



BROMLEY CIVIC CENTRE, STOCKWELL CLOSE, BROMLEY BRI 3UH

TELEPHONE: 020 8464 3333

CONTACT: Rosalind Upperton
Rosalind.Upperton@bromley.gov.uk

THE LONDON BOROUGH
www.bromley.gov.uk

DIRECT LINE: 020 8313 4745
FAX: 020 8290 0608

DATE: 9 January 2017

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

AT THE CHAIRMAN'S REQUEST THE MEETING SCHEDULED TO BE HELD ON THURSDAY, 19 JANUARY OF THE PLANS SUB-COMMITTEE NO. 3 WILL BE HELD AT BROMLEY CIVIC CENTRE ON TUESDAY 17 JANUARY 2017 AT 7.00 PM

MARK BOWEN
Director of Corporate Services

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

- already written to the Council expressing your view on the particular matter, and
- **INDICATED YOUR WISH TO SPEAK BY CONTACTING THE DEMOCRATIC SERVICES TEAM BY NO LATER THAN 10.00AM ON MONDAY 16 JANUARY 2017.**

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 17 NOVEMBER 2016**
(Pages 1 - 10)
- 4 **PLANNING APPLICATIONS**

SECTION 1

(Applications submitted by the London Borough of Bromley)

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

SECTION 2

(Applications meriting special consideration)

Report No.	Ward	Page No.	Application Number and Address
4.1	Shortlands	11 - 22	(16/03549/FULL1) - 9 Rosemere Place, Shortlands, BR2 0AS
4.2	Copers Cope	23 - 32	(16/03847/FULL1) - 1 St Clare Court, Foxgrove Avenue, Beckenham, BR3 5BG
4.3	Copers Cope	33 - 42	(16/03932/FULL1) - 9 St Clare Court, Foxgrove Avenue, Beckenham, BR3 5BG
4.4	Shortlands	43 - 62	(16/04022/FULL1) - Studio at Burgh Hill, Kingswood Rd, Bromley, BR2 0HQ
4.5	Bromley Common and Keston	63 - 68	(16/04250/FULL1) - 3 Cedar Crescent, Bromley, BR2 8PX
4.6	Chislehurst Conservation Area	69 - 78	(16/04418/FULL1) - 27 Heathfield, Chislehurst, BR7 6AF
4.7	Crystal Palace Conservation Area	79 - 100	(16/04635/FULL1) - Alan Hill Motors, Alma Place, Anerley SE19 2TB

4.8	Bickley	103 - 114	(16/04692/FULL6) - Eagleshurst Bickley Park Road Bickley Bromley BR1 2BE
4.9	Chislehurst	117 - 124	(16/04897/FULL6) - Greycot, Willow Grove, Chislehurst, BR7 5DA
4.10	Clock House	127 - 136	(16/05387/FULL1) - 43 Stembridge Road, Penge, SE20 7UE
4.11	Darwin	139 - 146	(16/05553/FULL1) - 378 Main Road, Biggin Hill, TN16 2HN

SECTION 3

(Applications recommended for permission, approval or consent)

Report No.	Ward	Page No.	Application Number and Address
4.12	Bromley Town	149 - 154	(16/05446/RESPA) - 3 Cobden Court Wimpole Close Bromley BR2 9JF
4.13	Bromley Town	157 - 162	(16/05698/RESPA) - 4 Cobden Court Wimpole Close Bromley BR2 9JF

SECTION 4

(Applications recommended for refusal or disapproval of details)

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

5 CONTRAVENTIONS AND OTHER ISSUES

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

6 TREE PRESERVATION ORDERS

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

PLANS SUB-COMMITTEE NO. 3

Minutes of the meeting held at 7.00 pm on 17 November 2016

Present:

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

Also Present:

Councillors Charles Rideout QPM CVO

15 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

An apology for absence was received from Councillor William Huntington-Thresher and Councillor Samaris Huntington-Thresher was his substitute.

16 DECLARATIONS OF INTEREST

No declarations of interest were reported.

17 CONFIRMATION OF MINUTES OF MEETING HELD ON 22 SEPTEMBER 2016

RESOLVED that the Minutes of the meeting held on 22 September 2016 be confirmed and signed as a correct record.

