the developer for a crescent of seven houses of suitable proportions, the footprint of the terrace in relation to Plot 1 remains brought substantially forward in proximity to its relationship with the roundabout with only 3.8m to the front boundary including the access footway within the site. Similarly, Plot 7 is brought forward at a lesser distance of 2m to the boundary with North Drive. The development therefore remains to appear cramped on site in comparison with the generous spatial standards in the locality. Furthermore the individual plots proposed are long and narrow and not representative generally of the spatial layout of the locality. Therefore the minor alterations to the scheme are not considered to address sufficiently the shortcomings of the previous scheme.

The terrace building would also remain substantial in height, mainly accentuated by its four storey design approach forming an imposing building as is the intended design approach of the developer.

The Planning Inspector commented previously that the height of the proposed building and its largely uniform frontage and roofline with insufficient set back would appear cramped. The proposed revised building would also present a very formal frontage to the surrounding roads and the roundabout and this would be at odds with and harmful to the existing character and appearance of the area.

The applicant's agent has put forward various comparisons in the locality for justification in regard to the massing and scale of the development. Officers have reviewed these schemes and it is noted that many of the examples detailed are surrounded by taller blocks of flats of infill development and therefore the context of these examples is predominantly different to the current application site with predominantly two storey lower rise development surrounding the site. Therefore it is not agreed that there is no contextual reference points for development of the site in terms of neighbouring buildings that would facilitate a cart blanche approach to create a substantial landmark building.

Therefore, the proposal would be harmfully at odds with the lesser mass and scale of surrounding property, spatial layout, generous plots and less formal character which are an important characteristic to the existing development pattern, and which contribute in an important way to the general character and appearance and generous spatial qualities of the locality close by.

In terms of the design of the submitted elevations, it is noted that the detailing indicated is in keeping with the style of architecture proposed at the site. However, the intended design approach in terms of mass, scale and formal character as detailed above is considered to appear not wholly in keeping with the character of the area.

Standard of Residential Accommodation

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

The floor space size of each of the houses varies between 390m² and 462m² respectively. Table 3.3 of the London Plan requires a Gross Internal Area of 130m² for a four bedroom eight person dwelling house. On this basis the floorspace provision is considered to be acceptable.

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

Concern has been raised in respect of layout of an upper level utility space. Given the generous floor space of the dwelling overall and compliance generally this is not considered sufficient to warrant refusal of the application. All habitable rooms are considered in planning terms to have satisfactory levels of light and outlook and ventilation.

In terms of amenity space the depth of the private rear gardens are of sufficient proportion to provide a usable space for the purposes of a family dwellinghouse. The extra communal area is a welcome addition to the provision.

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

Impact on Adjoining Properties

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

In terms of outlook, the fenestration arrangement will provide front and rear outlook for units 2 to 6 overlooking amenity space or overlooking the streetscene and will maintain a suitable level of privacy at the intended distances to existing neighbouring property. Units 1 and 7 have two principle elevations to the front and flank sides of the crescent shaped terrace. Similarly the flank principle elevations will overlook amenity space or overlook the streetscene and will also maintain a suitable level of privacy at the intended distances to adjoining property.

Some concerns have been raised from neighbouring dwellings regarding loss of view, an imposing vista and loss of privacy from the rear elevation of the crescent to properties east on Wickham Way. An approximate distance of 28m is maintained to closest point of the nearest property on Wickham Way. This is considered sufficient to maintain levels of privacy.

It is acknowledged that there will be some level of loss of view and that the upper levels of the development will be visible in skyline views in this direction. However, loss of view is not considered a reason to withhold planning permission in this case. Any loss of daylighting would be negligible given the resultant separation gaps.

On this basis, it is considered that the dwellings will not result in loss of privacy or overlooking of adjacent property.

Car Parking and Access

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

Access to the development site is made via a new access junction at the southern extent of the site boundary from North Drive. The access leads to a basement parking area via a dedicated ramp. The ramp at a 1:10 gradient is designed

adequately for two cars to pass each other with a separate footway leading to the front entrances of the properties and to the rear of the private garden space. In terms of car parking, each dwelling will benefit from three dedicated car parking spaces within the basement.

The Council's Highways Officer has not raised objection in this regard due to the acceptable level of parking provided and relatively minor impact of the additional units on parking issues in the vicinity. Therefore, it is considered the proposal would generally be in accordance with UDP Policy T3 and Policy 6.13 of the London Plan.

Cycle parking

Cycle parking is required to be 2 spaces for this dwelling type. The basement parking area will provide an adequate facility for cycle storage. 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 in the curtilage adjacent to the ramped basement access from North Drive. The location point is considered acceptable within close proximity of the highway. Further details of a containment structure can be conditioned.

Trees and Landscaping

The site contains a number of trees which are indicated to be removed. The Council's Arboricultural Officer has reviewed the scheme and has not raised issue regarding the loss of trees. An indicative landscaping layout has also been submitted detailing the areas given over to garden for external amenity for future occupiers. No objections are raised in this regard. Notwithstanding this, implementation conditions for hard and soft landscaping and further details for boundary treatment can be sought by condition as necessary.

Sustainability and Energy

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

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

Community Infrastructure Levy

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

Summary

Consequently, it is considered that the revised development scheme fails to overcome the Council's previous concerns and would appear as a cramped over development of the site, bulky, out of character and over-dominant in the street scene detrimental to its visual amenities and unsympathetic to the scale and spatial qualities of surrounding development.

On balance the negative impacts of the development are considered of sufficient weight to refuse the application notwithstanding the presumption in favour of development to increase housing supply.

RECOMMENDATION: APPLICATION BE REFUSED

The reasons for refusal are:

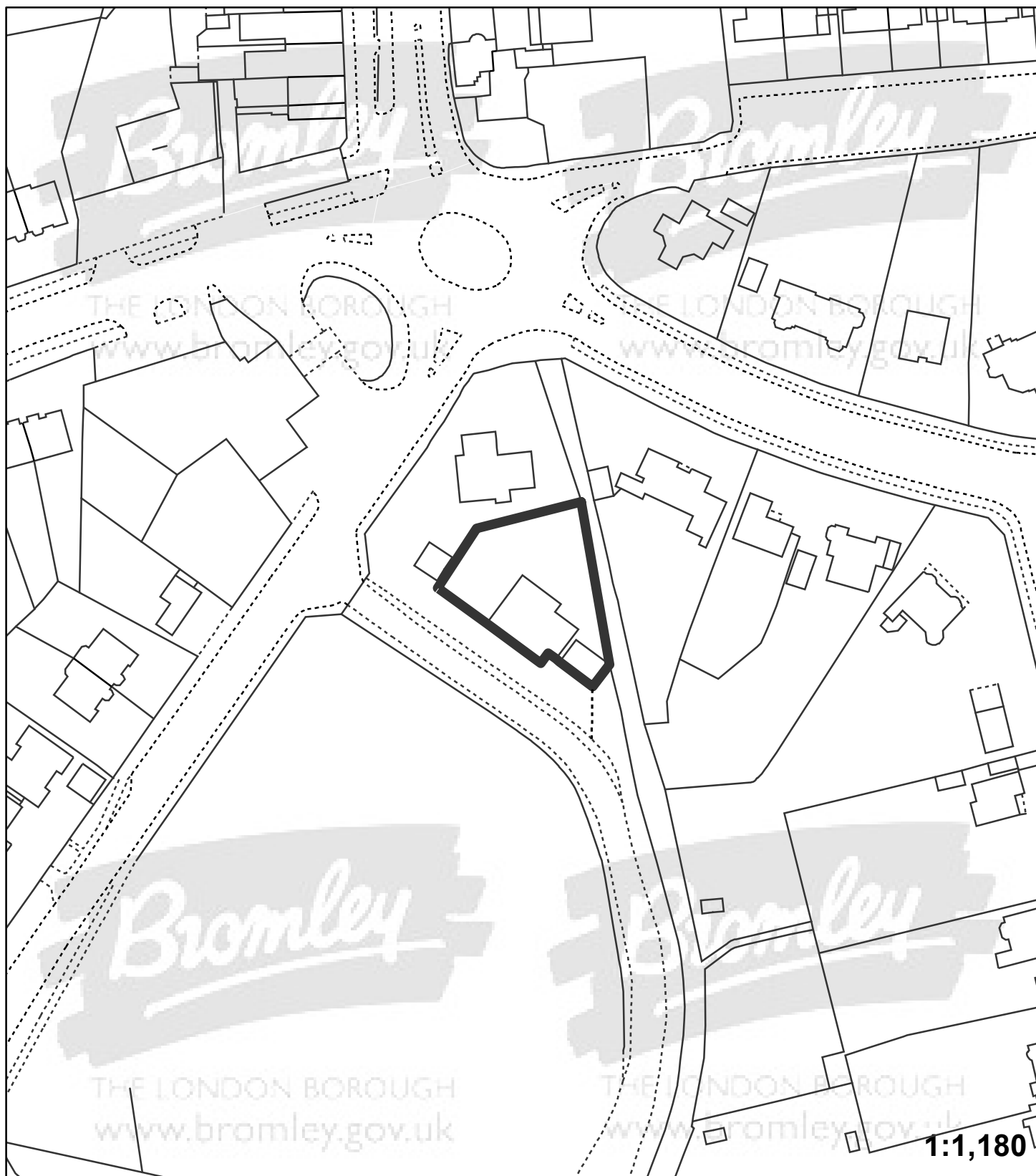
- 1 The proposal by reason of its prominent siting, excessive scale and massing, height, design, sub-standard spatial relationship to the existing dwellings in the locality and the number of dwellings proposed in this prominent location results in an over intensive use of the site and retrograde lowering of established spatial standards and represents a cramped overdevelopment of the site which would appear detrimental to and out of character with surrounding development and harmful to the visual amenities of the area contrary to Policies BE1 and H7 of the Unitary Development Plan and Policy 3.5, 7.4 and 7.6 of the London Plan and Chapter 7 'Requiring good design' of the National Planning Policy Framework.**

This page is left intentionally blank

Application:16/01330/FULL1

Address: Jacanda Lodge North Drive Beckenham BR3 3XQ

Proposal: Demolition of two detached dwellinghouses and construction of a crescent terrace of 7 three storey four bedroom plus roof accommodation townhouses with basement car parking, refuse store and associated landscaping



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

This page is left intentionally blank

SECTION '2' – Applications meriting special consideration

Application No : 16/01338/FULL1

Ward:
Kelsey And Eden Park

Address : Jacanda Lodge North Drive Beckenham
BR3 3XQ

OS Grid Ref: E: 537981 N: 168462

Applicant : Northern Land Developments Ltd

Objections : YES

Description of Development:

Demolition of two detached dwellings houses and construction of a crescent terrace of 8 three storey four bedroom townhouses with basement car parking, refuse store and associated landscaping.

Key designations:

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

Proposal

Planning permission is sought for the demolition of two detached dwellings houses and construction of a crescent terrace of 8 three storey four bedroom townhouses with basement car parking, refuse store and associated landscaping.

This involves the demolition of the existing detached houses at Jacanda Lodge and North Lodge. A crescent shaped terrace of houses is proposed to replace the dwellings comprising of eight separate dwellings. Three floors of habitable accommodation are proposed with living space on the ground floor and bedrooms on the first and second floor. A shallow pitched roof is indicated situated behind a raised parapet. A basement level will provide storage areas and parking for three spaces for each dwelling accessed by a subterranean level via a separate vehicle access ramp from North Drive. The subterranean level is located beneath the houses and the whole of the rear gardens of each property and a separate communal garden. Plot widths taper from front to rear with 10m depth rear gardens and private front curtilages varying in depth from 1m to 7.5m to the communal access path with the crescent shape of the building addressing the street frontage.

A traditional design approach has been opted for in a classical style with a curved front elevation to the building producing the crescent shape of the whole terrace. Overall the building height is approximately 11m at maximum with an additional basement area below ground.

Location

The site is located on the eastern side of South Eden Park Road at the junction with Wickham Way, Park Avenue, Wickham Road and Hayes Lane on the traffic roundabout known locally as the Chinese Garage roundabout. The site comprises two detached dwellings accessed from the entrance adjacent to North Drive and from North Drive itself to the south, which is private access road. Further south is an open area of land designated as Urban Open Space. East of the site are large two storey detached properties located within the Park Langley Conservation Area which adjoins the eastern boundary of the site. West of the site is the Chinese Garage building which is Grade II Listed with more modern unlisted single storey buildings to the rear associated with its use for vehicle repairs/workshops. To the north of the site on the opposite side of the roundabout are two Grade II Listed residential dwellings and a small commercial shopping parade. The boundary of the whole site adjoining the roundabout is screened with a high wall and Laurel hedging and a number of mature trees.

Consultations

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

Internal Consultations

Highways:

The development is located to the north of North Drive. This section of North Drive is private. The PTAL rating of the site is 2. Access to the development site will be provided via a new access junction at the southern extent of the site boundary onto North Drive. The access leads to a basement parking area via a dedicated ramp. The ramp (1:10 gradient) is designed adequately for two cars to pass each other. A separate footway leads to the front entrances of the properties and to the rear of the private garden space. In terms of car parking, each dwelling will benefit from three dedicated car parking spaces within the basement, which is acceptable. Servicing and refuse collection will take place from South Eden Park Road as the existing arrangement. Bin stores will be located within an acceptable walk distance for residents and waste disposal team. No objection to the proposal in principle.

Environmental Health - Pollution:

Noise - The acoustic assessment finds relatively high road traffic noise levels and mitigations are required including acoustic glazing, treatments to ceilings/window surrounds and a mechanical ventilation system. With the mitigations in place a reasonable standard of amenity can be achieved.

Contamination - The site is close to a number of potentially contaminative current uses so I would recommend that a standard condition is attached to require a Phase 1 contamination assessment.

Air Quality - The site is within an Air Quality Management area for NOx. I would recommend that standard conditions are attached in respect of gas boiler discharges and electric car charging points.

Standard conditions are suggested to address the above.

Drainage:

Details of a surface water drainage scheme is recommended to be sought by condition.

Arboriculture:

Mature trees are limited to the periphery of the application site. There is currently no protection offered to the existing trees, however, the neighbouring land is located within the conservation area. Significant trees on neighbouring land will not be at risk as a result of the development proposals. The trees proposed for removal, as outlined on the arboricultural report, do not warrant preservation and can be replaced as part of the new landscape scheme. Standard conditions are recommended in the event that planning permission is granted.

Environmental Health - Housing

General concerns raised regarding siting of utility rooms on the upper levels, lighting and ventilation to living and dining rooms.

External Consultations

Thames Water:

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

Planning Considerations

The National Planning Policy Framework is a material consideration. Sections 4 'Promoting sustainable transport'; 6 'Delivering a wide choice of high quality homes'; 7 'Requiring good design'; and 10 'Meeting the challenge of climate change, flooding and coastal change' are of relevance.

London Plan 2015:

- 3.3 Increasing Housing Supply
- 3.4 Optimising Housing Potential
- 3.5 Quality and Design of Housing Developments
- 3.8 Housing Choice
- 3.9 Mixed and Balanced Communities
- 5.1 Climate change mitigation
- 5.2 Minimising Carbon Dioxide Emissions
- 5.3 Sustainable Design and Construction

- 5.7 Renewable Energy
- 5.10 Urban Greening
- 5.11 Green Roofs and Development Site Environs
- 5.12 Flood Risk Management
- 5.13 Sustainable Drainage
- 5.14 Water quality and wastewater Infrastructure
- 5.15 Water use and supplies
- 5.16 Waste self-sufficiency
- 5.17 Waste capacity
- 5.18 Construction, excavation and demolition waste
- 5.21 Contaminated land
- 6.3 Assessing Effects of Development on Transport Capacity
- 6.5 Funding Crossrail and other strategically important transport infrastructure
- 6.9 Cycling
- 6.12 Road Network Capacity
- 6.13 Parking
- 7.1 Lifetime Neighbourhoods
- 7.2 An Inclusive Environment
- 7.3 Designing Out Crime
- 7.4 Local Character
- 7.5 Public Realm
- 7.6 Architecture
- 7.8 Heritage assets and archaeology
- 7.14 Improving Air Quality
- 7.15 Reducing and Managing Noise, Improving and Enhancing the Acoustic Environment and Promoting Appropriate Soundscapes.
- 7.19 Biodiversity and Access to Nature
- 8.3 Community Infrastructure Levy

Housing: Supplementary Planning Guidance. (March 2016)

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

Unitary Development Plan:

- BE1 Design of New Development
- BE7 Railings, Boundary Walls and Other Means of Enclosure
- BE8 Statutory Listed Buildings
- BE13 Development Adjacent to a Conservation Area
- ER7 Contaminated Land
- H1 Housing Supply
- H7 Housing Density and Design
- H9 Side Space
- NE7 Development and Trees
- T3 Parking
- T5 Access for People with Restricted Mobility
- T6 Pedestrians
- T7 Cyclists
- T16 Traffic Management and Sensitive Environments
- T18 Road Safety

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

Emerging Bromley Local Plan:

A consultation on the Draft Local Plan policies was undertaken early in 2014 in a document entitled Draft Policies and Designations Policies. In addition a consultation was undertaken in October 2015 in a document entitled Draft Allocation, further policies and designation document. These documents are a material consideration. The weight attached to the draft policies increases as the Local Plan process advances.

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

Planning History

87/02950/FUL: North Lodge - Use as visitors accommodation erection of car port and formation of vehicular access to classified road. Approved 28.01.1988

98/01319/FUL: North Lodge - Single storey side and rear extensions and detached double garage. Approved 03.08.1998

98/01321/LBCSET: North Lodge - Single storey side and rear extension and detached double garage. Listed building consent. Approved 10.08.1998

98/02964/FUL: North Lodge - Single storey side and rear extensions revisions to permission 98/1319. Approved 24.12.1998

98/02965/LBCALT: North Lodge: Partial demolition of rear extensions erection of side and rear extension and internal and external alterations listed building consent. Approved 24.12.1998.

99/00409/FULL1: North Lodge: Single storey side and rear extensions and detached double garage. Approved 14.04.1999.

99/00410/FULL1: Detached five bedroom house with detached triple garage with access from South Eden Park Road Land Adjoining North Lodge - Retrospective application. Refused 14.04.1999

00/00039/FULL1: Detached five bedroom house and detached garage. Approved 21.08.2000

00/03436/FULL1: Detached five bedroom house and detached garage. Refused 15.02.2001

02/00165/FULL1: Detached five bedroom house and detached garage (Revision to scheme permitted under ref. 00/00039, with revised location for vehicular access). Approved 18.04.2002

15/05418/FULL1: Demolition of two detached dwellinghouses and construction of a crescent terrace of 8 three storey four bedroom plus roof accommodation townhouses with basement car parking, refuse store and associated landscaping. Refused 15.02.2016

Refusal reason:

The proposal by reason of its prominent siting, excessive scale and massing, design, sub-standard spatial relationship to the existing dwellings in the locality and the number of dwellings proposed in this prominent location results in an over intensive use of the site and retrograde lowering of established spatial standards and represents a cramped overdevelopment of the site which would appear detrimental to and out of character with surrounding development and harmful to the visual amenities of the area contrary to Policies BE1, H7 and H9 of the Unitary Development Plan.

The application was subsequently appealed and dismissed by the Planning Inspectorate.

In summary the Inspector commented in the Appeal Decision that the development *"would result in a significant increase in the scale and amount of built development on the site.....Its siting together with its form, height and the removal of some existing boundary screening means that in contrast to the existing dwellings, the new building would be clearly visible from and prominent in the streetscene."*

Furthermore The Inspector commented that *"whilst there are a variety of building styles surrounding the roundabout and in the immediate vicinity, having particular regard to the siting and scale of the building, I (Inspector) do not consider that it complements the scale, form and layout of adjacent buildings and the area generally."*

"Though of varying styles and designs, existing buildings surrounding the roundabout and in the immediate area are smaller in scale and where larger scale buildings do exist, for example along Wickham Road, these are generally well set back from the road frontage."

"Given the height of the proposed building and its largely uniform frontage and roofline, I do not consider that the set back distances proposed are sufficient and consequently the proposal would appear cramped. The proposed building would present a very formal frontage to the surrounding roads and the roundabout and this would be at odds with and harmful to the existing character and appearance of the area which is generally more spacious and domestic in scale. Rather than complementing the character of the surrounding area the proposal would dominate it."

16/01330/FULL1: Demolition of two detached dwellinghouses and construction of a crescent terrace of 7 three storey four bedroom plus roof accommodation townhouses with basement car parking, refuse store and associated landscaping. Pending consideration at time of writing.

Conclusions

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

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

Principle of development

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

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

The site is currently developed for a less dense residential use. Therefore in this location the Council will consider residential replacement development provided

that it is designed to complement the character of surrounding developments, the design and layout make suitable residential accommodation, and it provides for garden and amenity space. Any adverse impact on neighbouring amenity, conservation and historic issues, biodiversity or open space will need to be addressed. Therefore the provision of the new 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.

Housing Supply

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

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

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

At the time of writing the Council does not have an adequate five year Housing Land Supply. The absence of a five year housing land supply means in brief that under the NPPF paragraph 49 the Council should regard relevant development plan policies affecting the supply of housing as 'out of date'. This does not mean that 'out of date' policies should be given no weight or any specific amount of weight. In this case the following sections of the assessment of this application will be given appropriate weight in the consideration of the scheme.

The Planning Inspector commented on the previous scheme that even if the Council could not demonstrate a five year housing land supply, the adverse impact of the proposal on the character and appearance of the area would significantly and demonstrably outweigh the benefits. Substantial weight is given in this respect in the determination of this application.

Density

Policy 3.4 in the London Plan seeks to ensure that development proposals achieve the optimum housing density compatible with local context, the design principles in Chapter 7 of the plan, and with public transport capacity. Table 3.2 (Sustainable residential quality) identifies appropriate residential density ranges related to a

site's setting (assessed in terms of its location, existing building form and massing) and public transport accessibility (PTAL).

The site has a PTAL rating of 2 and is within a suburban setting. In accordance with Table 3.2, the recommended density range for the site would be 35-65 dwellings per hectare. The proposed development would have a density of 27 dwellings per hectare.

Therefore, the proposed development for seven houses would sit marginally below the guideline measure for this location. A numerical calculation of density is only one aspect in assessing the acceptability of a residential development. Policy 3.4 is clear that in optimising housing potential, developments should take account of local context and character, design principles and public transport capacity.

This was clearly identified by the Planning Inspector in the previous scheme where it was identified that the proposal was not considered to have due regard to local context and character.

Design and Conservation

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

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

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

Policy BE1 of the UDP requires development to be imaginative and attractive to look at and to 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 the relationship 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.

Policy BE8 states that 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.

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

The main change in the current scheme as to that previously refused and dismissed at Appeal is the removal of the third storey of accommodation to reduce the height of the building from 13.8m to 11m at the ridge point. The main elevations would remain the same incorporating a shallow pitched roof behind parapet walls. The total provision would remain eight houses.

In respect of the impact of the adjacent conservation area and close proximity of listed buildings as detailed above, whilst the site is outside the conservation area, it does immediately abut its boundary and therefore the effect on the setting of the conservation area is applicable. The site is also directly opposite the important Chinese Garage Listed Building, so that the character, appearance and special interest of the building and its setting is needed to be considered. The accompanying heritage statement concludes that the setting of neither of these assets would be harmed.

In this regard it is considered that the proposed development would not generally harm the setting of the conservation area as it would not obscure or harm the significant views into or out of that area which in this case would primarily be along Wickham Way with the retention also of some degree of screening as detailed in the Heritage Statement.

Furthermore, in terms of the setting of the listed Chinese Garage it is suggested by the applicants agent that the view of the front of the Chinese Garage building and the small area of landscaping facing the roundabout is the most significant view. As the proposed development would be on the opposite side of the road at a distance of approximately 30 metres it is considered that this relationship is acceptable in terms of the setting of the listed building even though the proposed scheme would be higher, due to there being sufficient space around the asset to appreciate its significance.

Notwithstanding the on balance neutral effects concerning heritage assets, the predominant character of this part of Beckenham is of large detached and semi-

detached houses on substantial plots, in a mature landscaped setting. This includes the properties along Wickham Way to the east, in particular those within the adjacent Conservation Area, which comprises a number of large detached two storey dwellings with generous spatial standards and large mature rear gardens. The open Urban Open Space to the south and further two storey semi-detached and detached properties to the west of the site add further to the low rise spacious character of the immediate locality.

The applicant's agent has opined that the site requires a 'landmark' building that will frame the junction and present a frontage to the curve of the road and responds to the potential of the site. The requirement for a landmark building on the site is a subjective opinion. Nevertheless, the building proposed is considered substantial and overly prominent in fulfilling this approach.

The siting of the proposed terrace building would remain in the same footprint position as the previously refused scheme which was considered to be too close in proximity to the boundaries of the site. In order to achieve the quantum of development desired by the developer for a crescent of eight houses of suitable proportions, the footprint of the terrace in relation to Plot 1 remains brought substantially forward in proximity to its relationship with the roundabout achieving only 4.5m at the front elevation to the side boundary and only 3.8m to the front boundary including the access footway within the site. Similarly, Plot 8 is brought forward at a lesser distance of 2m to the boundary with North Drive. The development therefore appears cramped on site in comparison with the generous spatial standards in the locality. Furthermore the individual plots proposed are long and narrow and not representative generally of the spatial layout of the locality.

The removal of the upper floor previously contained within a set back mansard roof structure has been put forward by the applicant to address the Appeal Inspectors views in terms of the height of the building. It is argued that this will see a significant overall reduction in the scale and bulk.

It is noted that the building would remain three storey but without roof space accommodation. However, it is considered that the removal of the roof structure would not greatly change the mass and scale of the building. The terrace building would remain substantial in height by retaining its tall elevations and formal design approach in the same manner as previously refused still creating an imposing formal building, as is the intended design approach of the developer, at odds with and harmful to the existing character and appearance of the area.

The applicant's agent has also put forward various comparisons in the locality for justification in regard to the massing and scale of the development. Officers have reviewed these schemes and it is noted that many of the examples detailed are surrounded by taller blocks of flats of infill development and therefore the context of these examples is predominantly different to the current application site with predominantly two storey lower rise development surrounding the site. Therefore it is not agreed that there is no contextual reference points for development of the site in terms of neighbouring buildings that would facilitate a cart blanche approach to create a substantial landmark building.

Therefore, the proposal would be harmful at odds with the lesser mass and scale of surrounding property, spatial layout and generous plots which are an important characteristic to the existing development pattern, and which contribute in an important way to the general character and appearance and generous spatial qualities of the locality close by.

In terms of the design of the submitted elevations, it is noted that the detailing indicated is in keeping with the style of architecture proposed at the site. However, the intended design approach in terms of mass and scale as detailed above is considered to appear not wholly in keeping with the character of the area.

Standard of Residential Accommodation

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

The floor space size of each of the houses varies between 338m² and 396m² respectively. Table 3.3 of the London Plan requires a Gross Internal Area of 130m² for a four bedroom eight person dwelling house. On this basis the floorspace provision is considered to be acceptable.

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

Concern has been raised in respect of layout of an upper level utility space. Given the generous floor space of the dwelling overall and compliance generally this is not considered sufficient to warrant refusal of the application. All habitable rooms are considered in planning terms to have satisfactory levels of light and outlook and ventilation.

In terms of amenity space the depth of the private rear gardens are of sufficient proportion to provide a usable space for the purposes of a family dwellinghouse. The extra communal area is a welcome addition to the provision.

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

Impact on Adjoining Properties

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

In terms of outlook, the fenestration arrangement will provide front and rear outlook for units 2 to 7 overlooking amenity space or overlooking the streetscene and will maintain a suitable level of privacy at the intended distances to existing neighbouring property. Units 1 and 8 have two principle elevations to the front and flank sides of the crescent shaped terrace. Similarly the flank principle elevations will overlook amenity space or overlook the streetscene and will also maintain a suitable level of privacy at the intended distances to adjoining property.

