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DATE: 8 November 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 17 NOVEMBER 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 22 SEPTEMBER 2016**
(Pages 1 - 16)
- 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)

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4.2	Mottingham and Chislehurst North	41 - 72	(16/02435/FULL1) - Castlecombe Primary School, Castlecombe Road, Mottingham, London SE9 4AT
4.3	West Wickham	73 - 92	(16/03876/RECON) - Summit House, Glebe Way, West Wickham BR4 0AP
4.4	Penge and Cator	93 - 98	(16/03924/FULL6) - 46 Avenue Road, London, SE20 7RR
4.5	Penge and Cator	99 - 110	(16/04045/FULL1) - 24 St John's Road, Penge SE20 7ED
4.6	Darwin	111 - 118	(16/04156/FULL6) - 14 Cocksett Avenue, Orpington, BR6 7HE
4.7	Cray Valley East Conservation Area	119 - 124	(16/04278/FULL1) - 13 Riverside Close, Orpington, BR5 3HJ

SECTION 3

(Applications recommended for permission, approval or consent)

Report No.	Ward	Page No.	Application Number and Address
4.8	Chislehurst	125 - 132	(16/03334/FULL6) - 58 Marlings Park Avenue, Chislehurst, BR7 6RD
4.9	Shortlands	133 - 142	(16/03549/FULL1) - 9 Rosemere Place, Shortlands, Bromley BR2 0AS
4.10	Hayes and Coney Hall	143 - 150	(16/04201/FULL6) - 52 Eastry Avenue, Hayes, Bromley, BR2 7PF
4.11	Chislehurst Conservation Area	151 - 156	(16/04462/RECON) - 3 Camden Park Road, Chislehurst BR7 5HE
4.12	Chelsfield and Pratts Bottom	157 - 162	(16/04540/FULL2) - 16 Crescent Way, Orpington, BR6 9LS

SECTION 4

(Applications recommended for refusal or disapproval of details)

Report No.	Ward	Page No.	Application Number and Address
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5 CONTRAVENTIONS AND OTHER ISSUES

Report No.	Ward	Page No.	Application Number and Address
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6 TREE PRESERVATION ORDERS

Report No.	Ward	Page No.	Application Number and Address
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PLANS SUB-COMMITTEE NO. 3

Minutes of the meeting held at 7.00 pm on 22 September 2016

Present:

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

Also Present:

Councillors Peter Dean, Sarah Phillips and Michael Tickner

11 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

An apology for absence was received from Councillor William Huntington-Thresher; Councillor Mary Cooke attended as substitute.

12 DECLARATIONS OF INTEREST

No declarations of interest were received.

13 CONFIRMATION OF MINUTES OF MEETING HELD ON 28 JULY 2016

RESOLVED that the minutes of the meeting held on 28 July 2016 be confirmed and signed as a correct record.

14 PLANNING APPLICATIONS

SECTION 2

(Applications meriting special consideration)

14.1 KELSEY AND EDEN PARK

(16/01330/FULL1) - Jacanda Lodge, North Drive, Beckenham BR3 3XQ

Description of application – 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.

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

Documentation (including a petition) in support of the application had been received and circulated to Members.

The Chief Planner advised this was a different scheme to the one previously dismissed on appeal; he then outlined the difference between the two applications.

Members having considered the report, objections and representations, **RESOLVED that PERMISSION BE GRANTED** subject to the following conditions and informatives:-

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

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

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

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

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

The development shall be carried out in accordance with the approved details.

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

4 Details of a scheme of landscaping, which shall include the materials of paved areas and other hard surfaces, shall be submitted to and approved in writing by the Local Planning Authority before the commencement of the development hereby permitted.

The approved scheme shall be implemented in the first planting season following the first occupation of the buildings or the substantial completion of the development, whichever is the sooner. Any trees or plants which within a period of 5 years from the substantial completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with

others of similar size and species to those originally planted.

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

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

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

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

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

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

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

d) The approved remediation works shall be carried out in full on site in accordance with the approved quality assurance scheme to demonstrate compliance with the proposed methodology and best practise guidance. If during any works contamination is encountered which has not previously been identified then the additional contamination shall be fully

assessed and an appropriate remediation scheme submitted to the Authority for approval in writing by it or on its behalf.

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

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

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

7 The development shall be implemented in accordance with the Arboricultural Survey and Planning Integration 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 interest 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.

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

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

9 Details of a scheme of noise mitigation measures in full compliance with all recommendations of the submitted acoustic report (Peter Moore Acoustics report reference 151001/3 of 15 March 2016) shall be submitted to the Local Planning Authority for written

approval. Once approved the scheme shall be implemented in full prior to the use commencing and permanently maintained thereafter.

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

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

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

11 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 Policies T5, T6, T7, T15, T16 and T18 of the Unitary Development Plan and in the interest of the amenities of the adjacent properties.

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.

13 The arrangements for storage of refuse (which shall include provision for the storage and collection of recyclable materials) and the means of enclosure shown on the approved drawings shall be completed before any part of the development hereby permitted is first occupied and permanently retained thereafter.
Reason: In order to comply with Policy BE1 of the Unitary Development Plan and in order to provide adequate refuse storage facilities in a location which is acceptable from the residential and visual amenity aspects.

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

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

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

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

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

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

17 No extensions or alterations to the buildings hereby approved, whether or not permitted under Article 3 to Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking, re-enacting or modifying that Order), shall be carried out without the prior written permission of the Local Planning Authority.

Reason: In order that, with regard to the previously refused scheme and restricted amenity space and potential for development to impact upon

neighbouring properties given the design and layout of the dwellings, the Local Planning Authority may have the opportunity of assessing the impact of any further development and to comply with Policy BE1 of the Unitary Development Plan.

Informatives

1 The applicant is advised that any works associated with the implementation of this permission (including the demolition of any existing buildings or structures) will constitute commencement of development. Further, all pre-commencement conditions attached to this permission must be discharged, by way of a written approval in the form of an application to the Planning Authority, before any such works of demolition take place.

2 Before works commence, the applicant is advised to contact the Pollution Team of Environmental Health and 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.

3 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

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

4 Any repositioning, alteration and/or adjustment to street furniture or Statutory Undertaker's apparatus, considered necessary and practical to help with the forming of vehicular crossover hereby permitted, shall be undertaken at the cost of the applicant.

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

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

7 The applicant is advised that the highest standards of sustainable design and construction shall be achieved to improve the environmental performance of the development and to adapt to the effects of climate change. Sustainable design standards are integral to the proposal, including its construction and operation.

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

**14.2
KELSEY AND EDEN PARK**

**(16/01330/FULL1) - Jacanda Lodge, North Drive,
Beckenham BR3 3XQ**

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

Documentation (including a petition) in support of the application had been received and circulated to Members.

The Chief Planner advised this was a different scheme to the one previously dismissed on appeal. He then went on to outline the difference between the difference

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

**14.3
DARWIN
CONSERVATION AREA**

**(16/01381/FULL1) - Cottage Farm, Cackets Lane,
Cudham, Sevenoaks TN14 7QG**

Description of application – proposed replacement turkey rearing barn.

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

The Development Control Manager advised that should permission be granted, a further condition should be added to limit the amount of livestock housed.

Issues concerning odour were addressed within the report and Environmental Health Officers were satisfied.

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

9 The development hereby permitted shall be used as an agricultural turkey rearing barn only and shall not at any time be used for any other purpose without express written permission by the Local Planning Authority.

Reason: In order to protect neighbouring amenity and for the purposes of protecting surrounding Green Belt

land in compliance with Policy BE1 and G1 of the unitary Development Plan.

**14.4
DARWIN**

(16/02755/FULL2) - Yonder Farm, Orange Court Lane, Downe, Orpington BR6 7JD

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

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

Comments from Ward Member Councillor Richard Scoates in objection to the application were reported. The Development Control Manager advised that should permission be granted, it would be subject to the prior completion of a Section 106 Agreement. An update on this matter was circulated to Members. Members were also informed that breaches of condition should not be considered as part of this application.

Comments in regard to conditions 4 and 6 were reported.

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

- 1 The proposed development is inappropriate development in the Green Belt, causing harm to the openness and character of the Green Belt and the purposes of including land within the Green Belt which is not clearly outweighed by any benefits of the development and therefore very special circumstances do not exist contrary to Policies G1 of the Unitary Development Plan and 7.16 of the London Plan and section 9 – Protecting Green Belt Land – of the National Planning Policy Framework.
- 2 The proposed development by reason of the intensification of horse related activities, including grazing not in accordance with the British Horse Society's recommended standards, would be harmful to the open and rural character of the Green Belt and detrimental to the surrounding countryside, contrary to Policies L3 and L4 of the Unitary Development Plan.

14.5
MOTTINGHAM AND
CHISLEHURST NORTH

**(16/03284/FULL6) - Pindi Lodge, Mottingham Lane,
Mottingham, London SE9 4RW**

Description of application – Single storey side extension and roof alterations to incorporate rooflights.

Oral representations in objection to and in support of the application were received at the meeting. Further documentation from the applicant in support of the application had been received and circulated to Members.

The Development Control Manager was aware that the applicant had agreed to modify plans to address neighbour concerns.

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 with the addition of two further conditions to read:-
4 No additional windows or doors other than those shown on the approved plans shall at any time be inserted in any elevation or roofslope of the dwelling house without the prior approval in writing of the Local Planning Authority.

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

5 Details of the obscure glazing of the north facing window and amendments to the design of the fenestration inclusive of changing the bi-fold doors to French doors, shall be submitted to and agreed in writing by the Local Planning Authority prior to the commencement of the development.

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

14.6
BIGGIN HILL

**(16/03639/FULL1) - 36 Village Green Avenue,
Biggin Hill TN16 3LN**

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

Members having considered the report and objections, **RESOLVED that PERMISSION BE GRANTED** as recommended, subject to the

conditions and informatives set out in the report of the Chief Planner.

SECTION 3

(Applications recommended for permission, approval or consent)

14.7 CLOCK HOUSE

(16/02483/FULL1) - 261 Elmers End Road, Beckenham BR3 4EJ

Description of application – 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.

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

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

1 The proposed development by reason of its poor and cramped internal layout and the number of units represents a cramped overdevelopment of the site which would be harmful to the amenities of neighbouring properties and future owner/occupiers contrary to Policies BE1, H7 and H11 of the Unitary Development Plan and Policy 3.5 of the London Plan.

14.8 ORPINGTON

(16/02806/FULL1) - Orpington College of Further Education, The Walnuts, Orpington BR6 0TE

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

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

**14.9
CHISLEHURST
CONSERVATION AREA**

**(16/02974/FULL1) - Torphin, Wilderness Road,
Chislehurst BR7 5EZ**

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

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

Further objections to the application had been received from The Chislehurst Society and circulated to Members.

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

- 1 The proposed development by reason of the size and design of the proposed dwelling represents a cramped, incongruous development, out of character with surrounding development, harmful to the visual amenities and spatial standards of the area and which would fail to preserve or enhance the character and appearance of the Chislehurst Conservation Area contrary to Policies BE1, BE11, H7 and H9 of the Unitary Development Plan and Policy 3.5 of the London Plan.
- 2 The proposed development would result in the loss of a number of trees which would impact unacceptably upon the verdant nature of the surrounding Conservation Area, harmful to its character and appearance and would create pruning and felling pressure on an existing horse chestnut tree within the site contrary to Policies NE7 and BE11 of the Unitary Development Plan and Policy 7.21 of the London Plan.

**14.10
CLOCK HOUSE**

**(16/03124/FULL1) - County House, 241 Beckenham
Road, Beckenham BR3 4RP**

Description of application – Erection of 6th floor extension to provide 4 two bedroom flats.

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

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

**14.11
PETTS WOOD AND KNOLL**

(16/03230/FULL6) - 161 Crescent Drive, Petts Wood, Orpington, BR5 1AZ

Description of application – First floor side and rear extensions with roof and fenestration alterations.

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

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

**14.12
DARWIN**

(16/03280/FULL1) - High Elms Golf Course Club House, High Elms Road, Downe, Orpington BR6 7JL

Description of application – Two storey extension for lift shaft and elevational alterations to façade.

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

**14.13
PENGE AND CATOR**

(16/03462/FULL6) - 115 Lennard Road, Beckenham BR3 1QR

Description of application – Single storey rear extension and roof lights to main side roof slope.

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

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

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

4 Before the development hereby permitted is first occupied the proposed roof lights within the roof space shall be obscure glazed to a minimum of Pilkington privacy Level 3 and shall be fixed shut and 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.

SECTION 4

(Applications recommended for refusal or disapproval of details)

**14.14
BROMLEY TOWN**

**(16/02253/FULL6) - 46 Ravensbourne Avenue,
Bromley BR2 0BP**

**THIS REPORT WAS WITHDRAWN BY THE
APPLICANT'S AGENT PRIOR TO THE MEETING.**

**14.15
CRYSTAL PALACE**

**(16/02764/FULL1) - Keswick House, 207A Anerley
Road, Penge, London SE20 8ER**

Description of application – Rooftop extension to provide 2x1 bedroom residential units. Alterations to existing entrance and mansard roof to left of entrance.

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

The Chief Planner confirmed both flats were intended as 1 bed-1 person units and at 37 sqm and 41 sqm, the size of the units complied with Mayor of London standards.

Members having considered the report, objections and representations, **RESOLVED that PERMISSION BE REFUSED** as recommended, for the reasons set out in the report of the Chief Planner with reason 1 amended to read:-

'1 The proposed addition of two rooftop flats constitutes a cramped and over-intensive use of the property, 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.'

**14.16
CRAY VALLEY EAST**

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

Description of application – Formation of a vehicular access.

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

Further documentation in support of the application had been received and circulated to Members.

Councillor Cooke advised she had previously lived in

Perry Hall Road for 18 years. During that time, she had never witnessed any accidents or problems arising from residents reversing out of driveways. Members having considered the report and representations, **RESOLVED that the application be DEFERRED**, without prejudice to any future consideration to:-

- 1 request further details as to the number of legitimate crossovers along Perry Hall Road; and
- 2 seek Highways advice as to whether a separate consent is required and the likely outcome of such an application.

The meeting ended at 8.55 pm

Chairman

SECTION '2' – Applications meriting special consideration

Application No : 16/02119/FULL1

Ward:
Bromley Common And
Keston

Address : Forest Lodge Westerham Road Keston
BR2 6HE

OS Grid Ref: E: 541976 N: 164318

Applicant : Millgate Developments Limited

Objections : YES

Description of Development:

Erection of detached building comprising 6 No two bedroom flats.

Key designations:

Conservation Area: Bromley Hayes And Keston Commons

Areas of Archaeological Significance

Biggin Hill Safeguarding Area

Green Belt

London City Airport Safeguarding

Sites of Interest for Nat. Conservation

Smoke Control SCA 22

Proposal

Members will recall that this application was originally due to be presented to the Plans Sub Committee held on the 28th July 2016. The application originally sought permission for the construction of a block of 6 two-bedroom flats. This has been substantially reduced by way of revised plans and has been amended to 5 two bedroom units.

The applicants have indicated as follows:

(1) The scale of the proposal has been further reduced in order to address the concerns expressed in the original Officer Report about the scale of the building.

(2) The number of apartments has been reduced from six to five and the height of the eastern half of the building (the front element) has been further reduced by about 3.1 metres by the removal of the sixth apartment. The removed section is shown on drawing P-P02.

(3) The view of the building from the Pond (west) and from the entrance road (east) would be significantly reduced and the relationship of the proposed built form with the existing buildings would be much more subservient.

(4) Also the relationship with adjoining residential properties would be further improved, although this was not a matter of concern with the officers on the Application scheme.

(5) The overall height has now been reduced from 13 m in the previously refused proposal to 7.3 m for the eastern part (which now has the appearance of a single storey building with accommodation in the roof) and 10 m for the western part of the building.

The proposed building would be two storeys with additional habitable accommodation within the roof space. The scheme would provide 9 parking spaces and refuse storage.

Location

The application site sits within the grounds of the Locally Listed Building known as Forest Lodge. Forest Lodge is a three storey building that is currently vacant but has recently been granted Prior Approval to be converted into 13 residential flats. There is a separate detached annex building to the south east which is a more modern addition to the site.

The topography of the site varies and includes a drop in ground level towards a set of ponds to the west, which sits adjacent to the site boundary. The site is located within the Bromley, Hayes and Keston Commons Conservation Area and is also adjacent to the Green Belt. The area to the north west of the site is also designated as a Site of Nature Conservation Importance.

The site is surrounded by a mix of large trees, which are subject to TPOs, and shrubs. It is bounded by the residential properties on Rolinsden Way, Poulters Wood to the north west, Fish ponds to the west and Fishponds Road to the south.

Consultations

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

- Significant increase in traffic
- Highway and pedestrian safety concern at the entrance
- Harm to the Green Belt
- Would not preserve the Conservation Area
- Not in keeping with the surrounding area which is low density, with large plots and significant space around buildings
- Overdevelopment of the site
- Loss of privacy
- Loss of light
- Overlooking
- The block still remains three storeys in height.
- Human rights concerns
- Concerns about sewers and waste discharge

- Drainage not sufficient
- Adverse impact on protected trees
- Inadequate parking spaces and will result in overflow parking on Westerham Road
- Neighbours along Rolinsden Way have an access gate at the rear which leads directly on to the site which we have always understood lead onto the common land. The developers have erected a wooden fence which prevents us accessing the site. Millgate have said that neighbours would only be able to enjoy this access if there were no objections to the proposal
- Concerns about the location of the 'approximate' greenbelt boundary.
- Understand there is no shortfall in Bromley's Five Year housing supply
- Previous reasons for reason still apply. This scheme detracts, not enhances the Conservation Area
- Contrary to Conservation Area guidance. References to the extensive gardens of Forest Lodge mentioned in the SPG and a new block in this location would a destroy a key aspect of the CA.
- Within an area of Archaeological significance, particularly the linkage to Romans has not been adequately addressed. Further development will undermine the status of this designation.
- Harm to neighbouring Green Belt including its openness and visual amenity.
- Badgers within the area
- Comments on the applicant design and access statement.
- To describe the application as 'high quality' is subjective any building in this location would not enhance the locally listed building or conservation area
- No justification such as enabling development as Forest Lodge has already been converted.
- Communal bin store is inappropriately positioned and will harm neighbouring amenities by virtue of smells and vermin
- Noise
- A new building will erode the character and of the ponds and surrounding green spaces
- Harm to neighbouring Site of Nature Conservation of Importance and SSSI
- Surface water runoff into the ponds
- Support for the application provided that planting should be native species and contributions made to the community which can be used to improve other areas
- Inaccuracies within the statements provided.
- The SINC boundary is also the boundary to the Hayes and Keston Common Nature Reserve and request that some kind of barrier is installed between the Forest Site and LBB owned land east of the pond are to protect from trampling and disturbance. It is currently undisturbed and home to nesting birds during the spring and summer.
- Welcome the use of native planting close to the site boundary but concerned about inclusion of Bluebells. These must be native and not Hybrid species
- Pleased to see bird and bat boxes
- There should be no run-off from the development into the ponds

- Harm to protected trees
- Schools are already oversubscribed
- Trees do not provide adequate screening for neighbouring properties
- Properties on Rolinsden Way much lower and therefore the proposal would be much higher
- Potential for Crested Newts

Revised Plans:

- objections still stand
- impact on privacy
- impact on Green Belt and visual buffer
- negative impact of new building
- loss of views
- impact of refuse bins
- impact on Conservation Area
- increase in traffic

A letter of support has been received.

The full text of comments received is available to view on file.

Environmental Health (Pollution) - Have considered the above and have no objections within the grounds of consideration. The layout is not ideal designed with bedrooms sited next to living areas in adjacent flats however this would not be sufficient to object on noise grounds.

The following informative are attached:

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

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

Highways Engineer - The site has a PTAL rating of 1b which is "poor" within the PTAL system. I have seen the transport assessment which suggests that the resulting traffic activity would be significantly lower than that generated by the offices.

Parking provision for the new apartment block will comprise of retaining the existing tarmac hard standing, currently providing twelve spaces. Nine number parking spaces will be retained which is satisfactory.

A securable Cycle store structure and a new 'Pergola' Bin Store are proposed which is satisfactory. Please consult LBB Waste Service regarding size of the refuse storage. Please include the following with any permission:

Condition

H03 (Satisfactory Parking)

H22 (Cycle parking) @ 2/unit

H23 (Lighting scheme for access/parking)

H27 (arrangements for construction period)

Natural England

Natural England has previously commented on this proposal and made comments to the authority in our letter dated 8th December 2015.

The advice provided in our previous response applies equally to this application although we made no objection to the original proposal.

The proposed amendments to the original application are unlikely to have significantly different impacts on the natural environment than the original proposal.

Comments received in respect of the previous application: Statutory Nature Conservation Sites - No objection. In respect of protected species refer to standing guidance

Thames Water - Waste Comments

Thames Water would advise that with regard to sewerage infrastructure capacity, we would not have any objection to the above planning application.

Surface Water Drainage

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

Water Comments

On the basis of information provided, Thames Water would advise that with regard to water infrastructure capacity, we would not have any objection to the above planning application.

Thames Water recommend the following informative be attached to this planning permission. 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.

Drainage Officer

Please advise the applicant that contrary to his answer to the question on the form there is no public surface water sewer near to this site. Surface water will therefore have to be drained to soakaways.

The site is within the area in which the Environment Agency Thames Region requires restrictions on the rate of discharge of surface water from new developments into the River Ravensbourne or its tributaries. Please impose standard condition D02 on any approval. This site appears to be suitable for an assessment to be made of its potential for a SUDS scheme to be developed for the disposal of surface water.

Please impose Standard Condition D06 on any approval to this application.

Historic England

This application should be determined in accordance with national and local policy guidance, and on the basis of your specialist conservation advice.

In returning the application to you without comment, Historic England stresses that it is not expressing any views on the merits of the proposals which are the subject of the application.

It is noted that additional comments were received from the archaeological team at Historic England in respect of the previous application. The following comments were provided and are still considered relevant:

The property is situated within an area of known archaeological potential as defined by borough policy. It is recommended that on this occasion a condition would enable archaeological Observation and Recording of the ground disturbance works. This should be attached with the following condition:

1. A) no development other than demolition to existing ground level shall take place until the applicant (or their heirs and successors in title) has secured the implementation of a programme of archaeological mitigation in accordance with the written Scheme of Investigation which has been submitted by the applicant and approved by the Local Planning Authority in writing and a report on that evaluation has been submitted to and approved in writing by Local Planning Authority in writing.

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

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

Planning Considerations

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

BE1 Design of New Development
BE7 Railings, Boundary Walls and Other Means of Enclosure
BE10 Locally Listed Buildings
BE11 Conservation Areas
BE14 Trees in Conservation Areas
BE16 Ancient Monuments and Archaeology
H1 Housing Supply
H7 Housing Density and Design
NE1 Development and SSSIs
NE2 Development and Nature Conservation Site
NE 5 Protected species
NE7 Development and Trees
NE8 Conservation and Management of Trees and Woodland
G1 Green Belt
G4 Extensions, Alterations to Dwellings in the Green Belt or on MOL
G6 Land adjoining Green Belt or MOL
ER10 Light pollution
T3 Parking
T7 Cyclists
T18 Road Safety

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

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

Bromley, Hayes and Keston Commons Conservation Area SPG.

London Plan (July 2015)

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

Policy 5.9 Overheating and cooling
Policy 5.10 Urban greening
Policy 5.11 Green roofs and development site environs
Policy 5.12 Flood risk management
Policy 5.13 Sustainable drainage
Policy 5.14 Water quality and wastewater Infrastructure
Policy 5.15 Water use and supplies
Policy 6.9 Cycling
Policy 6.13 Parking
Policy 7.2 An inclusive environment
Policy 7.3 Designing out crime
Policy 7.4 Local character
Policy 7.6 Architecture
Policy 7.8 Heritage Assets and Archaeology
7.16 Green Belt
Policy 8.3 Community infrastructure levy

London Plan Supplementary Planning Guidance (SPG)

Housing: Supplementary Planning Guidance. (2015)

National Planning Policy Framework (NPPF) - Relevant chapters include Chapters 7, 9, 11, 12 and Paragraphs 203-206 of the NPPF

Planning History

85/02816/OUT: Two storey rear extension outline – Permission 08.12.1986

87/02717/FUL: Three storey extension to existing offices – Permission 26.10.1987

89/03318/FUL Formation of car park extension for 14 additional cars Refused
- 11.12.1989

96/01101/FUL Formation of car park comprising 10 spaces and replacement
garden store - Refused 04.07.1996

15/03876/RESPA Change of use of the main building and annex from Class B1
(a) office to Class C3 dwellinghouses to form 13 two bedroom flats (56 day
application for prior approval in respect of transport and highways, contamination
and flooding risks under Class O Part 3 of the GPDO) - Granted 09.11.2015

15/04968/FULL1 The erection of a detached building comprising 7 no. two-
bedroom and 2no. three-bedroom flats - Refused 09.02.2016

Refused for the following reasons:

1. The proposed development by reason of its location, size, scale and bulk on land adjacent to the Green Belt, would not maintain the visual buffer, openness, spatial qualities or undeveloped nature of the site, harmful to the character and visual amenity of the Green Belt contrary to Policies H7 Housing Density and Design, G6 Land adjoining the Green Belt of the Unitary Development Plan (2006) and National Planning Policy Framework (2012).
2. The proposed development by virtue of its siting, scale, design, bulk and location is considered to be harmful to the special character and setting of the neighbouring Locally Listed building, and character and appearance of the wider Conservation Area contrary to Policies H7 Housing Density and Design, BE1 Design of New Development, BE10 Locally Listed Building, BE11 Conservation Areas of the Unitary Development Plan (2006); Policies 7.4 Local Character and 7.8 Heritage Assets and Archaeology of the London Plan (2015) and the Bromley, Hayes and Keston Commons Conservation Area SPG and Supplementary Planning Guidance No 1 General Design Principles.
3. The proposed development, by virtue of its siting, scale, layout and intensification of the site would result in overlooking and a loss of privacy for neighbouring residential properties contrary to Policy BE1 Design of New Development of the Unitary Development Plan (2006) and Supplementary Planning Guidance No 1 General Design Principles.