18 PLANNING APPLICATIONS

SECTION 2

(Applications meriting special consideration)

18.1 BROMLEY COMMON AND

(16/02119/FULL1) - Forest Lodge Westerham Road
Keston BR2 6HE

**KESTON CONSERVATION
AREA**

Description of application amended to read, 'Erection of detached building comprising 5 No two bedroom flats'.

Oral representations in objection to and in support of the application were received at the meeting. It was reported that further objections to the application had been received together with an objection from Orpington Field Club.

Ward Member Councillor Alexa Michael objected to the application as it was a sensitive site in a conservation area of archaeological significance and adjacent to the green belt. The attractive open space sloped near Keston Ponds and the residents of Forest Lodge enjoyed a view of the pond and, in Councillor Michael's opinion, a flatted development on the site would destroy the setting of the building and garden grabbing.

Councillor Douglas Auld agreed with Councillor Michael that the proposed development would be harmful in the conservation area.

Members having considered the report, objections and representations, **RESOLVED that PERMISSION BE 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 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.

**18.2
MOTTINGHAM AND
CHISLEHURST NORTH**

(16/02435/FULL1) - Castlecombe Primary School, Castlecombe Road, Mottingham, London SE9 4AT

Description of application – 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.

Oral representations in support of the application were received at the meeting. It was reported that a representation in support of 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 and informatives set out in the report of the Chief Planner

**18.3
WEST WICKHAM**

(16/03876/RECON) - Summit House, Glebe Way, West Wickham BR4 0AP

Description of application – 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.

Oral representations in support of the application were received at the meeting. It was reported that the Environmental Health Officer had no objection to the application.

Members having considered the report, objections and representations, **RESOLVED that PERMISSION be GRANTED, SUBJECT to the PRIOR COMPLETION of a LEGAL AGREEMENT**, as

recommended, and subject to the conditions and informatives set out in the report of the Chief Planner.

**18.4
PENGE AND CATOR**

(16/03924/FULL6) - 46 Avenue Road, London, SE20 7RR

Description of application - Two storey side extension and single storey rear extension.

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.

**18.5
PENGE AND CATOR**

(16/04045/FULL1) - 24 St John's Road, Penge SE20 7ED

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

Members having considered the report and objections, **RESOLVED that PERMISSION be GRANTED** as recommended, subject to the conditions and informatives set out in the report of the Chief Planner with an amendment to Condition 4 to read:-

“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 scheme shall include information regarding the impact of the proposed rear boundary parking area on the existing tree to the rear flank boundary, detailing mitigation measures to protect the tree or the planting of a replacement tree if applicable. 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.”

**18.6
DARWIN**

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

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

Oral representations in objection to the application were received at the meeting. A statement from the applicant was read.

Councillor Douglas Auld had visited the site. The land was elevated and in his opinion the proposed development would have a dominant effect on Numbers 7 and 9 Beachwood Avenue with the loss of sunlight during the morning. Although the Highways Officer had not objected to the application Councillor Auld found the immediate vicinity to be heavily parked at midday when he visited the site.

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

1. The proposed side extension would be overdominant and would be detrimental to the amenities that the occupiers of adjoining properties at 7 and 9 Beechwood Avenue might reasonably expect to be able continue to enjoy by reason of visual impact and loss of prospect in view of its height and proximity to the flank boundary, thereby contrary to Policies BE1 and H9 of the Unitary Development Plan.
2. In the absence of information to demonstrate otherwise, the proposal would result in the loss of on-site car parking to meet the needs of the enlarged residential dwelling, in the absence of which the proposal would result in additional on-street parking prejudicial to the free flow of traffic and general safety along the neighbouring highway thereby contrary to Policy T3 and Policy T18 of the Unitary Development Plan.

**18.7
CRAY VALLEY EAST
CONSERVATION AREA**

**(16/04278/FULL1) - 13 Riverside Close, Orpington,
BR5 3HJ**

Description of application - Detached outbuilding.

Oral representations in objection to the application were received at the meeting. It was reported that

four letters of support had been received.
Councillor Katy Boughey referred to two applications in Riverside Close that had been considered by Plans Sub-Committee 1 on 20 October 2016 and had been refused.

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.