Some concerns have been raised from neighbouring dwellings regarding loss of view, an imposing vista and loss of privacy from the rear elevation of the crescent to properties east on Wickham Way. An approximate distance of 28m is maintained to closest point of the nearest property on Wickham Way. This is considered sufficient to maintain levels of privacy.

It is acknowledged that there will be some level of loss of view and that the upper levels of the development will be visible in skyline views in this direction. However, loss of view is not considered a reason to withhold planning permission in this case. Any loss of daylighting would be negligible given the resultant separation gaps.

On this basis, it is considered that the dwellings will not result in loss of privacy or overlooking of adjacent property.

Car Parking and Access

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

Access to the development site is made via a new access junction at the southern extent of the site boundary from North Drive. The access leads to a basement parking area via a dedicated ramp. The ramp at a 1:10 gradient is designed adequately for two cars to pass each other with a separate footway leading to the front entrances of the properties and to the rear of the private garden space. In terms of car parking, each dwelling will benefit from three dedicated car parking spaces within the basement.

The Council's Highways Officer has not raised objection in this regard due to the acceptable level of parking provided and relatively minor impact of the additional units on parking issues in the vicinity. Therefore, it is considered the proposal would generally be in accordance with UDP Policy T3 and Policy 6.13 of the London Plan.

Cycle parking

Cycle parking is required to be 2 spaces for this dwelling type. The basement parking area will provide an adequate facility for cycle storage. 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 in the curtilage adjacent to the ramped basement access from North Drive. The location point is considered acceptable within close proximity of the highway. Further details of a containment structure can be conditioned.

Trees and Landscaping

The site contains a number of trees which are indicated to be removed. The Council's Arboricultural Officer has reviewed the scheme and has not raised issue regarding the loss of trees. An indicative landscaping layout has also been submitted detailing the areas given over to garden for external amenity for future occupiers. No objections are raised in this regard. Notwithstanding this, implementation conditions for hard and soft landscaping and further details for boundary treatment can be sought by condition as necessary.

Sustainability and Energy

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

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

Community Infrastructure Levy

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

Summary

Consequently, it is considered that the revised development scheme fails to overcome the Council's previous concerns and would appear as a cramped over development of the site, bulky, out of character and over-dominant in the street scene detrimental to its visual amenities and unsympathetic to the scale and spatial qualities of surrounding development.

On balance the negative impacts of the development are considered of sufficient weight to refuse the application notwithstanding the presumption in favour of development to increase housing supply.

RECOMMENDATION: APPLICATION BE REFUSED

The reasons for refusal are:

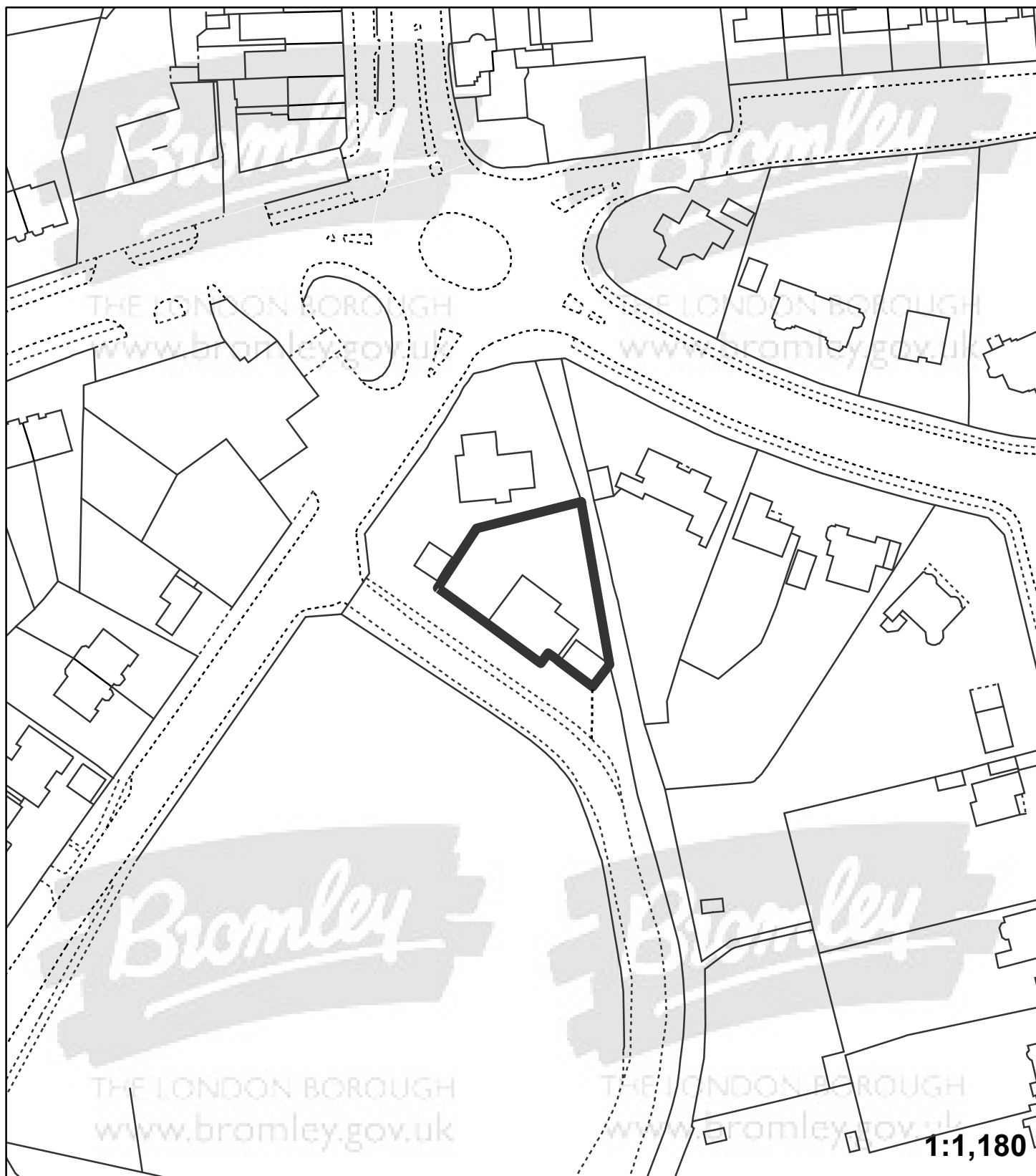
- 1 The proposal by reason of its prominent siting, excessive scale and massing, height, design, sub-standard spatial relationship to the existing dwellings in the locality and the number of dwellings proposed in this prominent location results in an over intensive use of the site and retrograde lowering of established spatial standards and represents a cramped overdevelopment of the site which would appear detrimental to and out of character with surrounding development and harmful to the visual amenities of the area contrary to Policies BE1 and H7 of the Unitary Development Plan, Policy 3.5, 7.4 and 7.6 of the London Plan and Chapter 7 'Requiring good design' of the National Planning Policy Framework.**

This page is left intentionally blank

Application:16/01338/FULL1

Address: Jacanda Lodge North Drive Beckenham BR3 3XQ

Proposal: Demolition of two detached dwellings houses and construction of a crescent terrace of 8 three storey four bedroom townhouses with basement car parking, refuse store and associated landscaping.



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

This page is left intentionally blank

SECTION '2' – Applications meriting special consideration

Application No : 16/01381/FULL1

Ward:
Darwin

Address : Cottage Farm Cackets Lane Cudham
Sevenoaks TN14 7QG

OS Grid Ref: E: 545129 N: 159562

Applicant : Mr Jody Baxter

Objections : YES

Description of Development:

Proposed replacement Turkey rearing barn.

Key designations:

Conservation Area: Cudham Village

Biggin Hill Safeguarding Area

Green Belt

London City Airport Safeguarding

Proposal

The application site measures approximately 2ha and is located on the southern side of Cacketts Lane within the Green Belt. The farm is established and hosts several farm buildings of differing sizes with a large area of parking to the front of the site. To the south, the farm backs on to open agricultural land.

The application proposes the replacement of an existing barn on the site with a new single storey barn for the use of turkey rearing. The new barn is proposed to measure 575sqm and is proposed at a maximum of 4.21m in height. The development will measure 11m in depth and 54m in length. The barn is to be clad in green coloured galvanised steel sheeting.

Consultations

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

- Discrepancies with the site address (this was clarified and the site address changed)

One note of support was received.

Highways - No objections, there is sufficient space on the site to park the vans that are required to move the turkey chicks.

Environmental Health - An odour and noise assessment was submitted as part of the application. The acoustic report finds a low impact. The odour dispersion

report finds a very small increase in odours at the nearest receptors however this is deemed as so small as to be unnoticeable. The odour assessment was amended throughout the application history to take account of the muck spreading which is the primary means of disposal. The Environmental Health Officer raises no objections to the amended report.

Environment Agency - Did not wish to be consulted.

Sevenoaks Council - No objection

Planning Considerations

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

G1 The Green Belt

BE1 Design of New Development

BE13 Development Adjacent to a conservation area

Planning History

Under application 08/04238/FULL1, permission was granted for the construction of a glasshouse.

Permission was primarily granted for the use of the land for turkey rearing under reference 85/02799/FUL.

Conclusions

The main issues relating to the application are whether the building constitutes inappropriate development in the Green Belt, and its impact on the character and appearance of open countryside and on the amenities of the occupants of surrounding residential properties.

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

The application proposes a replacement barn measuring 11m in depth, 54m in width and 4.2m in height with a pitched roof profile. The barn replaces an existing barn on the site within a similar location measuring 168sqm, 20m in length and 10m in depth of a similar height to that as proposed. The scheme proposes to increase the footprint of development by 426sqm which could potentially house up to 14800 poults under Farm Assurance Red Tractor Standards, or 9583 poults under the Freedom Food Standards. The Applicant states that the lower numbers of livestock will be housed which is an increase of 5964 birds. This number can be conditioned.

The NPPF states that sustainable development has three dimensions - social, environment, and economic. In terms of the latter the NPPF states that significant weight should be placed on the need to support economic growth through the planning system (para. 19). The NPPF also promotes a strong and prosperous rural economy, supports the sustainable growth and expansion of all types of business and enterprise in rural areas, and promotes the development of agricultural businesses (para. 28). The NPPF states that the planning system should contribute to and enhance the natural and local environment (para. 109) and ensure that the effects (including cumulative effects) of pollution on health, the natural environment or general amenity should be taken into account (para. 120).

Policy G1 of the UDP allows for the construction of new buildings for agricultural use within the Green Belt, so long as the openness and visual amenity of the Green Belt would not be harmed by reason of scale, siting, materials or design. The proposed is to be used for agricultural purposes and would not therefore be inappropriate development in the Green Belt.

In terms of siting, scale and design the proposed barn will be located on the site of an existing barn and a storage area for animal feed. The proposed barn will encroach minimally past the rear elevation of the existing cattle barn, at a similar height to the farm buildings within the application site. The building, whilst considerable in size, will be located within the confines of the existing farm buildings, parallel to the existing agricultural buildings. Whilst it is noted that some visual impact of the barn will occur when viewed from the surrounding open, Green Belt land to the south of the site, this is not considered to be detrimental given the rural character of the surrounding area, in which this barn is considered to compliment. The barn will be minimally visible when viewed from the highway, however given its siting on an area in which existing development is located, set back from the road, it is not considered that the proposed building would exacerbate the visual impact to a detrimental degree.

Impact upon the Adjacent Conservation Area and Locally Listed Buildings

Policy BE13 states that a development proposal adjacent to a conservation area will be expected to preserve or enhance its setting and not detract from views into or out of the area. Part of the site is located within the Cudham Village Conservation Area, which includes locally listed cottages that are sited to the north of the application site. The locally listed buildings are some 50m from the proposed barn and it is not considered that any harm will result to their setting should permission be granted. There is existing agricultural development on the site and the barn is obscured from public vantage point therefore there is no increase in harm to the conservation area as a result of the proposal.

Impact on neighbouring residential amenity

Amendments to the application were received throughout the process resulting from comments made by the Environmental Health Officer relating to further information of the extraction systems and the inclusion within the odour assessment of the dispersal of waste resulting from the increase in turkey

numbers. The odour assessment confirms that two receptors were used (at The Lodge, which is associated with the farm, and the adjoining cottages) where the current odour exposure is predicted to be slightly in excess of the Environment Agency's benchmark for moderately offensive odours, a 98th percentile hourly mean of 3.0 ouE/m³ over a one year period. Under the proposed scenario, although bird numbers are increased, the ventilation, and consequently the initial dispersion conditions, would be improved by the use of uncapped high velocity ridge/roof fans on the proposed house. The predicted odour exposures are slightly greater; however, a change of this magnitude at close to the detection threshold would very likely be un-noticeable. Amendments to the odour assessment noted that the storage and spreading of waste will not cause additional impacts. The Environmental Health Officer agreed with the findings of the odour assessment and no objections are made to the findings.

A noise assessment was submitted which concluded that 6 roof mounted fans will be installed for temperature control and that on a worst case scenario the site could be operational at any point during a 24 hour period. It was considered that after taking representative samples of 3 weeks old turkeys at similar sites around Kent that within a standard sealed unit, there will be no audibility from internal operations and only the external fan units should be considered in the overall assessment. The report concludes that the resulting emissions from the site running on a worst case scenario are unlikely to have the potential to give rise to significant adverse impacts. The Environmental Health Officer was satisfied with the results of the acoustic survey and recommends informatives be attached should permission be forthcoming. The age of the turkeys can also be conditioned should permission be forthcoming, as the birds reach vocal maturity at 6 weeks and only poults below this age were the subject of the acoustic assessment.

In terms of the impact from increased vehicle movements as a result of the increase in livestock numbers, the Agent has stated that the opportunity for an increase in flock size will mean that more customers will be able to be supplied at one time reducing the number of vehicle movements. In any busy season, 50 box van movements will be made to and from the farm per week which is not increased from the existing arrangement. The Highways Team visited the site and raised no objections to the application. In terms of impact upon neighbours, the maximum increase in poults by 5964 aged up to 6 weeks, is not considered to cause harm to surrounding residential properties as no increase in vehicular movements is proposed to occur. It is considered necessary, given the proximity of the neighbouring residential buildings, to restrict the number of vehicle movements to the existing arrangements should permission be forthcoming.

The Environment Agency did not wish to be consulted on the application as the watercourse in which the fields disperse into are not classified as a mains river.

EIA

The Council issued a Screening Opinion on 16th August 2016 pursuant to Regulation 5 confirming that the development would not be likely to have significant effects on the environment by virtue of its nature, size or location, thereby not generating a need for an Environmental Impact Assessment. It was

considered that the application could be fully and properly assessed by way of technical reports without the need for a full EIA.

The proposal to extend the existing poultry farm at Cottage Farm represents an appropriate expansion of this existing agricultural business, and an appropriate form of development with regard to the Green Belt. Whilst the proposal may result in some impact in the local area from odour, any such impacts are considered to be at an acceptable level. On balance, the scheme is considered acceptable.

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

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

- 4 The development hereby permitted shall not extend to the south of the site past the rear elevation of the existing cattle barn.**

In the interests of preserving the openness of the green belt in accordance with policy G1 of the UDP.

- 5 The barn hereby approved is restricted to housing 9583 poults of no more than 6 weeks in age unless agreed in writing by the Local Planning Authority.**

In order to prevent any future detrimental impact upon residential amenity that may arise from increased animal numbers or age including

noise or odour pollution in accordance with policies BE1 of the Unitary Development Plan.

- 6 The site shall not be served by more than 50 commercial vehicle movements by box van (less than 7.5 tonnes) over a 7 day week. Articulated lorries and HGV's (over 7.5 tonnes) are prohibited from entering or making deliveries to the site.

In order to prevent a detrimental impact upon highways safety in accordance with Policy T18.

- 7 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

- 8 Prior to the commencement of development, details of the vertical extraction and uncapped ducts/discharge shall be submitted to the Local Planning Authority for written approval and remain thereafter in perpetuity.

To allow for an acceptable standard of ventilation and odour discharge to protect neighbouring residential amenity in accordance with policy BE1 of the Unitary Development Plan.

You are further informed that :

1

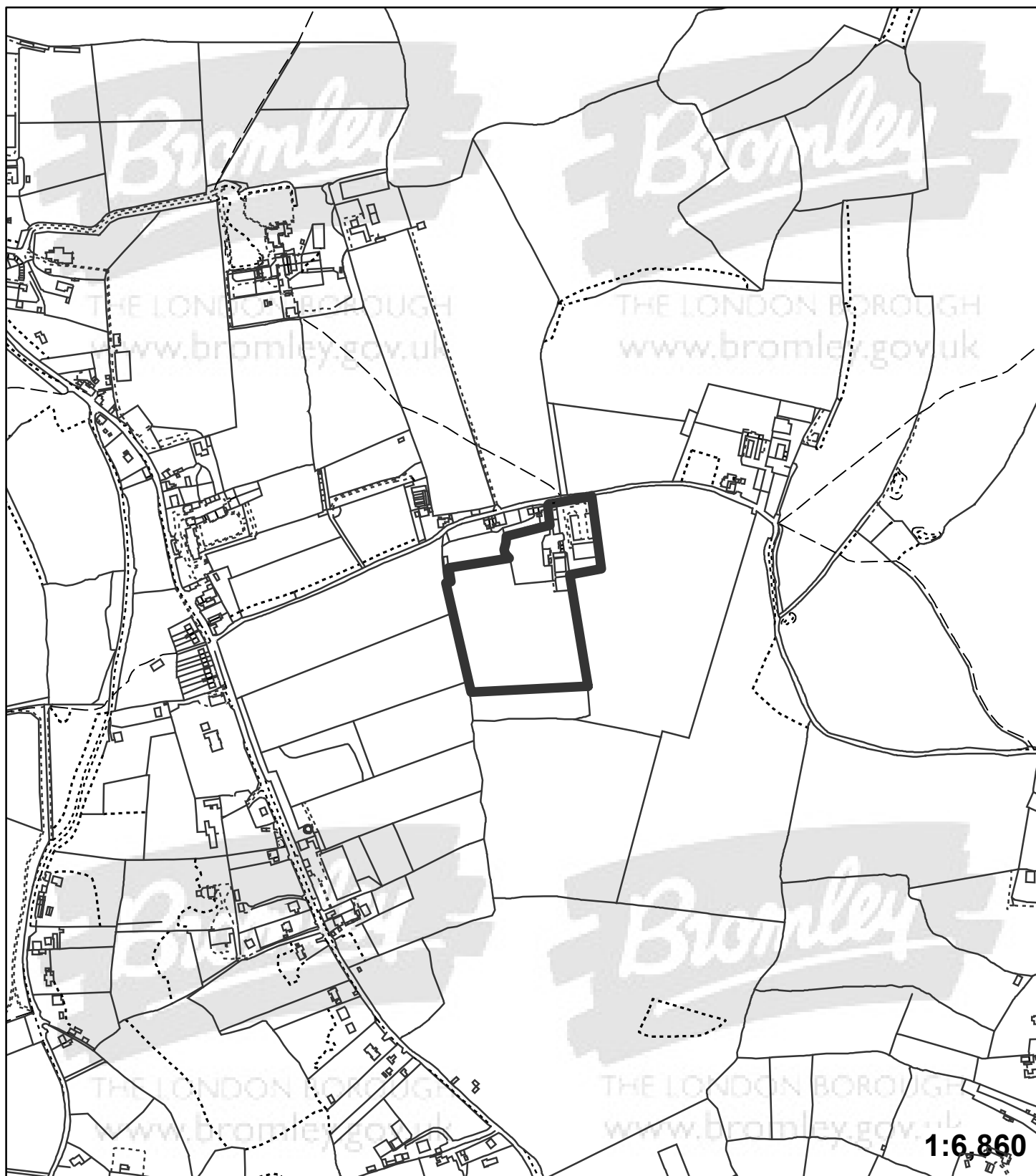
Before works commence, the Applicant is advised to contact the Pollution Team of Environmental Health & Trading Standards regarding compliance with the Control of Pollution Act 1974 and/or the Environmental Protection Act 1990. The Applicant should also ensure compliance with the Control of Pollution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

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

Application:16/01381/FULL1

Address: Cottage Farm Cackets Lane Cudham Sevenoaks TN14 7QG

Proposal: Proposed replacement Turkey rearing barn.



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

This page is left intentionally blank

SECTION '2' – Applications meriting special consideration

Application No : 16/02755/FULL2

Ward:
Darwin

Address : Yonder Farm Orange Court Lane Downe
Orpington BR6 7JD

OS Grid Ref: E: 543164 N: 162712

Applicant : Ms Sarah Williams

Objections : YES

Description of Development:

Change of use of land and buildings to commercial livery yard, dressage centre and incidental groom's accommodation (Retrospective Application)

Key designations:

Biggin Hill Safeguarding Area
Green Belt
London City Airport Safeguarding

Proposal

This retrospective application seeks the change of use of land and buildings to a commercial livery yard, dressage centre and incidental groom's accommodation.

The proposals are to retain the (unauthorised) conversion of the western end of the barn to the north of the yard area to provide basic living accommodation the applicant.

The planning application is accompanied by a supporting report dated June 2016.

Location

The holding comprises approximately 2ha (4.9 acres) of land and buildings and is located at the end of Orange Court Lane along its northern side, approximately 200 metres to the east of its junction with Farthing Street, and to the north of Downe Village. The site falls within the Green Belt.

There are a number of buildings on the holding which provide stabling for 14 horses and ancillary storage areas including feed store, tack room, therapy room, office and hay/bedding store. A building to the north of the yard area incorporates a residential area (kitchen/diner, a bathroom, a bedroom and shower room/dressing room) to the western end, which has been occupied by the applicant since 2007.

There is also a manège (65m x 25m) sited to the north-western boundary of the holding and a horsewalker which is sited to the north of the yard area. The fields

have been sub-divided to provide turn-out paddocks. All stables are alarmed and the muck is stored in a trailer and emptied each month.

A brick building is sited in the paddock to the east of the yard area which incorporates gym and exercise equipment for use by the applicant.

The yard is currently used as the base for an equestrian enterprise operated by Ms Williams which includes the sale of horses, dressage lessons (on both owned horses and clients' horses), full livery service and training of horses (owned and belonging to others). There are currently sixteen horses on the holding, of which five are owned by the applicant (two are retired competition horses), two horses at full livery, and nine horses on training livery, owned by others.

Consultations

Comments from Local Residents

Nearby owners/occupiers were notified of the application. Representations were received from the Downe Residents' Association which can be summarised as follows:

- this application follows an appeal for a Certificate of Lawfulness involving the creation of a dwelling which was dismissed at appeal
- there are two other riding centres in the parish and at least seven other private stables
- too many horses kept at the site
- the applicant has no riding establishment licence so no lessons should be given
- it is not correct for the agent to state that the applicant can hold as many horses as she likes
- the site is subject to seven planning conditions
- there should be a maximum of eight horses stabled at the site given the plot size
- provision of a night watchman would be better alternative than providing for a groom asleep inside a dwelling
- foul sewage system should be investigated by the Council
- the site cannot be seen from public vantage points, contrary to the answer given in the application form
- the dwelling is on Green Belt land
- unclear whether council tax or business rates have been paid
- if permission is granted, a condition should be imposed restricting the number of horses kept to the acreage
- other local stables have no accommodation
- in breach of seven conditions previously imposed on the site

Comments from Consultees

No technical Highways objections were raised.

Planning Considerations

The application falls to be considered with regard to the following UDP policies:

- H1 Housing
- T18 Road Safety
- BE1 Design of New Development
- BE3 Buildings in rural areas
- G1 The Green Belt
- G11 Agricultural worker's dwelling
- L3 Horse-related development
- L4 Horse-related development

Paragraph 80, 89 and 90 of the NPPF are relevant to this application and relate to the Green Belt. Paragraph 28 concerns the rural economy.

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

Planning History

Under reference 02/01905 planning permission was granted for the use of existing buildings for stables and for construction of the sand school in October 2003. Condition 3 of that permission restricted the use of all buildings to:

"the private stabling of horses in the ownership of the person in possession of the land/buildings and shall not be used for or in connection with any commercial use."

Whilst Condition 4 states:

"The sand school hereby permitted shall only be for the use of horses in the ownership of the person in possession of the land/buildings and shall not be used for or in connection with any commercial use whatsoever."

Conditions 6 and 7 of that permission advised that the use permitted should ensure solely for the benefit of the applicants, and applications, and for no other party.

Under reference 14/03187/ELUD an application was submitted in August 2014 which sought to secure a Certificate of Lawfulness for the use of buildings and land as a stable and riding school without complying with condition 3, 4 and 7 of permission ref 02/01905. This application was refused by the Council in July 2015 on the basis the following ground:

"The evidence produced to support the application has been arrived at by a process of deliberate concealment and as such the applicant should be deprived of the immunity offered under s171B (3) of the Town and Country Planning Act 1990 (as amended)."

A further application was submitted in August 2014 (15/01584/ELUD) which sought to secure a Certificate of Lawfulness for the use of buildings and land as a stable and riding school without complying with condition 3, 4 and 7 of permission ref 02/01905. The Council determined that the existing use/development was not lawful, and refused the application in July 2015 on the same grounds as it refused application reference 14/03187/ELUD.

Under reference 14/03188/ELUD a further application was submitted in August 2014 which sought to secure a Certificate of Lawfulness for the use of part of a barn as residential dwelling. No decision was issued and this non-determination was the subject of an appeal (APP/G5180/X/15/3087194). The Appeal was dismissed in April 2016 and the Inspector concluded:

(Paragraph 33) "The change of use of the planning unit to a mixed use of residential accommodation and equestrian use is agreed to have commenced in about 2007 so that at the time of the application for the LDC it had not become lawful by reason of the passage of time. Thus the first issue indicates that an LDC for a separate dwelling should not be granted."

And

(Paragraphs 40 and 41) ".....I have no doubt, on the evidence before me, that Ms Williams deliberately sought to conceal her occupation of the green barn at Yonder Farm until she judged it was immune from enforcement action. I therefore consider that the appeal should, on the balance of probability and the facts of this case, fail on the grounds of concealment and deception....."

Application 15/03133/RECON was submitted in July 2015 for the removal of conditions 3 and 4 of planning permission 02/01905 (for use of building and land for stables and construction of sand school and use of land for keeping of horses) to enable use of buildings and sand school for commercial use. The application was refused permission in October 2015 on the basis that the proposed development would result in an undesirable intensification of use in the Green Belt. This application is now the subject of an ongoing appeal (APP/G5180/W/15/3138202).

Two Enforcement Notices were issued on 7 December 2015 (ENF 15/00593 and ENF 15/00182) relating to the unauthorised use of the land for a commercial livery yard, riding school and residential worker's accommodation and the breach of Conditions 3 and 4 of the 2003 planning permission (02/01905), as detailed above. These two Enforcement Notices are the subject of an ongoing planning appeal (APP/G5180/C/15/3141430 and APP/G5180/C/15/3141431).

Conclusions

The main issues for consideration are: the appropriateness of this development in the Green Belt, including its impact on the openness of the Green Belt and the purpose of including land within it; and whether, if the development is inappropriate in the Green Belt, the harm by reason of inappropriateness or any other harm,

would be outweighed by other considerations so as to amount to very special circumstances. Further considerations are whether the proposal will not result in an unacceptable intensification of horse-related activities and whether, in the circumstances, associated grooms accommodation connected with the equestrian use can be justified.

The Council has instructed an independent consultant to advise on the equestrian matters and the conclusions of this report are included within the remainder of this report.

Intensity of activities

As a basis for assessment, the UDP specifies that there must be a provision of 0.4ha per horses on an equestrian holding to provide the minimum grazing requirement - this is based on the British Horse Society (BHS) guidelines. There is currently approximately 1.6ha (3.95 acres) of grazing land available to the horses at Yonder Farm which, working to the BHS guidelines, would restrict horse numbers to four. However, the applicant operates a regime with very restricted grazing as evidenced by her ability to develop this enterprise over many years to current levels of sixteen horses and, from the information available, it would appear that horse numbers have been relatively constant since 2007.