15/03876/CONDIT Details of conditions submitted in relation to planning permission ref: 15/03876/RESPA,
 Condition 2 (Bicycle parking)
 Condition 3 (Light scheme)
 Condition 4 (Site Accommodation) Decision 03.03.2016

16/00863/FULL1 Proposed minor alterations and additions to main building and annex building. Demolition of non-original single-storey front and rear extensions - Permission 22.04.2016

Conclusions

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

- Principle of Development
- Design/Impact on the character and appearance of the wider CA and adjacent Greenbelt
- Standard of Residential Accommodation
- Ecology and Trees
- Highways and Traffic Issues
- Impact on Adjoining Properties

Consideration should also be given to previous reasons of refusal.

Principle of Development

Policy H1 Housing aims to provide 11,450 additional dwellings over the plan period and this provision will be facilitated by the development or redevelopment of windfall sites. The suitability of windfall sites for housing purposes will be assessed against criteria: whether the site comprises previously developed land; the location of the site; the capacity of existing and potential infrastructure; physical and environmental constraints on the development site and the need to retain the existing land use on the site.

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

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

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

Policy H7 of the UDP 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.

Finally Policy G6 Land Adjoining Greenbelt states that a development proposal on land abutting the Green Belt will not be permitted if it detrimental to the visual amenity, character or nature conservation value of the adjacent designated area.

The site is located within the curtilage of an existing Locally Listed development known as Forest Lodge, within the Bromley, Hayes and Keston Common Conservation Area and would abut the Green Belt Boundary, which is located immediately to the south of the site. In this case it is considered that the principle of development comes down to the level of harm from the development on the setting of the Locally Listed Building, Conservation Area and adjacent Green Belt.

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.

Design and siting.

Policy BE1 requires all new development to be of high standard of design and layout. It should therefore complement the scale and form of adjacent buildings and areas and should not detract from existing street scene and/or landscape and should respect important views, skylines or landscape features. Whilst BE11 Conservation Areas states that in order to preserve and enhance the character or appearance of CAs, a proposal for new development should respect the layout of existing buildings.

The application site is located within the curtilage of Forest Lodge, a locally listed building set within the Bromley Hayes and Keston Common Conservation Area. The Conservation Area SPG provides a detailed statement on the character and appearance of the Conservation Area.

It explains that "The Bromley, Hayes and Keston Commons form a substantial area of land in the heart of the Borough and lie two miles to the South of Bromley town centre. The conservation area comprises sixteen individual sub-areas, each linked by common land and identified for its architectural or historic interest and/ or landscape setting. The commons themselves are protected by a number of landscape and habitat designations and for that reason have not been included within the conservation area. The buildings within the conservation area vary

greatly in age and style. The vast majority of designated buildings are deemed to contribute to the area's special character and equal importance is given to its rural character and landscape qualities, the numerous trees also having the protection which designation affords".

The application site is located within the Fishponds Road sub-area. Para 4.15 of the SPG states that "On the periphery of Keston Common, at the junction of Westerham Road and Fishponds Road is an assortment of attractive historic buildings, all in red brick with plain tiled roofs. The numerous mature trees and hedges, the narrow nature of Fishponds Road and unified building materials create a group of character. The largest is Forest Lodge, a substantial Arts and Crafts house aligned north-south with extensive gardens that sweep down to the Keston Ponds which lie to the West. Its lodge, The Gate House, remains intact".

The existing building of Forest Lodge, which has recently been granted approval for 13 residential units, also currently enjoys an open prospect towards the ponds at the rear. The extensive grounds, change in topography and openness of the Green Belt at the rear creates an undeveloped and spacious character which contributes to the setting of the Locally Listed building and the semi-rural character of the wider CA. Paragraph 6.21 of the CA SPG states that "In the Bromley, Hayes and Keston Commons Conservation Area, open spaces around and between buildings are a very important part of the character and appearance of the area, forming the rural setting of principal contributory buildings. Consequently, where areas or buildings are characterised by open settings, wooded grounds or gardens, the introduction of additional buildings may not be appropriate. In particular, the rural character of the conservation area should be maintained."

Keston Ponds are also sited to the southwest and western edge of the development site. These ponds are considered to form a key focal point in the Conservation Area and contribute to its special character and the wider setting of Forest Lodge.

The site represents a large area of undulating garden and landscaped grounds, which sweep down from the rear elevation of Forest Lodge to the publically accessible ponds at the rear. These gardens are considered to contribute the rural and spacious character and significance of the Conservation Area and setting of the Locally Listed building.

The proposed block of flats and associated works would be sited within the middle of these gardens, adjacent to the Ponds at the western boundary. The applicant has sought to address previous objections with a reduction in the size and scale of the block, together with a reduction in the number of units (from 9 to now 5). Amendments include significant changes to the roof line which now steps down in height towards the ponds at the western edge of the site. The applicant explains that the passer-by would perceive the new built form as a subservient, subordinate and ancillary building. In terms of materiality the proposal would incorporate the use of red brick, Portland Stone and handmade red clay tiles.

Members will need to consider whether with the reduction in the size and scale of the built form would still represent an acceptable form of development in this sensitive location.

As noted above, the sweeping gardens of Forest Lodge are highlighted within the CA SPG as contributing to the setting and character of the CA. Accordingly, would the introduction of such a building, which is still considered to be of a significant scale and mass within this undeveloped and spacious garden area result in significant harm to the rural quality and green setting of the Locally Listed Building and Conservation Area, by virtue of its removal.

The development would be more evident from the ponds along the western periphery of the site, which during the winter months includes views into the Conservation Area, on the sweeping lawns and up to the rear elevation of Forest Lodge. The applicant's heritage statement indicates that in terms of the NPPF the harm to the wider CA would be less than substantial or neutral. The applicant has provided a Landscape Visual Assessment in support of the scheme, which has been considered and in addition significant landscaping of mature and sapling evergreen trees are proposed to be planted along the western boundary and additional ornamental landscaping around the base of the building is also proposed. This planting seeks to 'shield any potential views of the proposed massing of views from the west'. On balance, with the reductions made to the scheme the resulting development would not result in harm to the location.

Paragraph 132 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. In this case the harm caused to the Conservation Area, which is the designated heritage asset is considered to be 'less than substantial'.

The NPPF also states in Paragraph 135 that consideration should be given to the effect of an application on the significance of a non-designated heritage asset. In this case, this would be on the Locally Listed Building of Forest Lodge. This paragraph states that 'In weighing applications that affect directly or indirectly non designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset'.

In terms of the NPPF and paragraph 134, 'harm' should be weighed against the public benefits of the proposal, including securing a buildings optimum viable use. In many circumstances this argument is made for buildings which face an uncertain future. However the proposal would not enable the redevelopment of Forest Lodge, which has recently been granted prior approval for the redevelopment of 13 residential flats and thus there are no public benefits via 'enabling development' to outweigh the harm outlined above. In order to off-set this harm the applicant has indicated a willingness to carry out enhancements/refurbishments to the Pond on the western edge of the site, or in lieu of this, a financial contribution of £25,000

towards the maintenance/public realm improvements to the Pond and its surrounds.

Paragraph 203 of the NPPF states that Local Planning Authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address the unacceptable impacts through planning condition and where they meet all of the following tests:

- Necessary to make the development acceptable in planning terms
- Directly related to the development; and
- Fairly and reasonably related in scale and kind to the development.

In this case the first issue is whether the proposed financial contribution or enhancements would meet the tests outlined above and secondly, whether the contribution or enhancements would effectively mitigate any harm.

In this respect, the Ponds located along the western periphery fall outside the site boundary and are not directly linked to the proposed development; they do however provide views into the Conservation Area. The Ponds themselves form a substantial part of the Ravensbourne Open Space (ROS) a publically accessible area, which have a woodland and unmanaged character. There is currently no wider corporate strategy in place for their enhancement or renewal. The proposed development would have no direct link to their function or operation and accordingly their enhancement or contributions towards maintenance are not considered necessary to make the development acceptable in planning terms. The applicant asserts that these contributions could help facilitate the enhancement and maintenance of the common, which could be considered to be a public benefit.

It is acknowledged that a contribution could have some public benefit, however it is noted that the applicant would seek to include a direct access/link from the proposed development site onto the Ponds as part of this Agreement. The grant of any such permeant right, in perpetuity, will likely limit what the Council is able to do in respect of this part of the ROS as this link will always need to be provided. Further, the ongoing maintenance for the extended path to the development will fall to the Council, who would be responsible for maintaining the unmade track. There are also concerns that this could be seen as an unwanted precedent for other cases where neighbouring properties request direct access onto Council property. Finally, there is no clear breakdown of how the financial contribution has been calculated or what specific enhancements it would provide. The benefits to the commons are therefore unqualifiable and accordingly, an assessment as to whether they are fairly and reasonably related in scale and kind to the development cannot be made. In this respect, it is considered the proposed contribution would not meet the Tests set out within Paragraph 203 of the NPPF and in weighing up the harm caused by the development it is considered that the contribution does not sufficiently mitigate the harm to the setting and character of the Conservation Area and Locally Listed Building.

Accordingly, the Local Authority have also taken advice from Property and Parks representatives consider that such a contribution is unnecessary.

The proposal also abuts the boundary of the Green Belt, which crosses the rear of the application site and is within the close proximity of the development. Policy G6 specifically relates to development adjacent to Green Belt, this policy states that "there are many properties with large gardens or extensive grounds adjoining Green Belt. The Council wishes to see such land retained as a buffer between the built development and the open land, to ensure that that both the character and visual amenity of the Green Belt is maintained".

The existing built form of Forest Lodge and Adjacent Annex are set back from the Green Belt boundary, which therefore provides a visual buffer between the Green Belt and surrounding development. It is considered that the revised proposals continue to provide a buffer.

Standard of Accommodation

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

The layout, as indicated on the plans, demonstrates a form of development which would provide a level of accommodation in accordance with the minimum space standards and overall unit sizes as set out in the London Plan and the Mayor's Housing SPG. The proposed units would meet the minimum standards set out within Table 3.3 of the London Plan. Further, all rooms would receive an adequate level of light and outlook.

Impact on Adjoining Properties

There are neighbouring residential properties to the north and north east of the site. These include properties on Poulters Wood and Rolinsden Way, which back directly onto the site. The existing buildings at Forest Lodge have also recently been granted prior approval for conversion to residential accommodation.

The above properties, particularly No 10-12 Rolinsden Way, are situated at a lower ground level than the application site. Furthermore, the ground level decreases towards the west of the site.

At present the properties to the north look out onto the site, but the view of Forest Lodge is primarily restricted to the northern gable end of the building. It is noted that there is vegetation along the northern boundary of the site, which does provide a degree of screening. However, at the time of the site visit part of the upper floors and roof of Forest Lodge were clearly visible from neighbouring properties.

The proposed building would be substantially closer to the northern boundary with the above properties. At its narrowest point the corner of the proposed building would be approximately 18m to the common boundary line with No 10 Rolinsden

Way, and approximately 35m to the rear elevation. However the boundary then tapers away from the flank elevation of the proposed development, meaning the separation distance increases to approximately 37m to the boundary and 45m to the rear elevation.

It is noted that the residents along the northern boundary currently enjoy an open prospect, and that the introduction of the proposed building would interrupt this open setting. However 'loss of view' cannot be considered as a valid planning consideration. The neighbouring property to the north, particularly No 10 Rolinsden Way is set at a lower ground level than the site. The proposal would have a depth of 25m, which would face the northern boundary. This represents a substantial mass and when coupled with the lower ground level would likely result in some visual incursion. However, when taking the distance from the common boundary and tapering nature of the site the visual harm is not considered to be of a material degree that could sustain a refusal.

Similarly, the orientation of the site in relation to neighbouring properties has been considered however the distance of the proposal in respect of neighbouring buildings and tapering nature of the plot would not result in a significant loss of light or overshadowing.

Objections were however raised to the previous scheme in relation to overlooking. In this case, the scheme has been revised and the overall scale and height of the building reduced. The internal arrangement of the building has also been considered with the removal of balconies and the principle living spaces have been reconfigured away from these neighbouring properties. Whilst it is clear there would be an additional perception of overlooking, the reduction in the size and scale of the building, together with the reconfiguration of the rooms and separation distance are considered to have satisfactorily addressed previous concerns and the reason for refusal on loss of privacy is no longer considered to be sustainable.

Highways and Traffic

The proposal would provide 9 parking spaces in conjunction with the proposed development. There is an existing parking area which would be divided between Forest Lodge and the proposed development.

Access to the site would be via a small access road, which is entered from Westerham Road.

The applicant is accompanied by a Transport Statement. It is noted that the site has a PTAL rating of 1b, which is "poor" within the PTAL rating system.

The proposal would provide cycle parking in line with London Plan standards. This is considered acceptable.

The Council's Highways officer has reviewed the scheme and has raised no objections to the level of parking provision or access arrangements. Concerns have been raised by residents regarding overflow parking and safety of cars entering and exiting the site. However the entrance to the site is established and

would be used heavily by the existing business use. Given the above, it is considered that the proposal is acceptable in terms of highway safety and parking.

Trees

Saved Policy BE14 states that development will not be permitted if it results in the loss of any trees in Conservation Areas unless (i) removal of the tree/s is necessary in the interest in good Arboricultural practice, or (ii) the reason for the development outweighs the amenity value of the tree/s and (iii) in granting permission for the development, one or more appropriate replacement trees of a native species will be sought.

The site is located within a Conservation Area and there are a number of individually protected Trees on site. The proposal would result in removal of a group of 6 Irish Yews (T44) and a number graded at Category U. A number of these trees are situated adjacent to the ponds.

The Council's Arboricultural Officer has reviewed the scheme and notes that the scheme differs to the previous application in that the landscaping details have been pre-loaded and includes substantial tree/shrub planting, particularly along the western periphery and to the north. Smaller ornamental landscaping has also been proposed around the base of the proposed building. The trees immediately to the north of the proposed building have been noted as a constraint but have been considered as part of the tree protection measures.

However, concerns have been raised about the proposed landscaping being within the Root Protection Area (RPA) to the north of the build. A border is illustrated, which would surround an area of new lawn. Tree planting is also proposed within this area. Concerns are therefore raised about the impracticalities of this design and potential damage to occur to a number of significant trees in this location. This could lead to pruning pressures and surface/below ground impact. It is suggested that the area to the north of the building should be excluded from any landscaping to prevent unnecessary disturbance.

Based on the above, it is considered that the proposal conflicts with Policy BE1 and therefore suggests that a revised landscaping strategy is conditioned should be the scheme be considered acceptable. Further conditions relating to the submission of an Arboricultural Method Statement are also suggested.

Ecology

Policy NE2 states that development proposals that may significantly affect nature Conservation interest or value of a Site of Nature Conservation Importance (SINC) will be permitted only if (i) it can be shown that the reasons for the development or benefits to the community outweigh the interest or value of the site or (ii) any harm can be overcome by mitigating measures, secured through conditions or planning obligations.

The North West part of the site, immediately adjacent to the proposed development, and the ponds to the west, fall within a Site of Nature Conservation

Importance. In addition, Keston and Hayes Commons, a Site of Special Scientific Interest (SSSI) is located to the south of the site beyond Fishponds Road. The site is also adjacent to a set of ponds. The applicant has supplied an ecological survey carried out by AAe Environmental Consultants who were commissioned to carry out an ecological walk-over survey, which identifies Ecological matters on the site.

Natural England has been consulted and in respect of the statutorily protected SSSI no objections have been raised.

In respect of protected species a walking ecological survey has been undertaken. Natural England's standing advice regarding protected species has been considered. The above survey concludes that "the site is dominated by grassland and is of limited ecological value. The species recorded can be described as common or abundant and are found in similar places across Britain, with no evidence of protected species recorded".

The report goes onto provide guidance on a number of measures to mitigate any impact as well introduce some habitat enhancement. It is considered that a number of conditions could be imposed to mitigate the impact of the scheme should the application be considered acceptable. The above would include protection during site clearance and construction, fencing, adherence to best practice guidance in respect of bats and protected species, a landscape strategy and lighting arrangements to limit spillage.

Other Matters

The site is located within an area of Archaeological significance. Historic England commented on the previous scheme and it is considered that these comments are still relevant. A condition was suggested to mitigate the impact of construction. This is considered reasonable.

Summary

On balance, Members will need to consider whether the revised plans overcome the previous grounds of refusal to make this application acceptable taking into account the character, appearance and setting of the Bromley, Hayes and Keston Commons Conservation Area and Adjacent Locally Listed Building contrary. In addition, Members will need to balance the need for additional housing in the 5 year housing supply against the all other material considerations including the Conservation Area location. Members may also consider that the proposed development now proposed is acceptable.

as amended by documents received on 23.09.2016
RECOMMENDATION: PERMISSION

Subject to the following conditions:

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

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

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

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

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

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

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 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

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

such a position as to preclude vehicular access to the said land or garages.

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

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

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

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

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

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

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

10 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.

11 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

12 A) no development other than demolition to existing ground level shall take place until the applicant (or their heirs and successors in title) has secured the implementation of a programme of archaeological mitigation in accordance with the written Scheme of Investigation which has been submitted by the applicant and approved by the Local Planning Authority in writing and a report on that evaluation has been submitted to and approved in writing by Local Planning Authority in writing.

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

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

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

The statement shall include details of:

Type and siting of protective fencing, and maintenance of protective fencing for the duration of project;

Type and siting of scaffolding (if required);

Details of the method and timing of demolition, site clearance and building works

Depth, extent and means of excavation of foundations and details of method of construction of new foundations

Location of site facilities (if required), and location of storage areas for materials, structures, machinery, equipment or spoil, and mixing of cement or concrete;

Location of bonfire site (if required);
Details of the location of underground services avoiding locating them within the protected zone
Details of the method to be used for the removal of existing hard surfacing within the protected zone
Details of the nature and installation of any new surfacing within the protected zone
Methods proposed for the watering of the trees during the course of the project

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

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

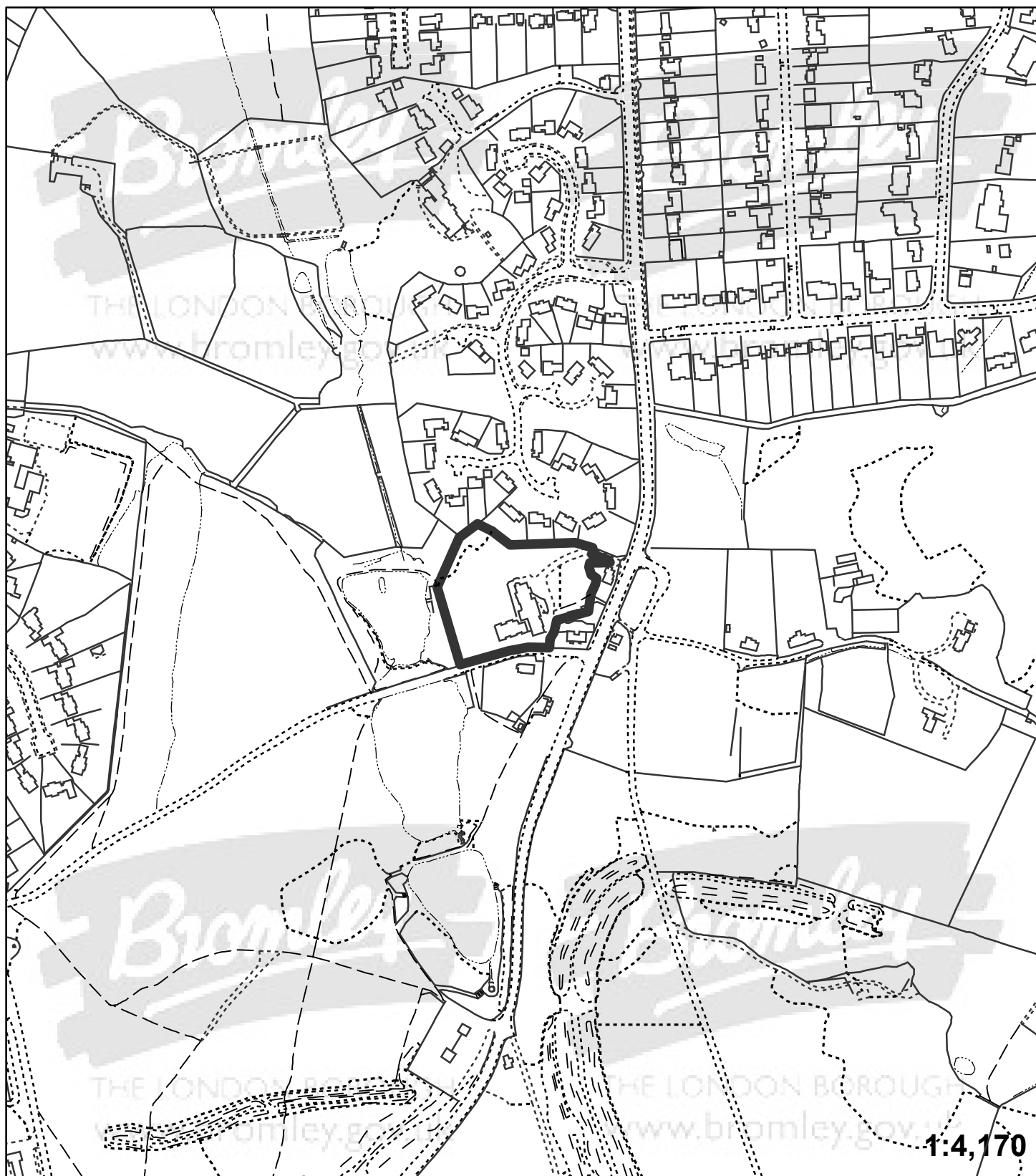
You are further informed that :

- 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**

Application:16/02119/FULL1

Address: Forest Lodge Westerham Road Keston BR2 6HE

Proposal: Erection of detached building comprising 5 No two bedroom flats.



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

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SECTION '2' – Applications meriting special consideration

Application No : 16/02435/FULL1

Ward:
Mottingham And Chislehurst
North

Address : Castlecombe Primary School
Castlecombe Road Mottingham London
SE9 4AT

OS Grid Ref: E: 542214 N: 171455

Applicant : Mr Roger Ward

Objections : YES

Description of Development:

Ground and first floor extensions to provide an additional storey to facilitate an increase in pupil numbers, elevational alterations, canopy and covered play area to eastern elevation, additional car parking spaces, refuse store and bicycle parking, along with temporary works to include 3 mobile classrooms and external works.

Key designations:

Biggin Hill Safeguarding Area
Green Chain
London City Airport Safeguarding
Metropolitan Open Land
Sites of Interest for Nat. Conservation
Smoke Control SCA 10
Smoke Control SCA 51

Proposal

- A phased development to enable the expansion of the school from a 1 form entry to a 2 form entry is proposed. The capacity of the school will be doubled to 420 pupils as a result of the development. It is estimated that staff numbers will increase by a total of 16 staff (full-time equivalent);
- The applicants are proposing a phased development with temporary classroom accommodation and hardstanding for a contractors compound being provided on site for the duration of the phase 1 works, which the applicant states will be required until September 2019.

PHASE 1:

- Includes the provision of 4 new classrooms, refurbished classrooms, a new library, a new music room, a studio, Hygiene room, new and refurbished WCs, an interview room;
- construction of ground floor extension to eastern side of building;

- external canopy to eastern side of building provide outdoor covered play area for reception classrooms;
- construction of ground floor infill extension within part of internal courtyard along with raised external deck;
- first floor extension over part of south wing of the existing building measuring approximately 8.6m high from ground level; and
- new bin store adjacent to front boundary and new cycle store adjacent to western side of building;
- Widening of existing service access from Castlecombe Road to provide 10 additional parking spaces;

PHASE 2:

- includes the provision of 3 new classrooms, refurbished classrooms and staff room, a changing room and additional administration space;
- additional ground floor extension to the eastern side of the building to extend reception classrooms, provide a lobby and re-position covered play area;
- first floor extension over remainder of south wing; and
- elevational alterations including replacement of the entire south façade;

TEMPORARY WORKS:

- 3 modular buildings each comprising 2 classrooms are proposed adjacent to the southern site boundary along with a temporary container and hardstanding;
- Hardstanding measuring approximately 1524sqm in area to form a contractors compound and vehicular access route via an existing access serving the children's and family centre off Castlecombe Road.
- Landscaping including a replacement pond and ecological habitat area adjacent to the southern site boundary is also proposed.

The applicant has submitted the following documents in support of the application:

- Landscape Appraisal (July 2016)
The document assesses the visual impact of the development from 13 different viewpoints in the vicinity of the site and considers that the development will be visible from 4 of the viewpoints assessed.
- Transport Statement (May 2016)
The report assesses the existing modes of travel of pupils and the estimated increase in each mode, based on an increase of 210 pupils and predicts an additional 14 car trips as a result of the development. However, in the short term the majority of the additional pupil intakes will be from pupils transferring to Dorset Road School which, based on a speculative assumption of how those pupils will travel to school, estimates an additional 47 car trips in the short term. An additional parking demand for 8 cars is predicted in relation to the additional staff proposed. On-street parking surveys were carried out in January 2016 to assess the current levels of parking in the vicinity of the school before, during and after pick-up period.

The main conclusions are that there is a large amount of parking space available in the area however, parking congestion around the school is caused by a small minority of drivers parking inconsiderately and often seeking to park as close to the school gate as possible, despite on-street parking being readily available within 50-100m. The report considers that the additional 47 car trips estimated to be generated in the short-term by the transfer of pupils from Dorset Road Infant School will add significantly to these demands and pressures. Possible mitigation measures recommended are to eliminate footway parking along the school frontage by extending the guard-railing or bollards and the zig zag markings, extending the zig zag markings to the opposite side of the road but still allowing pavement parking for residents and on-street parking outside of school times, and promotion of more considerate parking behaviour through the School Travel Plan.

- School Travel Plan Edition I (May 2016)

Identifies existing issues, outlines consultation undertaken with pupils, parents and staff and outlines an action plan aimed at increasing the number of pupils undertaking 'park and stride', promoting sustainable transport through the school curriculum and promoting the school travel plan effectively. A plan to review and evaluate the Travel Plan is also included.

- Tree Survey (February 2016)

The survey records the condition of trees on the site which could be affected by the development and grades them accordingly. The report also notes that two ash trees at the western end of the northern boundary with Castlecombe Road will be removed. Proposed tree protection measures in respect of retained trees are shown.