SECTION 3

(Applications recommended for permission, approval or consent)

18.8 CHISLEHURST

(16/03334/FULL6) - 58 Marlings Park Avenue, Chislehurst, BR7 6RD

Description of application – 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

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.

18.9 SHORTLANDS

(16/03549/FULL1) - 9 Rosemere Place, Shortlands, Bromley BR2 0AS

Description of application – Provision of Communal Entrance Gates and Lighting Bollards into Private Road (Rosemere Place).

Oral representations in objection to the application were received at the meeting. Comments from Ward Member, Councillor Mary Cooke, were reported and had been circulated to Members.

Members having considered the report, objections and representations, **RESOLVED that the application BE DEFERRED**, without prejudice to any future consideration, to seek amendments to the scheme with particular reference to the siting of the gates further away from the Kingswood Road junction and reconsideration of lighting near dwellings in Kingswood Road.

IT WAS FURTHER RESOLVED that if the reasons for deferral could be satisfactorily agreed, then this matter may be dealt with under the **CHIEF PLANNER'S DELEGATED AUTHORITY**.

**18.10
HAYES AND CONEY HALL**

(16/04201/FULL6) - 52 Eastry Avenue, Hayes, Bromley, BR2 7PF

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

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

**18.11
CHISLEHURST
CONSERVATION AREA**

(16/04462/RECON) - 3 Camden Park Road, Chislehurst BR7 5HE

Description of application – 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**

Oral representations in objection to and in support of the application were received at the meeting. Ward Member, Councillor Katy Boughey, referred to three previously refused applications and the permission granted on appeal on the site, (reference 12/03279). 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.

Councillor Boughey had visited 30 Yester Road and considered the distance from the current white rendered extension wall to the boundary of 30 Yester Road to be minimal and over bearing, as shown in photographs received from the objector and circulated to Members.

Councillor Douglas Auld referred to the Inspector's appeal decision and in Councillor Auld's opinion, the Inspector had not given clear instructions as to the specific material for the finished extension wall and both he and Councillor Charles Joel considered that a softer colour finish, rather than the stark white already in place, could be applied.

Councillor Samaris Huntington-Thresher was of the opinion that the Inspector's decision was clear and supported refusal.

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

1. The white rendered external finish to the extension results in an unduly conspicuous appearance and unacceptable visual impact when viewed from the neighbouring property at 30 Yester Road thereby contrary to Policy BE1 of the Unitary Development Plan.

IT WAS FURTHER RESOLVED that a report with regard to enforcement action be prepared and considered by Plans Sub-Committee 1 on 15 December 2016.

**18.12
CHELSFIELD AND PRATTS
BOTTOM**

(16/04540/FULL2) - 16 Crescent Way, Orpington, BR6 9LS

Description of application amended to read, 'Change of use from A1 (retail) to Sui Generis use (beauty salon and nail bar).'

A replacement report had been despatched and hard copies circulated to Members.

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

The property had been vacant for approximately twelve months and Councillor Samaris Huntington-Thresher was concerned that Members had not seen evidence that the premises had been marketed. She said that there were other units in the vicinity offering the same service and that a local parade should offer a range of services and Councillor Auld was in Members having considered the report, objections and representations, **RESOLVED that PERMISSION BE REFUSED** as recommended, for the following reason:-

1. The proposal would result in a proliferation of non-retail uses and would fail to contribute to the range of services, detrimental to the vitality of the local shopping parade and thereby contrary to Policy S5 of the Unitary Development Plan.

19

THE CHAIRMAN MOVED THAT THE ATTACHED REPORT, NOT INCLUDED IN THE PUBLISHED AGENDA, BE CONSIDERED AS A MATTER OF URGENCY ON THE FOLLOWING GROUNDS:

‘For Members to agree to contest/not contest the appeal prior to the statutory appeal deadline which falls before the next meeting of a Plans Sub-Committee.’

19.1

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

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

Oral representations in favour of not to contest the appeal were received at the meeting.

The Planning Department had recently received a planning application that had been validated pending consideration.

Councillor Stephen Wells stressed that the Education Funding Agency had made clear the need for school places by September 2017 and any delay would have a profound effect in meeting the London Borough of Bromley’s statutory requirements at secondary level. Members having considered the report, objections and representations, **RESOLVED NOT TO CONTEST THE APPEAL**, as recommended in the report of the Chief Planner.