There is no doubt that the existing management regime has implications in relation to the condition of the land and the need to sub-divide the land into separate paddocks, as evidenced during a recent site visit. The condition of the land is a matter of concern Council as referenced at supporting paragraph 9.15 of policy L4 of the UDP which states "over-intensive grazing and riding on footpaths, all of which the Council wishes to discourage in order to safeguard other uses of the countryside and to prevent the landscape becoming unsightly".

Even working to the recommendations of the Veterinary College at Newmarket, Suffolk - as outlined in the report supporting the application (the last paragraph at section 4) the land at Yonder Farm is capable of supporting up to eight horses, which is significantly less than currently on site.

However, it is evident that, working to existing management practices, the applicant has been able to develop, and maintain, the activity to current levels of sixteen horses. The horses have been seen to be in good condition and the continued demand for the services offered at the site is a clear indication that owners are satisfied with the facilities (including turnout) offered. The current permitted equestrian activity at Yonder Farm is the keeping of horses for private purposes only and there is no restriction (in planning terms) on the number of horses which can be grazed or stabled on the holding.

From the evidence provided, it would appear that this is a successful rural enterprise which generates a need for more than two full-time workers and that there is a continuing, and increasing, demand for the services offered. It would also appear that the enterprise in operation does not generate such significant traffic levels as to cause any specific highways issues or problems with neighbours.

Nature of the activities undertaken

It is important to note that the horses which are liveried at Yonder Farm are kept on a full livery basis with all their day-to-day needs met by the applicant and her staff. Under this management regime, there is no requirement for owners to visit the horses twice daily to feed, turnout etc., as would be the case if the horses were kept on a DIY livery basis. If the core business was to move to a livery yard comprising mainly of DIY livery clients, this would have a significant impact on the number of visitors to the holding each day.

The current proposals include a change of use to a commercial livery which would give scope to develop a different business to that currently in operation. This may be a cause for concern and, whilst it is not part of the current business plan to develop a DIY livery yard at Yonder Farm, it is considered appropriate to impose a condition limiting the commercial livery use to a full livery service only. The applicant is a competitive dressage rider and also provides one-to-one lessons to clients on both their own horses and on her own horses.

It is stated in the supporting document that between 2 and 5 clients visit each day (in relation to both the livery enterprise and riding lessons) and, if Members were minded to grant planning permission for a commercial dressage centre at Yonder Farm, a condition restricting the numbers of lessons which can be carried out each day/week is included, and this could be managed under the auspices of a Land Management Plan.

The applicant does not benefit from a licence to operate a riding school. Clearly, in order to operate as a commercial dressage centre, it would be necessary for her to secure a licence to operate as a riding establishment. However, planning permission for the commercial use must be in place prior to applying for the necessary licence.

The proposals for a commercial dressage centre could have significant implications for travel levels to the site if the permission is without conditions (dressage competitions, multiple riders within the lessons etc., could all have an impact on the number of potential traffic movements to the holding).

If the applicant adhered to the current planning permission, there would be five horses (owned by the applicant) on the holding; at this scale there would be no justification for her to live on site to meet their welfare requirements as the scale and nature of the activity would not generate a need for a worker to be available on-site to provide for out-of-hours supervision. However, if this application for commercial use of the site is supported, it is likely that there would continue to be approximately sixteen horses on the holding at any one time, including valuable competition horses and one brood mare.

Dwelling

Taking into account the very specific circumstances and existing scale and nature of the activity, it is considered that there is an essential need for a worker to live on site to support the existing activity, albeit this need is marginal. The applicant is

clearly committed to the equestrian enterprise and has all necessary skills to continue to operate the unit successfully.

In Green Belt terms, paragraph 90 of the NPPF lists the re-use of an existing building as being not inappropriate development. The current proposals for the dwelling house relate to the conversion of an existing building and therefore it is not necessary for the applicant to demonstrate very special circumstances to overcome the harm in Green Belt terms. However, in order to demonstrate an essential need for a worker to live permanently on site, it is necessary for the applicant to demonstrate special circumstances as set out at paragraph 55 of the NPPF.

The Inspector concluded in the April 2016 Appeal Decision that the residential accommodation (the grooms accommodation) within the barn at Yonder Farm was directly and intrinsically related to the equestrian use at Yonder Farm and was part of the wider, mixed use on the holding and was not a separate planning unit.

The need for a dwelling at Yonder Farm relates to the needs of the horses on the holding. Policy G11 of the Local Plan refers specifically to 'agricultural workers' dwellings' however it is accepted that the tests to demonstrate the need for an agricultural worker are analogous to the need for an equestrian worker. Therefore, this appraisal will use the same structure for assessment as that set out in G11.

The test of essential need requires evidence that a rural worker needs to live permanently at or near their place of work in the countryside, if workers are needed to be on hand day and night in case animals or agricultural processes require essential care at short notice or to deal with emergencies which could otherwise cause serious loss of stock.

However, in the round and taking all aspects of this complex situation into account, it is concluded that the applicant would not have been able to develop this enterprise to current levels without the provision of a worker living on site to meet the welfare requirements of the horses (owned by the applicant and third parties).

It is accepted that there is an essential need for a worker to live on site to support sixteen horses at full livery. If the management structure was to change to DIY liveries, then there would be no continuing need for a worker to live on site. This adds weight to the suggestion that it might be appropriate to impose a condition restricting the commercial livery to full livery service only.

The business has generated a profit over recent years although no allowance has been made within the accounts for payment to the applicant for the works undertaken by her on the holding. Furthermore, it is evident that the profits are insufficient to cover a notional cost for this return to labour of, say, £15,500.

However, it is evident that the applicant has been able to continue to operate the enterprise with sufficient funds available to provide for her day-to-day needs.

The business is clearly well-established and there is a strong demand for the services provided, as evidenced by the increasing turnover. Whilst profits are limited, it is evident that the business has generated sufficient funds to operate and continue to provide for the applicant for in excess of ten years.

The current financial position does not fit comfortably within the expectations of an enterprise which must demonstrate viability and sustainability in the long-term. However, taking into account the fact that the enterprise has been operating for more than ten years and that the applicant has been able to receive sufficient funds from the business to provide for her needs, it is accepted that the business has just managed to meet the requirement to demonstrate financial soundness and viability.

It is important to note that the proposals are for the conversion of an existing building (retrospective) and the applicant therefore does not need to demonstrate that the enterprise is capable of financing the cost of construction of a dwelling house. For completeness it is noted that, if the construction costs of a dwelling were to be considered as part of this financial assessment, the conclusion would have been that the enterprise was unable to meet the necessary tests to demonstrate financial viability and long-term sustainability. Especially when considered against the limited land availability.

The current residential provision offers limited facilities and is commensurate with the size of the holding and the current profitability of the enterprise. There would be no support for the provision of a new dwelling as opposed to the conversion of the existing building. Although marginal, it is concluded that the equestrian enterprise in operation at Yonder Farm is financially viable and sustainable in the long-term.

There is a need for the worker to live on site and no other dwellings available nearby would be able to meet the identified functional need for the worker. The proposed (retrospective) residential facilities which are clearly limited are commensurate with the size of the land holding and the profitability of the enterprise.

That the applicant has been able to live on site, albeit without planning permission, has given her the opportunity to develop the equestrian enterprise to current levels. The existing enterprise far exceeds the recommended stocking densities (numbers of horses per acres) as provided in the BHS guidance and referred to in the Local Plan and it is highly likely that, had an application for a dwelling been submitted prior to commencement and establishment of the enterprise to current levels, the provision of a worker's dwelling would have been resisted due to the anticipated inability of the client to develop the enterprise to the levels proposed with the facilities available.

However, clearly the applicant has been able to manage the enterprise in such a way as to far exceed the recommended horse numbers per acre. However, this enterprise management is specific to the applicant, and it is highly unlikely that any future purchaser of the land would be able, or willing, to operate at such stocking ratio.

Therefore, it is considered appropriate to impose a condition allowing the residential facilities to remain on site for only as long as the holding is owned and managed by the applicant, Ms Williams. Without this in place, it is highly likely that any future purchaser of the holding would seek to remove any occupancy condition imposed due to an inability to operate a successful business from such a limited land-holding.

Summary

With regard to Green Belt policy, this proposal is for a commercial livery use and associated accommodation. This is inappropriate development in the Green Belt, and Members must carefully consider the specific circumstances set out in the above report including the established and successful business, the generally rural nature of keeping horses and the limitations which it will be possible to impose as a result of the Council granting planning permission to control the future use of the site. This is a finely balanced case but in light of the information presented above, it is recommended that Members agree that very special circumstances exist to warrant granting permission in this instance, subject to the conditions set out below.

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

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- 1
 - a) **The site shall be used as a dressage centre and commercial livery yard with a full livery service only and for no other purpose (including any other purpose in Class D2 of the Schedule to the Town and Country Planning (Use Classes) Order 2015 or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).**
 - b) **The use shall be carried out only by the applicant, Ms Sarah Williams and by no other person without the agreement in writing by the local planning authority.**
 - c) **The use shall be discontinued on or before the site is vacated by the applicant Ms Sarah Williams and the cessation of activities hereby permitted.**

Reason: In view of the particular circumstances relating to the management of the site by the applicant, and to prevent an overintensive use of this rural site in the interest of protecting the openness and visual amenities of the Green Belt and to avoid activities which might undermine local highways conditions and local amenities, and to accord with Policies BE1 and L3 of the Unitary Development Plan and Section 9 of the National Planning Policy Framework - 'Protecting Green Belt Land'.

- 2 **The use shall not include a DIY livery yard and horses at the yard shall only be kept in a full livery basis with all their day-to-day needs met by the applicant.**

Reason: To prevent an overintensive use of this rural site in the interest of protecting the openness and visual amenities of the Green Belt and to avoid activities which might undermine local highways conditions and local amenities, and to accord with Policies BE1 and L3 of the Unitary Development Plan and Section 9 of the National Planning Policy Framework - 'Protecting Green Belt Land'.

- 3 No more than sixteen horses shall be kept or grazed at the site at any time.**

Reason: In view of the particular circumstances relating to the management of the site by the applicant, to prevent an overintensive use of use of the site in the interest of the visual amenities of the area and wider Green Belt and to achieve good land management, to protect the visual amenities and openness of the Green Belt, and to accord with Policies BE1 and L3 of the Unitary Development Plan and Section 9 of the National Planning Policy Framework - 'Protecting Green Belt Land'.

- 4 No more than 2 riding lessons shall take place on any day.**

Reason: To prevent an undesirable intensification of use of the site, to protect the visual amenities and openness of the Green Belt, and to accord with Policies BE1 and L3 of the Unitary Development Plan and Section 9 of the National Planning Policy Framework - 'Protecting Green Belt Land'.

- 5 Details of a Site Management Plan shall be submitted to and approved in writing by the local planning authority by 28 October 2016. This shall include details of the operation of an appointment system for all visitors to the site (including their purposes for attending the site), measures to control the number of vehicles attending visiting the site and the means by which it will be available to the local planning authority for inspection. Thereafter the permitted use shall be operated in accordance with the approved Site Management Plan.**

Reason: To prevent an undesirable intensification of use of the site, to protect the visual amenities and openness of the Green Belt, and to accord with Policies BE1 and L3 of the Unitary Development Plan and Section 9 of the National Planning Policy Framework - 'Protecting Green Belt Land'.

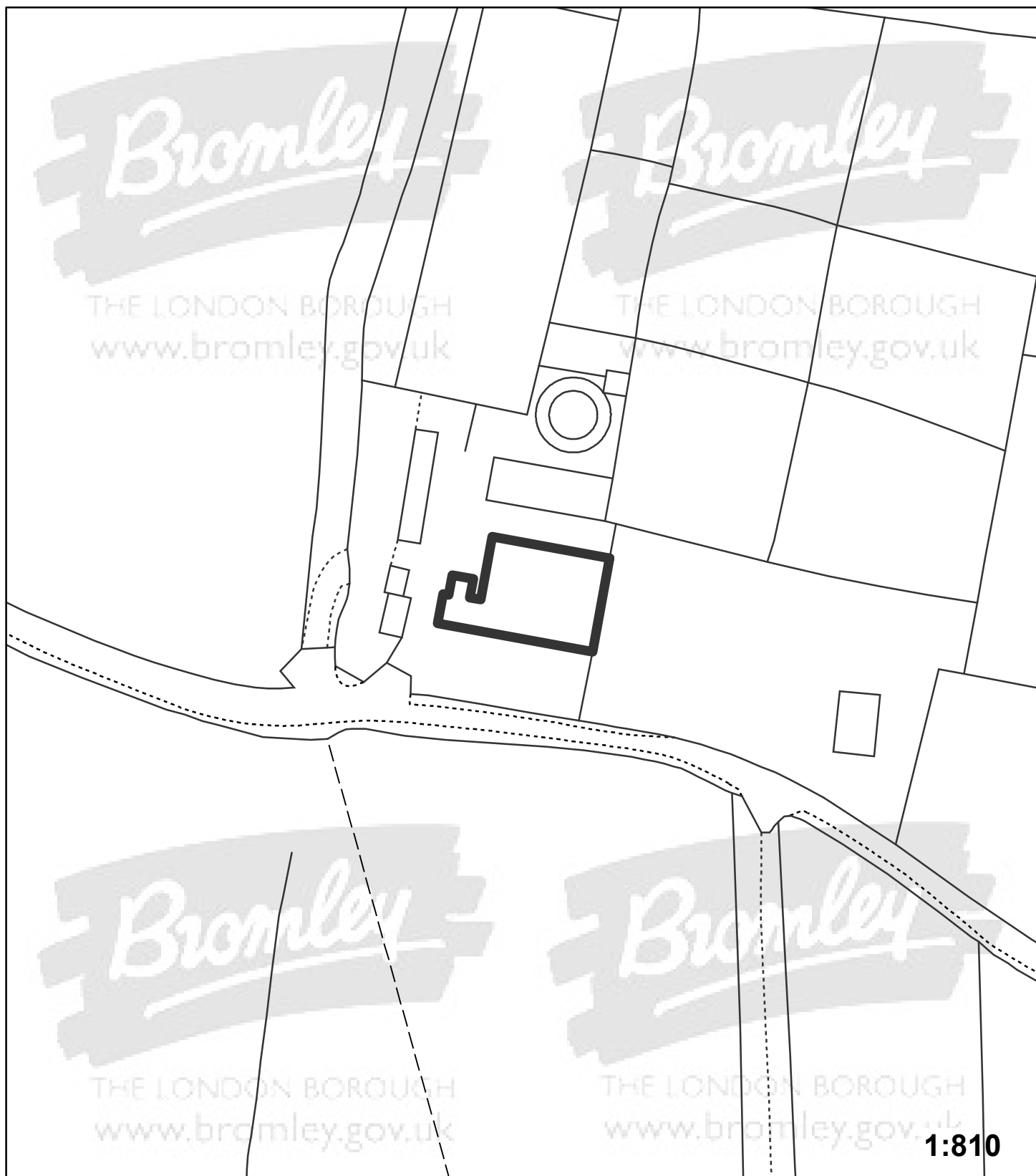
- 6 a) The grooms accommodation shall be only be occupied by the applicant, Ms Sarah Williams, and by no other person.
b) Following cessation of the use hereby permitted, this accommodation which occupies the larger barn structure shall be dismantled and the residential use discontinued.**

Reason: In view of the particular circumstances relating to the management of the site by the applicant which justifies the provision of residential provision within the site, and to accord with Policies BE1 and L3 of the Unitary Development Plan and Section 9 of the National Planning Policy Framework - 'Protecting Green Belt Land'.

Application:16/02755/FULL2

Address: Yonder Farm Orange Court Lane Downe Orpington BR6 7JD

Proposal: Change of use of land and buildings to commercial livery yard, dressage centre and incidental grooms accommodation.
Retrospective Application.



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

This page is left intentionally blank

SECTION '2' – Applications meriting special consideration

Application No : 16/03284/FULL6

Ward:
Mottingham And Chislehurst
North

Address : Pindi Lodge Mottingham Lane
Mottingham London SE9 4RW

OS Grid Ref: E: 541694 N: 173084

Applicant : Mrs Caroline Wilson

Objections : YES

Description of Development:

Single storey side extension and roof alterations to incorporate rooflights.

Key designations:

Areas of Archeological Significance
Biggin Hill Safeguarding Area
London City Airport Safeguarding
Open Space Deficiency
Smoke Control SCA 51

Proposal

The application proposes to increase the ridge height by 2.1m with the inclusion of several rooflights, to create accommodation in the roofspace. The application is also concerned with a single storey side extension to an already existing side element that would measure 1.8m in depth and 2.2m in width and would continue the existing eaves and ridge height of the host dwelling.

The application site hosts a single storey semi-detached dwelling which was previously one of many church buildings. The site shares a boundary with The Old Chapel, and St Vincent's Cottage shares a boundary with Culver, which Pindi Lodge is attached to.

The application site does not fall within the bounds of any Conservation Area nor does the property have any special designation such as a listed status, however it is adjacent to two locally listed buildings, St Vincent's Cottage and The Old Chapel.

Consultations

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

In Support:

- Occupiers of Old Chapel support the scheme subject to The Council being satisfied with the details, in particular
- The scale massing and height of the roof is appropriate in relation to adjoining properties
- No material increase in overlooking due to rooflights
- No significant loss of sunlight or daylight

In Objection:

- Unsympathetic and not in keeping with distinctive character of the building
- Loss of distinctive features such as low windows and decorative brickwork
- Insertion of bifold door would lose some of the characterful parts of the property
- Brickwork to the rear would be partially lost to make way for bifold doors
- Replacement of a large stained glass window with a second entrance
- Pindi Lodge has already been substantially extended, it would inappropriate to extend it further towards Culver
- Roof was already raised in 2005 from a flat roof to the pitched roof currently there
- Roof alterations would impact on the light and privacy of all neighbours
- Extensions may represent an overdevelopment of the site
- Extensions will impact on the limited privacy of all the adjoining properties
- Rooflights will allow direct overlooking into Culver and the garden area
- Sunlight will be lost to Yaver and The Old Chapel
- Loss of daylight to Culver
- Bifold doors will reduce privacy for adjoining properties
- The proposed bifold doors that lead to a terrace area at the side is beside the kitchen of Culver and near to a bedroom window, therefore reducing privacy to Culver when used. Fears that this area will be used as an extension of dining room
- Noise pollution as a result of use of more outside space
- Not in compliance with Policy BE1
- Extension of porch doesn't comply with 1m side space
- Roof design would not be in keeping with the character of the house
- The roof is over large and dwarfs to other properties
- Materials are not in keeping with the welsh slate seen in other properties in the road
- Foundations may not be adequate to carry out these works as it was originally a dairy
- Permission was refused previously for a first floor extension to Culver due to side space
- Extensions would be visually intrusive and is right on the boundary

Planning Considerations

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

BE1 Design of New Development
BE10 Locally listed buildings
H8 Residential Extensions

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

SPG No1 - General Design Principles
SPG No2 - Residential Design Guidance

Planning History

Under planning reference 05/03846 permission was granted for a single storey rear extension.

Conclusions

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

Character and appearance of the Conservation Area

Policy H8 states that, "extensions above the existing ridgeline will not normally permitted." However, given that there are many different properties within the immediate vicinity with varying roof styles and ridge heights it could be considered that this increase may be acceptable, even though the increase in ridge height is very large at 2.1m increase from the original ridge. The ridge height would be 0.3m higher than the highest part of Culver and 0.8m higher than The Old Chapel (locally listed). The pitch of the roof slopes away from either boundary and as such the impact on amenity and outlook to either neighbour would be mitigated by this.

Given the marginal increase in size and the nature of the proposed accommodation within the roof, the proposal is considered to retain suitable space around the building in accordance with Policy H9.

Pindi Lodge is set back significantly from the main highway, and therefore sits considerably further back from The Old Chapel (locally listed building) and there is a distance of approximately 1.5m from the two properties. The proposal is also a suitable distance from St Vincents Cottage (also locally listed). There is no concern for the character of the street scene given that the property is set very far back in the plot, and therefore also away from the highway and given the acceptable design of the proposal.

Consideration has been given to maintain some of the design features of the original roof, including brick detailing to the front and back and maintaining a gable end at the front and rear. The rooflights closest to the neighbour at Culver are proposed to be obscure glazed and fixed shut. This will ensure that there would be less overlooking. It is noted that there may be some increase in overlooking however this is not considered to be so detrimental as to warrant refusal given the distance of the rooflights from Culver.

It is noted that there will be an increase in the bulk and massing of the roof, however given the design of the proposal and limited width of the property it is considered that this would not be so detrimental as to warrant refusal.

Some new bi-fold doors have been proposed at various points on the house including the rear and the side nearest Culver. These are considered acceptable.

The proposal is considered to preserve the character and appearance of the area in accordance with UDP Policy BE1, and the locally listed heritage assets adjacent in accordance with Policy BE10.

Amenities of adjoining residents

Due to the gradient of the road Pindi Lodge is sited higher than The Old Chapel and so as there will be no first floor windows in the side elevations it is considered that the potential for overlooking would not be increased to an unacceptable level. The rooflights to bedroom 2 on this side could not reasonably be conditioned to be obscure glazed as the other rooflights which serve this bedroom are proposed to be obscure glazed. However given the nature of rooflights being set within the pitch of the roof it is unlikely that any overlooking would occur.

The impact on the amenity of the first floor windows in The Old Chapel is mitigated by the pitch of the roof as it will remain pitched away from the boundary and given the distance of 6.5m between the two properties it is unlikely that the increase in ridge height would significantly impact the amenity enjoyed by the occupiers.

The side extension is minimal in its scale and subject to high quality materials this would be acceptable and would not cause any significant impact to any adjoining owners given its siting from the boundary and its scale.

Both adjoining properties have a higher ridge height than the existing ridge at Pindi Lodge, and this proposal would only be 0.3m higher than Culver, which is a two storey dwelling, it is considered that there would be little impact on this adjoining dwelling.

There will be some visual impact and change in outlook from the properties to either side given the increase in roof height and bulk and Members will wish to carefully consider this in determining this application with regard to Policy BE1. Photographs from Culver are available on file.

On balance, Members may consider that this application is acceptable in this location and does not result in undue harm to neighbouring residential amenity or harm to the street scene.

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 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

- 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.**

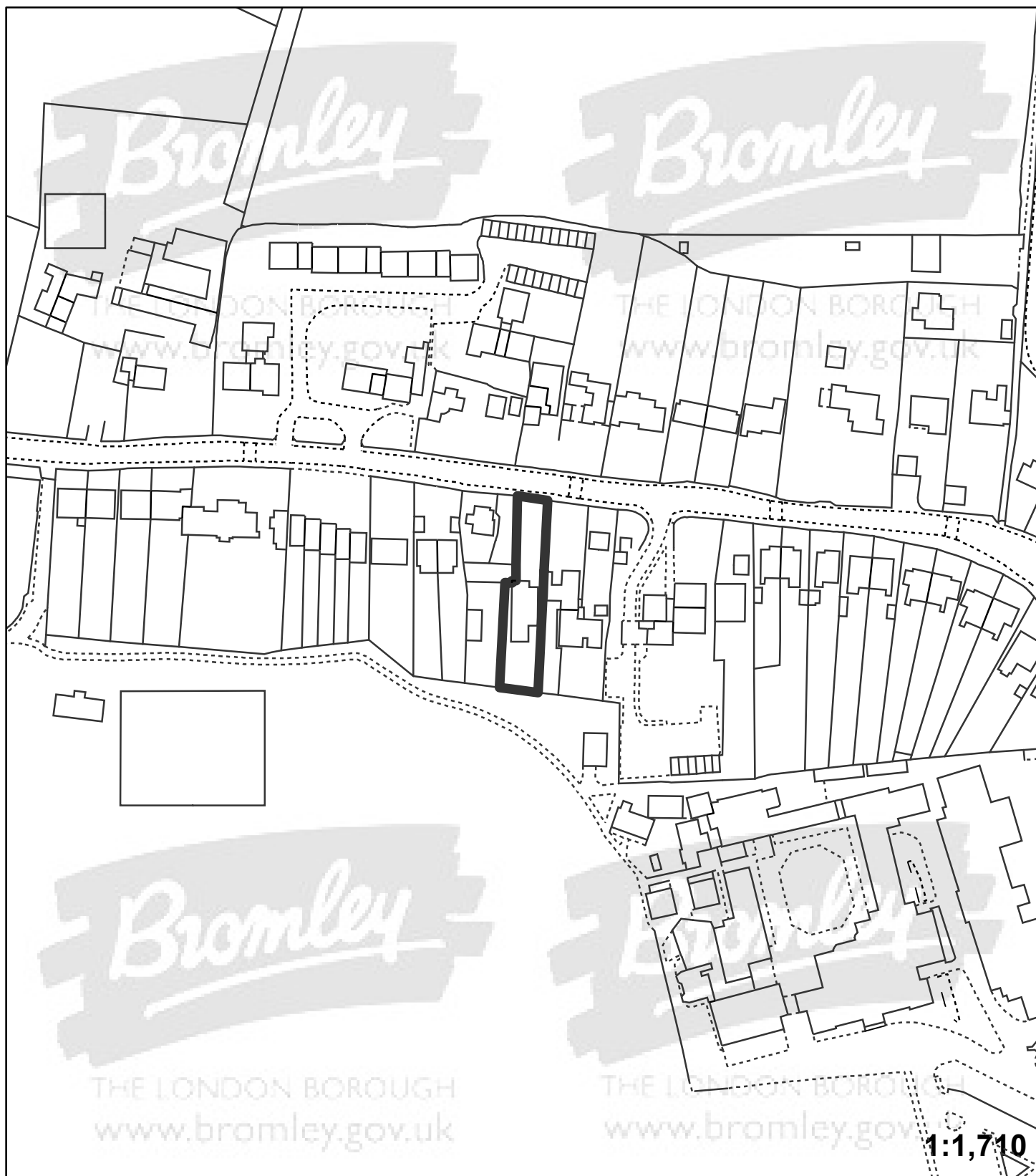
Reason: In order to comply with Policy BE1 of the Unitary Development Plan and in the interest of the appearance of the building and the visual amenities of the area.

This page is left intentionally blank

Application:16/03284/FULL6

Address: Pindi Lodge Mottingham Lane Mottingham London SE9 4RW

Proposal: Single storey side extension and roof alterations to incorporate rooflights.



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

© Crown copyright and database rights 2015. Ordnance Survey 100017661.

This page is left intentionally blank

SECTION '2' – Applications meriting special consideration

Application No : 16/03639/FULL1

Ward:
Biggin Hill

Address : 36 Village Green Avenue Biggin Hill
TN16 3LN

OS Grid Ref: E: 542360 N: 158829

Applicant : Mr Gary Spiteri

Objections : YES

Description of Development:

Demolition of existing garage/workshop and the erection of a two storey detached four bedroom dwelling with parking and associated landscaping

Key designations:

Biggin Hill Safeguarding Area
London City Airport Safeguarding
Smoke Control SCA 24

Proposal

Members may recall this site was subject to a similar application under ref: 16/01580/FULL1 for the demolition of the existing garage/workshop and the erection of a detached 4 bedroom with parking and associated landscaping. Members resolved to refuse the application by reason of its siting and form resulting in a cramped and incongruent form of development which had a detrimental impact upon the character and spatial standards of the street scene. A revised scheme has now been submitted, of which the amendments to note are:

- Amendments to the design of the dwelling to appear more in keeping with the dwelling to the north of the application site inclusive of a reduction in the height of the eaves.
- Amendments to the materials proposed
- Reduction in height
- Amendments to the parking layout

The application seeks consent for the construction of a two-storey four-bed detached dwelling. The proposal would include one off-street parking spaces. The proposed dwelling would share a boundary with the existing dwelling at number 36 and replace the existing workshop/garages.

Location

The application site comprises a detached bungalow that incorporates a side extension including a double garage/workshop. The property is located on the

eastern side of Village Green Avenue between a single storey bungalow and a link-detached two storey dwelling.