- Preliminary Ecological Appraisal (amended October 2016)

The site survey was undertaken in August 2015 which involved classifying and recording habitat types and features of ecological interest and assessing the potential of the site for protected species. The report concludes that the site does have the potential to support common bird species, hedgehogs and commuting and foraging bats and areas of the site unaffected by development were considered to have lower potential to support common toad and stag beetles. A bat roost tree survey was carried out and it was concluded that the trees on the site have low to negligible potential to support bat roosts. Overall, the report concludes that the development would have minor adverse impacts on bats if lighting was proposed as part of the development, and minor adverse impacts on birds with noise disturbance likely during construction. Site clearance should also take account of the likely presence of hedgehogs. The impact on these species is likely to be reduced to neutral if the suggested mitigation measures are undertaken. Furthermore, the proposed replacement pond and wildlife area would result in some minor/neutral-minor beneficial impacts for bats and amphibians. Precautionary mitigation and enhancement measures are recommended.

- Drainage Strategy (May 2016)

The report concludes that due to the position of the proposed extensions, there is no increase in impermeable area on the site and no increase in surface water runoff. The new roof within the central courtyard will be drained into the same

surface water system as the existing roof and the run-off from the high level roof will replace that from the existing single storey roof. The surface water system connects into the surface water main in the road. The additional toilets and foul drainage connections will be taken into the existing foul water drainage system which connects to the main in the road and it the report concludes that this will be sufficient to carry the small additional flow.

- Energy Assessment (October 2016)

The overall energy strategy set out in the report is to improve refurbished building fabric performance as much as is practicable given that the project is principally refurbishment / modernisation works. A number of energy-saving measures are proposed to be incorporated into the building's design including insulation levels significantly better than Building Regulation requirements; natural ventilation systems and energy efficient lighting systems. Various forms energy efficient heating infrastructure were considered including Combined Heat and Power and Community/District Heating, however these were not considered viable for this development. A number of low or zero carbon technologies have also been assessed however the preferred option for the development is the installation of photovoltaics (PVs) which will be roof mounted to the required pitch on the southern elevations of the site. The report concludes that around 164m² of photovoltaic cells will be required for this particular development in order to meet the minimum reduction in carbon dioxide emissions required by the London Plan.

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

- One of the very special circumstances associated with this development is the educational need for the additional classrooms at the school;
- The proposed development has been carefully considered by largely maintaining the footprint of the existing building, reducing the site coverage of development on the site, preventing further built form extending into areas of the site which are currently undeveloped;
- This ensures the openness and permanence of the site, and MOL, are preserved;
- The proposed design has the least harmful impact on the MOL;
- The design, type and level of accommodation proposed is derived from DFE standards ensuring the necessary space requirement for the additional form of entry are met;
- The Council, in its emerging plan, is proposing to re-designate the school from MOL to Urban Open Space (UOS);
- Once the school is re-designated as UOS extensions to the school will no longer be defined as inappropriate development;
- Have demonstrated that the very special circumstances associated with the development which clearly outweigh the harm by reason of inappropriateness;
- Careful consideration has been given to the siting and positioning of the temporary mobile classrooms to ensure the school playing fields can continue to function during the build;

- Due to the positioning and location of the proposed extensions to the existing school, the development will not have any impact on residential amenity to adjoining occupiers in regards to privacy, noise, light and outlook;
- By retaining the footprint of the existing school building the visual amenity of the adjoining occupiers will be retained;
- The closest public right of way runs along the southern boundary of the site and will therefore be unaffected by the development;
- The proposed development will respect site coverage and existing built form and will therefore preserve the character and function of the Green Chain;
- All new classrooms will have a min. floor area of 55sqm and enjoy natural ventilation and healthy natural daylight levels;
- The new accommodation will not encroach on either the existing playground or playing fields;
- With the new accommodation focussed along the south wing of the school, the visual impact of the extension on Castlecombe Road is minimised and the character of the original school frontage is maintained;
- The height of the extension is lower than the ridge line of the existing hall suggesting that the scale will not unduly impact on the amenities of the occupiers of neighbouring dwellings or on the character or appearance of the area;
- The architectural language is intended as a natural extension to that of the existing school building;
- The existing school sits approximately 1-1.5m below playground level which would help to mitigate the apparent height of the extensions when viewed from the south;
- The proposal would not prejudice the access arrangements to and within the site - staff and visitor vehicular access would remain off Castlecombe road;
- Existing pedestrian access from Castlecombe Road will remain;
- Internally the new building will ensure level access throughout;
- A platform lift has been proposed to enable movement between ground and first floor levels in compliance with Part M;
- Deliveries will remain as per the current arrangements;
- A consultation meeting was held with the Designing out Crime Officer discussing CCTV, access arrangements, fencing, doors and windows and lighting;
- A public consultation was held in which concerns were raised over the increase in traffic on Castlecombe road at pick up and drop off times;
- London Borough of Bromley Education Capital team will continue to work with the school to ensure that any operational issues arising from the expansion are considered and managed and stakeholders will continue to be well informed and consulted on developments.

Location

- The application site extends to an area of approximately 1.8ha and is situated on the southern side of Castlecombe Road;
- The entire site is designated as Metropolitan Open Land (MOL), South East London Green Chain and is adjacent to a Site of Interest for Nature Conservation;
- The site comprises a 1 form entry primary school, a school nursery and a children's/family centre;
- The primary school which is the subject of this application consists of a single storey school building located on the western side of the site with double

height hall and plant room, rectangular in shape set around a central landscaped courtyard;

- The building is set back from the highway and to the front (north) of the site is hardstanding for car parking, bin and cycle stores and some soft landscaping including trees;
- The site steps up to a higher gradient towards the south where the playground is located;
- To the rear the site is bordered by Elmstead Woods which are also designated as MOL;
- Immediately to the east of the school building are the Castlecombe Children and Family Centre and separate Youth Centre and the school nursery;
- The east/south-eastern side of the site is occupied by playing field which extends to the site boundaries;
- To the north on the opposite side of Castlecombe Road are more residential dwelling houses;
- There are also residential properties adjacent the site to the west along Castlecombe Road and bordering the eastern edge of the site along Beaconsfield Road;
- There are 2 existing vehicular access point off Castlecombe Road, the eastern access leading to the car park fronting Castlecombe Road and onwards access to the rear of the buildings and play areas;
- The vehicle access at the western end is for deliveries and servicing;
- One pedestrian access is located centrally off Castlecombe Road;
- The site has a Public Transport Accessibility Level (PTAL) rating of 1b (on a scale of 0 - 6 where 6 is the highest).

Consultations

Nearby owners/occupiers were notified of the development in writing, a site notice was posted and a press advert was published. Representations were received which can be summarised as follows:

- oppose this application and the planning in relation to adding parking restrictions to an already busy road;
- It is near impossible to park outside my house already without adding an extra 90 parents cars if what 3 classrooms provide;
- Object to the additional railing that we understand will now run down opposite our property (99 Castlecombe Road), as well as the yellow zig zag lines that will be placed in front of our property;
- The pavement opposite is often used for parking, as the spaces outside of our property are not always available, often in use by parents from the school: the railing, will prevent us from parking close to our property;
- Combined with the yellow zig zag line, you are effectively robbing us of a car parking space in front of our property;
- After reviewing the proposed expansion plans for Castlecombe School it is apparent that the pupil intake has now grown from the original submission;
- objection is based on additional intake of pupils;
- Why is Mottingham Primary School allowed to opt out and not expand?
- With the intake of over 400 pupils the school has now doubled meaning Castlecombe will be bigger than some Secondary Schools;

- The noise levels at play times and light pollution will significantly increase with extending opening hours to include before and after activities;
- This includes the Nursery and Youth Centre where floodlighting is left on all night unnecessarily;
- will have an impact on my ability to continue to work from home;
- The traffic increase and lack of parking at peak times will mean the pickup and drop off will potentially flow into Beaconsfield Road;
- We are already experiencing commuter parking for Elmstead Woods Station at the top of Beaconsfield Road;
- The change from Metropolitan Open Land to Urban Open Space is a huge concern as this now takes away the protection rights of our green space and allows the ability for the school to expand further in the future
- concerns are that the playground will be expanded onto the green space;
- Drainage from the school field needs to be addressed: our garden flooded from rain water flowing off the school field during the recent June storms;
- Although we have no objection with the proposed design of the school and the use of the green space to introduce the wildlife, nature and forest areas there is no need to change the status from Metropolitan Open Land.

Consultee Comments:

The Council's Highways Development Engineer recognises that there are short term parking and congestion issues associated with this school during drop off and pick up times, as with most other schools in the Borough, however, outside of these times considers that there does not appear to be any significant parking issues. The increase in pupils is likely to increase the area over which parking takes place and hence those numbers of roads affected, however, there appears to be spare capacity in surrounding roads for additional short term parking. The measures proposed in the Transport Assessment to alleviate against inconsiderate and dangerous parking have been considered however it would not be appropriate to extend the parking restrictions in this instance as this would also prevent local residents from parking outside their houses. While it is not possible to determine what people will do in the future should the school expand, if parents do choose to park in inappropriate locations closer to the school then issues may arise. The School Travel Plan should therefore be updated and improved in line with the suggestions in the Transport Assessment.

The Council's Public Rights of Way Officer has advised that no public rights of way are affected by the proposal.

The Council's Drainage Engineer has raised no objections on the basis that there is no increase in impermeable area. The proposed connection into the existing sewer is also acceptable.

The Council's Environmental Health Officer has raised no objections in relation to noise but has recommended a condition relating to noise from any additional plant. While there are no records to suggest significant contamination is likely at this site contamination risk should be taken seriously during the development and a condition is recommended accordingly. Conditions relating to lighting, electric car charging points and construction management are also recommended.

The Metropolitan Police Designing out Crime Officer has stated that should the application proceed, it should be able to achieve the security requirements of Secured by Design and the adoption of these standards will help to reduce the opportunity for crime, creating a safer, more sustainable environment. Recommend a 'Secured by Design' condition should be attached to any permission stipulating that the development will follow the principles and physical security requirements of Secured by Design.

Sport England: Raise no objections to the ground and first floor extensions, canopy and covered play area and additional car parking spaces, refuse store and bicycle parking as this aspect of the proposal would not prejudice the use of a playing field. However, the temporary classrooms and hardstanding would appear to be sited on an existing area of playing field which would prejudice the use of the playing field. Sport England object to these aspects of the proposal on the basis that they are not considered to accord with any of the exceptions to Sport England's Playing Fields Policy or with Paragraph 74 of the NPPF.

In response to Sport England's objection, the applicant has submitted a revised plan re-locating the temporary classrooms closer to the southern site boundary and re-locating the hardstanding for the contractor's compound to the eastern side of the site adjacent to the nursery and family centre. While this would still result in the temporary loss of useable playing field and would therefore be technically contrary to Sport England's policy, in this instance, given the temporary nature of the development and that the existing pitch provision would not be affected by the development, nor would the reduction in area of playing field be likely to have an impact on the school's ability to meet PE curricular needs or compromise any community use of the playing field, Sport England have removed their objection subject to conditions.

Natural England has not commented on the application and considers that the application is not likely to result in significant impacts on statutory designated nature conservation sites or landscapes. However, they advise the Local Planning Authority to determine whether or not this application is consistent with national and local policies on the natural environment.

Thames Water has raised no objections in respect of sewerage or water infrastructure capacity. With regard to surface water it is the responsibility of the Developer to make proper provision for drainage to ground, water courses or a suitable sewer.

Planning Considerations

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

BE1 Design of New Development
BE7 Railings, Boundary Walls and Other Means of Enclosure
C1 Community Facilities
C7 Educational and Pre-School Facilities

C8 Dual Community use of Educational Facilities
ER10 Light Pollution
G2 Metropolitan Open Land
G7 South East London Green Chain
L2 Public Rights of Way and Other Recreational Routes
L6 Playing Fields
NE3 Nature Conservation and Development
NE5 Protected Species
NE7 Development and Trees
NE12 Landscape Quality and character
T2 Assessment of transport effects
T3 Parking
T5 Access for people with restricted mobility
T6 Pedestrians
T7 Cyclists
T8 Other Road users
T15 Traffic Management
T16 Traffic Management and Sensitive Environments
T18 Road Safety

Supplementary Planning Guidance 1: General Design Principles

A consultation on draft Local Plan policies was undertaken early in 2014 and the Council went out to consultation on the next stage in the preparation of its Local Plan in 2015, focusing on draft site allocations, a limited number of revised draft policies and designations. The draft Local Plan was approved by the Development Control Committee and Council's Executive in July 2016.

At the time of writing this report, the proposed submission draft Local Plan (2016) is due to be published for consultation in early November 2016. The Council's latest consultation documents are available on the website at www.bromley.gov.uk/localplan.

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

The Most Relevant Policies from the emerging Local Plan include the following:

6.5 Education
8.1 General Design of Development
8.6 Protected Species
8.7 Development and Trees
8.8 Conservation and Management of Trees and Woodlands
8.11 Landscape Quality and Character
8.12 Green Corridors
8.15 Metropolitan Open Land
8.23 Outdoor Sport, Recreation and Play
8.25 Public Rights of Way and Other Recreational Routes

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

- 2.18 Green Infrastructure: the multi-functional network of green and open spaces
- 3.18 Education Facilities
- 3.19 Sports Facilities
- 5.2 Minimising Carbon Dioxide Reductions
- 5.3 Sustainable Design and Construction
- 5.6 Decentralised Energy in Development Proposals
- 5.7 Renewable Energy
- 5.9 Overheating and Cooling
- 5.11 Green Roofs and Development Site Environs
- 5.13 Sustainable Drainage
- 5.14 Water Quality and Wastewater Infrastructure
- 5.15 Water use and supplies
- 6.3 Assessing Effects of Development on Transport Capacity
- 6.9 Cycling
- 6.10 Walking
- 6.13 Parking
- 7.1 Lifetime Neighbourhoods
- 7.2 An inclusive environment
- 7.3 Designing out Crime
- 7.4 Local Character
- 7.6 Architecture
- 7.17 Metropolitan Open Land
- 7.19 Biodiversity and Access to Nature
- 7.21 Trees and woodlands

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

6.13 Parking

The relevant London Plan SPGs are:

Accessible London: Achieving an Inclusive Environment (2014)
Sustainable Design and Construction (2014)

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

- 14: achieving sustainable development
- 17: principles of planning
- 32 to 36: promoting sustainable transport
- 56 to 61; 63 to 66: design of development
- 70; 74: promoting healthy communities

96 to 99: Climate change

109; 117 to 118: conserving and enhancing the natural environment

Planning History

93/02498: Planning permission was granted for the existing school building to include demolition of existing timber buildings and construction of single storey teaching bloc with attached 9 metre high assembly hall and 7 metre high boiler/tanks room, new vehicular access, increase in parking spaces from 8 to 14 and additional hard play area;

93/02776: Planning permission was granted for five detached mobile buildings for a temporary period;

95/00692: planning permission was granted for change of use from vacant land to educational use at land rear of 60 and 62 Castlecombe Road;

03/03988/DEEM3: Planning permission was granted for a detached single storey building for nursery and creche, with covered walkway extension to school building;

04/03088/FULL1: Planning permission was granted for Single storey side extension to children's learning area;

07/03848/FULL1: Planning permission was granted for Single storey extensions to existing nursery to form Children's Centre with 9 additional car parking spaces adjacent to existing access road;

14/00707/FULL1: Planning permission was granted for Demolition of existing modular building and replacement single storey modular childrens centre.

Conclusions

The main issues to be considered in relation to the proposal are the impact that the proposed school extension and temporary classrooms would have on the openness, quality and accessibility of the Metropolitan Open Land (MOL), including whether or not such a form of development is 'appropriate' and, if not, whether 'very special circumstances' exist which outweigh the potential to harm the Metropolitan Open Land by reason of inappropriateness and any other harm.

Other material planning considerations in relation to this proposal include:

- Impact on playing fields;
- Scale, Layout and Appearance;
- Impact on residential amenity;
- Parking and cycling provision and Highways impacts;
- Trees and Ecology;
- Sustainability and Energy;
- Flooding and Drainage.

Metropolitan Open Land

The London Plan at policy 7.17 states that the MOL serves the same purpose as Green Belt in that it has an important role to play as part of London's multifunctional green infrastructure and it will be afforded the same level of protection as Green Belt. Inappropriate development that adversely affects the openness of MOL will therefore be refused except in very special circumstances. Essential ancillary facilities for appropriate uses will only be acceptable where they maintain the openness of the MOL.

The London Plan also recognises the importance of Green chains to London's open space network, recreation and biodiversity and should be designated as MOL due to their Londonwide importance.

Policies G2 and G7 of the UDP are consistent with the London Plan in respect of MOL and require development proposals to respect and not harm the character or function of the Green Chain as defined on the proposals map.

In accordance with paragraph 89 of the NPPF the following forms of development are considered as exceptions to inappropriate development in the Green Belt:

- o buildings for agriculture and forestry;
- o provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it;
- o 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;
- o the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
- o limited infilling in villages, and limited affordable housing for local community needs under policies set out in the Local Plan; or
- o limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.

Consideration as to whether the development proposed constitutes 'inappropriate development' is therefore required. With regard to the permanent works including both phase 1 and phase 2, the proposed infill extensions within the inner courtyard and ground floor extension to the eastern side of the building to provide additional classroom accommodation and an outdoor covered play area would, given the scale, height and footprint proposed, not result in disproportionate additions to the existing building and may be considered appropriate development in accordance with paragraph 89 of the NPPF.

However, the proposed first floor extension to the school would give rise to a substantially higher building than existing and would therefore be considered inappropriate development resulting in harm to openness and the visual amenity of the MOL. Furthermore, the temporary accommodation including a temporary

container and hardstanding does not meet any of the above exceptions and would also be considered inappropriate development and therefore very special circumstances must be demonstrated for these aspects of the development.

Accordingly, the applicant has set out a case for why they consider 'very special circumstances exist' to justify the development which comprises the following aspects: the need for additional school places and why this design is the least harmful option in respect of the MOL. In addition, the applicant cites the proposed re-designation of this site in the emerging local plan from MOL to Urban Open Space and considers that, as a whole, the above considerations outweigh the harm to the MOL by reason of inappropriateness. These considerations are assessed below.

The need for additional school places:

The government attaches great weight to ensuring that a sufficient choice of school places is available to meet demand and says that local planning authorities should give great weight to the need to create, expand or alter schools (Para.72, NPPF). The London Plan, at policy 3.18, is consistent with this stating that development proposals which address the current and projected shortage of primary school places will be particularly encouraged.

Chapter 13 of the UDP sets out the Council's objectives in supporting the provision of local community services which reinforce a sense of place, strengthen communities and reduce the need to travel. In line with national policy and strategic objectives, a proposal for development that meets an identified education need will normally be permitted provided it is accessible by modes of transport other than the car and accessible to members of the community it is intended to serve (policy C1, UDP). Proposals relating to primary schools that are likely to be used by the wider community will also be required to produce and adopt a School Transport Plan (policy C7) identifying measures which will assist in reductions in car usage, reduced traffic speeds and improved safety particularly for pedestrians and cyclists.

Draft Emerging Policy 6.5 which carries increasing weight as preparation of the plan progresses, sets out the Council's commitment to choice in education for parents and young people, and that it will work in partnership with agencies and providers, to ensure the provision of an appropriate range of educational facilities, assessing the need for the range of education infrastructure over the plan period and allocating sites accordingly, safeguarding sites for education purposes for the period of the plan and permitting extensions to existing schools which seek to address local need, subject to Local Plan open space and conservation policies, unless there are demonstrably negative local impacts which substantially outweigh the need for additional education provision, which cannot be addressed through planning conditions or obligations.

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

The applicant states that "the expansion of Castlecombe School by 1 form of entry at Key Stage 2 is needed to provide a guaranteed place for all pupils leaving Dorset Road Infant School at the end of Year 2. At present only 8 pupils have a guaranteed place at Mottingham Primary School, and that school, an academy trust, has indicated that it does not want to expand the capacity of its school further" (Para 6.3, Planning Statement).

The applicant considers that this development will provide sufficient capacity at Castlecombe School to secure sufficient school places in relation to the identified educational need and is therefore a significant other consideration to justify the development on MOL.

In this instance it is considered that here is a demonstrable need for the educational development proposed and local, regional and national policies lend strong support to proposals which meet education need.

Design:

In relation to the design and visual impact of the proposal, the applicant has submitted a landscape appraisal which confirms that the development will be visible from 4 of the viewpoints assessed, predominantly from Castlecombe Road from the north-west and north-east corners of the site and directly opposite; and also from Beaconsfield Road looking west towards the site. While the applicant surmises that the mature trees along the frontage and shrub planting restrict a completely open view of the site, it is noted that two trees at the front of the site are proposed to be removed as part of the development which will open up views of the development from Castlecombe Road. Furthermore, the landscape appraisal does not take into account views from the rear of neighbouring properties in Beaconsfield Road from which the proposed first floor extension would be highly visible.

In terms of the impact on views from the public right of way in Elmstead Woods running along the southern site boundary, the development will be largely screened by the dense trees which currently prohibit any clear views of the school and its buildings. Furthermore, the existing school sits on a lower ground level than the playground which helps to mitigate the apparent height of the extensions when viewed from the south.

Although the development would be visible from various vantage points, the proposed design of the extension incorporates a pitched roof and sympathetic materials for the external surfaces and the proposed height would accord with that of the existing hall.

Furthermore, the development is an upward extension and the impact on openness is therefore reduced by ensuring that the development does not significantly exceed the extent of built development into previously undeveloped parts of the site. For these reasons, the proposed extension would not impact significantly on the visual amenities or openness of the MOL.

The three temporary modular building would measure 3.7m high x 16m long x 9.8m wide with flat roofs. Timber cladding would be utilised for the external surfaces of the buildings. Although consideration has been given to the siting and positioning of the temporary classrooms to ensure the school playing fields can continue to function during the build, it is clear that these substantial buildings and hardstanding would have an impact on the openness and visual amenities of the MOL. However these are temporary works which are necessary to facilitate the school expansion and which the applicant has indicated will only be required until September 2019.

Emerging plan:

The Council has recently consulted on proposals to address the needs identified above. The Local Plan evidence base sets out the "exceptional circumstances" which support the release of some sites from Green Belt or MOL. It also outlines the necessary expansion of existing infrastructure.

Draft Policy 8.20 increases the flexibility for educational development on Urban Open Space (UOS) sites. Whilst this is not a UOS site currently the Council has consulted on the re-designation of the northern portion of this site, not including the playing field, to UOS supported by "exceptional circumstances".

However, in advance of the adoption of the local plan and re-designation of the site this carries little weight at this stage. Neither does it account for the southern part of the site where the temporary development is proposed on the existing playing field. Existing national and development plan policy on MOL is therefore more relevant and requires that the applicant demonstrates 'very special circumstances' for such inappropriate development.

Conclusions on Very Special Circumstances:

The preceding sections of this report sets out the applicant's case for why they believe this form of inappropriate development in MOL should be permitted. Officers have assessed the 'very special circumstances' put forward and have weighed them up against any potential harm to the MOL which would ensue from permitting the development, by reason of inappropriateness and any other harm.

To summarise, the proposal would facilitate an additional 210 school places and given that there is a demonstrable need for additional school places in this location, great weight should be attributed to the need to expand schools in accordance with national and local policy.

In this instance, it is considered that the proposed first floor extension to the school has been sensitively designed to take into account the layout, form and scale of the existing building and, on balance, the openness and visual amenities of the MOL would not be unduly harmed. While it is clear that the proposed temporary classrooms and hardstanding would have an impact on the MOL, these are temporary works and it is considered that the resulting benefits of the development would outweigh the harm which would ensue while they are in operation. A condition of any forthcoming planning permission should be to require the removal

of the temporary works and re-instate the playing field to its former condition after a specified period.

In this instance it is considered that very special circumstances exist which outweigh the 'harm' to the MOL caused by the development.

Loss of Playing Fields

The NPPF, at paragraph 73 recognises the important contribution that access to high quality open spaces and opportunities for sport and recreation can make to the health and well-being of communities and says that planning policies should be based on robust and up-to-date assessments of the needs for open space, sports and recreation facilities and opportunities for new provision.

Existing open spaces and playing fields should not be built on unless an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or the development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss (para.74, NPPF). Policy L6 of the UDP is consistent with this. In addition, the London Plan, at policy 3.19 'Sports facilities', states that development proposals that increase or enhance the provision of sports and recreation facilities will be supported and the net loss of such facilities, including playing fields, will be resisted.

The applicant has submitted a revised plan re-locating the temporary classrooms closer to the southern site boundary and re-locating the hardstanding for the contractor's compound to the eastern side of the site adjacent to the nursery and family centre. While this would still result in the temporary loss of useable playing field, the school's use of the existing pitches would not be unduly impaired, nor would it compromise any community use of the playing field. Subsequently, Sport England have removed their objection to the application.

Subject to conditions requiring the removal of the temporary works and reinstatement of the playing fields after a specified period, the impact on playing fields is, in this instance, considered acceptable.

Scale, Layout and Appearance

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

Planning policies and decisions should aim to ensure that developments will function well and add to the overall quality of the area; establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places

to live, work and visit; optimise the potential of the site to accommodate development; respond to local character, reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation; create safe and accessible environments; and ensure that development are visually attractive as a result of good architecture and appropriate landscaping (Para.58, NPPF).

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

The London Plan at policy 7.1 requires developments to be designed so that the layout, tenure and mix of uses interface with surrounding land and improve people's access to social and community infrastructure (including green spaces). Development should enable people to live healthy, active lives, maximise the opportunities for community diversion, inclusion and cohesion and the design of new buildings and spaces should help reinforce the character, legibility, permeability and accessibility of the neighbourhood.

Consistent with this policy BE1 of the London Borough of Bromley Unitary Development Plan (UDP) requires new developments to be imaginative and attractive to look at; complement the scale, form, layout and materials of adjacent buildings and areas; development should not detract from the existing street scene and/or landscape and should respect important views, skylines, landmarks or landscape features; the space about buildings should provide opportunities to create attractive settings and security and crime prevention measures should be included in the design and layout of buildings and public areas. The emerging Draft Local Plan takes a similar stance.

The proposed construction of the first floor extensions to the southern wing of the building would be set well back from the street frontage and would be sympathetically designed utilising a pitched roof and materials to match that of the existing building. The ground floor extensions are small in scale and would assimilate successfully with the main building. Furthermore, the layout proposed would leave ample room about the building for the existing playground to function and, in addition, attractive outdoor learning and play space is proposed as part of the development. Conditions requiring a full schedule of materials to be submitted and approved are recommended.

Internally, the new part of the building will ensure level access throughout with a platform lift proposed to enable movement between ground and first floors. Externally, an existing ramp up to playground level ensures accessibility throughout the development and a level threshold is proposed from the covered play area to the reception classrooms.