MEMBERS REQUESTED that the Inspector be advised via the appeal submission of their concern regarding the enforceability of Condition 1 in view of there being no current planning permission for the development of the proposed Balmoral Avenue school site.

20

THE CHAIRMAN MOVED THAT THE ATTACHED REPORT, NOT INCLUDED IN THE PUBLISHED AGENDA, BE CONSIDERED AS A MATTER OF URGENCY ON THE FOLLOWING GROUNDS:

‘In order to issue permission prior to the next meeting of Plans Sub-Committee 1 meeting due to statutory timescales.’

20.1

Proposed planning conditions for 16/04100/FULL1 - Change of use to trampoline park at Unit 5A,

Lagoon Road, Orpington

(DC/16/04100) - Proposed planning conditions for 16/04100/Full1 - change of use to Trampoline Park at Unit 5a, Lagoon Road, Orpington.

Members having considered the report, **RESOLVED to IMPOSE THE CONDITIONS**, as recommended, as set out in the report of the Chief Planner.

The Meeting ended at 9.15 pm

Chairman

SECTION '2' – Applications meriting special consideration

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

UPDATE - The application was initially reported Plans Sub Committee 3 on the 17th November 2016, and was deferred without prejudice to seek a relocation of the proposed entrance gates and the removal of a lighting bollard adjacent to Kingswood Avenue. A revised scheme has now been submitted by documents received on the 12th December 2016. The entrance gates are now located 22m back from the junction with Kingswood Avenue (Originally 12m). One lighting bollard, which was originally proposed to the front of Rosemere Place and immediately adjacent to Kingswood Avenue has now been removed.

The proposed communal entrance gates would therefore 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 3 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:

- o 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.
- o Out of context in the setting of Kingswood Avenue. No similar gates in the street
- o The gates appear very large and the mock Victorian style is not in keeping the street
- o The additional lighting would make Kingswood Avenue oddly bright relative to Kingswood Avenue.
- o 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.
- o Reason for the gates are not stated but assume it relates to reduced crime, traffic, parking or an effort to increase house prices.
- o 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.
- o 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.
- o 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.
- o Looking onto steel gates rather than a residential close.
- o Destruction of part of the landscaping and additional lighting is a significant loss of amenity for neighbours
- o 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.
- o Gates were part of the original submission for the development but were dropped following discussions with residents.
- o No rationale for gates or lighting
- o The application included landscaping conditions and the gates would involve major changes to visual aspect of the close.
- o Would appear incongruous
- o Light shining into neighbouring properties
- o Noise and disturbance from gates, electric motors, noise from opening/closing, idling vehicles. Kingswood Avenue is quite, especially at night.
- o No indication about sensors and who could enter such a delivery vehicles
- o Headlights shining into neighbouring properties opposite, would be made worse due to vehicles waiting for gates to open.
- o Increased parking pressures for Kingswood Avenue
- o Congestion hazard, particularly in the mornings and afternoons when parents park in Kingswood Avenue

- o Object in principle to privatisation of the street
- o Gates could be used to climb over boundary fence and access neighbouring gardens and windows
- o No information about the pedestrian gates
- o Error in the planning application form, section 15 trees and hedges. The landscaping will be tampered with and were part of the appeal conditions.
- o Previous applications include rumble strip. The inspector of the agreed with the rumble strip but did not condition the gates

Comments on the revised plans:

- o None of the points raised in previous objections have been addressed.
- o Moving the gates back a mere 10m and will hardly affect the street scene, does not address points raised at committee.
- o Understand the applicant is no longer claiming the needs for gates a security measure. It is now claiming the gates cannot be moved further back because trespassers have been loitering on the roadside with Rosemere Place. This is intimidating and caused concern for residents. The trespasser allegation is weak and moving the gates back will not reduce security. There is an active Neighbourhood watch group in Kingswood Avenue and the alleged behaviour would not have passed unnoticed. There has been work in the Rosemere Place over the summer and the alleged loiterers could have been workmen.
- o Citing of the gates would breach Condition 2 of the original planning consent.
- o The gates would not enhance security and no justification has been put forward for their provision such as to justify their deleterious impact on the pleasant streetscene.
- o Would set a planning precedent
- o The revised scheme does not preserve the streetscene and does not alter outlook, which would still be of steel gates rather than a residential close.
- o Destruction of landscaping would be very apparent in Kingswood Avenue
- o Locating the gates 40-45m back would mitigate our concerns about the size and design of the gates. Any modifications to the landscaping would also be less prominent. This may be more expensive but this is not a sufficient reason to fail to address legitimate concerns.
- o Noise and disturbance. Should be quiet closing and unauthorised vehicles such as refuse and delivery vehicles should have automatic access. If they don't open to these vehicles and visitors it will cause additional parking demand.
- o Location would enable people to climb over into neighbouring gates at 40 Kingswood Avenue.
- o Whilst the road does narrow near No 1, there is still plenty of width until about 45m from the boundary line with Kingswood Avenue. Siting the gates here would improve the streetscene and demonstrate the houses and gates are one community. Children would also be less vulnerable to moving cars.
- o Water seeping from Kingswood Glen and need for improved drainage.

Highways Officer (Revised Comments) - No objections to the revised scheme.

Highways (Original comments) - 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 no 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. Currently pending Consideration.

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 the road within the streetscene. The proposed gates would be located 22m 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 previously stated 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 3 additional light columns along the access road. These would replicate the existing examples 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 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 raise 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. A condition could be imposed requiring the submission of specification details in order to ensure the gates are soft closing and maintained in perpetuity. This would limit any possible source of noise from the gate operation.

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 effect 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 to 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 materially worse than the current situation.

The proposal would also include the installation of 3 new lighting bollards. They would have a maximum height of 775mm and would replicate existing examples. One bollard has been removed within the revised scheme and the rest would be set within the access road. It is considered that the low height would not result in significant disturbance to neighbouring properties from light spillage.

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 22m 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 12.12.2016
RECOMMENDATION: PERMISSION

Subject to the following conditions:

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

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

- 2 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.

- 4 The entrance gates hereby approved shall incorporate a 'soft closing' mechanism and full specification details shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of development. The approved details shall be maintained and retained in perpetuity.**

Reason: In the interest of neighbouring residential amenities and in order to comply with Policy BE1 of the Unitary Development Plan (2006).

This page is left intentionally blank

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"

This page is left intentionally blank

SECTION '2' – Applications meriting special consideration

Application No : 16/03847/FULL1

Ward:
Copers Cope

Address : 1 St Clare Court Foxgrove Avenue
Beckenham BR3 5BG

OS Grid Ref: E: 538002 N: 170184

Applicant : Mr D Sengupta

Objections : YES

Description of Development:

Conversion of roof space into a 2 bedroom self-contained flat, with dormer windows to the rear and flank elevation

Key designations:

Area of Special Residential Character
Biggin Hill Safeguarding Area
Biggin Hill Safeguarding Area
London City Airport Safeguarding
London City Airport Safeguarding
Smoke Control SCA 12

Proposal

Planning permission is sought for the conversion of the existing roof space of 1-4 St Clare Court into a two bedroom self-contained flat.

St Clare Court comprises four existing flats set over two floors. The application site is located on Foxgrove Avenue, Beckenham which is located in an Area of Special Residential Character.

* Members should be aware that the incorrect certificate had been signed by the agent. Certificate B has now been signed and the relevant tenants have now been notified of the development.

Consultations

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

- o The site is unsuitable for conversion into an attic flat
- o Loss of essential services in the attic (the attic space at present houses a water tank, mains water supply, piping and extensive electricity cabling.
- o The plans show no detail as to how an additional access staircase would be extended from the existing first-floor landing up to the attic.

- o The sloping roof and eaves would provide for diminishing head-room. St Clare Court is already over-developed. Flats 1-4 (and 1a) now have five flats in one small block.
- o It is now proposed to cram a further sixth flat into an 80yr old building whose structural stability could well be at risk.
- o The development would lead to further parking congestion.
- o The proposed side dormer would overlook the bedrooms of the next door flats.
- o The rear dormers would overlook the playground of St Mary's primary school.
- o The impact of the construction work would be devastating for the existing properties within the building.
- o The vastly increased size of the dormer windows to the rear will be out of keeping with the architectural design of the building.
- o The development would involve the removal of the existing chimneys
- o Noise
- o No details regarding fire escape provision