Consultations

Nearby owners/occupiers were notified of the application and one objection was received:

- Little objection to the proposed development however the division of the original site causes off-street parking issues with respect to the existing bungalow
- Assuming no drop kerb is constructed allowing off-street parking at the property, there will be additional parking around the junction of Village Green Avenue and Malan Close.
- The resulting situation would increase the chance of an accident at the junction.

Thames Water - No objections subject to informatives

Highways - The existing garage will be demolished and the proposed dwelling will use the existing access. The existing property will need a new crossover, this layout will need to be agreed with Area Management.

The site location has a PTAL rating of 1b (low) and so car ownership can be expected by the occupiers of these dwellings. The parking layout is the same as the previous application and as no objections were raised in this respect then, none are raised on this occasion.

Environmental Health (Housing) - No Objections

Environmental Health (Pollution) - No Objections subject to informative

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
BE7 Railings, Boundary Walls and other means of enclosure
H1 Housing Supply
H7 Housing Density and Design
H9 Side Space
T3 Parking
T18 Road Safety

London Plan (2015)

3.3 Increasing Housing Supply
3.4 Optimising Housing Potential
3.5 Design and Quality of Housing Developments
3.8 Housing Choice

5.1 Climate Change
5.2 Minimising Carbon Dioxide Emissions
5.3 Sustainable Design and Construction
6.9 Cycling
6.13 Parking
7.4 Local Character
7.6 Architecture

Mayor's Housing SPG (2012)

SPG 1 - General Design Principles
SPG 2 - Residential Design Guidance

Planning History

86/01470/FUL - Single storey rear extension to detached bungalow - approved

16/01580/FULL1 - Demolition of existing garage/workshop and erection of two storey detached 4 bedroom dwelling with parking and associated landscaping - refused

Reasons for refusal:

The proposed dwelling, by reason of its siting and form, together with the constrained nature of the site, would result in a cramped and incongruent form of development that would have a detrimental impact upon the character and spatial standards of the area contrary to Policy 7.4 Local Character of the London Plan (2015); Policies BE1 Design of New Development and H7 Housing Density of the Unitary Development Plan, and the Council's adopted Supplementary Planning Guidance 1 and 2.

Conclusions

The primary considerations in the assessment of this proposal are:

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

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.

A recent appeal decision indicates that the Council does not have a five year housing supply and this matter is a consideration strongly in favour of a grant of planning permission for new housing.

The site is however situated within a residential location and the Council will consider new residential development provided that it is designed to complement the character of surrounding developments, the design and layout make suitable residential accommodation, and it provides for garden and amenity space. Any adverse impact on neighbouring amenity, conservation and historic issues, biodiversity or open space will need to be addressed.

Therefore the principle of an additional dwelling is 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, traffic implications and refuses arrangements.

Design, Siting and Appearance

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

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

The host property, and its neighbouring single storey property number 34, is sited between two distinctive areas of Village Green Avenue, immediately to the north and south of the application site. To the north, on the eastern side of the road, there is a very distinctive pattern and rhythm of identical dwellings set within spacious plots with adjoining single storey garages allowing for views to be retained to the rear. The dwellings are of identical design with duo pitched roof profiles and a mixture of white weather boarding and brick to the front elevation.

The application site and the neighbouring property, number 34, acts as a break between this distinctive residential form and the properties to the south of the site which are a mixture of architectural types and designs.

The site clearly marks the change between the distinctive pattern and rhythm of the built form to the north, and the newer detached properties to the south. The design of the scheme now reflects the properties to the north of the application site, utilising matching materials and of a similar height and profile.

Whilst the footprint is the same as the previously refused application, amendments have been forthcoming to reduce the height of the dwelling as well as the eaves so that they appear in keeping with the dwellings to the north. Alterations to the front elevation of the proposed development, as well as the fenestration, all go some way in alleviating the previously raised concerns.

Concern was previously raised as to the development appearing cramped within the plot. The proposed dwelling retains adequate separation distances to the common side boundaries in compliance with H9. The new dwelling and number 50 are sited within 2m of each other, similar to the flank elevations of the properties to the north and therefore no longer appears incongruous or cramped within the context of the wider street scene. Members may now consider that this satisfactorily overcomes the previous concerns with regard to form and mass and consider that the dwelling now relates well to the existing pattern of development.

Standard of Residential Accommodation

The London Plan and London Plan Housing SPG set out minimum floor space standards for dwellings of different sizes. These are based on the minimum gross internal floor space requirements for new homes relative to the number of occupants and taking into account commonly required furniture and spaces needed for different activities and moving around.

Policy BE1 in the Adopted UDP states that the development should respect the amenity of occupiers of future occupants. This is supported by the London Plan Policy 7.6.

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

Officers have scaled the submitted drawings and the proposed dwelling would have a GIA (gross internal area) of approximately 123sqm. The applicant has not outlined the intended occupancy for the dwelling; however the single rooms measure over 8sqm and the double rooms 12sqm or above. Each of these bedrooms would meet the minimum guidance for room sizes, including 12sqm for a double room. The occupancy could therefore reasonably be a 4 bed 6 person dwelling. The London Plan (2015) and Housing SPG requires a minimum of a

minimum of 106sq.m for a 4b 6p dwelling. The proposal would therefore comply with the minimum standard.

All habitable rooms would receive an adequate level of ventilation, light and outlook. Members may consider that the scheme would provide secure and private amenity space to the rear of the property and the area provided is acceptable for the use of the dwelling as a four bedroom family house.

Impact on Adjoining Properties

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

The main impact of the proposed dwelling would be on the immediate neighbouring occupiers at No 34 and No 50 Village Green Avenue. The proposed dwelling would have a depth of 11.8m and a height of 6.3m.

The dwelling projects minimally past the rear building line with the neighbouring properties by 1m. This projection is considered acceptable to prevent any loss of light or outlook from the neighbouring dwellings. Windows within the flank elevations are proposed to be obscurely glazed which prevents any actual or perceived overlooking. By virtue of the orientation of the plot, the addition of the first floor will have a minimal impact upon the provision of natural light upon number 34 or number 50. It is therefore considered that the proposal would not result in any significant impacts in terms of un-neighbourly sense of enclosure, loss of day light/sunlight, to the detriment of the neighbouring occupiers.

Car parking

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

The site location has a PTAL rating of 1b (low) and so car ownership can be expected by the occupiers of these dwellings. The parking layout is the same as the previous application and no objections were raised from the Highways Officer in this respect previously and none are raised on this occasion.

Car parking spaces are provided to the front of the dwelling.

Cycle parking

London Plan policy 6.9 states that developments should provide secure, integrated, convenient and accessible cycle parking facilities in line with the minimum standards set out in Table 6.3 of the London Plan and the guidance set out in the London Cycle Design Standards.

The applicant has provided details of a location for lockable cycle storage for the unit, the amount of which is considered acceptable by the Highways Officer. The location of this is acceptable.

Refuse

All new developments shall have adequate facilities for refuse and recycling. The applicant has provided details regarding the location for proposed bin storage. The location of this is acceptable.

Summary

In conclusion, the development proposed is considered to have overcome the previous grounds of refusal. The design of the dwelling is considered in keeping with the wider locality and will not appear incongruent or out of character with the street scene. Sufficient levels of vehicle and cycle storage is provided and it is considered that the development is acceptable. The dwelling will contribute to the Council's five year housing supply.

Background papers referred to during production of this report comprise all correspondence on the file ref(s) 16/03639/FULL1 and 16/01580/FULL1 as set out in the Planning History section above, excluding exempt information.

RECOMMENDATION: PERMISSION

Subject to the following conditions:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

- 10** The refuse store and shed are to be constructed as per the approved plan prior to the first occupation of the dwelling hereby approved.

To provide a sufficient storage space for refuse and bicycles in line with policy BE1 of the Unitary Development Plan and Policy 6.9 of the London Plan.

- 11** The boundary treatments are to be constructed as per the approved plan prior to the first occupation of the dwelling hereby approved.

To provide a good standard of design and acceptable level of privacy to the neighbouring properties in compliance with policy BE1 of the Unitary Development Plan.

You are further informed that :

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

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

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

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

- 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.

Before demolition commences, the Applicant is advised to have a full pre-demolition survey carried out to identify any asbestos containing products which may be in the building, and then contact the Health & Safety Executive to ensure compliance with all relevant legislation. The Applicant should ensure compliance with the Control of Asbestos Regulations 2012 and the Health and Safety at Work Act 1974 in relation to the safe removal of any asbestos on site prior to demolition.

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

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

Application:16/03639/FULL1

Address: 36 Village Green Avenue Biggin Hill TN16 3LN

Proposal: Demolition of existing garage/workshop and the erection of a two storey detached four bedroom dwelling with parking and associated landscaping



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

This page is left intentionally blank

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

Application No : 16/02483/FULL1

Ward:
Clock House

Address : 261 Elmers End Road, Beckenham
BR3 4EJ

OS Grid Ref: E: 535738 N: 168546

Applicant : Mrs Alison Taylor Reed

Objections : YES

Description of Development:

Proposed conversion of existing semi-detached dwelling house to form 1 two bedroom flat and 2 one bed flats, and roof alterations to incorporate a rear dormer

Key designations:

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

Proposal

Planning permission is sought for the conversion of the existing semi-detached dwelling house to form 2 one bedroom flats and 1 two bed flat, including, alterations to the roof incorporate a rear dormer. The hip to gable roof extension was previously approved under a Lawful Development Certificate under reference: 16/01747/PLUD.

The application is accompanied by a Planning Statement and a Transport Statement.

Site and Location

The application site comprises of a two storey semi-detached residential dwelling located on the North-East side of Elmers End Road, Beckenham.

The surrounding area is predominately residential and commercial, with a PTAL rating of 5 (on a scale of 1 to 6 where 6 is the most accessible).

Consultations

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

- The occupiers of the adjoining property at 259 Elmers End Road objected to the proposal stating- The proposal will have a severely detrimental effect on

the level of amenity to our property, by way of loss of privacy and noise and disturbance

- The development would lead to an unacceptable level of noise and disturbance by virtue of it being over-intensification of the occupancy in proposing 3 separate flats.
- Two of the flats appear to be below the specified nationally described space standards. We have accurately checked the submitted drawings, using CAD software.
- The first floor flat has a kitchen/living area immediately adjoining the main bedroom of our property, this would cause such harm and disturbance, particularly in the use of the kitchen appliances.
- The frontage area seems totally inadequate for its function to serve 3 flats, the refuse issues will severely affect the amenity of our property.
- Furthermore, the access to the flats appears to be across the 2 parking spaces with no allowance for pedestrians, particularly buggies, we therefore maintain that the existing house cannot accommodate these flats to the required standards and we request that planning permission be refused.

The occupiers of 191 Elmers End Road also objected to the proposal stating

- The conversion to 3 flats would be an over development of the site, we understand that two of the three flats are in reality below the minimum space standards despite claims to the contrary from the applicant.
- The parking provision is inadequate as it stands, even for just 2 of the 3 proposed flats.
- The external layout is also inadequate to accommodate even two cars plus refuse and recycling collection and storage.

The occupiers of 14 Aldersmead Road, Beckenham also objected to the proposal stating

- On behalf of local members to the proposal, this would be the loss of a reasonably sized family home, which are becoming scarce due to such conversions
- The provision of a Juliet balcony would overlook the garden of the adjacent properties. The balcony and that at second floor flat would also overlook the private garden space of the other flats in the building. We request that this application is refused

Amended plans were received on the 27/07/2016, as a result neighbours were re-notified and the following representations were received:

The neighbouring occupier at living on Ancaster Road Beckenham objected to the proposal stating:

- As a resident living in Ancaster Road opposite the railway and trams station some commuters park on Ancaster Road, so residents find it very difficult to park on their road.
- Also the plans have been submitted for three flats but there is only room for two cars to be parked in front of the house.

- Potentially if all the people living there had cars the nearest place they could park is on Ancaster Road causing more congestion for us.
- If there was parking restriction times or resident's only parking would be a lot better for residents of Ancaster Road.

The neighbouring occupier at 259 Elmers End Road objected to the proposal stating:

- The new proposals do not in any way address our objection that this re-development of a family home would have a severely detrimental effect on the level of amenity our property currently enjoys, by way of loss of privacy and by noise and disturbance.
- Our contention is that this particular house is totally unsuitable for the satisfactory division into this number of self-contained dwellings and doing so would not only severely affect our amenity but would also produce unsuitable accommodation for future occupants of the resulting flats.
- One of our principle objections was that the development was an unacceptable over-intensification of the occupancy in proposing 3 separate flats and this number had been achieved by the accommodation being below minimum acceptable standards.
- The current proposal merely re-arranges the internal accommodation to nominally improve these standards by the apparent loss of one bedroom.
- This approach is disingenuous in a number of respects and the reconfiguration of the internal spaces leads to the accommodation being deficient in slightly different ways.
- The drawings do not take into account the construction requirements that will need to be addressed in order to enable what is shown there to be built legally.
- Wall thickness as drawn does not include allowances for thermal insulation to external walls and sound insulation, both between separate flats within the proposal and the party wall with our property, which will be required to satisfy building regulations.
- The internal areas claimed on the drawing, already at or close to the requires by the national described space standards, will therefore inevitably be reduced.
- We would also reiterate our previous comments in respect of the 1st floor rear flat, flat 2. This has a kitchen/living room area immediately adjoining the main bedroom of our property. Policy BE1 seeks to ensure that development proposals respect the amenity of occupiers of neighbouring buildings and that their environments are not harmed. The location of the living area next to the main bedroom of our property would cause such harm and disturbance.
- The frontage area seems totally inadequate for its function to serve 3 flats. The space alongside the parking area allocated to refuse storage and collection is insufficient to accommodate Bromley's current refuse collection and recycling requirements.
- We therefore maintain that the proposal is contrary to most aspects of planning policy. The existing house cannot accommodate these flats to the required standards, and the proposed conversion would have a severely

detrimental effect on the level of amenity our property currently enjoys, by way of loss of privacy and by noise and disturbance.

- A previous application to re-develop the house in 1984 was refused on the grounds that "the property comprises a relatively modest semi-detached house which is still capable of being occupied as a single family dwelling".
- We have enjoyed the presence of young families next door to us for the 30 years we have lived here. For all these reasons, we request that planning permission be refused.

The neighbouring occupier at 257 Elmers End Road objected to the proposal stating:

- I feel the size of the property would not allow three self-contained flats, as several of the rooms would be far too small. The revised plans now show one bedroom flat 3, the roof flat as a now having a study with an en-suite bathroom instead of a bedroom and a bathroom with another en-suite bathroom on the second floor.
- I feel this would soon revert back to the original three flats soon after planning permission had been granted, thus providing the maximum sales potential.
- Contrary to the suggestions that three flats would result in fewer cases, I feel the opposite would happen.
- Whilst I know people need places to live in, I also feel that they need places big enough to live in.

The neighbouring property at 191 Elmers End Road Beckenham also objected to the proposal stating-

- We continue to object to the proposed overdevelopment of this family house by conversion to 3 flats, we understand that although the layout has been changed.
- The flats are still below the minimum standards when the need to comply with building regulations is taken into account.
- We also find it 'odd' that a study would have an en-suite or that a one bedroom flat would need to have two bathrooms.
- The parking provision is inadequate as it stands. On street parking in this area is under great pressure from rail commuters at Elmers End station and Tramlink.

The neighbouring occupier of 14 Aldersmead Road, Beckenham also objected to the proposal stating:

- On behalf of the members of WBRA to convert 261 into flats we object. This would be the loss of a family home, at a time when larger family homes are becoming scarce due to such conversions.
- Conversions to flats would be an over development of the site.
- We understand that the reconfiguration is intended to address the objections that the original proposals were below the minimum space requirements for the proposals as they then stood.

- However, we also understand that although the areas appear to be at or near minimum space requirements, they do not take into account levels of thermal or sound insulation which are likely to bring them below minimum standards.
- Our original objections still stand in respect of the loss of amenity and disturbance from noise for the adjoining properties.
- We also maintain our objections on the wider neighbourhood amenity regarding parking provision and adequate space for refuse storage and collection.

Thames Water- No objection

Environmental Health- No objection

TFL- The applicant should provide a minimum of 5 cycle parking spaces in line with the current London Plan standards

Highways- The site is located to the north of Elmers End Road, Elmers End Road (A214) is a London Distributor Road. Also is within a high PTAL rate of 5, as a result no objections are raised.

There are waiting restrictions (no waiting at any time) around the site. Two cars can be accommodated within the front forecourt area. The development would generate similar parking demand to the existing; therefore I raise no objection the proposal.

Drainage no objection

Housing Enforcement Team- No specific issues providing the conversion meets or exceeds building regulation standards for Fire separation between units and means of escape in case of fire, sound insulation between units and improved thermal efficiency.

Planning Considerations

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

BE1 Design of New Development
 BE11 Conservation Areas
 H1 Housing Supply
 H7 Housing Density and Design
 T3 Parking
 T18 Road Safety

London Plan 2015:

3.3 Increasing housing supply
 3.4 Optimising housing potential
 3.5 Quality and design of housing developments

- 3.8 Housing Choice
- 3.9 Mixed and balanced Communities
- 4.4 Managing Industrial Land and Premises
- 5.3 Sustainable Design and Construction
- 5.12 Flood Risk Management
- 5.13 Sustainable Drainage

The Mayor's Housing Supplementary Planning Guidance March 2016

Bromley's Draft Local Plan: Policies and Designations Document has been subject to public consultation and is a material consideration (albeit it of limited weight at this stage). Of particular relevance to this application are policies:

9.4 Development Outside SIL and LSIS

The National Planning Framework (NPPF) (2012) is also relative to this case.

Section 6: Delivering a wide choice of high quality homes

Section 7: Requiring good design

Section 8: Promoting healthy communities

Planning History

An application under planning reference: '84/01215/FUL-Conversion into two self-contained flats' was refused for the following reasons:

1. 'The property comprises of a comparatively modest semi-detached house which is still capable of being occupied as a single family dwelling and its conversion into two flats would therefore be contrary to Policy H.5 of the Local Plan for Bromley.'
2. 'Dwellings of this type are in considerable demand and the supply should not be depleted, whereas numerous blocks of purpose-built flats and conversions of large properties are being undertaken throughout the Borough to meet demand for this type of accommodation'.

Date issued-27.12.1984

16/01747/PLUD-Hip to gable loft conversion and rear dormer with rooflights to front roof slope. Lawful Development Certificate (Proposed).-Proposed development is Lawful- Date issued- 07.06.2016

Conclusions

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

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

- Principle of development
- The design and appearance of the proposed residential development and its impact on the character and appearance of the local area
- The quality of living conditions for future occupiers
- Highways
- Refuse storage

Principle of development

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

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

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

Policy H11 requires proposals for the conversion of a single dwelling into two or more self-contained residential units will be permitted provided that, the amenities of occupiers of neighbouring dwellings will not be harmed by the loss of privacy, daylight or sunlight or by noise. In addition, the resulting accommodation will provide a satisfactory living environment for intended occupiers.

It is considered that the proposed conversion is in principle acceptable. It is not anticipated that the proposed conversion would have a detrimental impact on the character of the surrounding area. In addition, the proposal provides garden and amenity space for future occupiers. Moreover, it is not expected that the proposed conversion would lead to any undue harm to the amenities of neighbouring properties.

The design and appearance of the proposed residential development and its impact on the character of the local area

Policy BE1 highlights the need for proposals to be of a high standard of design and layout complementing the scale, form and materials of adjacent buildings. Policy H7 sets out that developments should provide a mix of housing types and sizes.

Section 7 of the NPPF states that the Government attaches great importance to the design of the built environment, good design is a key aspect of sustainable development. It is indivisible from good planning and should contribute positively to making better places for people. As stated within the NPPF, development should optimise the potential of the site to accommodate development, create and sustain an appropriate mix of uses (including incorporation of green and other public space as part of the developments) and support local facilities and transport networks; respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation.

As stated in the planning statement and also the planning history above a Lawful Development Certificate was issued for a hip to gable and rear dormer, with roof lights to the front roof slope under reference: 16/01747/PLUD. As such, it is considered that the proposed roof alterations in principle are acceptable given that a Lawful Development Certificate has already been issued.

Apart from the hip to gable roof extension the majority of external changes to the property will be to the rear and internally. Objections have been raised in regards to the proposed Juliet balconies to flats 2 and 3, which are considered to lead to a loss of privacy and a high degree of overlooking to neighbouring properties. However, given the density of the built environment it is considered that a high degree of overlooking has already been established by the existing windows at first floor level.

The quality of living conditions for future occupiers

Policy 3.5 of the London Plan and the Department for Communities and Local Government (DCLG) technical housing standards outlines the minimum internal floorspace required for residential units on the basis of the occupancy that could be reasonably expected within each unit. Based on the room sizes calculated from the submitted plans flats 1, 2 and 3 are considered to comply with London Plan space standards and the DCLG's technical housing standards.

Flat 1: 64.1m²

Flat 2: 40 m²

Flat 3: 58 m²

No specific issues were raised from a Housing and Enforcement team.

In addition, the Mayor's Housing Supplementary Planning Guidance (SPG) (March 2016) provides guidance on the implementation of housing policies in the 2015 London Plan and the 2016 Minor Alterations to the Plan (MALP), replacing the 2012 Housing SPG.

The SPG provides guidance on Private Open Space stating a minimum of 5 sqm of private outdoor space should be provided for 1-2 person dwellings and an extra 1

sqm should be provided for each additional occupant. The submitted plans show amenity space is provided for each of the flats, which is considered to be adequate.

It is noted that a previous application for two flats without any roof alterations was refused in 1984, which was contrary to the Local Plan at the time.

Highways

Objections were raised stating that the proposed parking arrangements were inadequate. However, the Highways officer stated that the development would generate similar parking demand to the existing. In addition, the site is located within a high PTAL rating 5. As a result, no objections were raised.

Refuse storage

A bin collection point has been outlined on the submitted plans, also there is space within the sites curtilage, which could be utilised for refuse and recycling bins.

Summary

Overall it is considered that the development in the manner proposed is acceptable in that it would not result in a loss of amenity to local residents nor impact detrimentally on the character of the area. Furthermore, the proposed accommodation complies with Policy 3.5 of the London Plan and the DCLG's Technical Guidance Housing Standards.

as amended by documents received on 27.07.2016

RECOMMENDATION: PERMISSION

Subject to the following conditions:

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

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

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

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

- 3 Unless otherwise agreed in writing by the Local Planning Authority the materials to be used for the external surfaces of the**

development hereby permitted shall as far as is practicable match those of the existing building.

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

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

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

Application:16/02483/FULL1

Address: 261 Elmers End Road Beckenham BR3 4EJ

Proposal: Proposed conversion of existing semi-detached dwelling house to form 1 two bedroom flat and 2 one bed flats, and roof alterations to incorporate a rear dormer



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

This page is left intentionally blank

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

Application No : 16/02806/FULL1

Ward:
Orpington

Address : Orpington College Of Further Education
The Walnuts Orpington BR6 0TE

OS Grid Ref: E: 546394 N: 166195

Applicant : Mrs Sam Parrett

Objections : YES

Description of Development:

Proposed alterations to internal layout to include first floor kitchen and pastry kitchen at ground floor, insertion of extraction flues, elevational alterations, new cafe and shop, ancillary accommodation, outside seating area, extension to railings, landscaping, canopy and ramp.

Key designations:

Areas of Archaeological Significance
Biggin Hill Safeguarding Area
London City Airport Safeguarding
Smoke Control SCA 29

Proposal

This application forms Phase 2 of a wider scheme of improvement works to Orpington College to enhance their facilities in line with the provision of educational courses in hospitality, food and enterprise. Phase 1 was approved at planning committee on the 5th June 2014 (ref: 14/00747/FULL1).

Planning permission is sought for the following works:

- Additional training kitchen at first floor level
- Café with barista style bar at ground floor level opening out onto Market Square
- A shop area within the ground floor of the college
- External works to provide an outdoor dining area accessible from the new café and existing training restaurant including extension of railings, insertion of extraction flues, elevational alterations to curtain walling, retractable canopy and new access ramp.
- Landscaping works inclusive of new hardstanding.

The following internal alterations are proposed:

- Provision of a new pastry kitchen
- Conversion of existing storage area to purpose built male and female changing rooms;

- Conversion of existing changing rooms to deliveries store and wash up area, crockery store, laundry and linen store;
- Conversion of existing foyer into deliveries office.

The hours of operation of the previously permitted restaurant are also proposed to be extended from 8:30-23:00.

Location

The application site extends to an area of approximately 0.66ha sited on a corner plot. The college is bounded by Lych Gate Road to the east and Homefield Rise to the south. The site is bordered by Walnuts Shopping Centre and Market Square to the north/west. The site incorporates college buildings and parking/access/servicing areas.

The site is classified as a secondary shopping frontage being within Orpington Town Centre and within an area of archaeological significance.

Consultations

Nearby owner/occupiers were notified of the application however no comments have been forthcoming.

Consultee Comments

Highways - Assuming all the new students are over 16 and have the potential to drive, and if they follow the 95% using public transport, it would only equate to about 3 driving. The numbers are quite low and given the majority of roads in the vicinity have controlled parking there is not a sustainable objection to the application. No objections are raised subject to conditions.

Environmental Health (Pollution) - No objection to the scheme subject to conditions requiring the submission of extraction equipment specification and noise level compliance.

Historic England (Archaeology) - The proposal is unlikely to have a significant effect on heritage assets of archaeological interest. No objections are made and no conditions are sought.

Planning Considerations

The main policies that are relevant for this application are as follows:

- Policy BE1 - Design of New Development
- Policy C7 - Educational & Pre-School Facilities
- Policy ER9 - Ventilation
- Policy S2- Secondary Frontages
- Policy S9 - Food & Drink Premises
- Policy S10 - Non-Retail uses in Shopping Areas
- Policy T3 - Parking

- Policy T18 - Road Safety

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

London Plan (2015)

- 5.3 Sustainable Design and Construction.
- 5.7 Renewable Energy
- 5.13 Sustainable Drainage
- 5.15 Water use and supplies
- 5.16 Waste self-sufficiency
- 6.5 Education
- 6.6 Educational Facilities
- 6.9 Cycling
- 6.10 Walking
- 6.13 Parking
- 7.4 Local Character
- 7.6 Architecture
- 8.3 Community infrastructure levy
- 10.6 Noise Pollution
- 10.7 Air Quality
- 10.9 Light Pollution

Planning History

The most recent planning history at the site is summarised as follows;

- 14/00747/FULL1 - Planning permission granted for a single storey extension, internal and elevational alterations and ventilation ductwork to provide facilities for catering/hospitality courses including a training restaurant (Class A3/D1) - PHASE 1
- 11/03311- Advertisement consent granted for two non-illuminated 2.4m high freestanding directional signs, one fronting Homefield Rise, and one adjacent to north-facing wall of tower
- 10/00479- Planning permission granted for vehicular and pedestrian gates and associated fencing at Lychgate Road entrance and pedestrian gate at courtyard entrance off Market Square
- 10/00478- Retrospective planning permission granted for roof-top mounted kitchen extract plant to communal block
- 09/02871- Advertisement consent granted for a LED fascia display screen on western elevation of tower block
- 09/02866- Advertisement consent granted for an externally illuminated fascia sign and 2 non-illuminated fascia signs
- 07/04633- Planning permission granted for one temporary covered walkway, one temporary 2 storey modular building and 2 one storey modular buildings for temporary classroom, office and amenity accommodation during construction of new facilities
- 07/00560- Planning permission granted for partial demolition of building and rebuild to form new entrance and student refectory and breakout space

- 05/01534 Four storey building with landscaped external courtyard and relocation of existing service/access road and associated car parking
- 05/01534- Planning permission granted in May 2008 four storey building with landscaped external courtyard and relocation of existing service/access road and associated car parking
- 03/01977- Outline planning granted for construction of reception hall for main tower, erection of 2 five storey buildings for educational and ancillary purposes, enlargement of car park (Renewal ref. 00/0113)

Conclusions

The main issues to be considered in this case are the impact of the proposal on the town centre, amenities of adjoining neighbours, the impact of the extensions on the host building and wider street scene.