A new refuse and recycling storage facility is proposed adjacent to the front boundary of the site adjacent to Castlecombe Road which would measure approximately 3.6m high with a pitched roof. While this would appear more prominent in the street scene than the existing bin store which is set back from the

highway boundary, in the context of the overall development with additional parking spaces directly adjacent, it is not considered that it would appear unduly harmful to the appearance of the street scene.

New bicycle storage facilities are also proposed adjacent to the western side of the building, details of the appearance of which would need to be agreed by way of a condition attached to any subsequent planning approval.

Vehicle and pedestrian access are as existing. Four additional parking spaces are proposed adjacent to the front boundary of the site with a further 2 set back and another 2 two marked-out parking spaces located to the western side of the building adjacent to the boundary with 62 Castlecombe Road. This layout is considered acceptable from a visual and neighbouring amenity perspective given that the area to the west of the school building is already used for parking and deliveries. Two trees are proposed to be removed from the front of the site to accommodate the car parking and bin storage; however, there is space retained along the street frontage to retain an existing tree and shrub planting and additional tree planting is proposed along the front boundary which will secure an attractive setting for the development when viewed from Castlecombe Road.

A landscaping strategy has also been submitted with the application which includes new tree and shrub planting and a replacement pond and ecological area adjacent to the southern site boundary. Overall, it is therefore considered that an attractive setting for the development could successfully be secured.

Details of the height and appearance of the proposed sheds and boundary treatments over the height allowed under permitted development would need to be agreed through conditions attached to any subsequent grant of planning permission.

Impact on residential amenity

Policy BE1 of the UDP seeks to protect existing residential occupiers from inappropriate development. Issues to consider are the impact of a development proposal upon neighbouring properties by way of visual impact, general noise and disturbance and traffic and parking impacts.

As discussed above, the proposed development would be highly visible from adjacent properties to the east of the playing field in Beaconsfield Road, however, given the substantial separation from these properties the development would not have a significantly harmful effect on the outlook currently enjoyed from the rear of these properties.

With regard to adjacent properties to the west of the site in Castlecombe Road, the proposed first floor extension would again, be visible from these residential dwellings, however, the extension would be positioned around 30m away from the rear elevation of No. 62 and views of the development will be partially obscured by the existing hall and tree and shrub screening which exists along the western boundary.

The relationship of the development to properties on the opposite side of Castlecombe Road would also give rise to limited views of the extensions from these properties and overall the visual impact would not be significantly harmful to neighbouring amenities.

Concerns have been raised by local residents with regard to noise impact from the increase in pupil numbers and impact from lighting. While there is likely to be a small increase in all types of noise associated with the site due to the doubling of noise sources such as car movements, children etc., this would only give rise to approximately a 3dB increase in noise which is usually considered to be the onset of perceptibility noticeability. Any extension in times of play will also increase the times of noise exposure for surrounding residents however, none are currently proposed.

Given this is an existing school and very limited changes to its overall layout are proposed, on balance, it is considered that these impacts are unlikely to amount to a significant adverse effect on local residents.

Noise emitting from any proposed plant should be controlled by way of condition attached to any planning approval. A condition requiring an acceptable lighting scheme is submitted to and approved by the Council is also recommended in the interest of neighbouring amenities.

Concerns have also been raised in relation to the re-designation of the site to Urban Open Space and the future ability of the school to expand further onto the site. As discussed above, in advance of the adoption of the local plan this carries limited weight at this stage and, as it stands, it is not proposed to re-designate the southern half of the site. Any concerns in respect of the site's re-designation would, in any case, need to be raised through the imminent consultation process of the Local Plan (2016).

The majority of concerns raised by local residents were in relation to parking and road safety. These matters are discussed below.

Parking and Cycling provision and Highways Impacts

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

London Plan and UDP Policies encourage sustainable transport modes whilst recognising the need for appropriate parking provision. Proposals relating to primary schools that are likely to be used by the wider community will also be required to produce and adopt a School Travel Plan (UDP policy C7) identifying measures which will assist in reductions in car usage, reduced traffic speeds and improved safety particularly for pedestrians and cyclists. Proposals should ensure that cycling is promoted and that the conditions for cycling are enhanced. They should also seek to take all opportunities to improve the accessibility of, amongst other places, leisure facilities (para.6.35, London Plan).

It is anticipated that eventually pupil numbers will double to 420 pupils and an additional 16 full time equivalent members of staff will be employed at the school as a result of these proposals. The increases will occur over 7 years with a new class each year moving through the school. The first 2 additional intakes will be transferring from Dorset Road Infants School.

There are 14 parking spaces on the site and this will increase to 22 with the proposal which would accommodate parking for the proposed additional staff numbers.

The on-street parking during pupil drop-off and pick-up times is concentrated along the school frontage where there are existing issues with double parking and blocking drives. Outside of these times there does not appear to be any significant parking issues.

With regards to the additional pupil numbers, in the short term the majority of additional pupils will be transferring from Dorset Road School which is approximately 1.3km to the north of Castlecombe School. The Transport Assessment submitted as part of the application estimates that there could be around an additional 47 car trips generated by those pupils.

Expanding the school and increasing the number of parents driving to the school is likely to push the associated parking further along Castlecombe Road and potentially into Beaconsfield Road and Court Farm Road. However, there appears to be spare capacity in these roads to accommodate additional short term parking.

In the longer term, however, the number of pupils travelling to school by car is likely to gradually decrease as the Dorset Road Infant School pupils move up through the school and eventually graduate. This is based on the assumption that the existing proportions of modes of travel will be the same for the new pupils and the catchment area for the school will not significantly change.

Overall, it is considered that the estimated additional short-term car trips from the transfer of pupils from Dorset Road Infant School are likely to add significantly to the parking demands and pressures in the vicinity of the school, however, there is spare capacity for on-street parking in surrounding roads and, on balance, the proposed development is not likely to give rise to severe transport impacts. An updated Travel Plan which includes School policies to cover parking behaviour outside the school should be submitted to and approved by the Council, as part of any conditional planning approval given.

The proposed number of cycling parking spaces is acceptable given the number of staff / pupils indicated in the Transport Assessment as cycling to school. Cycling can be monitored under the Travel Plan procedure and parking provision increased should the need arise.

Highways and cycle parking conditions including the submission of a detailed construction management plan are also recommended if permission is forthcoming.

Trees and Ecology

Policy NE7 of the UDP requires proposals for new development to take particular account of existing trees on the site and on adjoining land. Planning Authorities are also required to assess the impact of a development proposal upon ecology, biodiversity and protected species. Policies NE3 and NE5 seek to protect wildlife habitats and protected species from potentially damaging development. The presence of protected species is a material planning consideration.

The application was accompanied by a tree survey and preliminary ecological appraisal. The application site is largely clear of significant trees, with only those positioned along the site frontage, making a public contribution. The tree survey information submitted in support of the proposal indicates that 5 trees will be removed. The loss of these trees is mitigated through proposed new tree planting along the front boundary and, overall, the proposal is considered acceptable from a trees perspective.

The applicant's ecologist did not find any significant evidence of the likely presence of bat roosts in any trees on the site, including those which it is proposed to remove. Provided the recommended mitigation and enhancement measures set out in the ecology report are complied with it is considered that the development is unlikely to have a significant adverse impact on ecology or protected species. Particular regard should be given to any lighting proposed as part of the development to avoid impact on foraging bats.

Tree, ecology and lighting conditions are recommended.

Sustainability and Energy Efficiency

The NPPF requires Local Planning Authorities to adopt proactive strategies to mitigate and adapt to climate change. London Plan and Draft Local Plan Policies advocate the need for sustainable development. All new development should address climate change and reduce carbon emissions. For major development proposals there are a number of London Plan requirements in respect of energy assessments, reduction of carbon emissions, sustainable design and construction, decentralised and renewable energy. Major developments are expected to prepare an energy strategy based upon the Mayors energy hierarchy adopting lean, clean, green principles.

In accordance with the energy hierarchy in policy 5.2 of the London Plan, updated following the implementation of the 2013 Building Regulations (see the Mayor's guidance: Energy Planning (guidance on preparing energy assessments (2015)), developments should provide a reduction in expected carbon dioxide emissions through the use of on-site renewable energy generation, where feasible. The strategy shall include measures to allow the development to achieve a reduction in carbon dioxide emissions of 35% above that required by the 2013 Building Regulations. The development should also achieve a reduction in carbon dioxide emissions of at least 20% from on-site renewable energy generation.

The energy assessment submitted as part of the application demonstrates that the scheme can achieve a 36% reduction in carbon emissions, exceeding the minimum policy requirement, through the use of a combination of energy efficiency improvements and PV panels. The proposal is therefore considered acceptable in respect of energy and sustainability. It would be appropriate to attach conditions requiring final designs of the development with the renewable energy technologies incorporated to any subsequent grant of planning permission.

Flooding and Drainage

The site is within Flood Zone 1 which is at low risk from fluvial flooding. However, as the site is over 1 hectare in area it is potentially at greater risk of surface water flooding. Policy 5.13 of the London Plan requires development to utilise SUDS, unless there are practical reasons for not doing so and should aim to achieve greenfield run-off rates and ensure that surface water is managed as close to its source as possible in line with the hierarchy in policy 5.13. The supporting text to the policy also recognises the contribution 'green' roofs can make to SUDS.

However, in this instance, there is no increase in impermeable area on the site as the extensions are predominantly at first floor level. In relation to flooding and drainage the development is therefore considered acceptable.

Summary

The assessment above considers the impact of the development on the visual amenities and openness of the Metropolitan Open Land and whether the proposed development constitutes inappropriate development.

It is concluded that the proposed first floor extension and temporary works required to carry out this project would constitute inappropriate development in the MOL. However, in this instance, the applicant has demonstrated that very special circumstances exist; in particular, the need for additional school places is afforded considerable weight in this instance. Furthermore, scale, form and siting of the development has been sensitively designed to minimise its visual impact and to prevent encroachment into previously undeveloped parts of the site.

Other considerations in respect of this application include the temporary loss of playing field incurred by the provision of the hardstanding and modular classrooms, however, given the temporary nature of these aspects of the scheme, on balance,

the benefits of the development are significant enough to outweigh any harm resulting to the MOL.

While there will be a highways impact as a result of the increase in pupil numbers which the development will bring about, in this instance there is available capacity within adjacent roads for the expected increase in on-street parking and stricter school policies on inconsiderate parking may help to address some of the existing problems which occur during the short drop-off and pick-up periods on school days. While the concerns of local residents have been duly taken into account, in this instance, the transport impacts of the development are not so severe to warrant its refusal on highway grounds.

The impacts on trees, ecology and protected species have also been considered and the proposal is unlikely to have any significantly adverse impacts subject to the recommendations made in the accompanying reports being adhered to. In addition, the potential for contamination and flooding from the development has been identified as low risk.

Consequently, it is recommended that the application be permitted. Should Members be minded to permit the application, the application will be referable to the Secretary of State in accordance with Section 2(b) of the Town and Country Planning (Consultation) (England) Direction 2009 given that the proposal is for the provision of a building in Metropolitan Open Land with the floorspace to be created by the development over 1000 square metres.

Background papers referred to during production of this report comprise all correspondence on the file refs 16/02435 set out in the Planning History section above, excluding exempt information.

**as amended by documents received on 09.06.2016 28.07.2016 05.09.2016
31.05.2016 31.10.2016 02.11.2016**

RECOMMENDATION: PERMISSION

Subject to the following conditions:

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

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

- 2 The development hereby permitted shall not be carried out otherwise than in complete accordance with the plans and documents listed in this condition unless previously agreed in writing by the Local Planning Authority:
Site wide plans/elevations/floor plans: 638/089/P31 C (Sections & Elevations Phase 1); 638/089/P21 B (Phase 1 KS2 Expansion Proposed Ground Floor Plan); 638/089/P22 (Phase 1- KS2 Expansion First Floor Plan); 638/089/P23 B (Phase 1 - KS2 Expansion Roof Plan);**

638/089/P32 C (Sections & Elevations Phase 2); 638/089/P25 B (Phase 2 KS2 Expansion Proposed Ground Floor Plan); 638/089/P26 A (Phase 2 - Full 1FE Expansion First Floor Plan); 638/089/P33 (Site Section); 638/089/P27 B (Phase 2 - Full 1FE Expansion Roof Plan); 638/089/P35 (Temporary Accommodation Typical Plans and Elevations); 638/089/P34 (Proposed Bin Store Plan and Elevations); 2399/16/A/3 (Landscape planting plan and habitat area); 3247/310 P1 (Main Drainage Connections)

Reports: 2399/16/A/4A (Landscape Appraisal); Preliminary Ecological Appraisal (October 2016); Castlecombe Primary School Proposed expansion from 1FE to 2FE Transport Statement (May 2016); DCSF No.305/2029 School Travel Plan Edition I (May 2016); Castelcombe Primary School Tree Survey (February 2016); Drainage Strategy (May 2016).

REASON: In order to comply with Policies BE1, C7, G2, L6, NE3, NE5, NE7, NE12 and T18 of the Unitary Development Plan, the London Plan and the NPPF and in the interest of the appearance of the building, the openness and visual amenities of the Metropolitan Open Land and the residential amenities of the area.

- 3 Prior to the commencement of each phase or phases of the development hereby permitted 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. 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 A scheme for landscaping, which shall include details of all proposed hard surfacing, means of enclosure, lighting columns, bollards and any other street furniture, and of planting (to include a schedule of the sizes and species of plants) shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of each phase or phases. The development shall be carried out in accordance with the approved details. 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 within the next planting season with others of similar size and species to those originally planted.

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

- 5 Details of the proposed sheds 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.

6 Details of a scheme of lighting (including the appearance, siting and technical details of the orientation and screening of the lights and the means of construction and laying out of the cabling) shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced, and the approved scheme shall be implemented before the first phase of the development hereby permitted is first occupied. Thereafter the approved scheme shall be permanently retained in an efficient working manner and no further lighting shall be installed on the site without the prior approval in writing by the Local Planning Authority.

REASON: In order to comply with Policies BE1, ER10 and NE5 of the Unitary Development Plan and in the interest of amenity and protected species.

7 Details of the measures outlined in the submitted Energy Assessment, including the location and appearance of Photovoltaic panels at the site, shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of the development. The approved details, which should provide a reduction in expected carbon dioxide emissions of at least 35% above that required by the 2013 Building Regulations, shall be incorporated into the final design of the development and implemented prior to first occupation and shall be retained thereafter in operational working order.

REASON: In order to seek to achieve compliance with the Mayor of London's Climate Change Mitigation and Energy Strategy and to comply with Policies 5.2, 5.3 and 5.7 of the London Plan.

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

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

9 Prior to the commencement of each phase or phases of the development hereby permitted a Construction Management Plan and Construction Logistics 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, measures to secure provisions of on-site delivery, off-loading, turning and parking of construction and operatives vehicles, all freight vehicle movements to and from the site (identifying efficiency and sustainability measures to be undertaken during construction of the development) 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 in relation to each phase or phases.

REASON: To ensure that construction activities do not have an adverse impact on the transport network, the amenities of adjacent properties or local air quality in accordance with policies T5, T6, T7, T15, T16 & T18 of the Unitary Development Plan and London Plan Policies 6.14 and 7.14

10 The development shall be implemented in accordance with the Tree Retention, Removal and Protection plan submitted and approved as part of the planning application and under the supervision of a retained arboricultural specialist in order to ensure that the phasing of the development accords with the stages detailed in the method statement and that the correct materials and techniques are employed.

REASON: In the interest of the visual amenity of the area and to accord with policy NE7 of the Unitary Development Plan.

11 Unless otherwise agreed in writing by the Local Planning Authority, the trees hereby approved as part of the landscaping scheme shall be of standard nursery stock size in accordance with British Standard 3936:1992 (Nursery Stock art 1:Specification for Trees and Shrubs), and of native broad-leaved species where appropriate.

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

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

REASON: In order to comply with Policies NE3 and NE5 of the Unitary Development Plan and in the interest of conserving and enhancing ecological features, biodiversity and protected species.

13 Within 6 months of the occupation of each phase or phases of the development hereby permitted, a revised School Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The Plan should address the proposed measures to promote more considerate parking behaviour outlined in the Transport Statement accompanying the application and 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

14 Prior to the occupation of each phase or phases of the development hereby permitted, details of bicycle parking (including covered storage facilities) and the allocation of a site for future provision shall be provided at the site/ made available in accordance with details to be submitted to and approved in writing by the Local Planning Authority. The bicycle parking/storage facilities shall be permanently retained /made available thereafter.

REASON: In order to comply with Policy T7 and Appendix II.7 of the Unitary Development Plan and in order to provide adequate bicycle parking facilities at the site in the interest of reducing reliance on private car transport.

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

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

16 Before any part of the development hereby permitted is first occupied, details of the height and type of fencing and enclosures in excess of that considered to be 'permitted development' shall be submitted to and approved in writing by the Local Planning Authority. Once approved the scheme shall be implemented in full and permanently maintained thereafter.

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

17 All Non-Road Mobile Machinery (NRMM) of net power of 37kW and up to and including 560kW used during the course of the demolition, site preparation and construction phases shall comply with the emission standards set out in chapter 7 of the GLA's supplementary planning guidance "Control of Dust and Emissions During Construction and Demolition" dated July 2014 (SPG), or subsequent guidance. Unless it complies with the standards set out in the SPG, no NRMM shall be on site, at any time, whether in use or not, without the prior written consent of the local planning authority. The developer shall keep an up to date list of all NRMM used during the demolition, site preparation and construction phases of the development on the online register at <https://nrmm.london/> Further information and guidance is available at <http://content.tfl.gov.uk/construction-logistics-plan-guidance-for-developers.pdf>

REASON: To protect local amenity and air quality in accordance with London Plan policies 5.3 and 7.14

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

provided to an additional 20% of spaces before any part of the development hereby permitted is first occupied.

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

- 19 The modular buildings, container, hardstanding for contractor's compound and other associated temporary works shall be discontinued and the land reinstated to its former condition on or before 1st October 2019. Within three months of removal or in the first planting season following removal, the playing field land shall be reinstated to a playing field of a quality at least equivalent to the quality of the playing field immediately before the development was erected or a condition fit for use as a playing field or in accordance with 'Natural Turf for Sport', (Sport England, 2011) or the appropriate National Governing Body Performance Quality Standard.

REASON: In the interest of the openness and visual amenities of the Metropolitan Open Land and to ensure the site is restored to a condition fit for purpose in accordance with policies G2 and L6 of the Unitary Development Plan and policy 3.19 of the London Plan.

- 20 No noise-generating fixed plant shall be installed until an assessment of acoustic impact and scheme of acoustic mitigations as necessary has been submitted to and approved in writing by the Local Planning Authority. Once approved the plant and mitigations shall be installed in full and permanently maintained thereafter. The scheme of mitigation shall be designed to ensure that plant rating level does not exceed the measured typical background L90 level at any noise sensitive location and furthermore that absolute plant noise level shall not exceed 10dB below the typical background noise level (LA90 15 minute). The plant rating level shall be calculated in accordance with the methodology of BS4142:2014.

REASON: In the interest of the amenities of nearby properties and to accord with Policy 7.15 of the London Plan.

You are further informed that:

- 1 Please advise the Development Control Section at the Civic Centre in writing, by email planning@bromley.gov.uk, or call us on (020) 8313 4956 when works on Phase 2 are about to start so that the planner dealing with your application can liaise regarding compliance with planning conditions and approval for re-instatement of the temporary works.
- 2 It is recommended that a restoration scheme for playing field land is undertaken by a specialist turf consultant. The applicant should be aiming to ensure that any new or replacement playing field is fit for its intended purpose and should have regard to Sport England's technical Design Guidance Note entitled "Natural Turf for Sport" (2011) and relevant design guidance of the National Governing Bodies for Sport e.g. performance quality standards produced by the relevant pitch team sports, for example the Football Association.
- 2 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

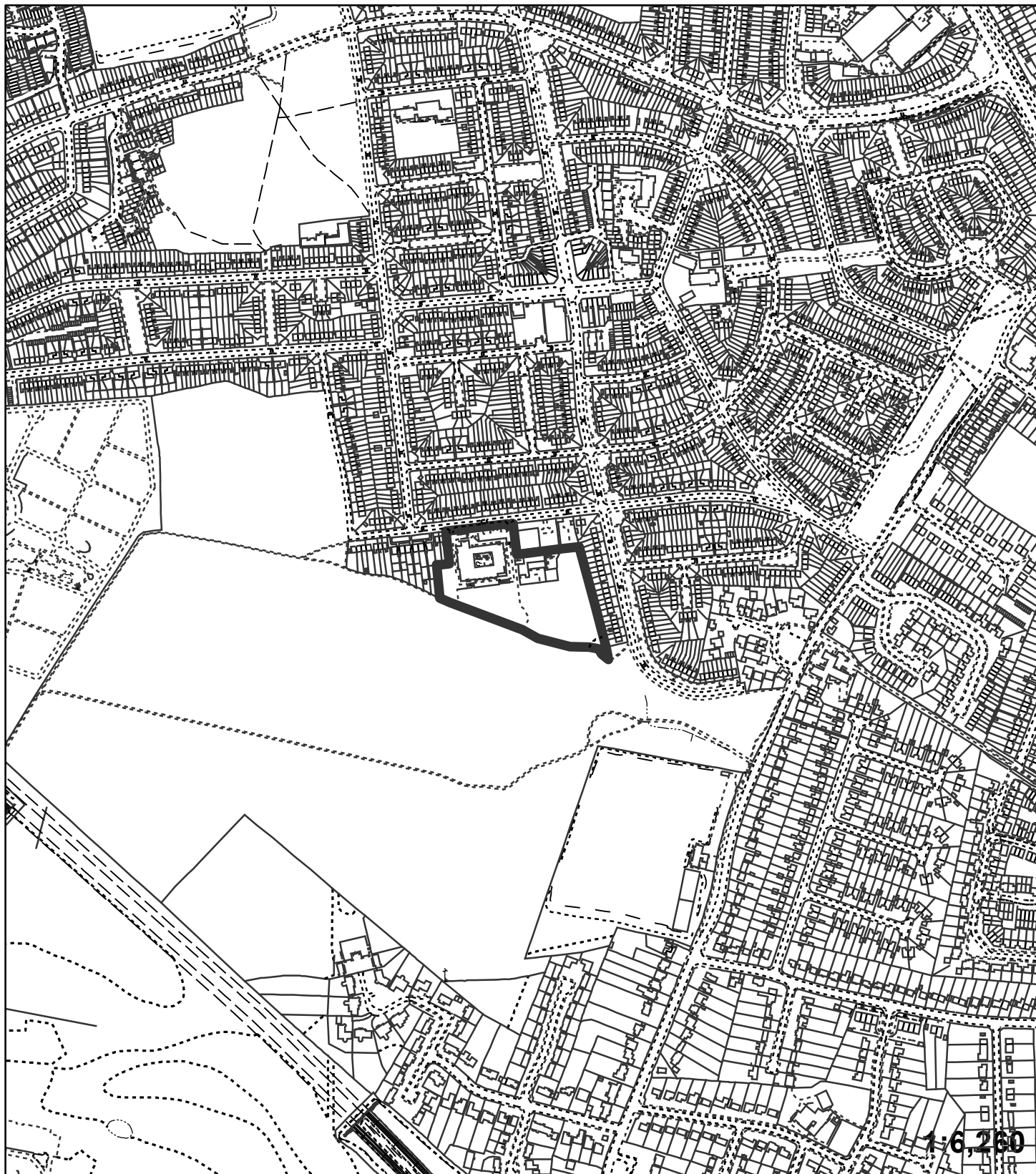
scheme submitted to the Local Authority for approval and any necessary steps taken to ensure the site is suitable for use by written agreement of the Local Planning Authority.

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Application:16/02435/FULL1

Address: Castlecombe Primary School Castlecombe Road Mottingham
London SE9 4AT

Proposal: Ground and first floor extensions to provide an additional storey to facilitate an increase in pupil numbers, elevational alterations, canopy and covered play area to eastern elevation, additional car parking spaces, refuse store and bicycle parking, along with temporary works to include 3



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

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SECTION '2' – Applications meriting special consideration

Application No : 16/03876/RECON

Ward:
West Wickham

Address : Summit House Glebe Way West
Wickham BR4 0AP

OS Grid Ref: E: 538396 N: 165899

Applicant : Crest Nicholson (Eastern) and Lidl UK GmbH **Objections :** YES

Description of Development:

Variation of condition 13 of ref. 15/01616 (granted permission for Demolition of existing buildings and redevelopment to provide a four storey building comprising 1,623sqm Class A1 (retail) use at ground floor and 54 residential units at first, second and third floor (8x1 bedroom, 43x2 bedroom and 3x3 bedroom) with associated car parking, landscaping and infrastructure) to amend hours of delivery from between 8am - 6pm to between 7am - 10pm Monday to Saturday and 10am - 5pm Sundays and Bank Holidays.

Key designations:

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

Proposal

Planning permission is sought to vary condition 13 of planning permission ref. 15/01616 relating to the time constraints for deliveries to the site:

Members originally resolved to grant planning permission for the following development, subject to the prior completion of a legal agreement, at Plans Sub-Committee 1 on 22nd January 2015 under reference 14/03324.

Demolition of existing buildings and redevelopment to provide a four storey building comprising 1,623sqm Class A1 (retail) use at ground floor and 54 residential units at first, second and third floor (8x1 bedroom, 43x2 bedroom and 3x3 bedroom) with associated car parking, landscaping and infrastructure

Condition 13 of this permission states that

'There shall be no deliveries to or from the Class A1 retail premises except within the hours of 8am-6pm.'

Under application reference 15/01616, the applicant sought to amend the wording of condition 13 of 14/03324 to read

"There shall be no deliveries to or from the Class A1 retail premises except within the hours of 07:00 to 22:00 Monday to Saturday; or 10:00 to 17:00 on Sundays and Bank holidays."

The application was considered at Plans Sub Committee and Members resolved to amend the earlier delivery time on Monday to Fridays but did not agree to amend the later time.

Therefore condition 13 of application ref 15/01616 states:

"There shall be no deliveries to or from the Class A1 retail premises except within the hours of 07.00 to 18.00 Monday to Saturday; or 10.00 to 17.00 on Sundays and Bank Holidays."