Policy 3.18 of the London Plan states that the Mayor will support provision of childcare, primary and secondary school, and further and higher education facilities adequate to meet the demands of a growing and changing population and to enable greater educational choice, including in parts of London with poor educational performance. The policy also states that development proposals which maximize the extended or multiple use of educational facilities for community or recreational use should be encouraged.

In terms of Policy C7, the Council will permit extensions to existing educational establishments provided that they are located so as to maximise access by means of transport other than the car. The site is located within Orpington Town Centre and is PTAL 4 (moderate) and is considered a suitable site to extend. There will be an increase in both pupil and staff numbers by 52 and 4 respectively, however no objections have been made by the Highways Officer with regard to this given that there is sufficient parking within the wider locality.

In relation to the Town Centre policies (Policies S2 and S10) the frontage of the proposed café and outside seating area is classed as a secondary frontage and opens out onto Market Square. Development will be allowed provided that it does not harm the existing retail function of the wider area and does not impact upon residential amenity. Policy S9 only permits additional restaurants/cafes (Class A3) where: the proposal would have no adverse impact on residential amenity; the proposal would not cause undue traffic congestion or be detrimental to the safety of road users; the proposal would not result in an over concentration of food and drink establishments.

The proposed cafe is to be used to train students at the college and to enhance the learning/training value at the facility. The cafe will be fully functional in that it is open to members of the public and open to times commensurate with nearby restaurants/cafes. The use of part of the building as a café and shop, open to members of the public, is considered to enhance the retail function of the wider area, providing a supporting function to the A1 retail units along the High Street. Whilst there are other restaurant/café uses within the wider locality, it is not considered that there is an over-concentration of similar uses to be considered

harmful to the wider retail function, further supported by the college's location set back away from the main High Street and out of the Walnuts Shopping Centre.

In terms of the principle of the change of use to a mixed A1/A3/D1 use, the proposed café and shop, when compared to the size and percentage of the building, would only represent a small percentage of the overall floor space of the college. Whilst this would be open to members of the public, subject to conditions controlling hours of operation; it is considered that this would represent an ancillary form of development in relation to the wider educational use and would be in line with the town centre policies as outlined above. Several alterations are made to the internal layout of the college. These changes are to support the café/restaurant function of the ground floor of the college and ancillary to the D1 education use of the college and considered acceptable subject to conditions tying the use to the education establishment.

The primary elevation of the building (western) faces Market Square, an area of Orpington Town Centre currently undergoing major regeneration works to increase pedestrian footfall and make the wider locality a more attractive and desirable location to visit. The works to Orpington College including the opening up of the outside seating area form part of these wider public realm works. It is considered that the opening up of this elevation onto Market Square would result in an active frontage which Members may consider to be a benefit to the area and enhance the viability and vitality of the wider town centre. It should be noted that some of the works proposed within this application do not adhere to those agreed by stakeholders when considering the regeneration of the area, however given that the public realm improvement works are not currently set out in a specific development plan document, in terms of planning these considerations can only have minimal weight within the decision making process.

Impact on residential amenities

London Plan policy 7.6 and Policy BE1, S9 and S2 of the UDP seeks to protect existing residential occupiers from inappropriate development. Issues to consider are the impact of a development proposal upon neighbouring properties by way of overshadowing, loss of light, overbearing impact, overlooking, loss of privacy and general noise and disturbance.

In terms of impact upon residential amenity, the site is located off Market Square within close proximity of other retail, restaurant and leisure uses including Bella Italia and the Odeon Cinema, all of which open until at least 11pm. The café's opening hours are commensurate with the college opening hours until 5pm in the winter and 11pm in the summer, whereas the restaurant, which does not have access to the outside seating area, is to open until 11pm. Given the location of the college within a town centre location and the closest residential properties being over 70m away, the impact on residential amenity as a result of the application is considered minimal.

The development proposes a 1m high extension to the upper terrace area for 3.5m in length. Given the absence of nearby residential properties, this is not considered to adversely impact residential amenity.

Ventilation

When considering proposals for cafes/restaurants policy ER9 states that the Council will require submission of details of a ventilation system where such a system would be necessary in order that the smell, noise and visual impact of the system on its surroundings can be properly considered.

Ventilation ductwork is also proposed in connection with the proposed kitchen at first floor level, pastry kitchen at ground floor and new cafe. Additional louvres are located within the western elevation with new ventilation equipment on the north-west elevation in a similar high-level position to the existing which is considered acceptable. Concerns were raised by the Environmental Health Officer as to the specification of the odour abatement equipment however this can satisfactorily be covered by condition.

Refuse

Additional refuse from the cafe can be dealt with sufficiently through the existing refuse store within the car park and adjacent to the plant room.

Design of Development

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

External alterations to the site are predominantly constrained to the north-west elevation, facing onto Market Square. An outdoor seating area is proposed at two levels leading directly from the main café with a ramped and stair access from Market Square. The upper terrace projects 3.5m from the front elevation at 1m in height and is to cater for 29 covers utilising a timber decking as the primary floor treatment with red stock facing brick facing onto Market Square matching the existing elevational treatment. The lower terrace caters for 48 covers and utilises clay pavers in line with the wider public realm improvement material palette. The existing railings to the front of the raised terrace are to be replaced with a steel handrail with glass infill which is considered a betterment to the existing black, metal boundary treatment and extended by approximately 12m along the front of the site. Whilst the extension to the railings do not form part of the agreed wider public realm improvement works, the minor extension to the railings which are to be constructed of glass allowing views to be retained through to the building are considered acceptable from a planning perspective with sufficient breaks to allow access into the café area.

The canopy to the café is considered acceptable in principle, however further details as to the design of this will be conditioned to be submitted at a later date should Members be minded to grant permission. The location of the signage is also considered acceptable, however a further advertisement consent application will be required prior to the erection of the illuminated fascia. On balance Members may consider that the proposal is well designed and complies with Policy BE1 of the Unitary Development Plan.

It is noted that no concerns have been raised regarding the proposal from the Council's Highways Officer given the location of the college within a town centre location and the provision of sufficient parking within the locality and the low level of students driving to the site.

On the basis of the information above, given that the proposal seeks to enhance the existing educational facilities at the site, it is considered that the application acceptable.

Background papers referred to during production of this report comprise all correspondence on the file and that set out in the Planning History section above including ref: ref. 14/00747, excluding exempt information.

RECOMMENDATION: PERMISSION

Subject to the following conditions:

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

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

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

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

- 3 Customers of the restaurant shall not be admitted to the premises before 08:30; on any day, and all customers shall have left the premises by 23:00. Customers of the cafe shall not be admitted to the premises before 08:00; on any day, and all customers shall have left the premises by 17:00 between 1st October and 31st March and**

23:00 between 1st April and 30th September. At no point will the outdoor seating area be used by customers after 23:00 and before 08:00.

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

- 4 The proposed cafe and shop shall operate and accept paying customers only in connection with training courses run by Orpington College (Under Class D1 of the Town and Country Planning (Use Classes) Order 1987 or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).**

Reason: In order to comply with Policy S9 of the Unitary Development Plan and in the interest of the amenities of the area.

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

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

- 6 At any time the plant noise Rating level from the kitchen extraction and supply air plant shall not exceed the measured typical background L90 level at any noise sensitive location. For the purposes of this condition the Rating and background levels shall be calculated fully in accordance with the methodology of BS4142:2014. Furthermore, at any time the measured or calculated absolute plant noise level shall not exceed 10dB below the typical background noise level (LA90 15 minute) in this location.**

In the interest of protecting surrounding amenity in compliance with policy BE1.

- 7 Detailed plans of the appearance of and the equipment comprising a ventilation system which shall include measures to alleviate fumes and odours (and incorporating activated carbon filters where necessary) shall be submitted to the Local Planning Authority for approval; after the system has been approved in writing by the Authority, it shall be implemented in accordance with the approved details before the use hereby permitted first commences and shall thereafter be permanently retained in an efficient working manner.**

Reason: In order to comply with Policies S9 and ER9 of the Unitary Development Plan and in the interest of the visual and residential amenities of the area.

- 8 Further details of the canopy hereby approved including drawings at a scale of 1:20 shall be submitted to and improved in writing by the Local Planning Authority prior to the use of the building as the use hereby approved.**

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

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

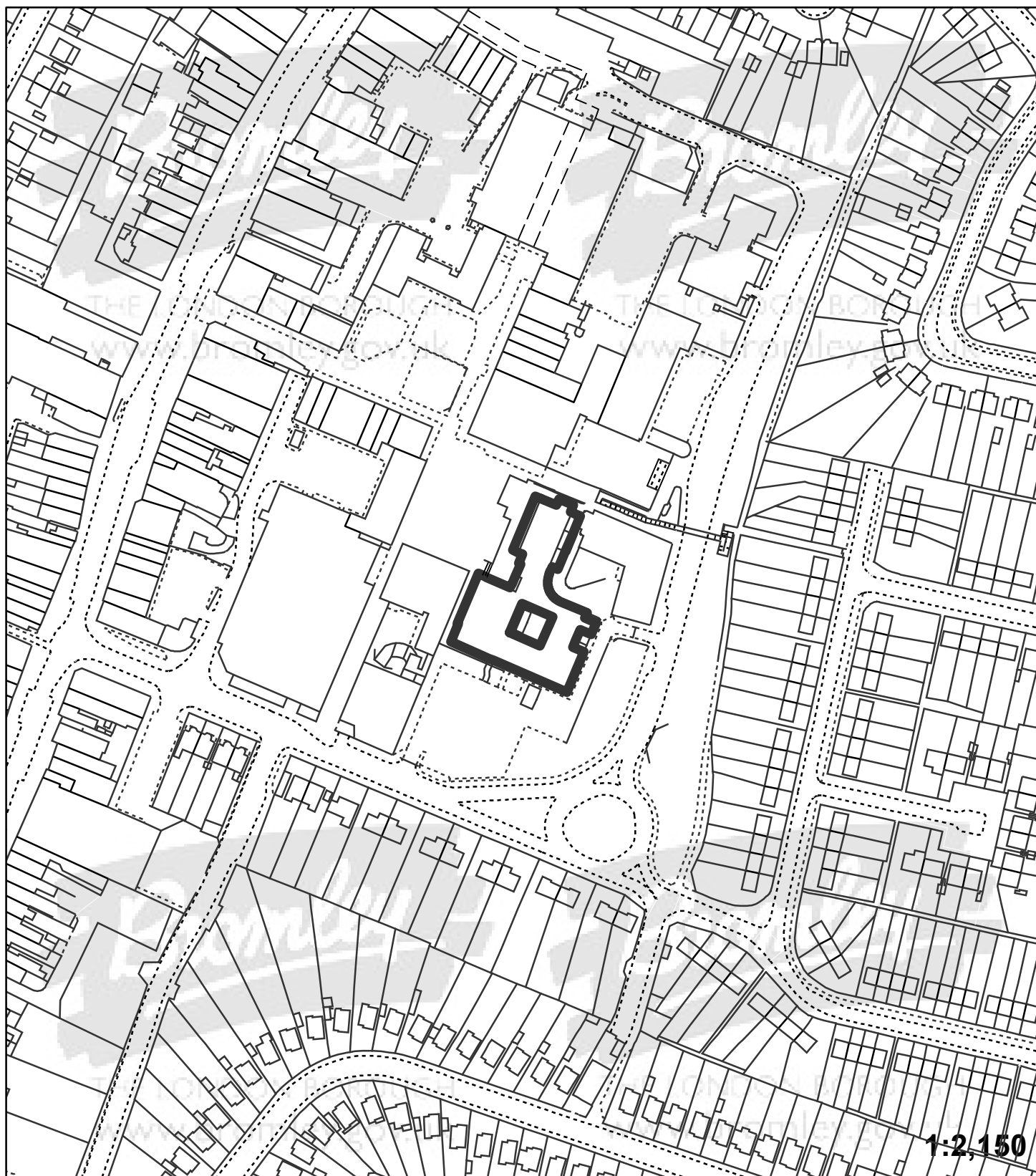
Reason: In order to ensure appropriate management of transport implications of the development and to accord with Policy T2 of the Unitary Development Plan.

This page is left intentionally blank

Application:16/02806/FULL1

Address: Orpington College Of Further Education The Walnuts
Orpington BR6 0TE

Proposal: Proposed alterations to internal layout to include first floor kitchen and pastry kitchen at ground floor, insertion of extraction flues, elevational alterations, new cafe and shop, ancillary accommodation, outside seating area, extension to railings, landscaping, canopy and ramp.



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

This page is left intentionally blank

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

Application No : 16/02974/FULL1

Ward:
Chislehurst

Address : Torphin Wilderness Road Chislehurst
BR7 5EZ

OS Grid Ref: E: 543891 N: 170247

Applicant : Mr J. White

Objections : YES

Description of Development:

Demolition of existing outbuilding and erection of detached 5 bedroom house, with basement and accommodation in the roof, together with associated parking and landscaping.

Key designations:

Conservation Area: Chislehurst
Biggin Hill Safeguarding Area
London City Airport Safeguarding
Sites of Interest for Nat. Conservation
Smoke Control SCA 16

Proposal

This site measures 0.3 ha and is currently utilised as amenity space for the detached dwelling known as Torphin. The site falls within Chislehurst Conservation Area.

Permission is sought for the demolition of the existing pool house, subdivision of the existing plot of Torphin and the erection of a detached 5 bedroom house with basement and accommodation in the roof. The proposed dwelling will be located to the west of the existing dwelling. It will be set back a minimum of 16m from the front boundary line and will provide a minimum of 3.1m side space.

Consultations

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

- o The proposed dwelling will be one of the largest in Wilderness Road but the plot size will be one of the smallest
- o Plot coverage would appear greater than other neighbouring plots
- o Currently densely covered by trees and mature shrubs, providing effective screening of Torphin and is single storey swimming pool
- o It is very visible from the entrance to Wilderness Road

- o The loss of trees arising from the construction of the proposed dwelling, access way and parking area will diminish the natural screening
- o Increase in overlooking
- o No justification of proposed side space
- o The proposal will result in loss of a considerable number of trees and do not consider that the proposed building work is of sufficient merit to offset the loss of the trees
- o Default position is that structures are located outside of root protection areas (RPA) of trees to remain on site. Works within the RPA should be justifiable and it should be demonstrated that trees can remain viable and mitigation measures proposed. Do not consider these have been met, particularly given excavation works that will be required for basement level.
- o Concern for future of large horse chestnut tree due to proximity to proposed dwelling
- o Contrary to BE14 NE7 and H9 of UDP
- o Seriously damaging to the environmental historical architectural and landscape character of this important part of the Chislehurst Conservation Area.
- o Unlike its neighbours, Torphin is far wider than it is deep.
- o The character of the conservation area, design and landscape qualities of the existing historical development, the spacious design and neighbouring amenities would be closely and intimately affected by any sub-division and re-development of the existing grounds.
- o Impact on water table
- o Defective Ownership Certificate and false statements
- o Wilderness Road is owned by wilderness Road Maintenance Limited (WRML).
- o Not appropriate for an applicant simply to clad a modern building in arts and crafts materials and claim it acceptable. To do so would ignore the heritage, cheapen the concept of Conservation areas and lead to downward spiral of ever diminishing sub divided land parcels.
- o Long term irreversible impacts on the existing landscape
- o Destroy spatial quality and landscaped character of the area
- o Extremely large dwelling on a prominent site ranged over 4 storeys (basement with three floors above)
- o Pool house was approved some 13 years ago and is no comparison to a 5 bed house.
- o Proposed dwelling has roughly twice the built footprint of the pool house - even without patios
- o Is roughly twice the width of the pool house and three times the height of the pool house
- o Replaces all the important landscaped side gardens and lawns of Torphin with hard surfacing, access, buildings, walls, glazed basement accommodation, driveways, parking and turning areas.
- o Highways safety implications - sight lines are inadequate between Wilderness Road and Prince Imperial Road and have been the site of many accidents.
- o Contrary to H7(iii) BE1, BE11, BE14 T18 NE10 of the UDP and SPG
- o Reference to previous appeal decisions
- o Pre-application letter is being used to justify a significantly different proposal.
- o Contrary to 3.5 and 7.4 of the London Plan and NPPF

- o Poor quality residential accommodation and amenity space for future occupants
- o Architectural design fails to reference the Arts and Crafts characteristics of the properties on Wilderness Road
- o No information has been provided in relation to ecology or drainage and flooding

Letters of support were received which can be summarised as follows:

- o Proposal will sit well on a large plot of land
- o The site of the existing house is in fact two plots
- o With the wealth of trees and foliage, including evergreen trees, it will not impact on neighbours
- o High quality design
- o Positively contribute to character of the road
- o Site comfortably within the street scene

Internal Consultations:

Comments were received from the Councils Tree Officer which can be summarised as follows:

- o The scheme has been supported well by an arboricultural report that covers an impact assessment, method statement and details of tree protection.
- o The development proposals will require the loss 7 trees and a section of hedge along the front boundary (H1). These trees have been categorised as C, indicating limited amenity value. The removal of these trees is not considered to result in a significant loss to the conservation area and had any of the trees appeared in a section 211 notice, a Tree Preservation Order (TPO) would not have been merited
- o The retention of the hedging along the western boundary will ensure a good level of screening is offered to the development. The vegetation separating plots of the Wilderness Estate is a common feature of this part of the conservation area
- o The proposed dwelling will be constructed largely within the footprint of the existing outbuilding. The impact upon retained trees will be marginally increased, however, remains within the acceptable limits guided by British Standard 5837. On this occasion the only consideration should be whether the development is seen as beneficial. There is limited scope for replacement trees to mitigate tree losses
- o Recommend condition to ensure development is implemented in accordance with Arboricultural Report and under the supervision of a retained arboricultural specialist

Comments were received from the Councils Conservation Officer which can be summarised as follows:

- o The garden to the side of this property is quite extensive and already contains an outbuilding which will be demolished.
- o It is possible that an additional house could be comfortably accommodated in this location without harming the spatial standards that prevail in this road

- o No objection subject to condition to ensure materials are submitted to and approved by the Council prior to works

Comments were received from the Councils Drainage Officer which can be summarised as follows:

- o There is no public surface water sewer near to this site. Surface water will therefore have to be drained to soakaways.
- o This site is within the area in which the environment agency - Thames region require restrictions on the rate of discharge of surface water from new developments into the River Ravensbourne or its tributaries.
- o Conditions are recommended regarding sustainable drainage systems and to ensure details of surface water drainage systems are submitted to the Council prior to development

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

- o Wilderness Road is a private road
- o Proposal includes a good size garage and other parking on the frontage
- o Access appears satisfactory

Comments were received from Thames Water which can be summarised as follows:

- o With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater.
- o Legal changes under The Water Industry (Scheme for the Adoption of private sewers) Regulations 2011 mean that the sections of pipes you share with your neighbours, or are situated outside of your property boundary which connect to a public sewer are likely to have transferred to Thames Water's ownership. Should your proposed building work fall within 3 metres of these pipes we recommend you email us a scaled ground floor plan of your property showing the proposed work and the complete sewer layout to developer.services@thameswater.co.uk to determine if a building over / near to agreement is required
- o With regard to sewerage infrastructure capacity, would not have any objection to the above planning application.
- o On the basis of information provided, with regard to water infrastructure capacity, Thames Water would not have any objection to the above planning application

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
BE14 Trees in Conservation Areas
H1 Housing Supply
H7 Housing Density and Design
H9 Side Space
T3 Parking
T18 Road Safety
NE7 Development and Trees

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

London Plan (March 2015)

Policy 3.3 Increasing Housing Supply.
Policy 3.4 Optimising Housing Potential
Policy 3.5 Quality and design of housing developments
Policy 3.8 Housing choice
Policy 5.1 Climate change mitigation
Policy 5.2 Minimising carbon dioxide emissions
Policy 5.3 Sustainable design and construction
Policy 5.7 Renewable energy
Policy 5.9 Overheating and cooling
Policy 5.10 Urban greening
Policy 5.11 Green roofs and development site environs
Policy 5.13 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 5.21 Contaminated land
Policy 6.9 Cycling
Policy 6.13 Parking
Policy 7.2 An inclusive environment
Policy 7.3 Designing out crime
Policy 7.4 Local character
Policy 7.6 Architecture
Policy 8.2 Planning obligations
Policy 8.3 Community infrastructure levy

The site has been subject to previous planning applications:

- o 90/01218/FUL - Pitched roof to existing two storey side extension - Permitted 11.07.1990
- o 00/00229/FULL1 - Two storey, front and side extension and rear balcony - Permitted 29.03.2000
- o 00/02514/FULL1 - Two storey side extension - Permitted 01.11.2000
- o 00/03959/FULL1 - Detached building for swimming pool - Permitted 18.04.2001

- o 03/01248/FULL6 - Detached building for swimming pool - Permitted 21.05.2003
- o 05/02661/FULL6 - 1st floor side extension and conversion of garage into games room. Detached garage with workshop in roof - Refused 07.09.2005
- o 05/04366/FULL6 - First floor side extension single storey front and side extension for garage and conversion of existing garage to games room - Permitted 01.02.2006

Conclusions

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

- o Design
- o Impact on the Chislehurst Conservation Area
- o Standard of Residential Accommodation
- o Highways and Traffic Issues
- o Impact on Adjoining Properties

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

Principle of Development

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

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

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

Policy H7 of the UDP sets out criteria to assess whether new housing developments are appropriate subject to an assessment of the impact of the proposal on the appearance/character of the surrounding area, the residential

amenity of adjoining and future residential occupiers of the scheme, car parking and traffic implications, community safety and refuse arrangements.

A recent appeal decision indicates that the Council does not currently have a five year housing supply and therefore this matter weighs in favour of this proposal.

The site is currently in residential use and is located adjacent to residential dwellings. In this location the Council will consider residential infill development provided that it is designed to complement the character of surrounding developments, the design and layout make suitable residential accommodation, and it provides for garden and amenity space. Any adverse impact on neighbouring amenity, conservation and historic issues, biodiversity or open space will need to be addressed. Therefore the provision of the new dwelling units on the land is acceptable in principle subject to an assessment of the impact of the proposal on the appearance/character of the surrounding area, the residential amenity of adjoining and future residential occupiers of the scheme, car parking and traffic implications, sustainable design and energy, community safety and refuse arrangements.

There have been new properties within Wilderness Road on land previously subdivided from garden land, including the property at 18a Wilderness Road (Beechwood) which was developed on garden land belonging to Moorcroft House and first permitted in 2003 (03/03412/FULL1). This site has been subdivided further following permission in 2015 (15/03453/FULL1).

The proposed dwelling is not considered out of character with the surrounding street scene nor the wider Chislehurst Conservation Area in this regard. The principle of a new house on this land is acceptable.

Design, Siting, Layout and Impact on Conservation 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. This includes being imaginative and attractive to look at, compliment the scale, form, layout and materials of adjacent buildings and areas; should not detract from existing streetscene and/or landscape.

Policy BE11 Conservation Areas requires new developments to respect and complement the layout, scale, form and materials of existing buildings and spaces; respect and incorporate in the design existing landscape or other features that contribute to the character, appearance or historic value of an area and ensure that the level of activity, traffic, parking services or noise generated by the proposal will not detract from the character of appearance of the area.

The application site is a large detached property located on Wilderness Road and lies within Chislehurst Conservation Area. The proposal is for the demolition of the existing pool house and erection of a detached 5 bedroom property, with a basement and accommodation in the roof. The proposal will also include a new crossover with hardstanding to the front, bin storage and rear patio.

The proposed dwelling will be located well within the site, set back a minimum of 16m from the front boundary line, thereby maintaining the established building line. When viewed from the street, the proposed dwelling will have the appearance of a traditional two storey property. The accommodation in the roof space will be served by two modest dormers located in the rear roof slope and side roof lights, therefore will not be visible from the street. The proposal also includes a basement with a swimming pool and gym/games room. A street scene elevation was submitted with the application which demonstrates that the proposed dwelling will match the height of the neighbouring properties (9.7m). It is considered that, given the set back from the street and design of the property, the proposed dwelling will preserve the character and appearance of the Chislehurst Conservation Area. The proposed materials consist of white painted timber sash windows with stone surrounds, clay roof ties and facing brickwork. The Conservation Officer raised no objection to the proposal however requests a condition to any permission to ensure that a sample of the proposed materials are to be submitted to and approved by the Council prior to development.

Policy H9 of the Unitary Development Plan states that for a proposal of two or more storeys in height, a minimum 1 metre space from the side boundary of the site should be retained for the full height and length of the flank wall of the building, however, where higher standards of separation already exist within residential areas, proposals will be expected to provide a more generous side space, including corner plots. The new dwelling will provide a minimum of 3.1m to the western flank boundary and 5.5m to the eastern flank boundary, when scaled from the submitted plans. It is therefore considered that the proposed dwelling is compliant with Policy H9 and conforms with the Chislehurst Conservation Area SPG which refers to the properties within the Conservation Area being sited within substantial plots with good levels of side space provision.

Concerns have been raised regarding the size of the proposed plot. Although smaller than the average in the immediate vicinity, the plot is comparable to others in the local area and the subdivision may be considered on balance to preserve the character of the Conservation area.

Residential Amenity and Standard of Residential Accommodation

Policy 3.5 of the London Plan (2015) Quality and Design of Housing Developments states the minimum internal floorspace required for residential units on the basis of the level of occupancy that could be reasonably expected within each unit.

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

The shape, room size and layout of the rooms in the proposed dwelling are considered to be satisfactory. None of the rooms would have a particularly convoluted layout which would limit their use. It would have a large GIA and all five bedrooms exceed the minimum requirements for double bedrooms. It is therefore

considered that the proposal would offer a high level of residential amenity for future occupiers. A partial glass roof and light well will serve the gym/games room and an additional light well will serve the pool area in order to provide sufficient natural light to the basement level.

With regards to amenity space, there will be a minimum of 19m from the rear elevation of the dwelling to the rear boundary line. It is therefore considered that the proposed garden is sufficient. The existing vegetation and boundary treatments will provide sufficient screening and privacy for future occupiers.

Impact on Adjoining Properties

Policy BE1 of the UDP requires the Council to consider whether planning proposals will significantly affect the amenities of occupiers of neighbouring properties and any future occupiers, ensuring that their environments are not harmed by noise and disturbance or by inadequate daylight, sunlight or privacy or by overshadowing.

The proposed detached dwelling is situated well within the proposed plot, however concerns have been raised with regards to the impacts on the amenities of neighbouring properties. The proposed site plan shows the location of the proposed dwelling within the new plot.

To the east is Torphin, the existing property on this site. The proposal provides a minimum of 5.5m side space to the eastern flank boundary with Torphin, and 11m between the two properties therefore is not considered to impact on current levels of daylight/sunlight for this neighbouring property. The eastern flank elevation will have three ground floor windows and one first floor window. The proposed first floor window is to serve an en-suite and is indicated to be obscure glazed therefore is not considered to impact on levels of privacy or result in overlooking.

Due to the layout of the surrounding plots, the western flank boundary is formed of the side boundary for The Birches and the rear boundary of Foxdeane. The proposed dwelling will provide a minimum of 3m to the western flank boundary, and over 12m to neighbouring property The Birches. The proposed western flank elevation will contain one door at ground floor level to serve the utility room and two first floor windows which will serve en-suite bathrooms. Both the first floor windows are indicated to be obscure glazed. The existing garage for The Birches is located close to the shared boundary however this is not a habitable space therefore the impact on this building is not considered significant.

With regards to outlook and visual amenity, the existing boundary treatments to the south and west consist of established vegetation. A small number of trees are to be removed in order to accommodate the proposal however the remaining vegetation is considered sufficient to provide adequate screening between the proposal and the neighbouring properties.

Trees

Policy NE7 of the UDP advises that when considering development proposals, the Council will seek the retention and the long-term health and stability of as many trees as possible.

Policy BE14 of the UDP states that trees often make an important and valuable contribution to the conservation area and will resist proposals where their health or visual amenity is threatened. When consent is given for a tree to be felled, a proper and appropriate replacement will usually be required as a condition of that consent.

The proposed replacement dwelling involves the removal of 7 trees and a section of hedge along the front boundary, however these trees are categorised as C, indicating limited amenity value. As such, the Council's Tree Officer raised no objection to the removal of these trees. It is recognised that the impact upon retained trees will be marginally increased, however, remains within the acceptable limits guided by British Standard 5837. A condition is recommended with any permission to ensure that the development is implemented in accordance with the Arboricultural Report and under the supervision of a retained arboricultural specialist,

Highways

The site has a very low PTAL score of 2 (on a scale of 1 - 6, where 6 is the most accessible). The proposal provides a large integral garage (4.2m wide x 5.5m deep) and additional parking and turning space on the frontage.

No objections are raised in terms of highways. No conditions are provided due to the location of the dwelling on a private road.

Summary

Members will wish to carefully consider whether this proposal will preserve or enhance the Chislehurst Conservation Area given the existing spatial standards. Having had regard to the above it was considered that, on balance, the siting, size and design of the proposed dwelling is acceptable in that it would not result in a significant loss of amenity to local residents and will preserve the character and appearance of the Chislehurst Conservation Area. The proposal will also contribute to the Council's housing supply targets

as amended by documents received on 25.08.2016

RECOMMENDATION: PERMISSION

Subject to the following conditions:

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

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

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

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

- 3 Details of 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

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

Reason: In the interest of highway safety and to minimise the impact of surface water run-off, to ensure satisfactory means of surface water drainage and to accord with Policy 5.12 of the London Plan

- 5 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

6 The development shall be implemented in accordance with the Arboricultural Report submitted and approved as part of the planning application and under the supervision of a retained arboricultural specialist in order to ensure that the correct materials and techniques are employed.

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

7 Before the development hereby permitted is first occupied the proposed first floor window(s) in the flank elevations shall be obscure glazed to a minimum of Pilkington privacy Level 3 and shall be non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed and the window (s) shall subsequently be permanently retained in accordance as such.

Reason: In the interests of the amenities of nearby residential properties and to accord with Policies BE1 and H8 of the Unitary Development Plan

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

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

9 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.

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 buildings, structures, alterations, walls or fences of any kind shall be erected or made within the curtilage(s) of the dwelling(s) hereby permitted without the prior approval in writing of the Local Planning Authority.

Reason: In order to prevent overdevelopment of the site in future, to protect the character and appearance of the Chislehurst Conservation Area, to protect the amenities of future residents and nearby residents, and to comply with Policies BE1 and BE11 of the Unitary Development Plan.

11 During the demolition and construction works hereby approved no operations including deliveries to or from the site shall be carried out on the site other than between the hours of 07.30 to 17.00 Mondays to Fridays inclusive and to 13.00 on Saturdays and no operations shall be carried out at all on Sundays or on statutory Bank Holidays.

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

12 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.

You are further informed that :

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

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

- 3** 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)).

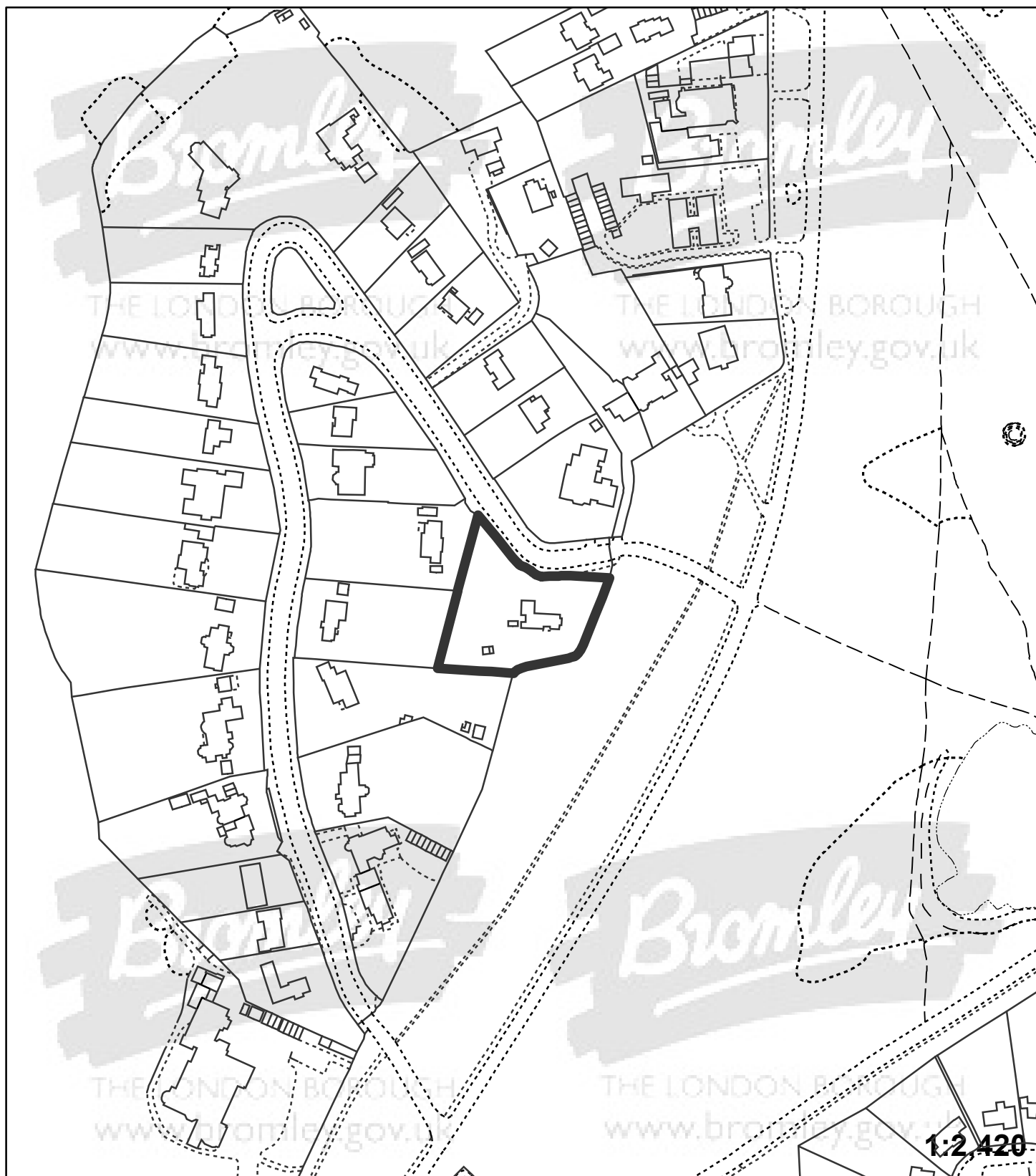
If you fail to follow the payment procedure, the collecting authority may impose surcharges on this liability, take enforcement action, serve a stop notice to prohibit further development on the site and/or take action to recover the debt.

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

Application:16/02974/FULL1

Address: Torphin Wilderness Road Chislehurst BR7 5EZ

Proposal: Demolition of existing outbuilding and erection of detached 5 bedroom house, with basement and accommodation in the roof, together with associated parking and landscaping.



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

© Crown copyright and database rights 2015. Ordnance Survey 100017661.

This page is left intentionally blank

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

Application No : 16/03124/FULL1

Ward:
Clock House

Address : County House, 241 Beckenham Road,
Beckenham BR3 4RP

OS Grid Ref: E: 536075 N: 169640

Applicant : Mr M. Schwimmer

Objections : YES

Description of Development:

Erection of 6th floor extension to provide 4 two bedroom flats

Key designations:

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

Proposal

Planning permission is sought for an extension to the existing building to provide an additional storey of residential accommodation comprising 4 two bedroom flats.

The proposed extension would be largely inset from the main elevations and would project by approx. 3.1m above the existing flat roof. The extension would be externally clad in grey panels and would incorporate a flat roof with a canopy/roof overhang to the south and west facing elevations above the terrace. Grey aluminium frame windows are proposed.

A separation of 4.5m would be retained between the south western elevation of Flat 1 and the projecting south western elevation of the main building below. 3.2m separation is retained between the south western elevation of flats 2, 3 and 4 and the main building below. At the front, the proposed extension incorporates a long corridor, and the front elevation of the extension would be set back a minimum of 3m from the elevation facing Beckenham Road, with increased separation to the front projection.

The flats would incorporate doors leading onto a private terrace area which would lie between the south western elevation of the extension and the main south western elevation of the building. The terraces would be edged by a 1.5m high obscure glazed balustrade.

No car parking spaces additional to those already provided on site and as part of the previous planning applications.

Location

The site lies on the southwestern side of Beckenham Road, at the junction with Mackenzie Road.

It is bounded to the southeast by the railway line and lies opposite a petrol filling station beyond which is the Barnmead Road Conservation Area. To the south west are residential dwellings fronting Mackenzie Road.

The area is generally characterised by modest Victorian dwelling houses sited within the side roads and more imposing development on the main road frontage, generally not exceeding 3 storeys in height.

The host building is significantly prominent in the street scene and from the residential streets surrounding the site as a consequence of its height and bulk.

The main building is currently in the process of conversion into residential use following the granting of prior approval for the change of use from B1 office to residential flats. A total of 76 flats are being provided over the 6 existing storeys of development, with parking provided behind the site and in an undercroft location.

The site is not within a designated Flood Zone.

The application is accompanied by a Transport Technical Note, a Design and Access Statement and the CIL form has been completed.

Consultations

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

- The new floor would be visible from the conservation area around Barnmead Road
- There will be a loss of light to properties in Mackenzie Road
- At least 4 new car parking spaces would be required for the additional floor and the property lack capacity for 80 dwellings and their vehicles.
- A car parking space has been lost to the installation of a generator
- The opposite property at 243 - 249 Beckenham Road has been converted
- Construction work carries on 7 days a week
- Mackenzie Road has a number of driveways and nowhere for the County House residents to park so it is anticipated that they will park in Blandford Road
- The parking restriction in Blandford Road is only valid Monday to Friday so parking at weekends is already very difficult for residents
- The plans include balconies which will overlook straight into gardens in Blandford Road and would result in noise from the terraces. The terraces should be on the front elevation
- Parking restrictions locally should be increased to 7 days a week.
- Unacceptable visual impact.

- Would appear overdominant and out of
 - scale/character
- Lack of advertisement of application on site.
- Lack of amenity space
- Mobile phone masts will probably be re-erected on the 6th floor
- Poor sightlines.

Network Rail were notified of the application and have provided comments recommending that the developer agrees an Asset Protection Agreement separately with them to enable their approval of detailed works as well as providing standard technical advice regarding encroachment and future maintenance.

Technical comments

Highways

Beckenham Road is a London Distributor Road. The development is in an area with a high PTAL rate of 5 (on a scale of 1 - 6 where 6 is the most accessible). As a result of this proposal the overall development would comprise 80 residential units accompanied by 76 car parking spaces on site. The overall level of parking provision would therefore equate to 0.95 spaces per unit.

The traffic generation from the site would not alter significantly and given the urban nature of the site any increase would not have a significant impact upon highway safety and parking demand within the local road network. A condition relating to the provision of cycle parking is recommended if permission is granted.

Environmental Health

Comments received refer to the bathrooms and en-suites not being provided with natural ventilation and the potential need for mechanical ventilation. The bedrooms to the flats do not appear to be provided with openable windows. To ventilate the rooms the doors to the terrace would need to be left open which is unsatisfactory in terms of ventilation and security. The bedrooms should be able to be adequately ventilated without compromising security by having to leave the doors open, especially at night. The comments are available on file.

Planning Considerations

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

H1 Housing Supply
 H7 Housing Density and Design
 BE1 Design of New Development
 BE13 Development Adjacent to a conservation area
 T3 Parking
 T7 Access

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

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

Supplementary Planning Guidance for the Barnmead Road Conservation Area would also be relevant in view of the prominence of the host building and the extent to which it is appreciable from within the Conservation Area.

London Plan Policies:

3.3 Increasing Housing Supply
3.4 Optimising Housing Potential
3.5 Quality and Design of Housing Developments
5.3 Sustainable Design and Construction
5.13 Sustainable Drainage
7.3 Designing out Crime
7.4 Local Character
7.6 Architecture
7.15 Reducing noise and enhancing soundscapes

Planning History

The relevant planning history is summarised as follows:

Under reference 92/02339 planning permission was granted for the installation of plant equipment on the roof. Under reference 97/00780 permission was granted for a generator flue and brick enclosure on the roof.

Under references 92/00506, 95/00278, 99/01407, 99/03162, 00/02411, 00/03632, 00/03873, 01/00734, 05/02308, 06/021998 permission/approval was granted for the installation of telecommunications dishes and antennae on the roof.

Permission was granted under reference 07/02185 for a new generator in the car park and 2 condensers on the roof.

Under reference 07/03136 permission was refused for a ground floor front extension for use as a staff café.

Residential prior approval was refused, but subsequently granted on appeal under reference 14/00449 for the change of use of the ground, first, second, third, fourth and fifth floors from offices to a total of 75 flats.

Under reference 14/04697 permission was refused for external elevational alterations, replacement cladding and the rendering of the building. A subsequent application was granted planning permission under reference 15/00534 with permission also granted for external elevational alterations and replacement of windows and doors under reference 15/02984.

Residential prior approval was granted under reference 16/00514 for the conversion of a small caretakers office to a studio flat, bringing the total number of flats for which residential prior approval was granted to 76.

Conclusions

The main issues relating to the application are the effect that it would have on the character of the area, including the character and appearance of the adjacent conservation area and the impact that it would have on the amenities of the occupants of surrounding residential properties. Of further consideration is the extent to which the cumulative residential development on the site would provide adequate parking to serve the needs of the occupants, and the extent to which the proposal would provide residential accommodation of a satisfactory standard.

Principle of development

Housing is a priority use for all London Boroughs. The National Planning Policy Framework (NPPF) states that planning should encourage the effective use of land by reusing land that has been previously developed (brownfield land) provided that it is not of high environmental value. London Plan Policy 3.4 states that development should optimise housing output for different types of location taking into account local context and character, design principles and public transport capacity.

It is therefore considered that subject to the proposal having an acceptable impact on the visual and residential amenities of the area and providing a high standard of accommodation, the principle of the residential development on the roof of the building is acceptable. That the proposal would provide an additional 4 residential units is a strong material planning consideration due to a recent appeal decision which indicates that the Council does not have a five year housing supply.

Impact of the proposal on visual amenities, including the adjacent Barnmead Road Conservation Area

The proposed additional floor of accommodation would be set back from the main elevations of the building and incorporates a reasonably low level flat roof which would limit the extent to which the development would be readily appreciable from the surrounding area. Views of the development would be limited as a result of the perspective associated with the height above street level to wider long range views, from the rise of the hill in Mackenzie Road, from Beckenham Road on the other side of the railway bridge and from the direction of Kent House, including from within the Barnmead Road Conservation Area.

The visual impact of the development in terms of the views from the Barnmead Road Conservation Area falls to be carefully considered in context with Policy BE13 which specifically refers to the need to ensure that development adjacent to conservation areas should not detract from views into or out of the area.

The existing building is unusually high and imposing in the street scene, juxtaposed with development which is more modest in scale. The topography of

the area affords views of the building in context with its surroundings but results in the visual impact of the existing structure varying depending on the vantage point.

The proposed extension would replace existing somewhat discordant and piecemeal plant and structures on the roof. It would be of a design and materials to complement the host building. As such it is considered that while the proposal would be visible from the conservation area, it would not detract from views out of or into the conservation area when regard is had to the existing appearance of the roof development. The north east facing elevation shows the development front-on, with no adjustment for perspective to take into account the angle of vision. In reality, the impact would be more limited, with the main increase in bulk being related to the infilling between existing roof structures which themselves lend a less streamlined appearance than the development currently proposed. The extension would be set back by approx. 3m from the main front elevation and it is not proposed that the flat roof area in front of the extension would be used for a balcony or terrace which might result in clutter or paraphernalia at high level. Fenestration to the north east elevation would be similar in appearance and position within the elevation to that of the main building below and would not appear cluttered, incongruous or overly conspicuous. On balance it is considered that the proposed extension would not have a detrimental impact on the visual amenities of the area in general and views from the Barnmead Road Conservation Area.

It is noted that concern has been expressed regarding the potential that additional plant/mobile telecommunications structures or antennas may be reinstated on the roof of the additional storey. If members are minded to grant planning permission it may be appropriate to apply a condition restricting such installations without the prior written approval of the Local Planning Authority.

Impact of the proposal on the residential amenities of the area.

Unitary Development Plan policies BE1 and H7 seek to protect neighbouring residential properties against the loss of amenity.

The additional storey of accommodation would not result in significantly increased overlooking associated with the windows in the external elevation of the development taking into account the existing residential development on the lower floors. The provision of the roof terraces has elicited some concern from local residents with regards to loss of privacy and potential noise and disturbance associated with their use. These concerns are noted. However in view of the position of the terraces some distance from neighbouring residential development at a very elevated level relative to neighbouring property it is not considered that the proposal would result in a loss of privacy to the neighbouring dwellings. The proposal incorporates the provision of screening to the terraces which would be positioned so as to minimise overlooking to the Mackenzie Road properties. The terrace to flat 1 would be set approx. 30m from the back of gardens of dwellings fronting Blandford Road, on the other side of the railway line. The terraces themselves are inset by approx. 1m from the main elevations.

On balance, in the context of the railway line, the noise from the road and the surrounding soundscape of the area it is not considered that the use of the terraces would be significantly harmful in terms of noise and disturbance to neighbouring residents so as to warrant the refusal of planning permission on the grounds of impact on residential amenity. If permission is granted it would be appropriate to require by way of condition greater detail of the screening.

The noise resulting from the construction of the development is not a material planning consideration, being limited to the period of construction.

Residential amenities of prospective occupants

The accommodation proposed would meet the minimum space standards for residential flats of this size. The proposals incorporate private amenity space in the form of balconies and it is considered that the flats would provide accommodation of a satisfactory level of residential amenity. The main existing residential conversion block does not, it is acknowledged, provide amenity space for occupants. The conversion of the main block was established by way of residential prior approval granted on appeal, a process in which (unlike the current application for the additional flats) the issue of prospective residential amenity in respect of garden/balconies and internal configuration/GIA is not a matter for the LPA's consideration.

The comments received regarding the ventilation of the flats are noted and it is considered that if in all other respects the development is considered acceptable, a suitably worded condition requiring the submission of details of the fenestration for approval would adequately address this matter. With regards to the mechanical ventilation of bathrooms/en-suites, this would be dealt with under the Building Regulations.

Parking provision

The concerns raised regarding the parking demand within the locality and the lack of on-site parking to provide 1 space per unit for the total number of flats at County House are acknowledged. However, there are no technical objections from a highways perspective, taking into account the public transport accessibility of the site and the level of parking provision for the development as a whole, where 76 car parking spaces would be provided for the resultant 80 flats. It is not therefore considered that the proposed provision of 4 additional two bedroom flats would have a significantly detrimental impact on parking demand and conditions of highway safety in the locality.

Conclusion

The proposed extension would provide additional residential units of a satisfactory standard of accommodation which would assist in meeting the housing needs of the Borough.

The extension would be visible from the wider locality as a consequence of its elevated position set upon a highly prominent building, taking into account the

topography of the area. However, it would replace existing structures on the roof. While the proposal would infill existing gaps between roof level structures, in view of the design of the development incorporating a streamlined flat roof with the main bulk of the extension set back from the main elevations of the building, it is not considered that the proposed extension would appear unacceptably bulky or visually dominant in context with the host building.

The extension would be partially visible from vantage points within the Barnmead Road Conservation Area. On balance it is not considered that the fact that the extension would be appreciable from the conservation area is inherently unacceptable, taking into account the existing roof structures and the relationship in built form and materials between the proposed extension and the host building.

While the proposal would result in a total of 80 flats with only 76 parking spaces provided within the site, in view of the lack of technical highways objections and the high public transport accessibility of the site it is not considered that the level of parking provision would be unacceptable, resulting in significant on street parking demand or being detrimental to conditions of safety and the free flow of traffic in the locality.

With regards to the impact of the proposal on residential amenity, it is considered as a consequence of the siting and elevated position of the extension and the associated terraces that the proposal would not have a significantly adverse impact on the privacy and amenity of neighbouring residents.

RECOMMENDATION: PERMISSION

Subject to the following conditions:

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

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

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

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

- 3 Details of the windows (including rooflights and dormers where appropriate) including their materials, method of opening and drawings showing sections through mullions, transoms and glazing bars and sills, arches, lintels and reveals (including dimension of any recess) shall be submitted to and approved in writing by the**

Local Planning Authority before any work is commenced. The windows shall be installed in accordance with the approved details.

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

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

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

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

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

- 6 The flat roof area between the north east elevation of the extension and the north east elevation of the main building shall not be used as a balcony or sitting out area and there shall be no access to the roof area.**

Reason: In the interest of the visual amenities of the area and to accord with Policies BE1 and BE13 of the Unitary Development Plan.

- 7 No structure, plant, equipment or machinery shall be placed erected or installed on or above the roof or on external walls without the prior approval in writing by the Local Planning Authority.**

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

You are further informed that :

- 1 You are advised that this application may be liable for the payment of the Mayoral Community Infrastructure Levy under the Community Infrastructure Levy Regulations (2010) and the Planning Act 2008.**

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

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

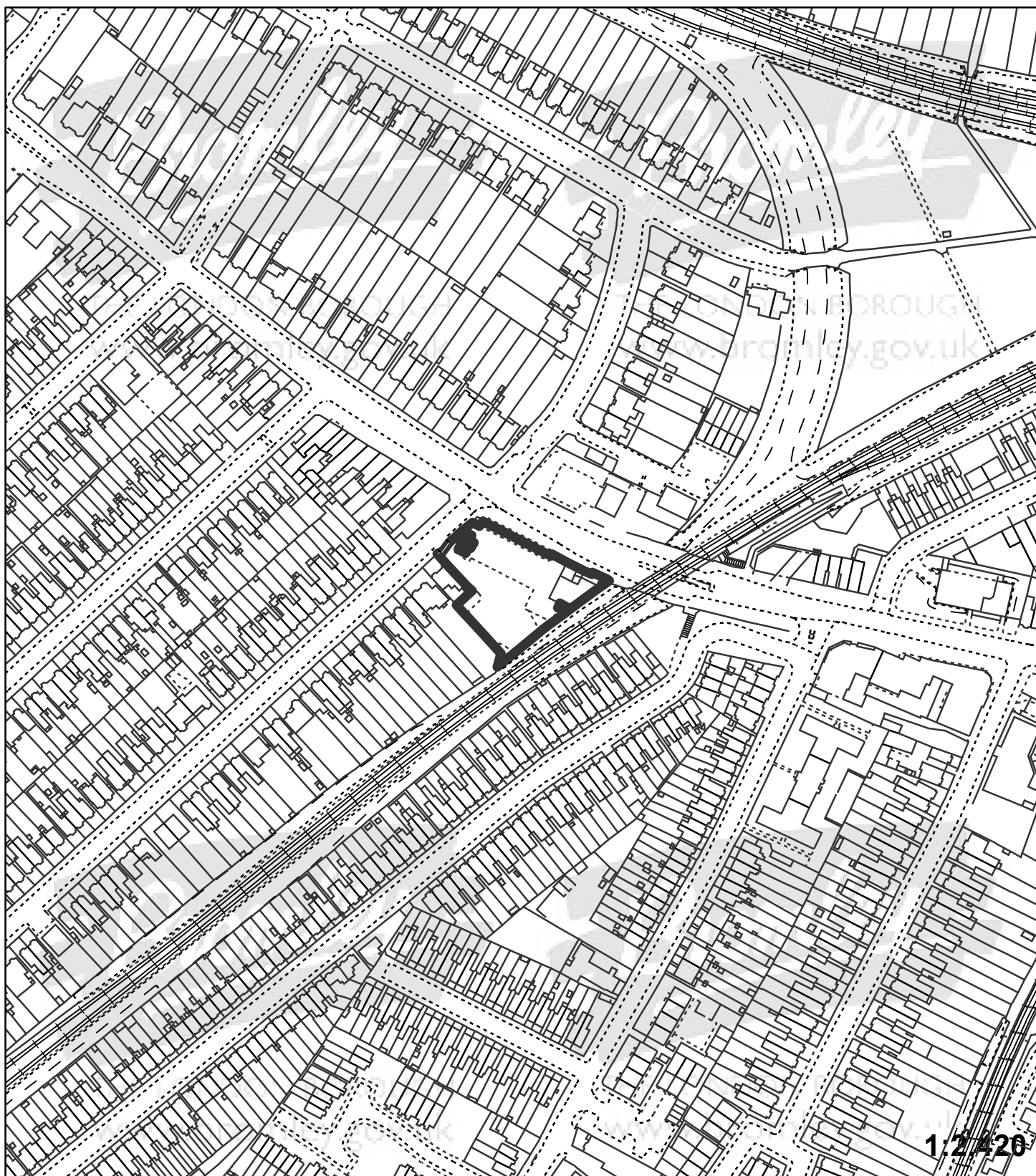
Further information about Community Infrastructure Levy can be found on attached information note and the Bromley website www.bromley.gov.uk/CIL

- 2 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 Please be advised that the site is located adjacent to Network Rail's operational railway infrastructure. You are advised to contact Asset Protection Kent (assetprotectionkent@networkrail.co.uk) prior to any works commencing on site.**

Application: 16/03124/FULL1

Address: County House 241 Beckenham Road Beckenham

Proposal: Erection of 6th floor extension to provide 4 two bedroom flats



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

© Crown copyright and database rights 2015. Ordnance Survey 100017661.

This page is left intentionally blank

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

Application No : 16/03230/FULL6

Ward:
Petts Wood And Knoll

Address : 161 Crescent Drive Petts Wood
Orpington BR5 1AZ

OS Grid Ref: E: 544001 N: 166996

Applicant : Mr M Link

Objections : No

Description of Development:

First floor side and rear extensions with roof and fenestration alterations.

Key designations:

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

Proposal

The application site is a two storey semi-detached property located on the south side of Crescent Drive, at the junction with diameter Road.

Permission is sought for a first floor side and rear extension. It will project 2.25m from the flank elevation and will be 5.9m deep, projecting 3.47m beyond the existing rear elevation. It will wrap around the property at the rear and will be 4.58m wide, providing 2m to the shared boundary line. Elevational alterations include replacing and enlarging the bi-fold doors and window in the ground floor rear elevation.

Consultations

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

Planning Considerations

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

BE1 Design of New Development
H8 Residential Extensions
H9 Side Space

The site has been subject to previous planning applications:

- o 00/02257/FULL1 - Part one/part two storey rear and single storey side extensions - Refused 06.09.2000
- o 00/03394/FULL1 - Single storey side and rear extensions - Permitted 14.02.2001
- o 06/03557/FULL6 - 2 metre high gates at rear of 161 Crescent Drive - Permitted 15.11.2006

Conclusions

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

The application site is a corner plot on Crescent Drive, with Diameter Road forming the eastern flank boundary. An application was refused in 2000 (under planning ref: 00/02257/FULL1) for a part one/ two storey rear and single storey side extension. The reason for refusal was as follows:

1. The proposal would result in a cramped form of development, and would be detrimental to the appearance of the street scene, contrary to Policy H.3 of the Unitary Development Plan.
2. The proposal would be detrimental to the privacy and amenities of the adjoining residents by reason of visual impact and overlooking thereby contrary to Policy H.3 of the Unitary Development Plan.

A subsequent application was permitted for a single storey side and rear extensions, planning ref: 00/03394/FULL1. The first floor extension was omitted from this proposal.