The applicant now seeks to amend condition 13 to extend the time for deliveries from 18.00 to 22.00 as set out below:

"There shall be no deliveries to or from the Class A1 retail premises except within the hours of 07:00 to 22:00 Monday to Saturday; or 10:00 to 17:00 on Sundays and Bank holidays."

A Delivery and Service Plan and covering letter has been submitted by the applicant to support this application and this shows a dedicated loading area on the east side of the new building within the site boundary and adjacent to No 32 Glebe Way.

The submitted documents are summarised below:

- Servicing will be undertaken from a dedicated servicing area within the site boundary to the east of the store and adjacent to No 32 Glebe Way.
- It is Lidl policy to limit store deliveries to 2-3 per day with an additional once weekly delivery of bakery goods; commercial waste material will be taken away by the same vehicles reducing the number of lorry visits to the site.
- The service arrangements for the previous two retail occupants were unrestricted and uncoordinated with multiple deliveries throughout the day, including the evening period.
- The proposed hours of operation provide control over the movement of vehicles to and from the site which did not previously exist
- The proposed times for delivery are considered to occur in 'daytime hours' (07.00 to 23.00 hours) and it is considered that there will be negligible impact on occupiers of neighbouring buildings and future residents of flats above the store from the small amount of deliveries in a day.
- The amended hours will allow deliveries to be undertaken outside peak periods of traffic movements thereby reducing traffic, air quality and road safety impacts in the vicinity without introducing noise impacts during the sensitive night-time period.

- A member of Lidl staff will be appointed to oversee the management, development and monitoring of the Delivery and Servicing Plan and a record of any incidences, comments or feedback will be kept and used to deal with any issues arising
- The submission for the discharge of Condition 7 relating to boundaries shows an existing 2.9m wall will be partly rebuilt to close off the new building at the end of the area identified for deliveries and ensure the boundary wall is kept in good working order.
- The DSP states that during out of hours servicing bells, alarms (including reversing alarm) and speakers will be switched off
- Turn off service vehicle engines when unloading to prevent idling
- Identify timing for deliveries so drivers and store operatives are prepared for arrival
- The following Lidl stores have operating hours at 22.00 and beyond - Bermondsey, Sydenham, Thornton heath, Norbury, Tooting Broadway, Mitcham Town Centre and Croydon Trams. The applicant advises these are all in areas similar to the application site in that there is a predominantly residential context to the stores.
- Policy BE1 of the UDP seeks development to respect the amenity of occupants of neighbouring buildings and future occupants and ensure their environments are not harmed by noise and disturbance. The applicant considers that taking account of the measures above, the proposal to extend the evening hours for deliveries to 22.00 is acceptable.

All other matters with regard to the development remain as previously granted permission and as such have been considered acceptable.

Location

The application site is located to the southern edge of Glebe Way (A232). Vehicle access to the site is via an access road that extends along the frontage of the property, separating it from Glebe Way itself.

The site forms part of the Primary Retail Frontage which continues to the west, the eastern boundary of the site commences the Secondary Retail Frontage. To the west are Nos 2 and 4 Glebe Way which are three storey buildings with commercial units at ground floor level. Beyond this is Bell Parade, Nos. 1-6, a two storey terrace that forms the corner plot with Wickham Court Road. To the south of Bell Parade and the west of the site is West Wickham Service Station, a single storey car dealership that fronts Wickham Court Road. To the east of the application site are Nos.32-62 Glebe Way which are served by an access road at the eastern boundary of the site and comprise a range of ground floor commercial uses within two/three storey terrace properties

To the rear of the site to the south-west are two storey semi-detached properties of Wickham Court Road, Nos. 1a-19 (with No.1a being a detached office building), and to the south are two storey terraced dwellings at Nos. 1-23 Wickham Crescent with Nos.25-35 further to the west Nos. 1-23 Wickham Crescent are served by an access road to garages set to the rear and this road forms the southern boundary of the application site.

The northern edge of Glebe Way is predominantly residential in nature and is characterised by the end of the cul-de-sacs of Oak Grove, Ash Grove and Croft Avenue which are presented perpendicular to the site and feature two storey semi-detached and terraced dwellings. To the north-west and the junction with Station Road is West Wickham Library.

Consultations

Comments from Local Residents

Nearby owners/occupiers were notified of the application and 7 representations were received, including one from the West Wickham Residents Association. All were in objection which can be summarised as follows:

- The extended hours proposed are too early and too late for deliveries. They exceed the usual business day and will disrupt the high street.
- Having deliveries as late as 10pm will cause unnecessary noise and disruption in the evenings from visiting lorries, particularly when trying to get children and grandchildren to sleep for residents at the rear of the building and in Glebe Way.
- Whilst we were used to deliveries being made to the previous stores, they weren't as late as 10pm
- We have had to endure the banging of the delivery crates, lorries and delivery men talking loudly which is effectively at the bottom of our garden
- The applicant refers to other Lidl stores with the same opening times but these are in more commercial locations which don't have many nearby residential properties
- Lidl and the owners want their own way rather than the residents wishes
- The alteration of delivery times will have a significant impact upon local residents from noise pollution cause by engines, lights and reversing alarms. Lorries will not switch off their engines due to the need to keep the refrigeration units going.
- The height of the new building is having an adverse impact upon TV and phone reception?
- If the reasons for the condition are sound why vary it

Comments from Consultees

Highways and Transport for London

No objections are raised. TfL comment that the extensions will be a virtue and help to alleviate the impact on the highway by making it easier for the operator to avoid the network peak hours.

Environmental Health

The proposed delivery times are within the standard times permitted in the Borough. There is always potential for disturbance from deliveries, however this site does not pose any specific increased risk and the further requirement for

submission of a delivery servicing plan for approval provides some extra control. On balance I do not object.

Planning Considerations

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

- BE1 Design of New Development
- BE2 Mixed Use Developments
- BE4 The Public Realm
- EMP3 Office Development
- H1 Housing Supply
- H2 Affordable Housing
- H7 Housing Density and Design
- H9 Side Space
- S1 Primary Frontages
- S6 Retail and Leisure Development
- T1 Transport Demand
- T2 Assessment of Transport Effects
- T3 Parking
- T5 Access for People with Restricted Mobility
- T6 Pedestrians
- T7 Cyclists
- T11 New Accesses
- T16 Traffic Management and Sensitive Environments
- T17 Servicing of Premises
- T18 Road Safety
- IMP1 Planning Obligations

In addition to:

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

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

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

- 2.6 Outer London: Vision and Strategy
- 2.7 Outer London Economy
- 2.8 Outer London: Transport
- 2.15 Town Centres
- 3.3 Increasing Housing Supply
- 3.4 Optimising Housing Potential
- 3.5 Quality and Design of Housing Developments
- 3.6 Children and Young Peoples Play and Informal Recreation Facilities
- 3.8 Housing Choice

- 3.9 Mixed and Balanced Communities
- 3.11 Affordable Housing Targets
- 3.12 Negotiating Affordable Housing on Individual Private Residential and Mixed Use Schemes
- 3.13 Affordable Housing Thresholds
- 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
- 5.12 Flood Risk Management
- 5.13 Sustainable Drainage
- 6.3 Assessing Effects of Development on Transport Capacity
- 6.9 Cycling
- 6.13 Parking
- 7.1 Building London's Neighbourhoods and Communities
- 7.2 An Inclusive Environment
- 7.3 Designing Out Crime
- 7.4 Local Character
- 7.5 Public Realm
- 7.6 Architecture
- 7.8 Heritage assets and archaeology
- 8.2 Planning Obligations
- 8.3 Community Infrastructure Levy

In addition to:

The Mayor's Economic Development Strategy
 Supplementary Planning Guidance: Housing
 Providing for Children and Young People's Play and Informal Recreation
 Supplementary Planning Guidance
 Housing Strategy
 Accessible London: achieving an inclusive environment
 The Mayor's Transport Strategy
 Mayor's Climate Change Mitigation and Energy Strategy
 Sustainable Design and Construction Supplementary Planning Guidance

The National Planning Policy Framework is also a material consideration, with which the above policies are considered to be in accordance. Sections 2 'Ensuring the vitality of town centres'; 6 'Delivering a wide choice of high quality homes' and 7 'Requiring good design' are of particular relevance.

Financial Contributions (secured as part of the 14/03324 and 15/01616 approval)

In accordance with the adopted Planning Obligations SPD, the Council secured the following contributions based upon the mix proposed in the application:

- £154,431.62 for local education infrastructure
- £57,996 for local health infrastructure

Planning History

The most relevant history for the site is as follows:

02/03132 Permission refused 28/08/2003 for the retention of a roof mounted air conditioning unit and air conditioning unit housing

04/00393 Permission refused 17/06/2004 for the retention of a roof mounted air conditioning plant with 1.5m high acoustic wall panel enclosure to replace existing mesh enclosure - Unit 2

06/01078 Permission refused 21/06/2006 for a third floor extension to provide additional floor comprising 4 one bedroom 8 two bedroom flats/plant room/extension to lift shaft and 5 additional car parking spaces (at Summit House and Bed City and Sommerfield Stores Ltd on Glebe Way) and dismissed on appeal.

14/03324 Permission granted on 02/04/2015 for the demolition of existing buildings and redevelopment to provide a four storey building comprising 1,623sqm Class A1 (retail) use at ground floor and 54 residential units at first, second and third floor (8x1 bedroom, 43x2 bedroom and 3x3 bedroom) with associated car parking, landscaping and infrastructure

15/01616 Permission was granted on 02/08/2015 for variation of condition 13 of ref. 14/03324 (granted permission for Demolition of existing buildings and redevelopment to provide a four storey building comprising 1,623sqm Class A1 (retail) use at ground floor and 54 residential units at first, second and third floor (8x1 bedroom, 43x2 bedroom and 3x3 bedroom) with associated car parking, landscaping and infrastructure) to amend hours of delivery from between 8am - 6pm to between 7am - 6pm Monday to Saturday and 10am - 5pm Sundays and bank holidays

Conclusions

As advised by the National Planning Policy Guidance, when assessing applications to amend a planning permission under Section 73 the Town and Country Planning Act 1990 (as amended), local planning authorities should have regard to the Development Plan and material considerations which may have changed significantly since the original grant of permission, together with the conditions attached to the existing permission. Members will be aware that the granting of planning permission will result in a new planning permission being issued that will sit alongside the existing, un-amended permission and as such a new s106 agreement is required to secure the obligations.

The height, siting and design of the building, together with its parking provision, the impact upon the character of the area and the amenities of neighbouring residents, has already been assessed and considered acceptable. It is not considered that any of the material considerations that were assessed under the previous application have altered since the granting of planning permission in April 2015. As such the principle of the development has been established and it falls to be

considered whether the proposed hours of delivery set out within the revised condition are acceptable with regard to amenities and any impact upon the highway network.

Assessment

In support of the application, the applicant has submitted a detailed covering letter. In addition a Delivery and Service Plan (DSP) has been submitted for consideration as required by Condition 34 of the original permission and the applicant has asked for the content of this document to be taken into account during the consideration of this current application. The document is summarised in the Proposals Section.

Members will note that the previous retail uses on this site did not appear to have any restrictions upon their hours of delivery. However, the extant planning permission granted in April 2015 does introduce hours of control over deliveries to the proposed retail unit in the interests of the amenities primarily of the future occupants of the residential units to the upper floors that are being introduced to the site, together with introducing planning controls in the interest of the existing residents who do not currently benefit from such provision.

The area for deliveries has been approved and is shown on the drawings submitted under the extant permission. This area is located to the eastern flank elevation of the proposed building and this boundary adjoins the existing access road from Glebe Way principally to the side of Nos. 32 Glebe Way. The access also extends to the rear of 32-62 Glebe Way but all of the deliveries for this development will be adjacent to No 32 Glebe Way within the boundary of the site. This access road leads to a delivery area for a range of commercial uses as well as refuse storage and parking; none of these arrangements appear to have any restriction upon the hours of these activities.

The proposed hours of delivery will represent an extra four hours in the evening on Monday to Saturday (08:00-18:00 compared to 07:00-22:00). The opening hours, as stipulated by Condition 12, would remain the same preventing the retail unit from opening before 08:00 and after 21:00 on any day.

It is noted that, prior to the redevelopment of the site, there was unrestricted vehicle movements associated with deliveries, servicing and car parking both on the site and in the access road to the rear of Nos 32-36 Glebe Way. In the future the use of the car parking and the use of the upper deck podium will not be restricted, reflecting the previous position in this instance.

As such there is no restriction upon the hours at which vehicular activity may occur on and around the site and it is not considered reasonable or enforceable to impose such a limitation on the future provision.

However due to the nature of deliveries to a large retail store it was considered reasonable to impose a condition limiting when such activity can take place and that any such limitation would be an improvement upon the existing situation with regard to amenity as well as impacts upon the highway that would occur.

In order to assess this proposal, there are several factors to take into account.

The Delivery and Service Plan submitted for approval under condition 34 has been assessed by the Council's Highways Officer and the measures included to manage the delivery process are considered to be acceptable. By virtue of the approval of this condition the measures set out in the Plan will be required to be implemented and will allow the Council to take enforcement action if not adhered to.

For clarity the specific measures in the DSP include

- Servicing will be undertaken from a dedicated servicing area within the site boundary to the east of the store and adjacent to No 32 Glebe Way.
- It is Lidl policy to limit store deliveries to 2-3 per day with an additional once weekly delivery of bakery goods; commercial waste material will be taken away by the same vehicles reducing the number of lorry visits to the site.
- The proposed hours of operation provide control over the movement of vehicles to and from the site which did not previously exist
- The proposed times for delivery are considered to occur in 'daytime hours' (07.00 to 23.00 hours) and it is considered that there will be negligible impact on occupiers of neighbouring buildings and future residents of flats above the store from the small amount of deliveries in a day.
- The amended hours will allow deliveries to be undertaken outside peak periods of traffic movements thereby reducing traffic, air quality and road safety impacts in the vicinity without introducing noise impacts during the sensitive night-time period.
- A member of Lidl staff will be appointed to oversee the management, development and monitoring of the Delivery and Servicing Plan and a record of any incidences, comments or feedback will be kept and used to deal with any issues arising
- The submission for the discharge of Condition 7 relating to boundary treatment shows an existing 2.9m wall will be partly rebuilt to close off the new building at the end of the area identified for deliveries and the applicant will ensure the boundary wall is kept in good working order.
- During out of hours servicing bells, alarms (including reversing alarm) and speakers will be switched off when the servicing area doors are open
- Turn off service vehicle engines when not manoeuvring to prevent noise from idling
- Identify timing for deliveries so drivers and store operatives are prepared for arrival resulting in vehicles spending as little time as possible attempting to access the site
- Where possible avoid cages banging together or against servicing equipment.

In addition the approved noise assessment submitted with the previous application concludes that noise levels would be acceptable for deliveries of up to 30 minutes at a time, the majority of which would be loading of waste and unloading of goods.

Whilst the revised hours of delivery could result in a later period of activity, it is not considered that this would result in an impact upon existing and proposed residential amenities so harmful as to warrant refusal of the application. The deliveries would be taking place within an existing commercial access road already utilised for the purpose and would be limited to two or three deliveries per day, the hours of these deliveries and the methods used in loading and unloading can be secured by way of the aforementioned condition.

It is noted that the Council's Environmental Health Officer has raised no objection to the variation of the delivery hours and has stated that there will be no difference to the original noise predictions. It is also noted that Transport for London consider that the extended hours will allow flexibility for the operator to undertake these activities outside peak hours thereby relieving congestion on the highway.

It is considered that subject to compliance with the Delivery and Service Plan submitted under condition 34 of the previous permission, the proposed alteration to Condition 13 is acceptable and would accord with Policies BE1 and T4 and T17.

Viability and S106 Contributions

The viability of the proposed development has already been assessed and contributions secured by way of a legal agreement. Since 6th April 2015 such contributions must be secured against specified infrastructure projects and the pooling of more than five contributions for each of these projects is prohibited. Any permission granted for this variation of condition under s73 of the Town and Country Planning Act (as amended) would result in a new planning permission being issued and as such an obligation to the existing legal agreement will need to be entered into to reflect this planning application and the required projects to the obligations sought.

Background papers referred to during production of this report comprise all correspondence on the file ref(s) 14/03324/FULL1, 15/01616/VAR and 16/03876/RECON as set out in the Planning History section above, excluding exempt information.

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

and the following conditions:

- 1 The development to which this permission relates must be begun not later than 2nd April 2018.**

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

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

13-2262-101 G (Proposed Ground Floor Plan)

13-2262-102 E (Proposed First Floor Plan)

13-02262-103 E (Proposed Second and Third Floor Plan)

13-2262-104 E (Proposed Roof Plan)
13-2262-105 A (Proximal Distances)
13-2262-106 C (Fire and Refuse Strategy)
13-2262-107 G (Proposed Elevations Sheet 1)
13-2262-108 G (Proposed Elevations Sheet 2)
13-2262-109 B (Proposed Sections)
13-2262-110 B (1 Bedroom 2 Person Variation 1)
13-2262-111 B (1 Bedroom 2 Person Variation 2)
13-2262-112 C (2 Bedroom 4 Person Variation 1)
13-2262-113 B (2 Bedroom 4 Person Variation 2)
13-2262-114 B (1 Bedroom 4 Person Variation 3)
13-2262-115 B (3 Bedroom 5 Person Variation 1)
13-2262-116 B (2 Bedroom 4 Person Variation 4)
13-2262-117 (1 Bedroom 2 Person Variation 3)

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 development shall be completed strictly in accordance with the slab levels approved pursuant to Condition 3 of planning permission ref. 14/03324/FULL1.

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

- 4** The development shall be carried out in accordance with details approved pursuant to condition 4 14/03324/FULL1 in respect of external materials, including roof cladding, wall facing materials and cladding, window glass, door and window frames, decorative features, rainwater goods and paving.

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

- 5** The privacy screens approved pursuant to Condition 5 of planning permission ref. 14/03324/FULL1 shall be installed before the dwellings are first occupied and shall be permanently retained as such thereafter.

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 landscaping scheme approved pursuant to Condition 6 of planning permission ref. 14/03324/FULL1 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 within the next planting season with others of similar size and species to those originally planted.

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

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

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

8 The dwellings shall be constructed in accordance with the details of wheelchair dwellings and "Lifetime Homes" compliance as approved pursuant to Condition 8 of planning permission ref. 14/03324/FULL1 and permanently retained as such.

Reason: In order to comply with Policy 3.8 of The London Plan and Policy H5 of the Unitary Development Plan.

9 The measures to minimise the risk of crime approved pursuant to Condition 9 of planning permission ref. 14/03324/FULL1 shall be implemented before the development is occupied and thereafter retained.

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

10 The foul water drainage system approved pursuant to Condition 10 of planning permission ref. 14/03324/FULL1 shall be completed before any part of the development hereby permitted is first occupied, and permanently maintained thereafter.

Reason: To ensure satisfactory means of foul water drainage and to accord with Policies 5.12 and 5.13 of the London Plan.

11 The drainage scheme shall be implemented, maintained and managed in accordance with the details approved pursuant to Condition 11 of planning permission ref. 14/03324/FULL1.

Reason: To ensure satisfactory means of surface water drainage and to accord with Policies 5.12 and 5.13 of the London Plan.

12 The use shall not operate before 8am and after 9pm on any day.

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

13 There shall be no deliveries to or from the Class A1 retail premises except within the hours of 07:00 to 22:00 Monday to Saturday; or 10:00 to 17:00 on Sundays and Bank Holidays.

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

14 The lighting scheme approved pursuant to Condition 14 of planning permission ref. 14/03324/FULL1 shall be implemented before the development hereby permitted is first occupied. Thereafter the approved

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

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

- 15 Parking spaces and/or garages and sufficient turning space shall be completed before the commencement of the use of the land or building hereby permitted in accordance with the details approved pursuant to Condition 15 of planning permission ref. 14/03324/FULL1 and shall thereafter be kept available for such use. No development whether permitted by the Town and Country Planning (General Permitted Development Order) 1995 (or any Order amending, revoking and re-enacting this Order) or not, shall be carried out on the land or garages indicated or in such a position as to preclude vehicular access to the said land or garages.

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

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

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

- 17 The arrangements for storage of refuse and recyclable materials (including means of enclosure for the area concerned where necessary) shall be completed before any part of the development hereby permitted is first occupied in accordance with the details approved pursuant to Condition 17 of planning permission ref. 14/03324/FULL1, 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.

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

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

19 The development shall be carried out in accordance with the Construction Management Plan approved pursuant to Condition 19 of planning permission ref. 14/03324/FULL1.

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

20 The Travel Plan approved under condition 20 of 14/03324 shall be implemented in accordance with the agreed timescale and details and shall be regularly monitored and updated.

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

21 Before any part of the development hereby permitted is first occupied, the drainage system to prevent the discharge of surface water from private land on to the highway shall be completed in accordance with the details approved pursuant to Condition 21 of planning permission ref. 14/03324/FULL1 and shall be retained permanently thereafter.

Reason: To ensure satisfactory means of surface water drainage and to accord with Policies 5.12 and 5.13 of the London Plan.

22 Bicycle parking/storage facilities for a minimum of 57 cycles shall be provided at the site in accordance with the details approved pursuant to Condition 22 of planning permission ref. 14/03324/FULL1 prior to first occupation, and the bicycle parking/storage facilities shall be permanently retained thereafter.

Reason: In order to comply with Policy T7 and Appendix II.7 of the Unitary Development Plan and in order to provide adequate bicycle parking facilities at the site in the interest of reducing reliance on private car transport

23 The results of the site-wide energy assessment and strategy for reducing carbon emissions approved pursuant to Condition 23 of planning permission ref. 14/03324/FULL1 shall be incorporated into the building prior to first occupation and permanently retained thereafter.

Reason: In order to seek to achieve compliance with the Mayor of London's Energy Strategy and to comply with Policy 5.2 and 5.7 of the London Plan

24 Details of the number and location of electric vehicle charging points to be provided and a programme for their installation and maintenance shall be submitted to and approved in writing by the local Planning Authority prior to the commencement of the development hereby permitted. The electric vehicle charging points shall be installed in accordance with the approved details prior to first occupation of the development and shall be permanently maintained as such.

Reason: To comply with Policy 7.14 of the London Plan.

- 25 At any time the combined noise level from all fixed plant at this site in terms of dB(A) shall be 10 decibels below the relevant minimum background noise level, LA90(15mins) measured at any noise-sensitive building. This requirement shall be subject to an absolute lower limit of 28dB(A) so that at times when the minimum background L90 level is below 38dB the plant noise rating requirement does not fall below 28dB(A). If the plant has a distinctive tonal or intermittent nature the predicted noise level of the plant shall be increased by a further 5dBA. Thus if the predicted noise level is 40dB(A) from the plant alone and the plant has a tonal nature, the 40dB(A) shall be increased to 45dB(A) for comparison with the background level. The L90 spectra can be used to help determine whether the plant will be perceived as tonal.

Reason: In order to comply with Policy BE1 of the Unitary Development Plan and Policy 7.15 of the London Plan and to ensure a satisfactory standard of residential amenity.

- 26 The scheme for protecting the proposed dwellings from traffic noise (including glazing and ventilation specifications in line with the recommendations of Grant Acoustic report GA-2014-0025-R1 of August 2014) shall be fully implemented in accordance with the details approved pursuant to Condition 27 of planning permission ref. 14/03324/FULL1 before any of the dwellings are occupied and shall be permanently maintained as such thereafter.

Reason: In order to comply with Policy BE1 of the Unitary Development Plan and Policy 7.15 of the London Plan and to ensure a satisfactory standard of residential amenity

- 27 The scheme for reducing traffic noise on the proposed balconies on the Northern Façade (which shall include imperforate front screen and Class A absorption on the balcony soffits) shall be fully implemented before any of the dwellings are occupied in accordance with the details approved pursuant to Condition 32 of planning permission ref. 14/03324/FULL1 and permanently maintained as such thereafter.

Reason: In order to comply with Policy BE1 of the Unitary Development Plan and Policy 7.15 of the London Plan and to ensure a satisfactory standard of residential amenity.

- 28 Before external illumination becomes operational, full details of the lighting scheme including type, orientation and screening of the lights shall be submitted to and approved by the Local Planning Authority and shall be permanently maintained as approved thereafter.

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

- 29 Air Quality mitigations during the construction phase shall be fully in accordance with Table 6.1 of submitted Ardent Air Quality report reference T930-05 of August 2014.

Reason: In order to comply with Policy BE1 of the Unitary Development Plan and Policy 7.15 of the London Plan and to ensure a satisfactory standard of residential amenity.

- 30 In order to minimise the impact of the development on local air quality any gas boilers must meet a dry NO_x emission rate of <40mg/kWh

Reason: In order to comply with Policy 7.14 of the London Plan and the National Planning Policy Framework and to minimise the effect of the development on local air quality to ensure a satisfactory standard of residential amenity

- 31 Prior to the commencement of the Class A1 retail use hereby permitted, a Delivery and Servicing Plan shall be submitted to and approved in writing by the Local Planning Authority. The Plan should include details of the expected number and time of delivery and servicing trips to the site for all commercial uses, with the aim of reducing the impact of servicing activity. The approved Delivery and Servicing Plan shall be implemented in full accordance with the approved details from the first occupation of the development and shall be adhered to in perpetuity.

Reason: In order to ensure appropriate management of transport implications of the development and to accord with Policies BE1, T2 and T17 of the Unitary Development Plan.

You are further informed that :

- 1 You should consult the Land Charges and Street Naming/Numbering Section at the Civic Centre on 020 8313 4742 or e-mail: address.management@bromley.gov.uk regarding Street Naming and Numbering. Fees and application forms are available on the Council's website at www.bromley.gov.uk

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

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

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

- 3 Written schemes of investigation will need to be prepared and implemented by a suitably qualified archaeological practice in accordance with English Heritage Greater London Archaeology guidelines. They must be approved by the planning authority before any on-site development related activity occurs. It is recommended that the archaeological fieldwork should comprise of the following:

Watching Brief

An archaeological watching brief involves observation of groundworks and investigation of features of archaeological interest which are revealed. A suitable working method with contingency arrangements for significant discoveries will need to be agreed. The outcome will be a report and archive.

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Application:16/03876/RECON

Address: Summit House Glebe Way West Wickham BR4 0AP

Proposal: Variation of condition 13 of ref. 15/01616 (granted permission for Demolition of existing buildings and redevelopment to provide a four storey building comprising 1,623sqm Class A1 (retail) use at ground floor and 54 residential units at first, second and third floor (8x1 bedroom, 43x2



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

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SECTION '2' – Applications meriting special consideration

Application No : 16/03924/FULL6

Ward:
Penge And Cator

Address : 46 Avenue Road London SE20 7RR

OS Grid Ref: E: 535587 N: 169576

Applicant : Mr Tahir Ali

Objections : NO

Description of Development:

Two storey side extension and single storey rear extension

Key designations:

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

Proposal

Planning permission is sought for a two storey side extension and a single storey rear extension. The existing garage is proposed to be demolished to create a downstairs bedroom, bathroom, utility room and enlarged kitchen/living and dining room on the ground floor and a study, walk-in-wardrobe and en-suite on the first floor. The proposal includes a sloping roofed single storey rear extension with a rear projection of 4m and a maximum roof height of 3.7m.

Given the tapering nature of the site this side extension will be 2.5m wide to the front and widening to 3.2m wide at the rear. New windows are proposed in the front and rear elevations.

The application site is an end of terrace house located on the northern side of Avenue Rd, Penge. To the east of the site, immediately adjacent to the site boundary is an access lane leading to allotment land located to the west of the site. This access lane is approximately 1.8m-2.m wide.

Consultations

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

Comments from Consultees

Technical Highways inspected the file and raised no objections subject to a standard condition.

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

The Councils adopted SPG guidance is also a consideration.

There is no planning history associated with the site.

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 single storey rear extension will have a rear projection of 4.0m, 1.5m deeper than the existing single storey rear extension, and will be positioned on the western boundary and span the full width of the rear of the property. Given the separation from the next door property at that side (No.48) by virtue of the access lane to the allotments the modest rear projection, and the small increase in the rear projection on the opposite boundary No.44 (from 2.5m to 4m) the impact of the proposed single storey rear element of the proposal on the amenity of the neighbouring properties is considered acceptable. No.44 have an existing single storey rear extension which measures approximately 2.5-3m in depth.

The general principle of the first floor side extension is considered acceptable, and similar examples of gable-ended side elevations can be seen at the immediately surrounding properties, (No.48). No windows are proposed in the flank elevation.

Plans sub committee considered a part one/two storey side extension at No.48 Avenue Road acceptable under reference: DC/13/02952.

The proposed extension would be built up to the side boundary adjoining the access to the allotments to the east. This would mirror the existing relationship at the neighbouring property No.48. Whilst the proposal will be built to the boundary, any impact is significantly mitigated by the 1.8m-2.0m access way that the site adjoins. The existence of this permanent separation is such that the proposal will not result in any unrelated terracing or any detrimental impact on the spatial standard evident in the area.

Given these mitigating set of circumstances, the proposal is not considered to result in a detrimental impact on the streetscene or in a cramped appearance, nor result in any loss of visual amenity in line with the guidance set out in Policy H9.

In terms of proposed materials, the proposal will be consistent with the prevailing nature of development in the area, with all materials to match the existing property to a satisfactory degree.

Having had regard to the above, it was considered that the siting, size and design of the proposed first floor side extension and single storey rear extension is acceptable in that it would not result in a detrimental impact on neighbouring amenity or in a harmful impact on the character of the area.

RECOMMENDATION: PERMISSION

Subject to the following conditions:

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

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

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

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

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

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

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

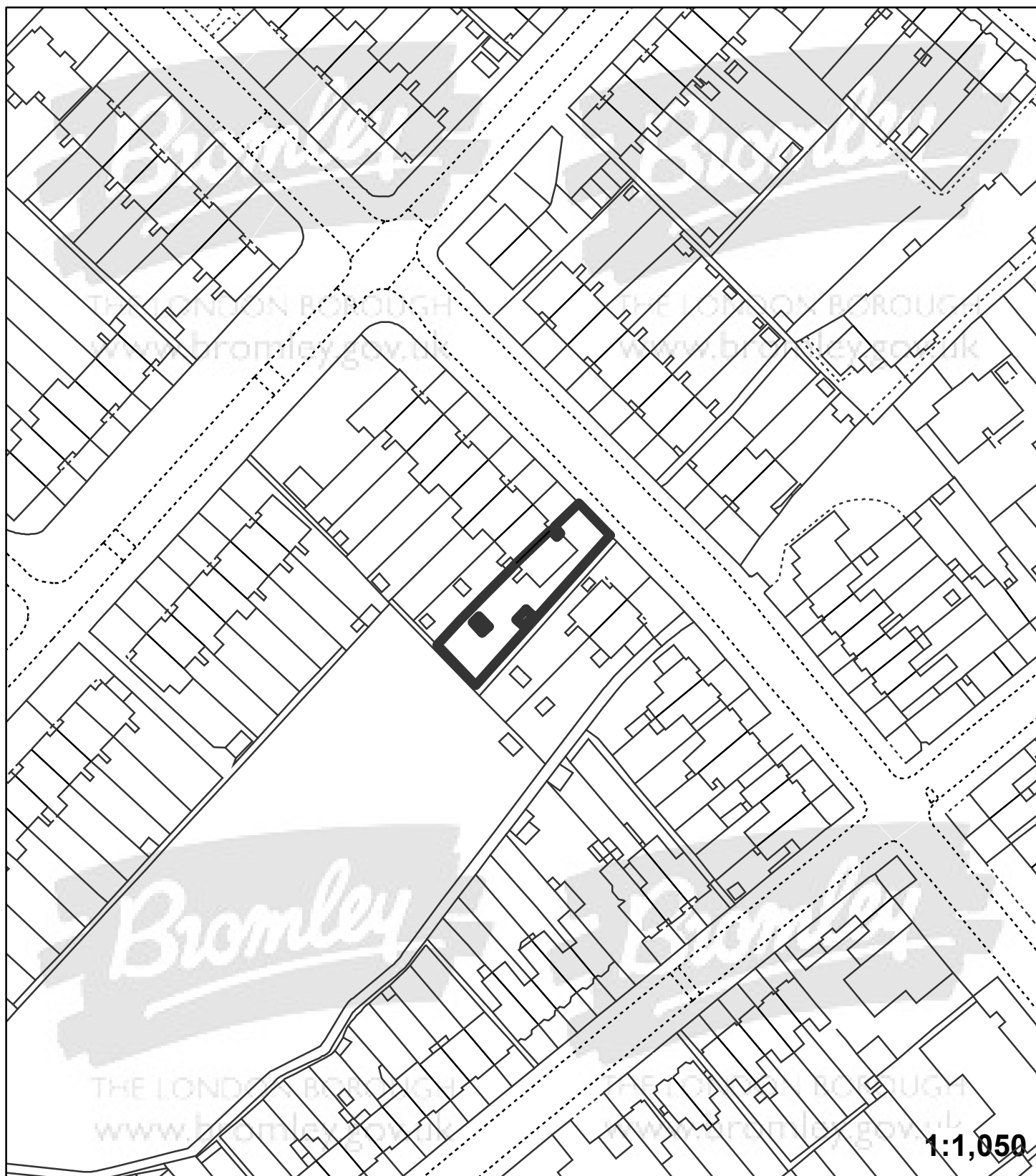
carried out on the land or garages indicated or in such a position as to preclude vehicular access to the said land or garages.

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

Application: 16/03924/FULL6

Address: 46 Avenue Road London SE20 7RR

Proposal: Two storey side extension and single storey rear extension



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

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SECTION '2' – Applications meriting special consideration

Application No : 16/04045/FULL1

Ward:
Penge And Cator

Address : 24 St John's Road Penge London SE20
7ED

OS Grid Ref: E: 535420 N: 170611

Applicant : Mr Charles Clarke

Objections : YES

Description of Development:

Conversion of existing dwellinghouse to provide 1 one bedroom and 1 two bedroom flats with associated amenity space and parking with extended crossover.

Key designations:

Biggin Hill Safeguarding Area
London City Airport Safeguarding
Smoke Control SCA 50

Proposal

Planning permission is sought for the conversion of the existing dwellinghouse to provide 1 one bedroom and 1 two bedroom flats with associated amenity space and parking with extended crossover.

The proposal does not involve any external extensions to the building. Internal alterations will facilitate a one bedroom unit on the ground floor accessed from the rear of the property from Lucas Road and a two bedroom unit on the upper floor accessed from the existing front entrance on St Johns Road.

Separate bin and bike stores are proposed in the front and rear curtilages for each unit respectively. The existing enclosed parking area will be opened up to provide two parking bays. A 1.8m high timber sliding gate will enclose the parking area between vehicle movements.

Location

The site is located on a corner plot at the junction of St John's Road and Lucas Road and comprises an end of terrace two storey Victorian era property. The footway of Lucas Road adjoins the flank boundary of the site with a high brick wall. To the rear of the site is a gated vehicular access with footway crossover from Lucas Road to an enclosed parking area for single use.

The site is not in a conservation area nor is the building listed.

Consultations

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

- Manoeuvring will still be difficult and potentially dangerous. Only change is the addition of the sliding gate.
- No material changes to previous application.
- Loss of parking space.
- Will reduce parking available generally in the area.
- Character of street will still be ruined.
- Crossover will impact on the character of the street.
- Having a large gate as opposed to wall is not in keeping with visual amenity of the street.
- Parking area will lead to loss of privacy to adjacent property
- Increase in noise and disturbance from the parking area adjacent to neighbouring property.
- Concerns regarding the future of a mature tree in the garden.
- Concern regarding the loss of the Victorian wall (in part)
- Concern regarding loss of another Victorian home to flats.
- Will be detrimental to appearance, character and historic nature of the road.
- Not in keeping with feel of neighbouring properties on St Johns Road and will have a dramatic impact on the current appealing nature of Lucas Road.

Consultee Comments

Highways:

The site is located on the corner of St John's Road and Lucas Road. Also the development is in an area with area with medium PTAL rate of 4 (on a scale of 1 - 6, where 6 is the most accessible). There is a garage/ parking space at the rear of the site accessed from Lucas Road.

Environmental health - Pollution:

No objections in principle.

Arboriculture:

A tree to the rear flank boundary with No26 may be affected by the construction of the rear boundary parking area. No details have been supplied in terms of mitigation for the loss/replacement of this tree.

Planning Considerations

London Plan:

- 3.3 Increasing Housing Supply
- 3.4 Optimising Housing Potential

- 3.5 Quality and Design of Housing Developments
- 3.8 Housing Choice
- 3.9 Mixed and Balanced Communities
- 5.1 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
- 6.3 Assessing Effects of Development on Transport Capacity
- 6.5 Funding Crossrail and other strategically important transport infrastructure
- 6.9 Cycling
- 6.13 Parking
- 7.1 Lifetime Neighbourhoods
- 7.2 An Inclusive Environment
- 7.3 Designing Out Crime
- 7.4 Local Character
- 7.5 Public Realm
- 7.6 Architecture
- 7.14 Improving Air Quality
- 7.15 Reducing and Managing Noise, Improving and Enhancing the Acoustic Environment and Promoting Appropriate Soundscapes.
- 8.3 Community Infrastructure Levy

Housing: Supplementary Planning Guidance. (March 2016)

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

Unitary Development Plan:

- BE1 Design of New Development
- H1 Housing Supply
- H7 Housing Density and Design
- H9 Side Space
- H11 Residential Conversions
- ER10 Light pollution
- T1 Transport Demand
- T2 Assessment of Transport Effects
- T3 Parking
- T5 Access for People with Restricted Mobility
- T6 Pedestrians
- T7 Cyclists
- T15 Traffic Management

- T16 Traffic Management and Sensitive Environments
- T18 Road Safety

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

- SPG1 General Design Principles
- SPG2 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 - Noise pollution
- Draft Policy - Air Quality
- Draft Policy - Sustainable Design and Construction
- Draft Policy - Carbon dioxide reduction, Decentralise Energy networks and Renewable Energy

Planning History

16/02785/FULL1: Conversion of existing dwellinghouse to provide 1 one bedroom and 1 two bedroom flats with associated amenity space and parking with extended crossover. Refused 09.08.2016

The refusal reasons detailed that the extended and open hardsurfaced area designated for parking at the rear of the site would have had a detrimental effect on the visual amenity, character and appearance of the general streetscape at the entrance to Lucas Road. The proposed parking bays were also substandard in size and would have resulted in vehicles overhanging the footway inconvenient to road and footway users, detrimental to the free flow of traffic and conditions of general safety and would have likely resulted in increased levels of on street parking and congestion in the local road network.

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 area and locality
- The quality of living conditions for future occupiers
- Access, highways and traffic Issues
- 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

Policy H11 of the Unitary Development Plan (UDP) allows for residential conversions if 4 criteria are satisfied. Criterion (iv) states that conversion should not lead to a shortage of shortage of "medium or small-sized family dwellings". The site comprises a reasonably sized dwellinghouse. Given the size of the property it is not considered that its conversion to smaller sized flatted units will lead to a loss of medium or small size family dwellings. On this basis the principle of conversion appears acceptable.

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.

Design

Policies 3.4 and 3.5 of the Further Alterations to the London Plan (March 2015) (FALP) reflect the same principles. Policy 3.4 specifies that Boroughs should take into account local context and character, the design principles (in Chapter 7 of the Plan) and public transport capacity; development should also optimise housing output for different types of location within the relevant density range. This reflects paragraph 58 of the National Planning Policy Framework, which requires development to respond to local character and context and optimise the potential of sites.

Policy BE1 and H7 of the UDP set out a number of criteria for the design of new development. With regard to local character and appearance development should be imaginative and attractive to look at, should complement the scale, form, layout and materials of adjacent buildings and areas. Development should not detract from the existing street scene and/or landscape and should respect important views, skylines, landmarks or landscape features. Space about buildings should provide opportunities to create attractive settings with hard or soft landscaping and relationships with existing buildings should allow for adequate daylight and sunlight to penetrate in and between buildings.

There are no extensions to the main building to facilitate the conversion proposed. Externally provision of bin and cycle stores to the front and rear of the property is proposed along with a rear parking area. The main pedestrian entrance to the ground floor flat will be reoriented from Lucas Road. While this will introduce a marginal increased level of activity to Lucas Road, this is not considered detrimental to neighbouring amenity in terms of noise and disturbance.

The location of the bin and cycle stores will be sited behind the retained sections of the flank wall and boundary screening to the front curtilage. Details regarding containment structures have been provided and it is not considered that the external structures will be detrimental to the character and appearance of the area.

The extension of the parking area will involve partial demolition of the boundary wall and creation of a larger hard surfaced area for the parking of two vehicles. This revised application has clarified the size of the parking bays at a depth of 4.8m and 2.4m for each space respectively. Officers have checked the dimensions on site which are achievable. A sliding gate has also been incorporated into the proposal to contain the spaces physically to the streetscene.

Lucas Road is characterised by small narrow front gardens and low rise front boundary treatments forming a cohesive and unique streetscape character which is desirable to preserve. On balance given the gated enclosure structure now put forward it is considered that the now enclosed hardsurfaced area for parking will have a neutral effect on the character and appearance of the general streetscape at the entrance to Lucas Road.

Standard of Residential Accommodation

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

The floor space size of each of the proposed units in the existing building is 50m² for the ground floor and 60.2m² for the top floor flat respectively. The nationally described space standard requires various sizes of internal areas in relation to the number of persons and bedrooms provided in each unit. On this basis, the floorspace provision for all of the units is compliant with the required standards and is considered acceptable.

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

Amenity space

In terms of amenity the rear area is allocated to the ground floor flat with the upper floor having only access to the front curtilage. On balance given the location of a recreation ground 250m to the south east the provision for the upper floor flat is considered acceptable in this case.

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, flank and rear outlook as existing which utilise existing window positions that generally overlook public areas and rear areas as currently exists at the site.

Trees and landscaping

A tree to the rear flank boundary with No26 may be affected by the construction of the rear boundary parking area. No details have been supplied in terms mitigation for the loss/replacement of this tree. However, further details can be requested by condition by way of a landscaping scheme.

Highways and Car parking

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

The Council's Highway Officer has reviewed the current application and not raised objection to the revised parking spaces provided given the confirmation of the sizes of the spaces to be provided. This will now be adequate for manoeuvring into and out of the spaces and to prevent vehicles overhanging the footway when parked and causing conditions that would otherwise have been prejudicial to pedestrian and highway safety.

Cycle parking and refuse storage.

Cycle parking is required to be 1 space per studio and 1 bedroom flats and 2 spaces for all other dwellings and all new developments shall have adequate facilities for refuse and recycling. The applicant has provided details of a location for combined cycle and refuse storage for the units as detailed above. Further details in this regard are recommended by condition to ensure 2 spaces are provided for the upper level flat and one for the ground floor flat.

Summary

The development would have a high quality design and would not have an unacceptable impact on the amenity of neighbouring occupiers, subject to suitable conditions nor on balance, impact detrimentally on the visual amenity, character and appearance of the general streetscape at the entrance to Lucas Road to withhold planning permission. It is considered that the standard of the accommodation that will be created will be good. The revised proposal would not have an adverse impact on the local road network or local parking conditions. The proposal would be constructed in a sustainable manner and would achieve good levels of energy efficiency. It is therefore recommended that planning permission is granted subject to the imposition of suitable conditions.

On balance the positive impacts of the development are considered of sufficient weight to approve the application with regard to the presumption in favour of sustainable development to increase housing supply.

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

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

- 5** Before 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.

- 6** Notwithstanding the details hereby approved before any part of the development is first occupied, bicycle parking (including covered storage facilities where appropriate) shall be provided at the site for two spaces for the upper floor flat and 1 space for the lower floor flat 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 provide adequate bicycle parking facilities at the site in the interest of reducing reliance on private car transport and to comply with Policy T7 of the Unitary Development Plan and 6.13 of the London Plan.

- 7 Notwithstanding the details hereby approved, no development shall commence until detailed plans at a scale of 1:20 showing the design of the sliding gate to the rear parking area have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details and shall be permanently retained thereafter.**

Reason: In order that the local planning authority may be satisfied as to the detailed treatment of the proposal and to comply with Policy BE1 and T18 of the Unitary Development Plan.

You are further informed that:

- 1 The applicant is advised that any works associated with the implementation of this permission (including the demolition of any existing buildings or structures) will constitute commencement of development. Further, all pre commencement conditions attached to this permission must be discharged, by way of a written approval in the form of an application to the Planning Authority, before any such works of demolition take place.**
- 2 You should consult the Land Charges and Street Naming/Numbering Section at the Civic Centre on 020 8313 4742 or e-mail: address.management@bromley.gov.uk regarding Street Naming and Numbering. Fees and application forms are available on the Council's website at www.bromley.gov.uk**
- 3 You are advised that it is an offence under Section 137 of the Highways Act 1980 to obstruct "the free passage along the highway" (which includes the footway i.e. the pavement). This means that vehicles parked on the forecourt should not overhang the footway and therefore you should ensure that any vehicle is parked wholly within the site.**
- 4 Before works commence, the Applicant is advised to contact the Pollution Team of Environmental Health & Trading Standards regarding compliance with the Control of Pollution Act 1974 and/or the Environmental Protection Act 1990. The Applicant should also ensure compliance with the Control of Pollution and Noise from Demolition and Construction Sites Code of Practice 2008 which is available on the Bromley web site.**
- 5 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:16/04045/FULL1

Address: 24 St John's Road Penge London SE20 7ED

Proposal: Conversion of existing dwellinghouse to provide 1 one bedroom and 1 two bedroom flats with associated amenity space and parking with extended crossover.



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

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SECTION '2' – Applications meriting special consideration

Application No : 16/04156/FULL6

Ward:
Darwin

Address : 14 Cocksett Avenue Orpington BR6 7HE

OS Grid Ref: E: 545233 N: 164003

Applicant : Mr & Mrs Wright

Objections : YES

Description of Development:

Single storey front extension, two storey side extension and elevational alterations

Key designations:

Biggin Hill Safeguarding Area
London City Airport Safeguarding
Smoke Control SCA 28

Proposal

Permission is sought for a two storey side extension to the western elevation of the dwelling at 14 Cocksett Avenue. The extension measures 4.3m, 6.8m in depth and incorporates a hipped roof profile. The extension is located 200mm from the common side boundary with number 9 Beechwood Avenue. Elevational alterations are also proposed including the provision of a bi-folding door to the rear elevation.

The host property is a two storey detached dwelling with a single storey garage sited at the far western end of Cocksett Avenue. The property hosts a hipped roof profile with a rough cream render applied to all elevations. The dwelling has off street parking to the front elevation.

Consultations

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

- The property is at an elevated position and will cast an excessive shadow into the neighbouring garden
- Issues concerning the erection of scaffolding and whether there will be sufficient room within the site
- Overlooking into the rear gardens of Beechwood Avenue
- The application is in breach of Policy H9
- The extension would appear overbearing to number 7 and 9 Beechwood Avenue
- The window to the rear will create a feeling of perceived overlooking even though it is noted that it is obscurely glazed
- The extensions are of a substantial size

- Overdevelopment of the plot
- The removal of the existing garage would leave only one parking space at the front of the house which would not accord with the Council's standards

Highways Officer - The proposal includes removal of the existing garage. This will leave one parking space on the frontage. Given the unit will be a 4 bed house in a low (1b) PTAL area it would be preferable to see two spaces. However, given the gradient of the drive this may not be feasible and with the scale of the development no objections are made to this.

Planning Considerations

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

BE1 Design of New Development
H8 Residential Extensions
H9 Side Space

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

The following London Plan Policies are relevant:

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

The National Planning Policy Framework is also a material planning consideration.

Planning History:

There is no planning history with regard to this property.

Conclusions

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

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

Design

The materials of the proposed extension are, in so far as practical, matching to the existing property. The extension proposes a roof profile which complements the hipped roof of the host dwelling and is proposed to be off the existing ridgeline and principle elevation of the original building which allows for an element of subservience within the design. The extension is proposed of a width which when viewed in relation with the host dwelling appears bulky and quite dominant, however within the wider street scene there is evidence of other similar extended properties. Therefore, on balance, Members may consider that the scale and design of the extension is considered acceptable.

Side Space

Policy H9 states that when considering applications for new residential development, including extensions, the Council will require a minimum of 1 metre space from the side boundary of the site retained for the full height and length of the flank wall of the building. Although the extension does not meet the prescribed side space requirements (approximately 200mm from the boundary), the dwelling is sited at the end of the road frontage with the dwelling at number 9 Beechwood Avenue sited 12m to the west. The development would not cause any possible terracing, due to the separation distances between the dwellings and the proposed development is not considered to cause a cramped appearance within the wider street scene. On this occasion, on balance, Members may therefore consider this relationship to be acceptable and maintain the intention of Policy H9.

Residential Amenity and Impact on Adjoining Properties

In terms of residential amenity, several objection letters have been submitted from the properties along Beechwood Avenue predominantly concerned with the impacts of the extension, given the proximity of the dwelling to the boundary and subsequent perceived overlooking and loss of light.

The proposed extension is to be sited 12m from the rear elevation of number 9 Beechwood Avenue and spans approximately half the width of the rear boundary and amenity space associated with this dwelling. It is agreed that there will be some visual incursion as a result of the proposal and Members should consider whether the separation distances between the two properties is sufficient to ensure that no detrimental harm occurs. It is Officers opinion that whilst there would be some impact, the extension will not appear detrimentally overbearing nor result in an unacceptable loss of prospect. The orientation of the plot is favourable being sited to the east of number 9 and the proposed extension is not considered to result in an unacceptable loss of natural light.

Due to the layout of the plots, it is noted that the extension would span within close proximity (670mm) to the side boundary of number 7, projecting along the boundary for 3.7m. The proposed window within the rear elevation of the extension at first floor level is to be obscurely glazed and serving a bathroom, therefore it is not considered that there will be any actual overlooking or loss of privacy as a result of this extension. The extension will be prominent when viewed from the rear

amenity space of number 7 and due to the changes in land level, would be of an exacerbated height and prominence however on balance; this is not considered so detrimental to warrant a refusal of the application.

Car Parking

Comments have been received from the Highways Officer who comments that within a low PTAL area two car parking spaces should be provided for the dwelling. However, given the gradient of the frontage of the dwelling it may not be possible for two vehicles to be parked comfortably and given the size and scale of the development no objections are raised.

Further to a comprehensive site visit it was noted that off street parking is available within the wider street scene and the front hedge which is an attractive feature of the street scene would need to be removed to facilitate the additional parking. However, should Members consider it necessary; a condition can be added for parking plans to be received which provide two parking spaces within the frontage of the dwelling.

Summary

Having had regard to the above it was considered that the development in the manner proposed is acceptable in that it would not result in a significant loss of amenity to local residents and nor impact detrimentally upon the character of the area and therefore compliant with policy BE1 of the Unitary Development Plan.

Background papers referred to during production of this report comprise all correspondence on the file ref(s) 16/04156/FULL6 as set out in the Planning History section above, excluding exempt information.

RECOMMENDATION: PERMISSION

Subject to the following conditions:

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

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

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

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

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

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

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

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

- 5** Before the development hereby permitted is first occupied the proposed window(s) in the first floor rear bathroom window 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

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Application:16/04156/FULL6

Address: 14 Cocksett Avenue Orpington BR6 7HE

Proposal: Single storey front extension, two storey side extension and elevational alterations



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

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SECTION '2' – Applications meriting special consideration

Application No : 16/04278/FULL1

Ward:
Cray Valley East

Address : 13 Riverside Close Orpington BR5 3HJ

OS Grid Ref: E: 547373 N: 169233

Applicant : Mrs Tina Priestman

Objections : YES

Description of Development:

Detached outbuilding

Key designations:

Conservation Area: St Pauls Cray
Areas of Archeological Significance
Biggin Hill Safeguarding Area
London City Airport Safeguarding
Smoke Control SCA 20
Urban Open Space

Proposal

This application is for a single storey outbuilding located at the rear of the site, on land that adjoins the communal rear car park. The outbuilding will have dimensions of 6.0m by 4.6m at its widest point. The roof will be sloped with a maximum height of 2.6m.

Location

The application site is a mid-terraced property located on Riverside Close, a row of 18 properties. The site is located within St Paul's Cray Conservation Area and adjacent to a Site of Importance for Nature Conservation (SINC).

Comments from Local Residents

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

- 5 supporting comments have been received.
- 3 objections have been received on the basis of excessive size and the harmful impact the development would have on the character of the Conservation Area. A consistent approach must be taken in light of the planning history at No. 8.

Consultations

None.