This current application indicates a first floor side and rear extension however the proposal differs from 00/02257/FULL1 as follows:

- o Reduced height of 0.8m
- o Increase in side space to 2m to the shared boundary with No.163
- o Set back from front resulting in reduced depth of eastern flank wall
- o Reduced rearward projection of approximately 0.2m

The proposed first floor extension will project 2.25m from the flank elevation and will be 5.9m deep, projecting 3.47m beyond the existing rear elevation. It will wrap around the property at the rear and will be 4.58m wide, providing 2m to the shared boundary line. Elevational alterations include replacing and enlarging the bi-fold doors and window in the ground floor rear elevation. These alterations are modest and are considered to be in-keeping with the character of the existing property.

The rear elevation will contain one window and the front elevation will contain one window, both flank elevations will be blank. The adjoining property has been subject to a two storey side/rear and single storey rear extension under planning ref: 02/01609/FULL1. The first floor element projects 3.6m to the rear. From visiting the site it was noted that this extension has been built. Furthermore, the proposal includes increasing the side space to this adjoining property from 1m to 2m thereby lessening the impact on light, outlook and privacy. It is therefore considered that

this proposal overcomes the second refusal ground of application ref: 00/02257/FULL1 with regards to the impact on neighbouring amenity.

Policy H9 of the Unitary Development Plan states that for a proposal of two or more storeys in height, a minimum 1 metre space from the side boundary of the site should be retained for the full height and length of the flank wall of the building, however, where higher standards of separation already exist within residential areas, proposals will be expected to provide a more generous side space, including corner plots. The proposal provides 1.83m to the eastern flank boundary which exceeds the minimum requirement. The side space has not altered from the previous refused application however given the reduction in size and similar nearby developments, it is considered that the proposed development is in-keeping with the host property and will not result in a detrimental impact on the character and appearance of the street scene.

Having had regard to the above it was considered that the siting, size and design of the proposed extension 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(s) set out in the Planning History section above, excluding exempt information.

RECOMMENDATION: PERMISSION

Subject to the following conditions:

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

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

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

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

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

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

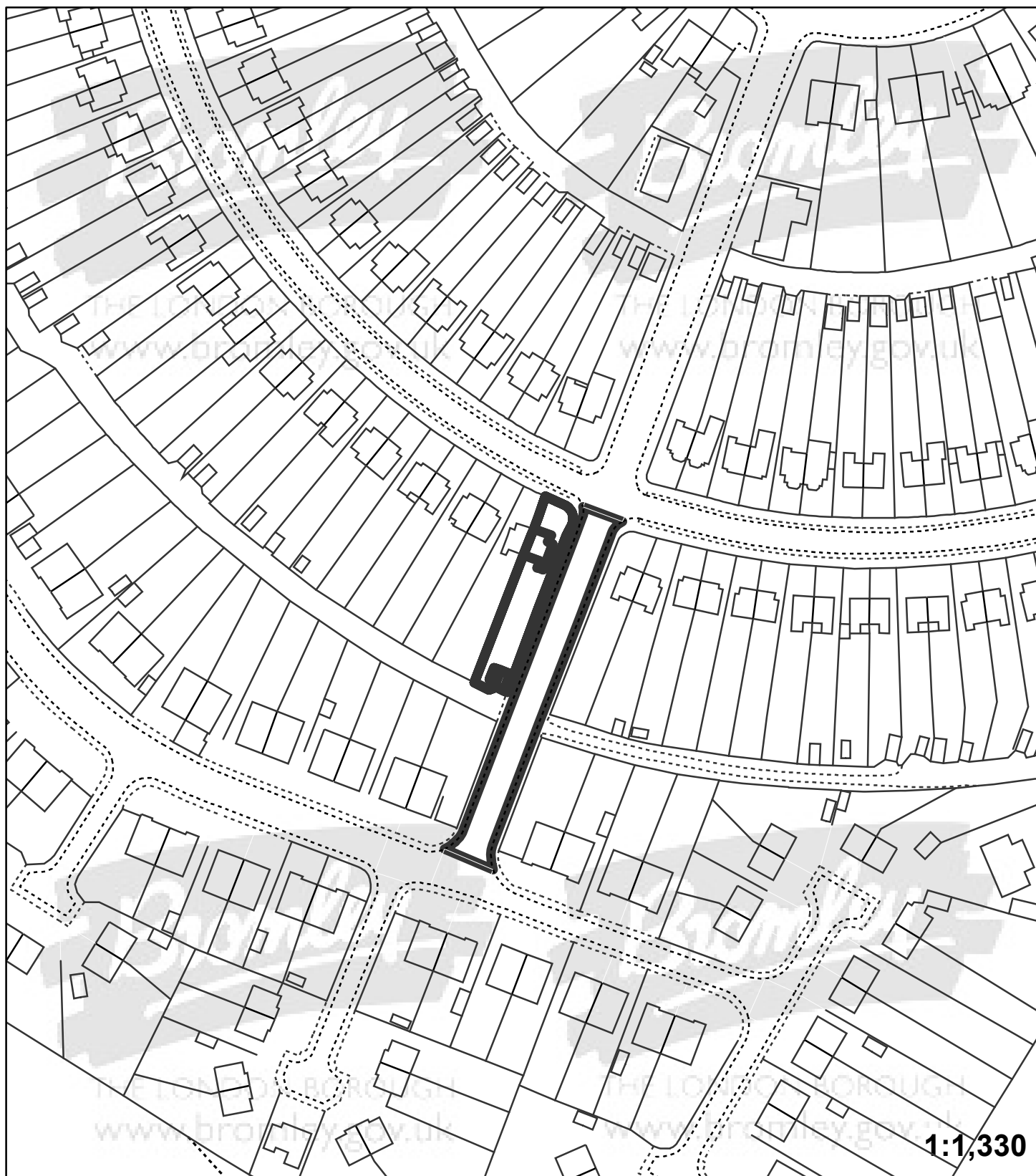
- 4** No windows or doors shall at any time be inserted in the flank elevation(s) of the extension hereby permitted, without the prior approval in writing of the Local Planning Authority.

REASON: In order to comply with Policies B E1 and H8 of the Unitary Development Plan and in the interest of the amenities of the adjacent properties.

Application:16/03230/FULL6

Address: 161 Crescent Drive Petts Wood Orpington BR5 1AZ

Proposal: First floor side and rear extensions with roof and fenestration alterations.



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

This page is left intentionally blank

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

Application No : 16/03280/FULL1

Ward:
Darwin

Address : High Elms Golf Course Club House
High Elms Road Downe Orpington
BR6 7JL

OS Grid Ref: E: 544425 N: 163138

Applicant : Mr Jason Stanton

Objections : No

Description of Development:

Two storey extension for lift shaft and elevational alterations to facade

Key designations:

Biggin Hill Safeguarding Area
Green Belt
London City Airport Safeguarding
Local Nature Reserve
Sites of Interest for Nat. Conservation

Proposal

This application seeks permission for a two storey extension for lift shaft and elevational alterations to façade. The two storey extension would measure 2.6m wide and 2m deep with an overall footprint of 5.2 sqm. The extension is to have a flat roof with vertical timber cladding to a maximum height of 6.55m (in line with the eaves of the existing club house building).

The elevational alterations include overboarding part of the existing brick with vertical cladding. In addition it is proposed to alter the window arrangements, replace the existing balcony guarding and introduce new bi-folding doors into a ground floor café (formally Pro Shop) where green fees can be obtained together with food and drinks with an external seating area.

Location

The club house is located to the east of High Elms Road within the Green Belt.

The site of High Elms Golf course was formally Clockhouse Farm and in 1965 the 150 acre site was converted into an 18 hole public golf course. The clubhouse was constructed in 1969.

Consultations

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

Planning Considerations

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

National Planning Policy Framework (NPPF) (2012):

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

Chapter 7 - Requiring Good Design
Chapter 9 - Protecting Green Belt land

The London Plan (2015):

The most relevant London Plan policies are as follows:

- 3.19 Sports facilities
- 5.1 Climate change mitigation
- 5.2 Minimising carbon dioxide emissions
- 5.3 Sustainable design and construction
- 7.2 An inclusive environment
- 7.3 Designing out crime
- 7.4 Local character
- 7.6 Architecture
- 7.16 Green Belt

Unitary Development Plan (2006):

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

- BE1 Design of Development
- G1 Green Belt
- NE7 Development and trees
- C1 Community Facilities
- C3 Access to Buildings for people with disabilities

SPG No.1 - General Design Principles

Planning History

86/00966/LBB – Permission was granted for an external fire escape staircase (22.05.1986)

90/02265/ADV – 19 Non-illuminated Tee marker boards and 1 non-illuminated course planner was granted advertisement consent (18.10.1990).

93/01609/LBB – Use of land adjacent to the 13th Medal Tee for siting of mobile refreshment cabin was refused (06.01.1994).

93/02948/LBB – Erection of a 15ft Flag pole and flag was refused (03.02.1994).

94/00097/ADVILL – Advertisement consent was granted for a non- illuminated banner sign (17.03.1994).

Conclusions

It is considered the planning issues and considerations relate to:

- Principle of development and impact on Green Belt;
- Design, scale and bulk; and
- Neighbouring amenity

Principle of Development:

The primary consideration in this case is whether the proposed extension to provide a lift shaft would be appropriate development within the Green Belt.

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

The NPPF contains a general presumption against inappropriate development within the Green Belt. Paragraph 87 states that such development should not be approved except in very special circumstances and states that "When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations".

London Plan Policy 7.16 and Policy G1 of the UDP state that permission will not be given for inappropriate development unless very special circumstances can be demonstrated that clearly outweigh the harm by reason of inappropriateness or any other harm. Policy G1 of the UDP adds further to this by stating that the construction of new buildings or extensions to buildings on land within the Green Belt will be inappropriate, unless it is for the following purposes:

- (i) agriculture and forestry;

- (ii) essential facilities for outdoor sport and outdoor recreation and open air facilities and other uses of land which preserve the openness of the Green Belt and do not conflict with the purposes of including land in it;
- (iii) limited extension, alteration or replacement of existing dwellings;
- (iv) limited infilling or redevelopment in accordance with the guidance in PPG2 Annex C within the designated major developed sites at Biggin Hill Airport and Cheyne Centre, Woodland Way, West Wickham.

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.

Policy C3 states that the Council will require development involving buildings open to the public, buildings used for employment or education purposes, and special needs residential accommodation to provide, where reasonably practicable, suitable access and facilities for people with disabilities. This is supported by London Plan Policy 7.2 .

Therefore the principle of the acceptance of the development needs to be considered on balance between Policies G1 and C3.

The proposed extension would be providing essential access to the building for all in line with Policy C3 of the UDP and Policy 7.2 of the London Plan.

Policy G1 states that the construction of extensions to buildings on land within the Green Belt will be inappropriate, unless it is for (ii) essential facilities for outdoor sport and outdoor recreation which preserve the openness of the Green Belt and do not conflict with the purposes of including land in it. The proposal is for the construction of a two storey extension to provide a lift shaft. In this case the existing gross external area of the existing building is 705.07sqm (original building 673.71 sqm) and the proposed new floor area totals10.4sqm. This would result in an increase of approximately 1.5% above the original building. 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, given the extension will be providing essential disabled access to the first floor facilities together with its limited size, it is considered that the extension would not result in a "disproportionate" addition and is in line with the objectives set out in the NPPF, London Plan and UDP.

The extension proposed is not considered to be harmful to the openness of the Green Belt in the overall context of the sites location and character. The proposal is therefore considered to comply with the NPPF, London Plan Policy 7.2 and 7.16 and Policies G1 and C3 of the UDP.

Design, scale and bulk:

London Plan Policy 7.4 requires developments to have regard to the form, function, and structure of an area, place or street and the scale, mass and orientation of surrounding buildings. Policy 7.6 also relates to architecture and how buildings

should be of the highest architectural quality, be of a proportion, composition, scale and orientation that enhances, activates and appropriately defines the public realm and comprise details and materials that complement, not necessarily replicate, the local architectural character.

Policy BE1 requires a high standard of design in new development, scale and form of new residential development to be in keeping with the surrounding area, and the privacy and amenities of adjoining occupiers to be adequately safeguarded.

The proposed two storey extension would measure 2.6m wide and 2.m deep with an overall footprint of 5.2 sqm. The extension is to have a flat roof with vertical timber cladding to a maximum height of 6.55m (in line with the eaves of the existing club house building). This together with the elevational alterations which include overboarding part of the existing brick with vertical cladding, the alteration to the window arrangements, replacing the existing balcony guarding and the introduction of new bi-folding doors into a ground floor café (formally Pro Shop) and external seating area would be acceptable and complement the character of the host building. As such the proposed development is considered to accord with the above policies.

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 existing building is located approximately 80m to the north-east of the nearest residential property. Given this separation it is considered that the development would not result in any loss of amenity in terms of increased noise and disturbance.

Conclusion:

Having had regard to the above, Members are asked to consider if the proposed two storey extension for lift shaft and elevational alterations to the façade are appropriate development within the Green Belt as detailed in the report. It is considered that the development has been carefully and sympathetically designed to ensure that the proposal would not result in any amenity implications that would harm the existing quality of life or character of the surrounding area.

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

Background papers referred to during production of this report comprise all correspondence on the file ref: 16/03280/FULL1 set out in the Planning History section above, excluding exempt information.

RECOMMENDATION: PERMISSION

as amended by documents received on 08.09.2016

Subject to the following conditions:

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

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

- 2 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.

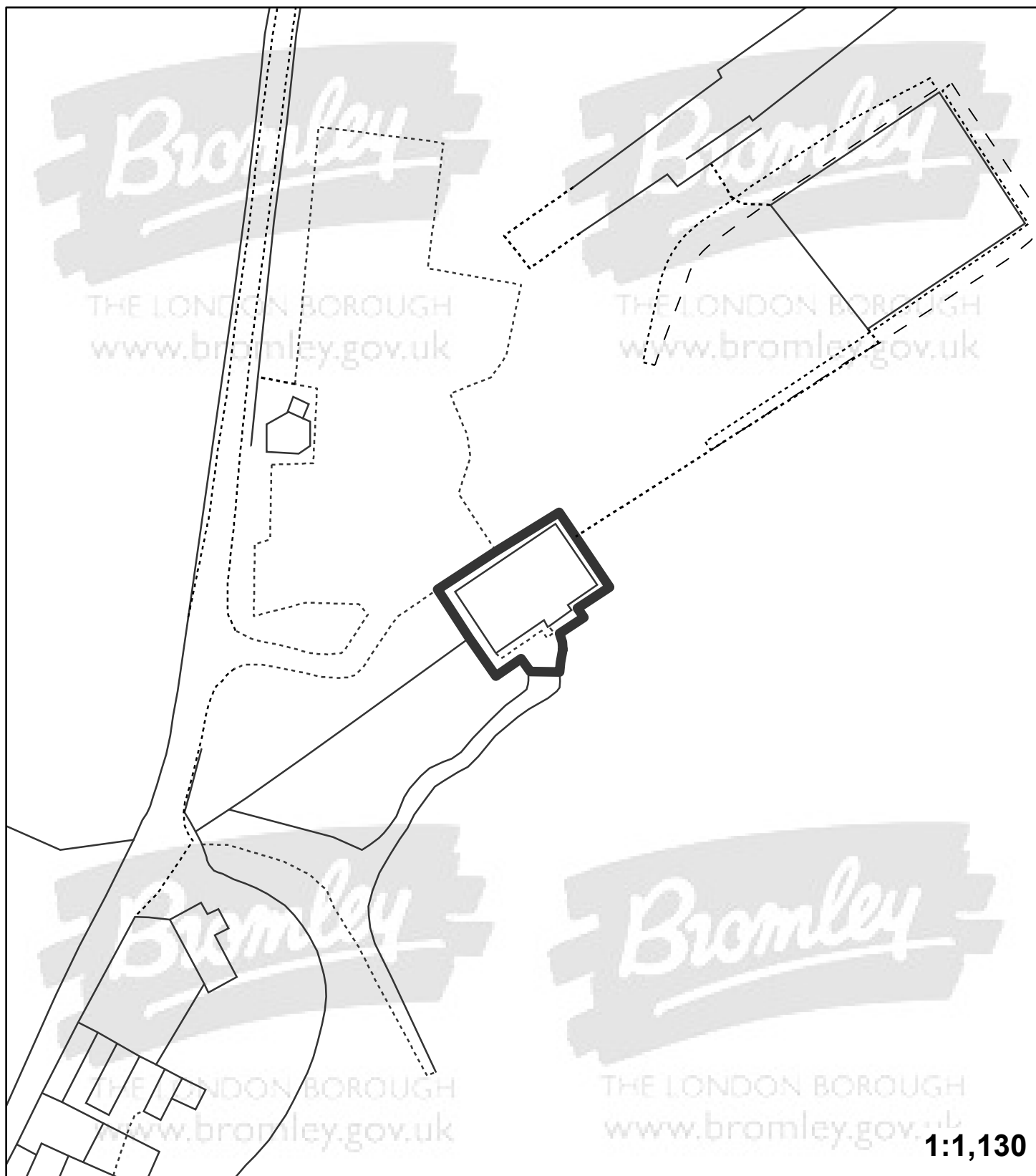
- 3. Details of the materials to be used for the external surfaces of the extension, cladding and replacement balustrading to the clubhouse shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced. The works shall be carried out in accordance with the 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:16/03280/FULL1

Address: High Elms Golf Course Club House High Elms Road Downe Orpington BR6 7JL

Proposal: Two storey extension for lift shaft and elevational alterations to facade



1:1,130

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

© Crown copyright and database rights 2015. Ordnance Survey 100017661.

This page is left intentionally blank

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

Application No : 16/03462/FULL6

Ward:
Penge And Cator

Address : 115 Lennard Road Beckenham BR3 1QR

OS Grid Ref: E: 536132 N: 170478

Applicant : Mr Edmund Blackman

Objections : YES

Description of Development:

Single storey rear extension and roof lights to main side roof slope

Key designations:

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

Proposal

The application seeks planning permission for a single storey rear extension and roof lights to main side roof slope.

Location

The application site comprises a two storey semi-detached dwellinghouse located on the southern side of Lennard Road, Beckenham.

Consultations

Nearby owners/occupiers were notified of the application and representations were received from the owners/occupiers of no. 117 and Flats 1 and 2 at no. 119, which can be summarised as follows:

- Light from the rooflights of the extension will affect ability to sleep
- The houses are unique as they have not been extended
- Cause a reduction in garden size which will impact negatively on the beauty and ecology of the area
- Loss of light
- Loss of outlook
- Will impact on the original rear building line and spoil the beauty and symmetry of the Victorian architecture
- No. 107 is located at the end of the run and does not break the building line and should not be used as a precedent
- Weren't consulted about No. 107 and may have objected
- Loss of view

- The boundary wall will extend three quarters of the length of the patio at no. 117
- The extension will isolate No. 117 from the neighbours at 113 to 107 Lennard Road
- Siting, design and appearance of the development is inappropriate
- The extension will split the row of properties in two and result in a break down of the community
- The properties should be preserved
- Loss of value to properties
- Will cause other properties to extend
- Developers will spot the potential of the buildings and the buildings may soon be demolished to make for flats

Planning Considerations

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

BE1 Design of New Development
H8 Residential Extensions

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

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

Planning History

Under ref: 15/03188/FULL6, planning permission was refused for a Roof extension incorporating rear dormer extension and front rooflights for the following reason;

"The proposed gable end roof enlargement and would be detrimental to the visual appearance of this pair of semi-detached houses, resulting in an incongruous and unsatisfactory addition to the streetscene. In addition, by virtue of their size, the proposed front rooflights represent an inappropriate and intrusive addition, which fails to respect the character of the host dwelling and which would have a detrimental impact on the appearance of the streetscene in general. The proposal would therefore be contrary to Policies BE1 and H8 of the Unitary Development Plan and the Council's Supplementary Guidance 1 and 2".

Under ref: 15/03189/PLUD, a lawful development certificate was granted for a single storey rear extension.

Under ref: 16/01271/PLUD, a lawful development certificate was refused for a single storey rear extension and rooflights to main side roof slope for the following reason;

"The proposal as submitted would not constitute permitted development under Class A of Part 1 of Schedule 2 of the Town and Country Planning (General

Permitted Development) (England) Order 2015, as the extension would project more than 3m beyond the rear wall of the original dwelling and would extend beyond a side wall and be more than half width of the original dwellinghouse."

Conclusions

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

Policies H8, BE1 and the Council's Supplementary design guidance seek to ensure that new development, including residential extensions are of a high quality design that respect the scale and form of the host dwelling and are compatible with surrounding development. 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.

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

The application dwelling along with the neighbouring dwellings at no.'s 107-121 are Victorian semi-detached properties of the same scale and design and benefit from original single storey elements to the rear which are part brick built/part glazed. The proposed single storey rear extension will be 4m deep from the rear of the two storey part of the dwelling, which results in an increase of 1.4m from the rear of the existing single storey element. It will match the width of the existing property and will have a pitched roof 4m maximum sloping down to the rear to an eaves height of 2.75m. Three rooflights are proposed within the pitched roof and one large set of bi-fold doors within the rear elevation.

As summarised in the section above, concerns have been raised by neighbouring occupiers with regards to the design and scale of the extension and its impact on both the character and appearance of this row of properties and the amenities of the neighbouring properties.

From visiting the site it can be seen that most of the original single storey rear elements at no.'s 107-121 are intact, with the exception of a recent extension at no. 107 which is similar to that proposed under this application at no. 115. However, it is also noted that some of the properties have replaced the existing glazed roof element with a tiled roof, similar to that which has been established under permitted development at no. 115 under ref: 15/03189/PLUD.

The proposed single storey rear extension at no. 115 will not be visible from the public realm and would result in an increase in depth of only 1.4m beyond the current rear building line and will maintain a similar pitched roof design to that of the existing extension (albeit at a slightly different angle to accommodate the increase in depth). The materials proposed would be brick and tiled to match the existing. Accordingly, the design of the extension is considered to be in keeping

with the character of the existing building and whilst it will extend beyond the existing single storey element this additional depth and height will be modest and is not considered to cause any detrimental impact to the character and appearance of the wider area.

The proposed extension will extend 1.4m beyond the rear of the existing single storey structure which extends to the same depth as the existing structure at the adjoining dwelling at no. 117. The application dwelling sits slightly further (around 1m) to the rear than the neighbouring dwelling at no. 113 and as such the additional projection will be slightly greater from the rear of this neighbouring dwelling; a total of around 2.4m. However, the additional depth is still modest and will be mitigated by the existing separation between the properties which is shown to be maintained. There are no flank windows proposed and as such no additional opportunities for overlooking.

Taking account of both the modest depth and height of the extension, Members may consider that the proposed extension will not impact significantly on the amenities of either neighbouring property with regards to loss of light, outlook or privacy.

The proposed roof lights within the side roof slope will provide additional light to the existing roof accommodation. However, they are shown to be obscure glazed and fixed shut so as to prevent additional opportunities for overlooking and loss of privacy. Furthermore, they are shown to have a modest projection of 150mm beyond the plane of the existing roof slope and as such are not considered to cause any undue harm to the character and appearance of the host dwelling or streetscene in general.

Having had regard to the above, Members may consider 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.

This page is left intentionally blank

Application:16/03462/FULL6

Address: 115 Lennard Road Beckenham BR3 1QR

Proposal: Single storey rear extension and roof lights to main side roof slope



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

This page is left intentionally blank

Section '4' - Applications recommended for REFUSAL or DISAPPROVAL OF DETAILS

Application No : 16/02253/FULL6

Ward:
Bromley Town

Address : 46 Ravensbourne Avenue Bromley BR2
0BP

OS Grid Ref: E: 539220 N: 169608

Applicant : Mr & Mrs McCrossen

Objections : YES

Description of Development:

Proposed enclosed swimming pool and rooflight, 1x storage shed, 1x storage containers, 1x green house to be located in rear garden. Demolition of existing garage/car port and reconstruction and replacement with triple garage on the ground floor and gym, storage and study on first floor (alteration to permission ref 16/00367/FULL6)

Key designations:

Biggin Hill Safeguarding Area
London City Airport Safeguarding
Open Space Deficiency
Smoke Control SCA 3

Proposal

Planning permission is sought for a proposed enclosed swimming pool and rooflight, 1x storage shed, 1x storage containers & 1x green house to be located in rear garden. Demolition of existing garage/car port and reconstruction and replacement with triple garage on the ground floor and gym, storage and study on first floor (alteration to permission ref:- 16/00367/FULL6)

The application site is a detached dwellinghouse located to the west of Shortlands Golf Club and the River Ravensbourne. The existing house lies in Flood zone 2 and part of the garden & garage in Flood Zone 3.

The application is a revision of planning application ref:- DC/16/00367 which was granted planning permission on 13th May 2016. The applicant now wishes to add an additional storey to the approved garage, build a swimming pool in the rear garden and erect several small sheds/storage facilities and a greenhouse.

Consultations

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

- The revised application introduces a second storey to the proposed garage, with windows all along the southern elevation. The revised roofline will be more obvious.
- The revised application intrudes a second storey to the proposed garage which is a gym and study. This suggests far more frequent use by people. There would be nothing to prohibit using the study as a home office
- The proposal is now for a gym on the first floor, disabled access must be more of a challenge.
- Any development close to the river must be carefully considered
- The garage is to be 5m in height which is twice as high as the current structure.

Consultee comments

Highways comments - no objection.

Environment Agency comments -

The Environment Agency had previously objected to the development on the basis that additional information was required to demonstrate that the proposed development would not impede access to the river for maintenance and emergency repair.

A further response was received by the EA on the 28th July which stated "The applicant's agent has forwarded us an additional drawing (ref: D/27B) in response to our previous letter dated 14 July 2016 requesting clarification of the proposed development relative to the river bank. On this basis we can remove our previous objection. Please note we would not accept further encroachment towards the river in any future planning application at this site and would seek improved access to the river to allow maintenance and repairs. With respect to flood risk management we refer you to our advice set out in our previous letter".

Flood risk activity permit

Please be aware that the Ravensbourne, is a designated 'main river' and under the jurisdiction of the Environment Agency for its land drainage functions. As of 6 April 2016, the Water Resources Act 1991 has been amended and flood defence consents will now fall under the Environmental Permitting Regulations. Any works in, over, under or within 8 metres of the top of bank will require a permit. The applicant should email enquiries@environment-agency.gov.uk or call 03708 506 506 to apply.

Drainage - no objection, subject to conditions

Thames Water - no objection

Planning Considerations

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

BE1 Design of New Development
ER12 Controlling Development in Flood Risk Areas
G6 Land Adjoining Metropolitan Open land
H8 Residential Extensions
T3 Parking

SPG1: General Design Principles
SPG2: Residential Design Guidance

London Plan (2015)

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

Conclusions

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

Garage/office

In front of the existing house lies a detached garage and car port. As part of the previously approved application permission was granted to increase the footprint of the garage, mainly the width and to double up and use the garage as a garage/home office. The new garage is to be built using brickwork, roof tiles and timber to match that of the existing dwellinghouse. The applicant now wishes to increase the size of the garage further by adding an additional storey. Set out below are the dimensions of the existing garage, the approved and the proposed scheme.

Existing - 7.2m wide x 2.3m high x depth x 6m in depth
Approved scheme - 15m wide x 3.6m high x 6m in depth
Proposed scheme - 13.7m wide x 5m in height x 6m in depth

The submitted plans show a triple garage on the ground floor and a gym, storage & study on the first floor. At first floor level four new sets of upvc windows are proposed on the southern elevation facing the rear garden & No. 48-54 Ravensbourne Rd. Two new sets of upvc windows are also proposed on the northern elevation overlooking the River Ravensbourne. No windows are proposed in the flank elevations. The increase in the approved footprint of the garage and additional storey does represent a cumulative increase in development which changes the nature of the use from a garage to an outbuilding which also facilitates a gym and storage facility at first floor level. Furthermore the use of the first floor necessitates the need for additional windows in the southern elevation. There is concern that these windows will overlook the rear gardens of No.48-54

Ravensbourne Rd. The garage also lies within close proximity of the River, however, following the submission of additional information by the agent the Environment Agency have withdrawn their objection to the development, but asked that the applicant to apply for a permit to obtain access.