Planning Considerations

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

National Planning Policy Framework (NPPF) (2012)

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

Chapter 7 - Requiring Good Design

Chapter 12 - Conserving and enhancing the historic environment

The London Plan (2015)

Policy 7.4 Local Character

Policy 7.6 Architecture

Policy 7.8 Heritage Assets

Unitary Development Plan (2006)

BE1 Design of New Development

BE11 Conservation Areas

G8 Urban Open Space

Other Guidance

Supplementary Planning Guidance 1 - General Design Principles

Planning History

The site has been subject to previous planning applications:

- 86/00020/OUT - Land at Main Road, St Pauls Cray Orpington. Erection of 32 terraced 2 bedroom dwellings with garages, parking spaces and estate road for residential use OUTLINE - Refused 06.03.1986
- 87/01265/FUL - Main Road, St Pauls Cray - 18 terraced one, two and three bedroom houses with parking spaces, estate road and public open space - Permitted 27.08.1987

Planning permission was retrospectively refused under ref. 16/03480 for a 2 metre high fence to enclose owned land. The application was refused at Plans Sub-Committee on the 20th October 2016. The refusal grounds were as follows:

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

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

Planning permission was retrospectively refused at No. 8 Riverside Close under ref. 16/03633 for a detached outbuilding. The application was refused at Plans Sub-Committee on the 20th October 2016. The refusal grounds were as follows:

'By reason of its size and location and encroachment onto an open grassed area, the development serves to undermine the open visual qualities of the estate layout, is harmful to the Urban Open Space designation and fails to preserve or enhance the character and appearance of the St Paul's Cray Conservation Area, contrary to Policies BE1, G8 and BE11 of the Unitary Development Plan.'

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.

This application seeks permission to erect a single storey outbuilding located to the rear of No. 13 Riverside Close. The outbuilding will be constructed on land adjoining the communal car park which is under the ownership of the applicant. Conditions 4 and 30 of permission 87/01265/FUL specifically prohibits permitted development therefore the erection of any outbuilding requires planning permission.

London Plan Policy 7.4 requires developments to have regard to the form, function, and structure of an area. Policy BE1 and the Council's Supplementary Design Guidance seek to ensure that new development is of a high quality design that respects the scale and form of the host dwelling and is compatible with surrounding development. Policy BE1 also seeks to ensure that new development proposals, including residential extensions respect the amenity of occupiers of neighbouring buildings and that their environments are not harmed by noise and disturbance or by inadequate daylight, sunlight or privacy or by overshadowing.

The site lies within the St Pauls Cray Conservation Area; therefore Policy BE11 of the UDP and London Plan Policy 7.8 is relevant to this application. These policies seek to preserve and enhance the character and appearance of Conservation Areas.

The outbuilding is 4.6m wide and 4.3m deep. It has an eaves height 2.5m and a maximum height of 2.6m. The materials proposed for the outbuilding consists of timber panels, in-keeping with the existing fence to the rear of the application site.

A number of objections have been received in relation to the outbuilding setting a precedent for similar developments in the area and that a consistent approach

must be taken in light of the recent planning history at No. 8. Some supporting comments have also been received.

In this particular case the proposed outbuilding will be significant in size and the recently refused application at No. 8 must be considered as a material planning consideration. This proposal would, therefore, be considered to impact detrimentally on the character and appearance of this part of the Conservation Area and would impact harmfully on the Urban Open Space setting. The development is therefore considered to contravene with the overarching aims and objectives of Policies BE1, BE11 and G8 of the UDP, Policies 7.4, 7.6 and 7.8 of the London Plan and the NPPF.

Having had regard to the above it was considered that, on balance, the siting, size and design of the proposed outbuilding is unacceptable in that it would fail to preserve the character and appearance of the St Pauls Cray Conservation Area and would impact detrimentally on the open character of the Urban Open Space. It is therefore recommended that Members refuse planning permission in accordance with the recent planning histories at Nos. 8 and 13 Riverside Close.

Background papers referred to during production of this report comprise all correspondence on file ref(s): 16/03480, 16/03633 and 16/04278 excluding exempt information.

RECOMMENDATION: APPLICATION BE REFUSED

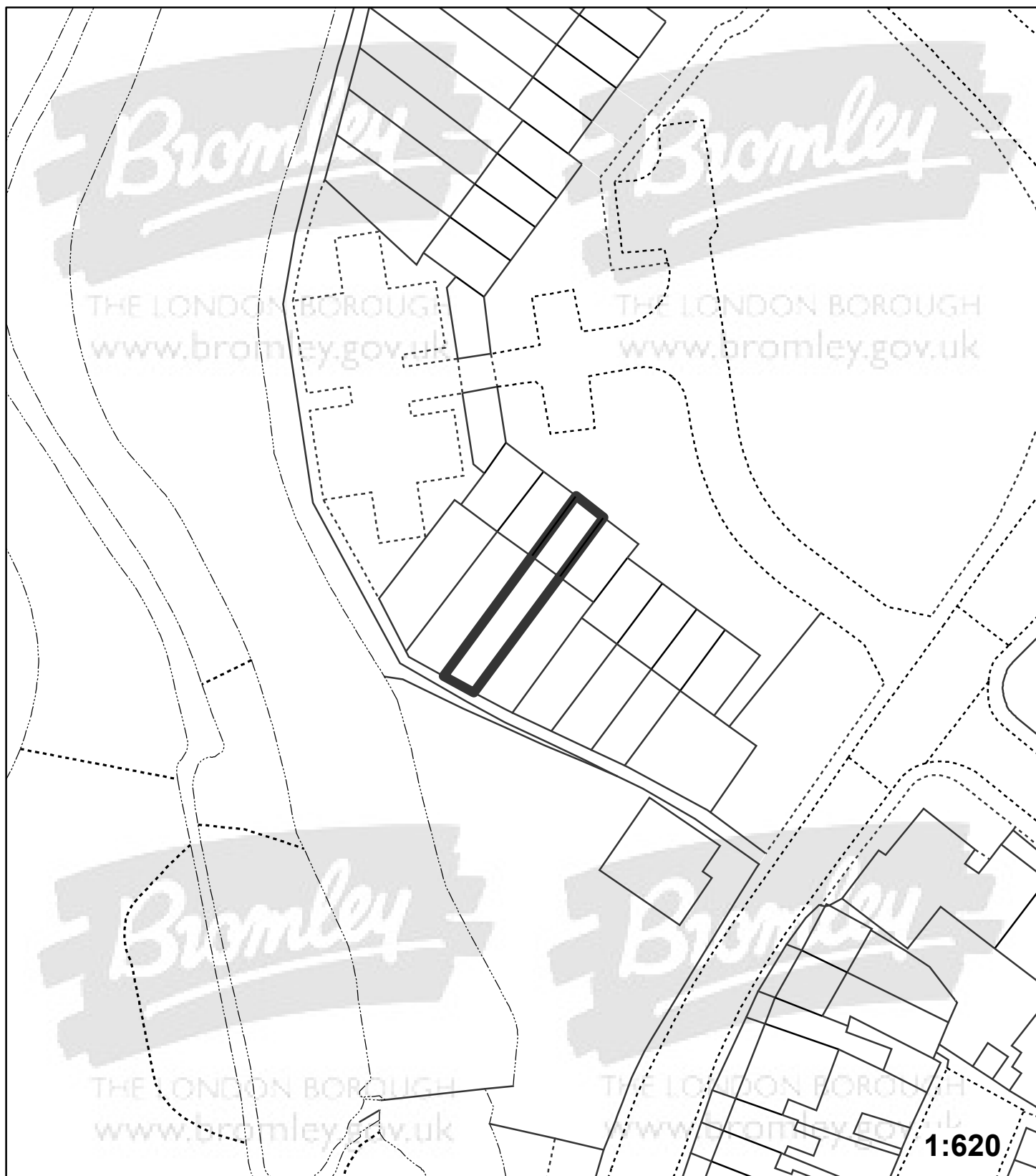
The reasons for refusal are:

- 1 By reason of its size and location and encroachment onto an open grassed area, the development serves to undermine the open visual qualities of the estate layout, is harmful to the Urban Open Space designation and fails to preserve or enhance the character and appearance of the St Paul's Cray Conservation Area, contrary to Policies BE1, G8 and BE11 of the Unitary Development Plan.**

Application:16/04278/FULL1

Address: 13 Riverside Close Orpington BR5 3HJ

Proposal: Detached outbuilding



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

Application No : 16/03334/FULL6

Ward:
Chislehurst

Address : 58 Marlings Park Avenue Chislehurst
BR7 6RD

OS Grid Ref: E: 545450 N: 168573

Applicant : Mr JOHN GRAHAM

Objections : YES

Description of Development:

Roof alterations incorporating rear dormer with juliet balcony and rooflights to front, single storey front/side/rear extension and two storey side and rear extension. Revisions to previous application (ref: 15/02702) to increase depth of ground and first floor rear extensions PART RETROSPECTIVE APPLICATION

Key designations:

Biggin Hill Safeguarding Area
London City Airport Safeguarding
Smoke Control SCA 17

Proposal

The application site is located on the western side of Marlings Park Avenue and is a large detached two-storey dwelling. The site does not lie within a conservation area and is not a Listed Building. The surrounding area is mainly residential in nature.

Planning permission is sought for alterations to the roof incorporating a rear dormer with Juliet balcony and rooflights to front, single storey front/side/rear extension and two storey side and rear extension. Revisions to previous application (ref: 15/02702/FULL6) to increase depth of ground floor and first floor rear extension, changes in roof height and profiles and two-storey side extension.

The amendments can be divided into 4 elements:

1. Single storey rear extension: This has been increased by 1.55m adjacent to the northern site boundary with No. 56 (resulting in a total depth of 4m) and 1m adjacent to the southern boundary with No. 60 (resulting in a total depth of 4.85m).
2. First floor rear extension: This is located adjacent to the southern boundary with No 60 and has increased in depth by 0.8m (resulting in a total depth of 4.65m).

3. Two storey side: Consent was granted for a two-storey front and two-storey rear extensions, however during construction the existing two-storey side extension was demolished and a new two-storey side extension was built. This extension increased the width of the property by 0.6m adjacent to No. 60 and the southern boundary.

4. Ridge height reduced: The overall ridge height of the extension has been reduced by 0.4m.

5. Garage and side extension roof profile: This has been reduced by 0.3m and the profile altered from a gable end to hipped roof design.

The host building has been rendered, the new extensions has been finished in render to match the host building.

Consultations

Nearby owners/occupiers were notified of the application and one letter of objection has been received and can be summarised as follows:

- The extension to garage/sun roof is larger than originally approved in both height and depth;
- The sunroom overhangs boundary by 8”;
- The extension is of poor construction and the finish on the side adjacent to No. 56 is dreadful;
- There is no guttering along the northern elevation of the sunroom/garage extension leaving water to run down neighbouring wall;
- The sunroom extension is considerably higher than existing garage which impact on loss of light to neighbouring living room;
- The plans show the garage is to increase which will impact on loss of light further;
- The plans also show the garage will overhang northern boundary with No. 56.

Planning Considerations

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

National Planning Policy Framework (NPPF) (2012)

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

Chapter 7 - Requiring Good Design

The London Plan (2015)

Policy 7.4 Local Character

Policy 7.6 Architecture

Unitary Development Plan (2006)

BE1 Design of New Development
H8 Residential Extensions
H9 Side Space

Other Guidance

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

Planning History

Planning permission was granted under ref. 88/01758 for a single storey side/front extension.

More recently, planning permission was refused on the 26th May 2015 under ref. 15/01377 for roof alterations incorporating hip to gable extensions, 2 rear dormer extensions with juliet balconies and 3 front dormer extensions, single storey front/side/rear extension and two storey side and rear extension for the following reasons:

"The proposed hip to gable and front dormer extensions, involving substantial alterations to the existing roof profile of the property, are unsympathetic to the scale and form of the host dwelling and would result in top-heavy and obtrusive additions, detrimental to the appearance of the host dwelling and wider streetscene in general, thereby contrary to Policies BE1 and H8 of the Unitary Development Plan."

Following this under ref: 15/02702/FULL6 planning permission was granted for roof alterations incorporating rear dormer with juliet balcony and rooflights to front, single storey front/side/rear extension and two storey side and rear extension on the 3rd September 2015.

Conclusions

It is considered the planning issues and considerations relate to:

- Design and bulk;
- Side space; and
- Neighbouring amenity

Design and Bulk:

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

The Council will normally expect the design of residential extensions to blend with the style and materials of the main building. Where possible, the extension should incorporate a pitched roof and include a sympathetic roof design and materials.

The extensions are sympathetically designed to mirror the host building, therefore whilst the two storey side elevation is not set back, the ridge of the extension would not appear overly bulky or dominant within the street scene, and would not detract from the character and appearance of area generally.

The single storey rear extensions now create an 'L' shaped rear elevation which projects 4m beyond the existing side extension which is an increase of 1.55m beyond the approved 15/02702/FULL6 application adjacent to the northern boundary and 4.85m adjacent to the southern boundary which is an increase of 1m beyond the approved 15/02702/FULL6 application.

The host building has been rendered and the extension is finished in matching render therefore resulting in a seamless finish blending the extension with the original building.

Whilst the extension has been increased in depth at ground floor and first floor level, overall the height of the development has been reduced by 0.4m to the first floor rear and two-storey side and the garage/sunroom extension by 0.3m and reducing the bulk from a gable end to pitched roof. On balance the proposal is considered to complement the character and appearance of the host dwelling and for these reasons, it is considered that the proposed development is acceptable and complies with policy on design.

Side Space:

Policy H9 states that when considering applications for new residential development, including extensions, the Council will normally require the following:

(i) for a proposal of two or more storeys in height, a minimum 1 metre space from the side boundary of the site should be retained for the full height and length of the flank wall of the building; or

(ii) where higher standards of separation already exist within residential areas, proposals will be expected to provide a more generous side space. This will be the case on some corner properties.

The Council considers that the retention of space around residential buildings is essential to ensure adequate separation and to safeguard the privacy and amenity of adjoining residents. It is important to prevent a cramped appearance and unrelated terracing from occurring. It is also necessary to protect the high spatial standards and level of visual amenity which characterise many of the Borough's residential areas. Proposals for the replacement of existing buildings will be considered on their merits.

The proposed two-storey side extension is located adjacent southern boundary and whilst is 0.6m wider than the original dwelling would still retain a side space of 2m. As such the proposal would not result in a terracing effect between the extension and any neighbouring property; the proposed extension would also not cause a cramped appearance within the wider streetscene given that the extension is adjacent to the garage block. It is considered the separation distance retained allows for high spatial standards and a high level of visual quality to be maintained. Therefore dose not conflict with the reason for the side space policy and as such is compatible.

Neighbouring Amenity:

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

The single storey rear extension is shown to project a maximum 4m from the original dwelling which is an increase of 1.55m beyond the 15/02702/FULL6 application. Objections have been received regarding the impact from the garage/sunroom extension and the impact on the neighbouring property. It is noted that previously the garage projected 3.5m beyond the rear elevation together with a 4.1m shed beyond resulting in a total depth of 7.8m built development. The proposed enlarged rear extension would be 2.25m less than the previous situation on site, even though the extension has increase by 1.55m in depth the overall height has been reduced by 0.3m. Therefore on balance the development would not significantly impact on the occupiers at No. 63 to the south in terms of un-neighbourly sense of enclosure and loss of daylight / sunlight over and beyond the previous situation to warrant a refusal on this basis.

With regards to the impact on No. 60 to the south, the increase in depth of the extension by 1m together with the two storey side extension is considered on balance to be acceptable given the size of the plot together with the location of the extension and orientation of the site and would not result in an increased sense of enclosure and loss of daylight / sunlight, to the detriment of the occupiers.

For these reasons, it is considered that the proposed development is acceptable and complies with policy on neighbouring amenity.

Summary:

Having had regard to the above, Members are asked to consider if the proposed revisions to previous application (ref: 15/02702/FULL6) to increase depth of ground floor and first floor rear extension, changes in roof height and profiles and two-storey side extension 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 amenity implications that would harm the quality of life of existing surrounding.

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

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

RECOMMENDATION: PERMISSION

Subject to the following conditions:

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

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

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

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

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

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

Application:16/03334/FULL6

Address: 58 Marlings Park Avenue Chislehurst BR7 6RD

Proposal: Roof alterations incorporating rear dormer with juliet balcony and rooflights to front, single storey front/side/rear extension and two storey side and rear extension. Revisions to previous application (ref: 15/02702) to increase depth of ground and first floor rear extensions



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

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

Application No : 16/03549/FULL1

Ward:
Shortlands

Address : 9 Rosemere Place Shortlands Bromley
BR2 0AS

OS Grid Ref: E: 539237 N: 168249

Applicant : Mr M Tawanaee

Objections : YES

Description of Development:

Provision of Communal Entrance Gates and Lighting Bollards into Private Road (Rosemere Place)

Key designations:

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

Proposal

The application seeks consent for the construction of communal entrance gates and lighting bollards into Rosemere Place. The gates would be set 12m back from Kingswood Avenue. They would consist of metal railings with a maximum height 2.3m and 1.9m to the top of the pillars. The applicant has confirmed that the gates will be controlled by automatic sensor. The application also proposes the installation of 4 additional lighting bollards measuring 775mm in height.

Location

The application relates to a private close. The site is accessed via Kingswood Avenue and the surrounding area is residential in character. Rosemere place comprises 9 detached dwellings and the entrance is set between No 44 and No 40 Kingswood Avenue. There is existing landscaping along each side of Rosemere place. There are also a number of existing lighting columns sporadically located along the road.

Consultations

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

- Look and nature of the gates and their inappropriateness in the setting of Kingswood Avenue. The idea that gates are needed is of itself detrimental to the rest of the street.
- Out of context in the setting of Kingswood Avenue. No similar gates in the street
- The gates appear very large and the mock Victorian style is not in keeping the street
- The additional lighting would make Kingswood Avenue oddly bright relative to Kingswood Avenue.
- The gates not only create a physical barrier but have a detrimental impact by implying it is somehow safer within Rosemere Place and the gates are necessary.
- Reason for the gates are not stated but assume it relates to reduced crime, traffic, parking or an effort to increase house prices.
- Any crime benefits from gates estates are debateable and often offset by the difficulty for emergency access. More about false perception of crime in a low crime area. The gates are harmful because they increase that false perception by implying that fortifying the street is necessary.
- As it is a cul-de-sac it is difficult to see how traffic would change. Cars are rarely ever parked on the access road so this is not a problem.
- Kingswood Avenue is low crime, low traffic. It is not clear what benefits would accrue to the residents of Rosemere place to justify this ugly, inappropriate and divisive fortification.
- Looking onto steel gates rather than a residential close.
- Destruction of part of the landscaping and additional lighting is a significant loss of amenity for neighbours
- Inadequate submission and lack of information about size and design or associated brick piers. The planning department cannot make a proper assessment on the impact without this information.
- Gates were part of the original submission for the development but were dropped following discussions with residents.
- No rationale for gates or lighting
- The application included landscaping conditions and the gates would involve major changes to visual aspect of the close.
- Would appear incongruous
- Light shining into neighbouring properties
- Noise and disturbance from gates, electric motors, noise from opening/closing, idling vehicles. Kingswood Avenue is quite, especially at night.
- No indication about sensors and who could enter such a delivery vehicles
- Headlights shining into neighbouring properties opposite, would be made worse due to vehicles waiting for gates to open.
- Increased parking pressures for Kingswood Avenue
- Congestion hazard, particularly in the mornings and afternoons when parents park in Kingswood Avenue
- Object in principle to privatisation of the street
- Gates could be used to climb over boundary fence and access neighbouring gardens and windows
- No information about the pedestrian gates

- Error in the planning application form, section 15 trees and hedges. The landscaping will be tampered with and were part of the appeal conditions.
- Previous applications include rumble strip. The inspector of the agreed with the rumble strip but did not condition the gates

Highways Officer - Rosemere Place is a private road. The gates are proposed to be set back 12.0m from the highway boundary and this would be sufficient for cars and delivery vehicles to wait clear of the highway whilst the gates open. There should thus be no issue with respect to free flow of traffic or conditions of safety in the highway.

It is not clear exactly how the gates would operate, especially in respect of visitor's/delivery vehicles e.g. refuse collection, and the applicant should be requested to provide details. Waste Services views on this should be sought.

Subject to the satisfactory conclusion of the above issue please apply the following to any permission

H29 (Construction Management Plan)

Waste Services - The gates should not be a problem as long as they are a minimum of 4.1m width and have access for collection; be it with key pad or sensor. If a sensor, or pressure pad - then it needs to be suitable for a large Refuse Collection Vehicle (RCV) as there is an overhang on the cab which may not trip the sensor effectively.

As long as we have the width and access, then there would be on objections

Environmental Health - No objections with regards to noise. However there doesn't appear to be any specifications and impact noise could be problematic, to avoid this you could place a condition requiring soft closers on the gates.

I assume that the design of the lighting columns have the led fitting in the roof of the column, so as to minimise the upward spread of light, near to or above the horizontal. If this is the case then the design and illuminance level is acceptable as opposed to an unshielded light source.

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
 H8 Residential Extensions

SPG 1 General Design Principles
 SPG 2 Residential Design Guidance

Planning History

05/02817/FULL1 -Demolition of No. 42 Kingswood Avenue and erection of 3 two/three storey three bedroom terraced houses, 8 two/three storey three/four bedroom semi-detached houses, and 3 two storey four bedroom detached houses (2 with integral garages), with 20 car parking spaces and estate road (at No. 42 Kingswood Avenue and land rear of Nos. 51-63 South Hill Road). Refused 15.12.2005

06/00785/FULL1- Demolition of No. 42 Kingswood Avenue and erection of 5 two/three storey four bedroom detached houses and 3 two/three storey four bedroom semi-detached houses and 3 two storey three bedroom semi-detached houses with integral garages and car parking spaces and estate road at No. 42 Kingswood Avenue and land rear of Nos. 51-63 South Hill Road. Refused 26.04.2006

06/00786/FULL1 - Demolition of No. 42 Kingswood Avenue and erection of 9 two/three storey four bedroom detached houses with integral garages and car parking spaces and estate road at No. 42 Kingswood Avenue and land rear of Nos. 51-63 South Hill Road. Refused 26.04.2006

07/02184/FULL1 - Demolition of No. 42 Kingswood Avenue and erection of 5 four bedroom detached houses with attached garages and two detached four bedroom houses with detached garage buildings and 2 five bedroom detached houses with attached garage. Plus associated car parking and estate road on land at No. 42 Kingswood Avenue and land rear of Nos. 51-63 South Hill Road. Refused 06.08.2007

The above application was subject to an appeal (appeal ref: APP/G5180/A/07/2054389)which was subsequently allowed on the 10th July 2008. This scheme included a gates to the access road and the inspector considered that 'subject to sensitive treatment of the design of the gates and the implementation of an approved landscaping scheme to its margins, the appearance of the access road with dwellings in the background would not harm the street scene in Kingswood Avenue.'

09/01048/FULL1 - Demolition of No. 42 Kingswood Avenue and erection of 3 four bedroom detached houses with integral garage. 1 four bedroom detached house with attached garage. 2 four bedroom detached houses with attached double garage. 1 four bedroom detached house with detached double garage and 2 three bedroom detached houses with integral garages plus associated car parking and estate road on land at No 42 Kingswood Avenue and land rear of Nos 51-63 South Hill Road. Permission 15.07.2009

Relevant conditions:

- (2) Details of a scheme of landscaping, which shall include the materials of paved areas and other hard surfaces, shall be submitted to and approved in writing by the Local Planning Authority before the commencement of the development hereby permitted. The approved scheme shall be implemented in the first planting season following the first occupation of the

buildings or the substantial completion of the development, whichever is the sooner. Any trees or plants which within a period of 5 years from the substantial completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species to those originally planted.

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

11/03798/FULL6 - Single storey rear extension. Permission 07.02.2012

13/02270/FULL6 - Roof alterations to incorporate side and rear dormer extensions and front porch. Refused 09.09.2013

13/04017/FULL6 - Roof alterations to incorporate rear dormer extension, roof lights to sides and front porch. Permission 31.01.2014

16/03553/FULL6 - Conversion of garage into habitable accommodation at No 9 Rosemere Place. Permission 19.09.16

Conclusions

The main issues relating to the application are the impact of the proposed development on the character and appearance of the streetscene, any harm to neighbouring amenity and the highway impact.

Design

Rosemere Place is a small private road, which leads to a close of 9 detached dwellings. It is located between the residential properties of No 40 and 44 Kingswood Avenue. Rosemere Place is a relatively new development and landscaping has been included along the main access, which softens the appearance of road within the streetscene. The proposed gates would be located 12m from the main junction with Kingswood Avenue. An area of landscaping along the northern boundary would need to be removed to facilitate the installation of the gates and the proposed new pedestrian entrance. The gates themselves would have a maximum height of 2.3m and would be of metal construction. The design would allow visibility through the railing, which creates a lighter appearance and the overall design is considered of high quality and generally acceptable in this context.

Concerns have been raised about the principle of development and perceptions of safety, together with the fortification of the street. It is noted that Bromley Council has no specific policy which restricts gated communities and there are examples found across the Borough for similar small private developments. The gates would be set well back from the junction with Kingswood Avenue and would not therefore appear overly prominent within the streetscene. It is noted that under planning ref: 07/02184/FULL1, entrance gates were also proposed. The Inspector of that appeal considered that 'subject to sensitive treatment of the design of the gates and the implementation of an approved landscaping scheme to its margins, the

appearance of the access road with dwellings in the background would not harm the street scene in Kingswood Avenue.' In this case, a large area of landscaping would still be retained along the southern and northern boundaries of the access road. The existing landscaping treatment would also be retained at the junction with Kingswood Avenue. Whilst the installation of gates would have some impact on the character of the streetscene, this is not considered to be materially harmful. The applicant has clarified that there have been a number of burglaries within Rosemere Place, which have been registered with the Police and that the gates are proposed for security reasons. Given the above, Members may consider that the proposed gates would not result in undue harm to the character and appearance of the streetscene.

The scheme would also see the installation of 4 additional light columns along the access road. These would replicate the existing examples, which are also found along the road and they would have a maximum height of 775mm, which would not appear significantly prominent or incongruous within the streetscene. They include LED fittings within the roof of column and given their height and location Members may consider the proposal would be acceptable.

Neighbouring amenity

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

Neighbours have raised concerns about potential noise and disturbance from the proposed gates and from idling vehicles waiting for the gates to open. The gates would be located immediately adjacent to No 40 and 44 Kingswood Avenue Road along the existing access. It is noted that No 40 is located at a slightly lower ground level and the landscaping provides a screen along each of the two boundaries of the access road. However, the location of the gates and their overall size is not considered to be overly intrusive or visually dominant adjacent to these flank elevations.

The access road already has a level of vehicular traffic generated from residents of Rosemere Place and from visitors/deliveries vehicles. A development of 9 dwellings is not considered to be large and, as noted within the 07/02184/FULL1 appeal decision, 'roads often run to the side of dwellings and their gardens resulting in vehicular movements'. The applicant has clarified that the gates would be controlled via a sensor and would open automatically for approaching vehicles. Cars would therefore unlikely sit idling for extended period of times and movements would be transient. It is considered that the noise generated from the gates would not therefore be significantly intrusive and whilst they be used more frequent at certain times of the day, such as in the mornings and early evenings, this would not be constant. The Inspector of the above appeal did not raised objections to the gates in respect of noise or disturbance, but did raise concerns about a proposed rumble strip. This rumble strip has not been included within the current application and no objections have been received by the Council's Environmental Health Officer with respect to noise. Whilst it is accepted that the

gates themselves may generate some noise, this is not considered to be materially harmful, or of a degree that would warrant a refusal.

Similarly, concerns have been raised about car headlights shining towards neighbouring properties opposite at No 27-29 Kingswood Avenue. It was observed within the 07/02184/FULL1 appeal decision that 'Whilst there would be an access opposite No 27 and No 29 Kingswood Avenue, and so there would be potential for car headlights to shine towards those properties after dark, usually curtains are closed at such times. The affect would be intermittent and unlikely to cause unacceptable harm to the living conditions of the occupiers of these dwellings, which are set behind front gardens'. In relation the proposed gates, the main impact would still be from cars exiting Rosemere Place and cars travelling towards the gates would not be moving at speed. This is however similar to the existing arrangement, as cars approaching the junction with Kingswood Avenue would also have to move slowly in order to exit Rosemere Place in a safe manner. The gates would therefore unlikely result in disturbance from headlights which is significantly worse than the current situation.

The proposal would also include the installation of 4 new lighting bollards. They would have a maximum height of 775mm and would replicate existing examples. Three would be set within the access road and the low height would not result in significant disturbance to neighbouring properties from light spillage. One lighting bollard would be set adjacent to the junction with Kingswood Avenue. There is an existing lighting bollard on the opposite side of the junction and the proposed bollard would be set next to a hedge. Its location may result in some additional light onto Kingswood Avenue, however its low height is not considered to be overly intrusive or detrimental to neighbouring amenity.

Given the above, Members may consider that the proposed gates and lighting would not result in harm to neighbouring residential amenities.

Highways

The Council's highways officer and waste services officer have been consulted and no objections have been received in respect of the highway impact or access for service vehicles. The applicant has clarified that the gates would be controlled by way of a sensor and would open automatically for approaching vehicles. They would not therefore impede delivery and service vehicles. The pedestrian entrance would however be controlled by a keypad. The gates would be set back 12m from the main junction with Kingswood Avenue and would not therefore represent a safety hazard to the main highway. A space of 4.3m would be retained on the access road, which complies with the minimum requirement of refuse vehicles.

Given the above, Members may therefore consider that the proposal would be acceptable in terms of the highway impact.

as amended by documents received on 14.09.2016 20.09.2016

RECOMMENDATION: PERMISSION

Subject to the following conditions:

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

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

- 2 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 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.

Application:16/03549/FULL1

Address: 9 Rosemere Place Shortlands Bromley BR2 0AS

Proposal: Provision of Communal Entrance Gates and Lighting Bollards into Private Road (Rosemere Place)



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

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

Application No : 16/04201/FULL6

Ward:
Hayes And Coney Hall

Address : 52 Eastry Avenue Hayes Bromley BR2
7PF

OS Grid Ref: E: 539889 N: 167045

Applicant : Mr M Pickering

Objections : NO

Description of Development:

Part one/two storey side extension

Key designations:

Biggin Hill Safeguarding Area
London City Airport Safeguarding
Smoke Control SCA 51

Proposal

The application seeks planning permission for a part one/two storey side extension to the southern flank elevation of the existing dwelling. The ground floor element of the will extend 2.55m in width at the rear in line with the existing rear building line for a length of 2.5m, before stepping out a further 0.6m for the remaining 6.5m length of the extension. At the front, the ground floor will extend 0.6m further forward than the existing dwelling to wrap around the front elevation to include an open front porch canopy with a pitched roof which will extend across the single storey extension.

At first floor the extension will extend in line with the existing front elevation of the property and will project 3.2m in width (to the same width as the ground floor) for a length of 5.9m, maintaining a set back from the rear building line of 2.5m. The two storey element of the proposed side extension will have a pitched roof with side gable end similar to the existing roof of the dwelling, but with the ridge height set around 0.6m lower. The single storey side element of the extension which sits behind the two storey section will have a flat roof with parapet detail to a maximum height of 3.1m. The extension will provide a separation to the boundary of a maximum of 1.8m at the front and 0.4m to 0.5m at the rear, due to the tapering of the existing side boundary.

The extension will provide an enlarged living area, wc and study at ground floor and additional bedroom at first floor and will replaced an existing single storey detached garage which currently sits to the side of the dwelling. It is shown to be finished with brickwork and tiles to match the existing dwelling.

Location

The application site comprises a two storey end of terrace dwellinghouse located on the western side of Eastry Avenue, Hayes. The property lies at the end of Eastry Avenue close to the junction with Malling Way and Farleigh Avenue. To the southern side of the site lies a small green and footway which runs adjacent to the side boundary and leads to Pickhurst Recreation Ground, which is located at the rear of the site.

Consultations

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

Any further comments received will be reported verbally at the meeting.

Comments from Consultees

At the time of writing no comments have been received from the Council's Highways Officer. Any further comments received will be reported verbally at the meeting.

Planning Considerations

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

Unitary Development Plan

BE1 Design of New Development
H8 Residential Extensions
H9 Side Space

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

Planning History

There is no planning history at the site.

Conclusions

The main issues relating to the application are the effect that it would have on the character and appearance of the host dwelling and the streetscene in general and the impact that it would have on the amenities of the occupants of surrounding residential properties.

The extension of a residential dwelling is acceptable in principle subject to the size, mass, scale and form proposed and the subsequent impact upon the amenities, outlook and privacy of neighbouring residents, the character of the area and of the

host dwelling and any impacts relating to parking provision or other highways matters.

Policies H8, BE1 and the Council's Supplementary design guidance seek to ensure that new development, including residential extensions are of a high quality design that respect the scale and form of the host dwelling and are compatible with surrounding development. Policy BE1 also seeks to ensure that new development proposals, including residential extensions respect the amenity of occupiers of neighbouring buildings and that their environments are not harmed by noise and disturbance or by inadequate daylight, sunlight or privacy or by loss of outlook or overshadowing.

In addition to the above policies, Policy H9 of the UDP relates specifically to side space and seeks to prevent a cramped appearance within the streetscene and to safeguard the amenities of the neighbouring properties for development, including residential extensions, of two storeys or more.

The proposed part one/two storey side extension will project to the southern side of the property. A side space of 1.8m will be maintained between the side extension and this southern side boundary at the front of the property; however, due to the angle of the existing boundary this will reduce to a minimum of 0.4m between the two storey element and the boundary. However, this southern side boundary which borders a footway leading to Pickhurst Recreation Ground to the rear of the site and a small grassed area which provides a separation of over 20m between the application site and no. 2 Malling Way beyond to the south.

Therefore, whilst the proposed extension will extend at two storeys close to the boundary, it will not result in a cramped appearance between the dwellings. Furthermore, the 1.8m side space at the front of the extension will help to ensure that a degree of visual separation between the extension and the boundary is maintained. As such, it is not considered to cause any undue harm to the spatial standards of the area within which the property lies. In addition, due to the existing separation provided between the site and no. 2 Malling Way, the extension is not considered to cause any significant impact to the amenities of the occupiers of this neighbouring property. As such, the proposed extension would be compliant with the objectives that policy H9 seeks to achieve.

The extension will project in line with the front building line of the existing dwelling at first floor and forward by 0.6m at ground floor which will also create an open porch canopy in front of the existing entrance door. It is noted that the application dwelling and adjoining properties currently benefit from small flat roofed canopies above the front entrance doors. Therefore, whilst the pitched roof extension and canopy will be more prominent, it is not considered to unduly harmful to the character and appearance of the dwellings within the streetscene, particularly given the location of the property at the end of the row.

At ground floor the extension will project the full length of the dwelling. However, the two storey element will be set away from the rear building line and the ridge height of the gable ended roof will be set lower than the main roof of the dwelling which will help provide an element of subservience when viewed both from the

front and side of the site. In addition, it has been designed to match the materials of the existing dwelling, and the proposed windows are show to be of a similar style and proportionate to the existing windows within the dwelling.

Taking the above all into account, the siting, size and design of the proposed extension is considered to be acceptable, and would not result in any significant harm to the character and appearance of the host dwelling or streetscene in general nor the amenities of the host or neighbouring properties. Accordingly, the extension is considered to comply with the aims and objectives of Policies BE1, H8 and H9 of the UDP.

Background papers referred to during production of this report comprise all correspondence on the file, excluding exempt information.

RECOMMENDATION: PERMISSION

Subject to the following conditions:

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

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

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

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

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

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

- 4 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 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.

You are further informed that :

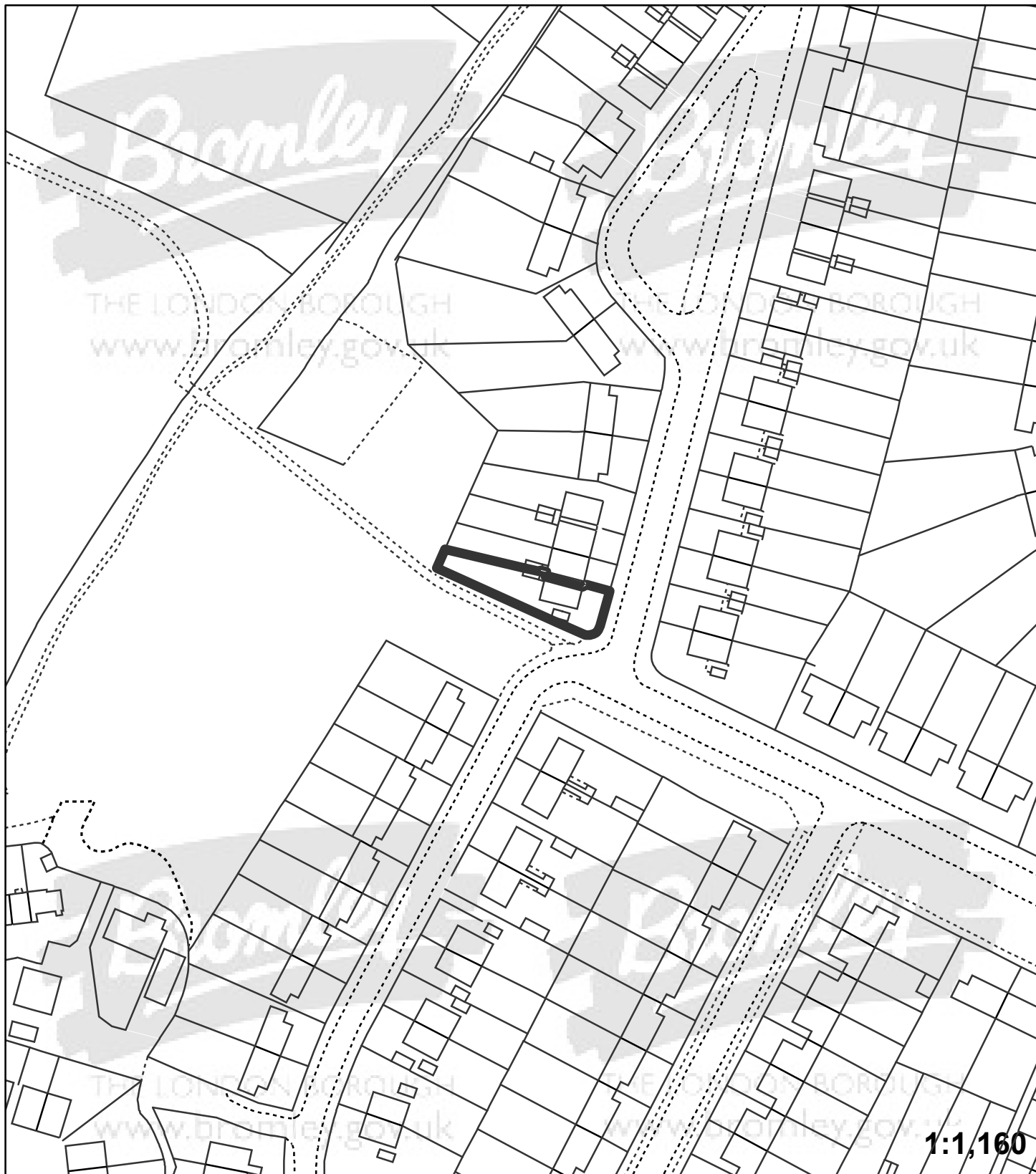
- 1 A public right of way runs across/is in close proximity to the development and the applicant's attention is drawn to the need to safeguard the public using the route, and that it must not be damaged or obstructed either during, or as a result of, the development. Attention is also drawn to the fact that the grant of planning permission does not entitle developers to obstruct public rights of way. Enforcement action may be taken against any person who obstructs or damages a public right of way. Development in so far as it affects a public right of way should not be started and the right of way kept open for public use until any necessary order under the Traffic Regulations for a temporary diversion/closure has come into effect.**

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Application: 16/04201/FULL6

Address: 52 Eastry Avenue Hayes Bromley BR2 7PF

Proposal: Part one/two storey side extension



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

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

Application No : 16/04462/RECON

Ward:
Chislehurst

Address : 3 Camden Park Road Chislehurst BR7
5HE

OS Grid Ref: E: 542954 N: 170352

Applicant : Mr & Mrs A & B WILSON

Objections : YES

Description of Development:

Variation of condition 2 of permission ref. 12/03279 granted on appeal for part one/two storey side/rear extension, creation of lower ground floor, two storey front/side extension and elevational alterations, to allow changes to external materials RETROSPECTIVE APPLICATION

Key designations:

Conservation Area: Chislehurst
Biggin Hill Safeguarding Area
London City Airport Safeguarding
Open Space Deficiency
Smoke Control SCA 16

Proposal

Permission was granted on appeal in April 2013 under ref.12/03279 for the demolition of the existing garage, and the erection of two storey front, side and rear extensions, a basement garage and steps to the side together with alterations to the retained house elevations. This permission was subject inter alia to a condition which required the materials to be used in the construction of the external surfaces of the extension to match those used in the existing building (condition 2) which was originally constructed of red brick.

The work on the extensions is nearing completion, but the external surfaces of the extensions and the retained house elevations are rendered with tile hanging rather than being of red brick to match the existing. Retrospective permission is therefore sought to retain the external surfaces of the extended house as render with tile hanging.

Location

This detached property is located on the northern side of Camden Park Road and lies within Chislehurst Conservation Area. It is set at an elevated level to Camden Park Road, and backs onto No.30 Yester Road, which is itself set significantly higher than the application site. No.1 Camden Park Road to the west has been greatly extended in recent years.

Consultations

A letter of objection has been received from the occupiers of No.30 Yester Road who raise the following main concerns:

- * a large expanse of painted rendered wall on the rear elevation of the dwelling adjacent to No.30 would be oppressive
- * if a leylandii hedge in the garden of No.3 is removed or dies, the rendered walls of the property would be even more visible
- * the use of red brick would be preferable as it would mellow over time and blend in with the surroundings
- * works have caused damage to trees at the neighbouring property
- * the change to the materials has already been carried out with disregard to the condition.

Comments from Consultees

The Advisory Panel for Conservation Areas raises objections to the proposals as it considers that the recommendation of the Inspector with regard to the use of matching bricks should be upheld.

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
H8 Residential Extensions

The application was called into committee by a ward councillor.

Planning History

Permission was granted in 2009 for two alternative smaller schemes to extend this property under refs. 09/01218 and 09/01219, and these permissions were renewed in September 2012 under refs.12/02420 and 12/02421.

Permission was refused in 2012 (ref.11/03697) for the erection of a part one/two storey front/side extension, a part one/two storey side/rear extension, a first floor side extension with front dormer and a basement garage.

Permission was refused in 2013 (ref.12/03276) for a part one/two storey side/rear extension, a two storey front/side extension and the creation of a lower ground floor, and the appeal was dismissed.

Permission was refused in 2013 (ref.12/03279) for a part one/two storey side/rear extension, a two storey front/side extension and the creation of a lower ground floor, but the appeal in this case was allowed.

Conclusions

The main issues in this case are the impact of the proposals on the character and appearance of Chislehurst Conservation Area and on the amenities of nearby residential properties.

The applicant claims that it was always intended that the walls of the extension and the retained walls of the dwelling would be painted render with tile hanging, and it is clear from the original application form that it was indeed intended to use render and tile hanging (Q.11 of the form) rather than to match the existing brickwork. In coming to his decision to grant permission for the proposals, the Inspector did not refer specifically to the proposed use of render and tile hanging for the external walls of the building, and whether or not this was acceptable, but he did comment that "...the host building possesses little in the way of architectural distinction..." and that he could "...understand the appellant's wish to remodel its appearance and augment the accommodation that it provides." It is not therefore clear why the Inspector should impose a condition requiring the external materials to match the existing dwelling (ie. red bricks) when that was not what was applied for.

Nevertheless, the proposed use of painted render and tile hanging in place of red bricks to match the existing is not considered to have a detrimental visual impact on the appearance of the building nor on the character and appearance of this part of Chislehurst Conservation Area which is characterised by a number of dwellings that have rendered facades.

With regard to the impact on the dwelling to the rear at No.30 Yester Road, this property is set at a significantly higher level than the application property, and although the painted rendered finish of the rear elevation of the dwelling may be visible from this property and its garden, it is not considered to cause a significant level of harm to the neighbouring occupants to warrant a refusal on those grounds.

In conclusion, the proposed use of painted render and tile hanging for all elevations of the dwelling is not considered to have a harmful impact on the character and appearance of Chislehurst Conservation Area nor would it unduly affect the amenities of neighbouring properties.

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 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.

- 2 Before the first occupation of the eastern extension hereby permitted, the dormer window on the north-facing roof slope shall be fitted with obscured glass and shall be permanently retained in that condition.**

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

Application:16/04462/RECON

Address: 3 Camden Park Road Chislehurst BR7 5HE

Proposal: Variation of condition 2 of permission ref. 12/03279 granted on appeal for part one/two storey side/rear extension, creation of lower ground floor, two storey front/side extension and elevational alterations, to allow changes to external materials **RETROSPECTIVE APPLICATION**



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

Application No : 16/04540/FULL2

Ward:
Chelsfield And Pratts
Bottom

Address : 16 Crescent Way Orpington BR6 9LS

OS Grid Ref: E: 545434 N: 164436

Applicant : Mr D Nguyen

Objections : YES

Description of Development:

Change of use from A1 (retail) to Sui Generis (beauty salon)

Key designations:

Biggin Hill Safeguarding Area
London City Airport Safeguarding
Smoke Control SCA 14

Proposal

Planning permission is sought for the change of use of ground floor from retail (Class A1) to a nail bar (sui generis).

The site is currently vacant retail unit, within a small parade of shops along Crescent Way. The majority of these are in A1 use. The site is located on the South-Western side of Crescent Way, Orpington.

Consultations

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

- Do not need another beauty salon
- New parking restrictions have already caused a loss of clientele
- If another shop opens there will be an effect on two businesses in the parade
- Loss of business for other similar businesses in the area

Environmental Health - No objection, subject to an informative regarding a massage and special treatments licence.

Highways - No objection

Planning Considerations

The application falls to be determined in accordance with the following policies of the Unitary Development Plan (2006)

S1 Primary Frontages
S10 Non-Retail uses in shopping areas
T3 Parking
T18 Road Safety

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

Planning History

Under planning reference 92/01954 permission was granted for a single storey rear extension

Under planning reference 01/02341 permission was granted for a shopfront

Conclusions

The main issues relating to the application are the effect that it has on the shopping function of the Primary Frontage, the impact that it has on the amenities of the occupants of surrounding residential properties, with particular regard to the policies set out above.

The proposal seeks to change the use of the retail unit which was previously used as a show shop (A1) to a nail bar (sui-generis). Crescent Way consists mostly of smaller retail units, with one large unit which is occupied by Co-op. The proposed nail bar would be open Mon/Tues/Weds/Fri/Sat 9.30am - 6.30pm, Thurs 9.30am - 7.30pm. It is stated that the proposed use would employ 2 people.

Policy S1 of the Unitary Development Plan states that the Council will only permit changes of use from retail to other uses where the proposal would not harm the retail character of the shopping frontage, would generate significant pedestrian visits during shopping hours ; complement the shopping function of the town centre; not create a concentration of similar uses and would not have an adverse impact on residential amenity.

Directly opposite the site is a beauty salon, and next door is a hairdressers, however when considering the wider context of the area it is not considered that this would create a concentration of similar uses. Although there are some non-retail uses within the area, a significant proportion of units in this area are still in retail use.

By virtue of the nature of the proposed use, it is considered that residential amenity would not be affected to a materially different extent than the existing A1 use.

Summary

Having regard to the relevant provisions of Policies S1, S10, T3 and T18 of the Unitary Development Plan and other material considerations; it is considered that the proposed development would not materially harm the character or appearance of the area, nor would it result in a concentration of similar uses. As such, it is

recommended that planning permission should be granted with the conditions set out in this report.

Background papers referred to during production of this report comprise all correspondence on the file ref: 16/03824/FULL6 set out in the Planning History section above, excluding exempt information.

RECOMMENDATION: PERMISSION

Subject to the following conditions:

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

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

- 2 The premises shall be used for a nail bar and for no other purpose (including any other purpose in sui-generis use of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).**

Reason: In order to comply with Policy S1 and S10 of the Unitary Development Plan and in the interest of the amenities of the area.

- 3 The use shall only operate between the hours of 9:30am to 6:30pm Monday, Tuesday, Wednesday, Friday and Saturday and 9:30am to 7:30pm on a Thursday**

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

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

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

You are further informed that :

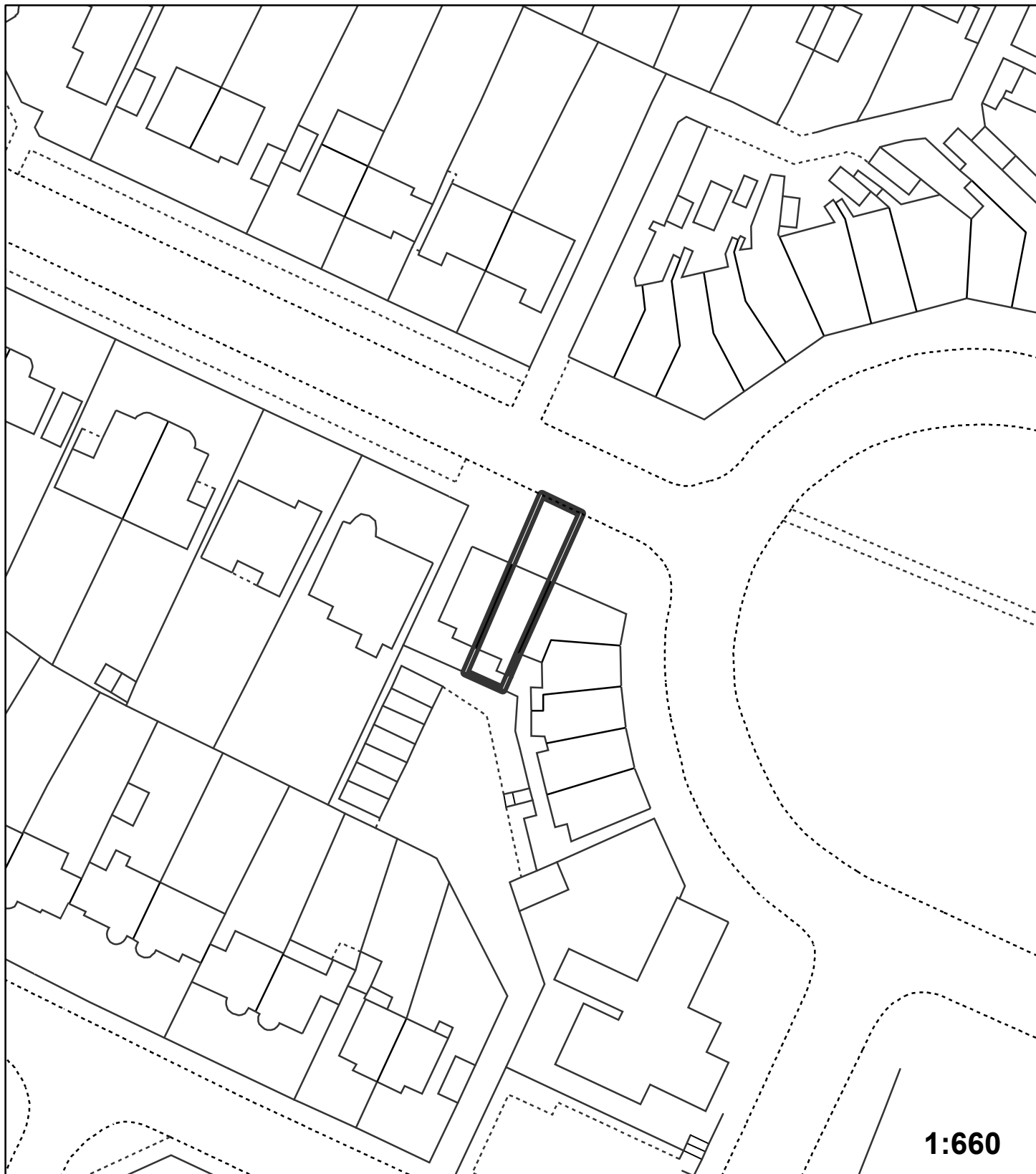
- 1 Before the use commences, the applicant is advised to contact the Licensing Team of Public Protection regarding compliance with the Massage and Special Treatments Licence issued under the London Local Authorities Act 1991. The contact telephone number is 0208 313 4218**

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Application: 16/04540/FULL2

Address: 16 Crescent Way Orpington BR6 9LS

Proposal: Change of use from A1 (retail) to Sui Generis (beauty salon)



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