The garage would have a domestic appearance, appearing to an extent as a separate dwelling rather than an ancillary outbuilding. The position of the proposed garage, next to the car park of Shortlands golf club would be awkward and jarring in the context of the site which lies back from Ravensbourne Avenue and behind the rear gardens of No's 48-54 Ravensbourne Road.

In appearing domestic in scale and appearance, and being set over two storeys, the proposal would undermine the spatial characteristics and distinctiveness of the locality. The proposal replaces a structure of very low visual impact and the proposed building would be more immediately appreciable when viewed from the rear first floor windows of the properties who will overlook the garage.

The Council considers that the garage could potentially be converted and severed to form self-contained severed accommodation. The enforceability of a condition to prevent the unauthorised severance of the site would be reliant on surveillance to assess the nature of occupation and to ensure that the use of the building would be wholly ancillary to the main dwelling.

There are no objections to the proposal from a technical highways perspective and on that basis it is considered that the proposal would not have a detrimental impact on the ability within the site to provide adequate parking to serve the host dwelling, and the proposal would not have a detrimental impact on highways safety.

Swimming pool

The proposed swimming pool would be built in the rear garden of the host dwellinghouse. It will be built behind the approved conservatory and measure 18.5m in width x 6m in depth x 2.7m in height with a flat roof and roof light. The building is proposed to be built using a combination of timber cladding and white render. Several doors and windows are proposed facing towards the river. The swimming pool is to be built closest to the shared boundary with No. 56-60, although being only 2.7m in height it will be below the fence line of these properties so is unlikely to be viewed except however from rear bedroom windows of these properties. The swimming pool will elongate the property making the total depth 40m (the main dwellinghouse and swimming pool combined). The approved scheme extends to a total depth of 28m. Part of the swimming pool will lie in Flood Zone 3, however the Environment Agency have raised no objection.

Outbuildings

Three separate outbuildings are proposed in the far north-western corner of the rear garden comprising a greenhouse, storage container and storage shed. All three structures will extend to approximately 2m in height and between 3-4m in width. Both storage structures are proposed to be metal clad and painted green. The greenhouse is proposed to be made from glass and painted green. The

structures will be positioned 1m from each shared boundary fence. The structures are considered acceptable from a design and neighbouring amenity perspective. All three of the structures also lie in Flood Zone 3 but again no objection has been raised by the Environment Agency.

Impact to neighbouring amenity & flooding

Several letters of objection has been received for the reasons set out above. The increase to the height of the garage is the main concerns raised as it will double the height of the existing garage and the windows in the front elevation will overlook the rear gardens 48-52 Ravensbourne Rd. The additional storey to the garage needs to be weighted up against the impact to the neighbours in the form of privacy and overlooking. The garage/gym/study would be separate from the main dwellinghouse, albeit a short distance away but a condition would be needed to prevent any severance from occurring.

Summary

On balance, taking into account the design, added bulk, size and scale of the proposed extensions, orientation of the properties, planning history and neighbouring amenity it is considered that the swimming pool and outbuildings appear to be considered acceptable however the increase in height to the garage is considered to impact upon neighbours because of its height and windows in the first floor elevation that will lead to overlooking and a loss of privacy to neighbours.

Having had regard to the above it was considered that the development in the manner proposed is not acceptable and that it would result in a significant loss of amenity to local residents.

RECOMMENDATION: APPLICATION BE REFUSED

The reasons for refusal are:

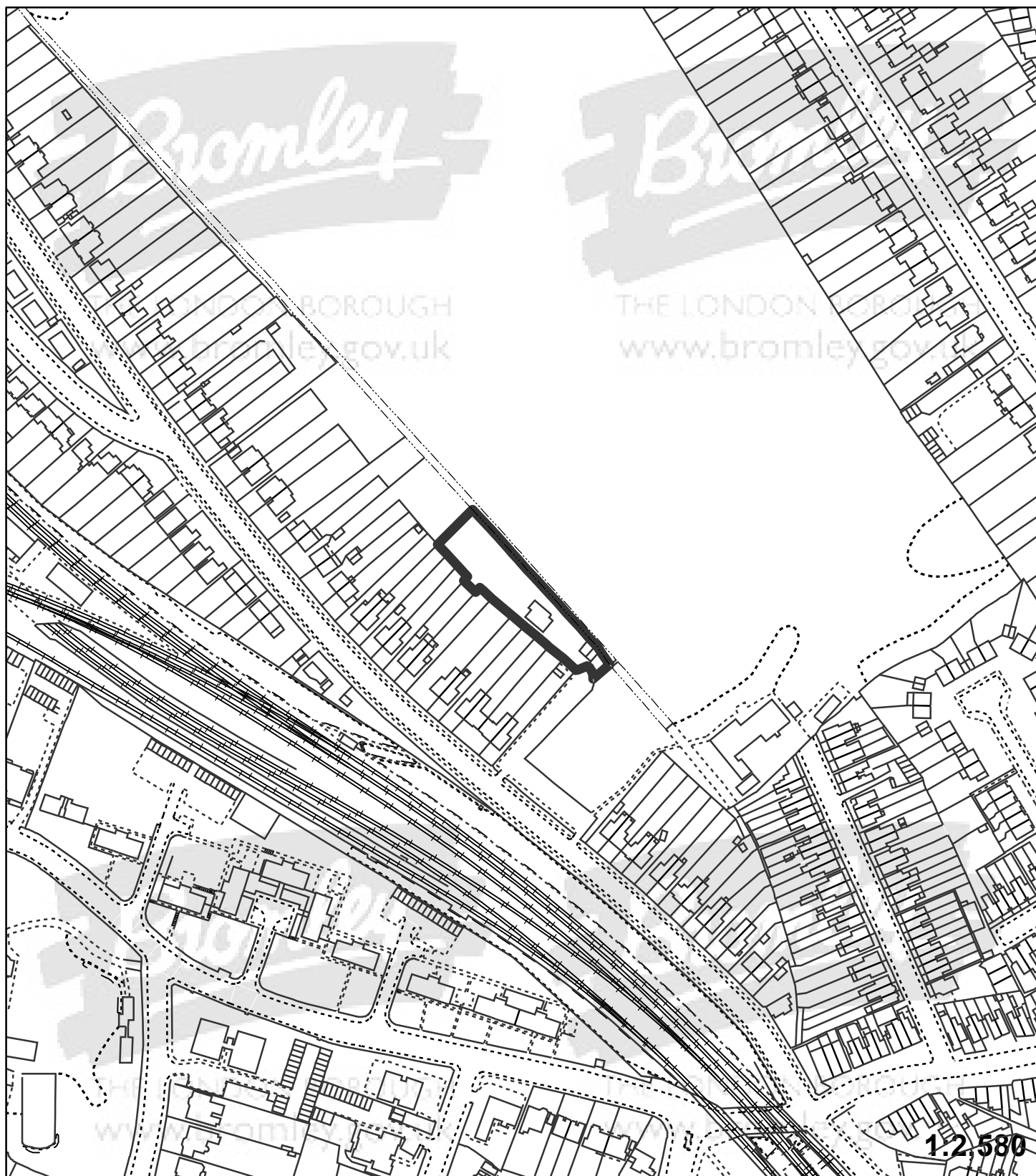
- 1 The proposed triple garage by reason of its height and windows located in the southern elevation will cause overlooking and a loss of privacy to the neighbouring gardens of No.48-52 Ravensbourne Rd, contrary to Policies BE1 and H8 of the Unitary Development Plan.**
- 2 The proposed garage would, by reason of its size, siting and layout, be easily capable of being severed and used as a separate dwelling house which would result in an undesirable overdevelopment of the site, prejudicial to and out of character with the amenities of the area, contrary to Policy H8 of the Unitary Development Plan, Policy 7.4 of the London Plan and the National Planning Policy Framework.**

This page is left intentionally blank

Application:16/02253/FULL6

Address: 46 Ravensbourne Avenue Bromley BR2 0BP

Proposal: Proposed enclosed swimming pool and rooflight, 1x storage shed, 1x storage containers, 1x green house to be located in rear garden. Demolition of existing garage/car port and reconstruction and replacement with triple garage on the ground floor and gym, storage and study on first



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

This page is left intentionally blank

Section '4' - Applications recommended for REFUSAL or DISAPPROVAL OF DETAILS

Application No : 16/02764/FULL1

Ward:
Crystal Palace

Address : Keswick House 207A Anerley Road
Penge London SE20 8ER

OS Grid Ref: E: 535035 N: 169627

Applicant : Mr Oliver Denby

Objections : YES

Description of Development:

Rooftop extension to provide 2x1 bedroom residential units. Alterations to existing entrance and mansard roof to left of entrance

Key designations:

Biggin Hill Safeguarding Area
London City Airport Safeguarding
Smoke Control SCA 32

Proposal

Planning permission is sought for a rooftop extension to provide 2 x1 bedroom residential units together with alterations to the existing entrance and mansard roof to left of the entrance.

The application site was previously in office use but has obtained permission in 2014 & 2015 to change the use of the premises on the ground and first floors from office accommodation to eight bedroom flats with 9 car parking spaces. A proportion of the ground floor remains in D1 (office) use.

The site is located on the northern side of Anerley Hill. The site lies back from the road and is located behind No.207 Anerley Road, Penge.

Consultations

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

- The building will be an invasion of privacy
- It is level with current bedroom windows
- The proposed rooftop extension is directly opposite our bedroom, at eye level
- Since Keswick House has been converted from commercial to residential the noise at the site has significantly increased
- The flats would block out our light

- The flats will be visually overbearing and impact the view from our bedroom windows

Consultee comments

Highways

Anerley Road (A214) is a London Distributor Road. The site is located in an area with medium PTAL rate of 4 (on a scale of 1 - 6, where 6 is the most accessible).

There are waiting restrictions and a bus stop immediately outside the development; no additional car parking space is offered. However 9 car (one for commercial and 8 allocating residential) parking spaces can be accommodated within site's curtilage.

The applicant should be encouraged to provide two cycle parking spaces within the site's curtilage for the occupier of the development.

Environmental Health (Pollution) comments:

No objections

Environmental Health (Housing) comments:

Mayor of London's Spatial Development Strategy for Greater London - The London Plan July 2015 Table 3.3 Minimum space standards for new development: The minimum recommended GIA for a one storey (1 bedroom 2 person) flat is 50 sq.m. The GIA for the proposed one storey (1 bedroom 2 person) Flat 1 will be approximately 40 sq.m, which is below the minimum recommended. The GIA for the proposed one storey (1 bedroom 2 person) Flat 2 will be approximately 36 sq.m, which is below the minimum recommended.

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

Drainage

No comment

Tree Officer

I have taken a look at the application file and have seen the photos attached. I am concerned that the proposed roof extension will impact surrounding trees that currently overhang the building. Whilst these trees are not believed to be subject to the Area Tree Preservation Order (TPO), they are outside the application site and therefore are considered a constraint. No arboricultural supporting information has been provided with the application. Facilitation pruning and post development pruning pressures would have a negative impact upon the existing boundary trees. On this occasion I am unable to recommend conditions to overcome my concerns. I would therefore recommend that the application be refused.

Planning Considerations

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

- BE1 Design of New Development
- H1 Housing Supply
- H7 Housing Density and Design
- NE7 Trees and Development
- T1 Transport Demand
- T3 Parking
- T7 Cyclists
- T18 Road Safety

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

London Plan (2015)

- 3.3 Increasing housing supply
- 3.4 Optimising housing potential
- 3.5 Quality and design of housing developments
- 3.8 Housing choice
- 5.1 Climate change mitigation
- 5.2 Minimising carbon dioxide emissions
- 5.3 Sustainable Design and Construction.
- 5.7 Renewable Energy
- 5.11 Green roofs and development sites environs
- 5.13 Sustainable Drainage
- 5.15 Water use and supplies, Waste self-sufficiency
- 5.17 Waste Capacity
- 6.9 Cycling
- 6.13 Parking
- 7.2 An Inclusive Environment.
- 7.3 Designing out crime
- 7.4 Local character
- 7.6 Architecture
- 8.3 Community infrastructure levy

Planning History

Under planning application reference: 15/05256 planning permission was granted for Change of use of part of existing Ground floor D1 space to form 3No new residential flats, retaining a separate space for the D1 use, with a new independent entrance. Alterations to Ground floor external elevations, providing new windows and doors and new hard and soft landscaping.

Under planning application reference: 15/04171 planning permission was refused for enlargement of 2 No existing velux window and insertion of 1 No new Juliette balcony.

Under planning application reference: 15/01429/RESPA prior approval was granted for change of use of first floor from Class B1 (a) office to Class C3 dwellinghouses to form 2 two bedroom and 3 one bedroom flats.

Under planning application ref: 14/04021/RESPA prior approval was granted for change of use of first floor from Class B1(a) office to Class C3 dwellinghouses to form for 2 bedroom flats in respect of transport and highways, contamination and flooding risks under Class J Part 3 of the GPDO.

Under planning application reference: 02/03628 planning permission was granted for ventilation ducting from kitchen.

Under planning application reference: 96/02761 planning permission was granted for a Change of Use of Ground Floor from Offices to drop in centre for advice counselling and therapy (retrospective application).

Conclusions

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

- The principle of residential units in this particular location
- Design, siting and layout
- Residential amenity - standard of residential accommodation
- Impact to neighbours
- Highways and traffic Issues

Principle of Development

Housing is a priority use for all London boroughs and the Development Plan welcomes the provision of small scale infill development on appropriate sites 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.

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

Policy H7 of the UDP advises that new housing developments will be expected to meet all of the following criteria in respect of; density; a mix of housing types and

sizes, or provides house types to address a local shortage; the site layout, buildings and space about buildings are designed to a high quality and recognise as well as complement the qualities of the surrounding areas; off street parking is provided; the layout is designed to give priority to pedestrians and cyclists over the movement and parking of vehicles; and security and crime prevention measures are included in the design and layout of buildings and public areas.

The application site comprises of an existing office building which has planning permission to be converted into 8 flats and retain a small area on the ground floor for D1 use (non-residential institutions). The proposal seeks to add to further flats to the rooftop of the building. The principle of development needs to be carefully considered and weighed up with regard to whether the need for the development (whether it would add to the Council's target to provide housing) against the impact it will have to the character of the area and impact upon residential amenity.

At the time of writing a recent appeal decision has indicated that the Council does not have an adequate five year Housing Land Supply. The absence of a five year housing land supply means in brief that under the NPPF paragraph 49 the Council should regard relevant development plan policies affecting the supply of housing as 'out of date'. This does not mean that 'out of date' policies should be given no weight or any specific amount of weight. In this case the following sections of the assessment of this application will be given appropriate weight in the consideration of the scheme.

Members will need to consider if the additional development constitutes an overdevelopment of the existing building taking into account the siting, location and proximity to surrounding residential dwellings.

Design, Siting and Layout

Policy 3.4 of the London Plan 2015 specifies that Boroughs should take into account local context and character, the design principles (in Chapter 7 of the Plan) and public transport capacity; development should also optimise housing output for different types of location within the relevant density range. Policy BE1 states that development should be imaginative and attractive to look at, should complement the scale, form, layout and materials of adjacent buildings and areas. Development should not detract from the existing street scene and/or landscape and should respect important views, skylines, landmarks or landscape features. Space about buildings should provide opportunities to create attractive settings with hard or soft landscaping and relationships with existing buildings should allow for adequate daylight and sunlight to penetrate in and between buildings.

Section 7 of the NPPF states 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 making better places for people. As stated within the NPPF development should optimise the potential of the site to accommodate development, create and sustain an appropriate mix of uses (including incorporation of green and other public space as part of the developments) and support local facilities and transport networks;

respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation.

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

The ground and first floors of the existing building have permission to be converted from office development to eight residential units with 9 off-street car parking spaces. The current application seeks permission to add two further units to the existing rooftop, which is currently occupied by a water tank. The accompanying supporting statement sets out that the 'placing and size of the rooftop extension has been limited to the north west corner of the existing building, away from the North of the site (Genoa Road and South East (Beeches Close)'. Whilst the two units will be set away from Genoa Rd and Beeches Close they will sit within 12m of existing residential units at Gilbert House, No.207 Anerley Road. Several letters of objection have been received from these neighbours and it is the Council's opinion that this will lead to two new flats being built in very close proximity to existing residential premises and despite the screening offered around the balconies will lead to increased noise through the use of the balconies and for the occupiers of the proposed new flats a very poor outlook. Following a site visit of the neighbour living in the top floor flat of Gilbert House it was established that she will overlook the two newly proposed flats from her bedroom and living room windows owing to the elevated position. This will also lead to a loss of privacy for the occupiers of the two proposed flats.

The proposed new dwellings do propose a striking contemporary design which is a contrast to the existing building and surrounding residential properties. The introduction of two rooftop flats would also appear awkward and an alien feature in this location. The submitted plans show a variety of different materials being used to construct and build the flats including alum cladding, glass, fabricated metal & louvre screening.

The Council does not raise any objection to the changes made to the existing entrance.

Residential Amenity - Standard of Residential Accommodation

Policy 3.5 of the London Plan (2015) Quality and Design of Housing Developments states the minimum internal floorspace required for residential units on the basis of the level of occupancy that could be reasonably expected within each unit.

With regard to the London Plan the flats would not conform to the required standard for a one bedroom 2 person flat which requires a GIA of 50sqm. Flat 1 measures 40sqm and Flat 2 measures 36sqm and it is the Council's opinion that the two flats would therefore fall short of what is the minimum space standard and in this respect the proposal would not comply with Policy 3.5 of the London Plan.

The Environmental Health Officer has also raised concerns about the adequacy of the ventilation arrangements, poor levels of natural lighting, outlook and fire safety. These issues come under the scope of Environmental Health legislation but are also a factor in the design of the units.

For the reasons given it is concluded that the development would provide unacceptable living conditions for its occupiers. The development would therefore be contrary to Policy 3.5 of the London Plan and Policies BE1 and H7 of the Bromley UDP, insofar as these policies require new housing to be of the highest quality by providing adequate internal space and an environment that would provide satisfactory living conditions for its occupiers.

Impact to neighbours

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.

The site is surrounded on all sides by residential properties with the main impact being to No.207 Anerley Road and Beeches Close. No. 207 Anerley is divided into flats and several of the neighbours windows face directly out into No.207a Anerley Road where two balconies are proposed. Whilst these are shown on the plans to be screened by 1.8m screens the distance between the two building is considered insufficient to mitigate noise and disturbance and will also lead to a poor outlook for the occupiers of the two proposed flats. The same position would exist for occupiers in Beeches Close whose gardens back on to No.207a. The elevated position of the balconies is considered to impact on the residential amenity through a level of perceived overlooking with several flats in Gilbert Close being located at the same level.

Of relevance in the determination of the current application is planning application reference: 15/04171 where planning permission was refused for enlargement of 2 No existing velux window and insertion of 1 No new Juliette balcony. The Council considered that the proposed increase of the two existing velux windows would give rise to an unacceptable degree of overlooking and loss of privacy and amenity to the occupiers of No's 23, 24 & 25 Beeches Close thus contrary to Policies BE1 and H8 of the Unitary Development Plan.

The development would make a contribution to the Council's requirement to provide additional housing , however it would be very modest. The host building is very traditional in its design and materials being built of brick with a slate mansard roof. The design of the proposed rooftop addition would be modern with the supporting statement outlining that "the design has been developed using the concept of a lightweight rooftop storey, with vertical aluminium composite". The overall scale and bulk of the flat roofed addition would harm the external alterations of the premises and would be further harmful to the area's character and appearance.

Highways and Traffic Issues.

The PTAL for the site is 4. No objection has been raised from the Council's Highways officer indicating that there are 5 car parking spaces which can be accommodated within the sites curtilage. The applicant is encouraged to provide cycle spaces and this can form part of a condition.

On balance, despite the contribution the proposal would make to the Council's housing supply, the matters set out in the refusal grounds below are of sufficient weight to outweigh this potential benefit and refusal is recommended.

RECOMMENDATION: APPLICATION BE REFUSED

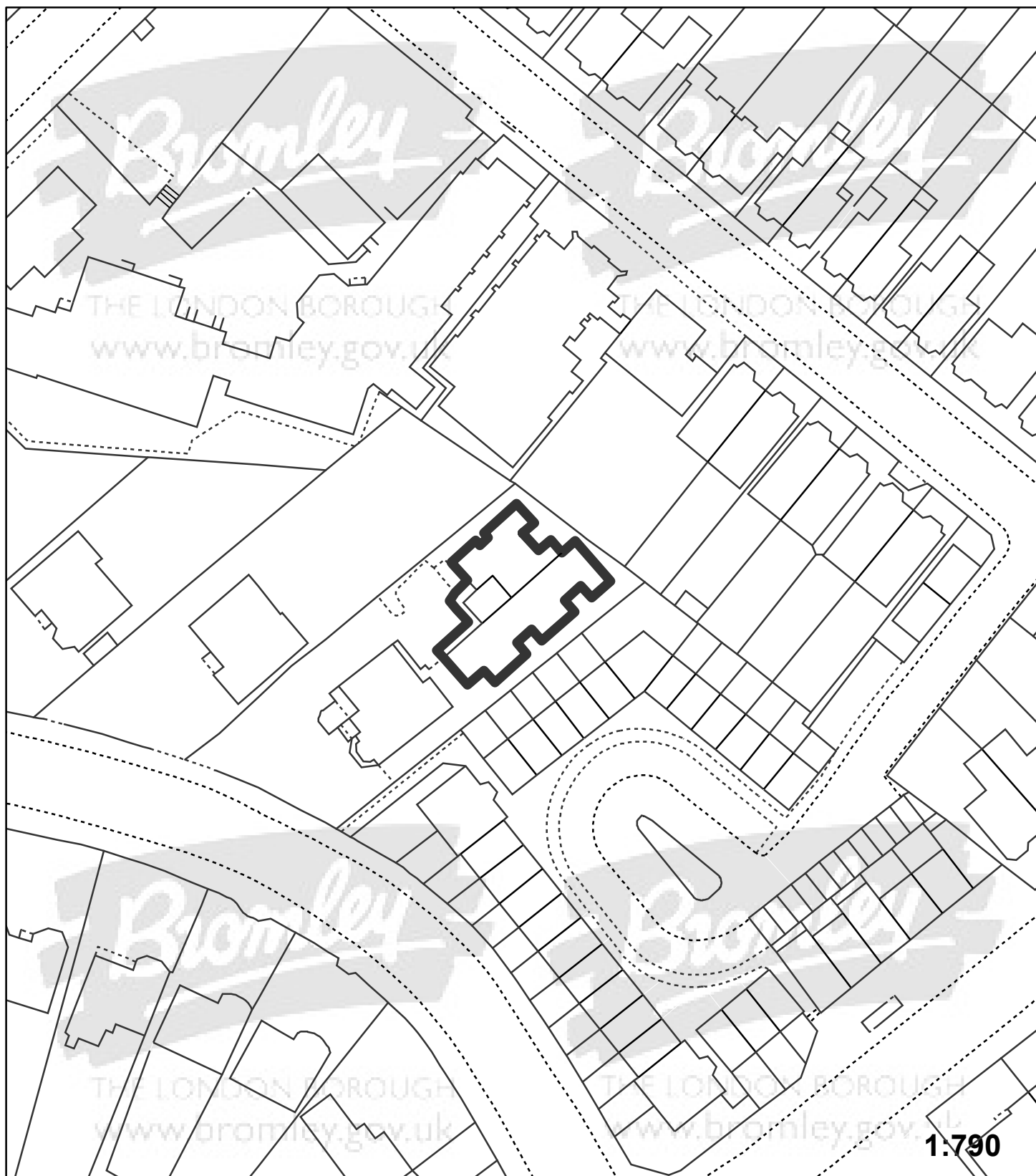
The reasons for refusal are:

1. **The proposed addition of two rooftop flats constitutes a cramped and over-intensive use of the property, resulting in accommodation that fails to meet minimum space standards for residential accommodation as set out in the Mayors Housing Supplementary Planning Guidance; lacks adequate facilities commensurate with modern living standards, and is thereby contrary to Policy 3.5 of the London Plan, the Council's general requirements for residential conversions and policies BE1 and H7 of the Unitary Development Plan.**
2. **The proposed development by reason of limited natural daylight/ventilation, private amenity space and general facilities commensurate with modern living standards represents an overdevelopment and an unsatisfactory form of cramped living accommodation for future occupants of the building, contrary to Policies BE1 and H12 of the Unitary Development Plan, Policy 3.5 of the London Plan and the Technical Housing Standards (DCLG).**
3. **The addition of two rooftop flats would appear an incongruous addition to the host building and the overall bulk and mass would appear out of keeping with the surrounding area and impact on neighbours in Gilbert House through a loss of privacy, overlooking and noise contrary to Policies BE1 and H7 of the Unitary Development Plan.**
4. **The proposed roof extension will present excessive pruning pressures to trees surrounding trees. The application conflicts with policy NE7 of the Bromley Unitary Development Plan (adopted July 2006).**

Application:16/02764/FULL1

Address: Keswick House 207A Anerley Road Penge London SE20 8ER

Proposal: Rooftop extension to provide 2x1 bedroom residential units.
Alterations to existing entrance and mansard roof to left of entrance



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

This page is left intentionally blank

Section '4' - Applications recommended for REFUSAL or DISAPPROVAL OF DETAILS

Application No : 16/03539/FULL6

Ward:
Cray Valley East

Address : 23 Perry Hall Road, Orpington BR6 0HT

OS Grid Ref: E: 546572 N: 166901

Applicant : Mrs Clair Olivari

Objections : NO

Description of Development:

Formation of a vehicular access

Key designations:

Areas of Archaeological Significance
Biggin Hill Safeguarding Area
London City Airport Safeguarding
Smoke Control SCA 9

Proposal

The proposal seeks to provide a vehicular access to the front of No. 23 Perry Hall Road.

Location

The site is located on the southern side of Perry Hall Road and comprises a mid-terrace residential dwelling. The wider area is characterised by similar properties. Perry Hall road is classified as a London Distributor Road.

Comments from Local Residents

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

Consultations

Highways - objection is raised on the grounds that vehicles would need to reverse onto the London Distributor Route and this would result in a dangerous arrangement that would be harmful to highway safety.

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
T11 New Accesses
T18 Road Safety

Planning history

None

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 highway safety.

The property currently possesses an area of hardstanding to the front of the house that is used for parking. It is therefore considered that the proposal would not impact on the character of the house or the wider area.

The area of hardstanding to the front of No. 23 Perry Hall Road measures 4.9m in length. In regard to highway safety, the development would provide an additional access onto Perry Hall Road, which is a London Distributor Road. Highway safety concerns are raised given the limited size of the driveway as it would not be possible for vehicles to turn within the site to achieve access and egress from the hardstanding in forward gear. This potentially would result in a disruption to the free flow of traffic which would be especially pronounced if cars were being reversed off the site. It is considered that such manoeuvres would result in a significant hazard for road users, adversely affecting highway safety.

Policy T11 states that accesses will be permitted on such roads where there is no suitable alternative, provided they are safe. In this case, there is no suitable vehicle access to serve the rear of the houses however the proposal would result in dangerous reversing manoeuvres onto the highway and this would result in a detrimental impact on conditions of highway safety.

Having had regard to the above it was considered that the development in the manner proposed is unacceptable in that it would result in a detrimental impact on conditions of highway safety. It is therefore recommended that Members refuse planning permission.

RECOMMENDATION: APPLICATION BE REFUSED

The reasons for refusal are:

- 1 The proposal would be likely to result in reversing movements within a classified London Distribution Route which would be prejudicial to the free flow of traffic and conditions of safety within the highway, thereby contrary to Policies T11 and T18 of the Unitary development Plan.**

Application:16/03539/FULL6

Address: 23 Perry Hall Road Orpington BR6 0HT

Proposal: Formation of a vehicular 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"

This page is left intentionally blank