Planning Considerations

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

Supplementary Planning Guidance 1 and 2

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

- 3.3 Increasing Housing Supply
- 3.4 Optimising Housing Potential
- 3.5 Quality and Design of Housing Developments
- 3.8 Housing Choice
- 3.9 Mixed and Balanced Communities
- 5.13 Sustainable Drainage
- 6.9 Cycling
- 6.13 Parking
- 7.1 Building London's Neighbourhoods and Communities
- 7.2 An Inclusive Environment
- 7.3 Designing Out Crime
- 7.4 Local Character
- 7.6 Architecture
- 8.3 Community Infrastructure Levy

The Mayor's Housing Supplementary Planning Guidance 2016

National Space Standards

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

Planning History

Under planning application reference:- 16/00263 planning permission was refused for conversion of existing loft space to one bedroom flat with 6 x roof lights on front elevation, 2 x dormer windows and Juliet balcony on rear elevation. The reason for refusal read as follows:-

"The proposed insertion of the six velux rooflights to the front elevation would be out of character with the prevailing pattern of roofscapes within the immediate locality and would represent a visually intrusive addition, harmful to the character and appearance of the Area of Special Residential Character, thereby contrary to Policies H8, H10 and BE1 of the Council's Unitary Development Plan".

"The proposed velux windows within the study of the proposed new flat do not provide a reasonable view or outlook and would be harmful to the amenities of the user of the habitable room contrary to policy BE1 of the Unitary Development Plan".

Under planning application reference:- 15/00503 planning permission was refused for conversion of the existing loft space into a 2 bedroom self-contained flat. The reason for refusal read as follows:-

"The proposed front roof dormer would be out of character with the consistent rhythm of the prevailing pattern of roofscapes within the immediate locality and would represent a visually intrusive addition, harmful to the character and appearance of the area, as well as having a serious and adverse effect on the visual amenities enjoyed by occupants of neighbouring property, thereby contrary to Policies H8, H10 and BE1 of the Council's Unitary Development Plan".

"The proposed velux window within bedroom 2 of the proposed new flat do not provide a reasonable view or outlook and would be harmful to the amenities of the user of the habitable room contrary to Policy BE1 of the Unitary Development Plan".

Conclusions

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

- o Principle of development
- o The design and appearance of the proposed residential development and its impact on the character and appearance of the area and locality
- o The quality of living conditions for future occupiers
- o Impact on the amenity of neighbouring residents
- o Highways and traffic issues

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

Principle of Development

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

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

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.

Planning permission has been refused for two similar schemes to convert the existing roof space of No.1-4 St Clare Court. The current application is for the same proposal, to convert the existing roof space. Following the refusal of the last application (Application Reference: 16/00263) the agent has altered the drawings to show two large dormer windows & one smaller dormer window on the rear elevation and one dormer windows on the northern flank elevation, overlooking No.1-6 Beverley House.

The newly submitted plans removes any windows or rooflights from the front elevation and therefore the visual impact to the building, street scene and wider Foxgrove Road Area of Special Residential Character (ASRC) where individual character exists.

The National Planning Policy Framework (NPPF) promotes the efficient and sustainable use of land for housing. Policy H7 of the UDP outlines the criteria that applications for new housing must meet. It requires the site layout, buildings and level of amenity space to be in keeping with the surrounding area. The Council will therefore resist proposals that would undermine local character or that would be likely to result in detriment to existing residential amenities.

Bromley's Supplementary Planning Guidance No. 2 (Residential Design Guidance) states "local context is of particular importance when adding new buildings to established areas. Building lines, spaces between buildings, means of enclosure and the use and location of garden or amenity space should all respect the character of the locality".

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

The provision of an additional dwelling by converting the existing roofspace is acceptable in principle subject to an assessment of the impact of the proposal on the appearance/character of the surrounding area, the residential amenity of adjoining and future residential occupiers of the scheme, car parking and traffic implications, sustainable design and energy, community safety and refuse arrangements.

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

The property is located on Foxgrove Avenue, Beckenham where there are a wide variety of differently designed large detached properties, and blocks of flats as in this case. Consistent character is, however, achieved through similar separation spaces, dwelling footprint and plot widths. The Foxgrove Avenue ASRC states that the area is in the main inter/post war with spacious rear gardens. The blocks of

flats along this part of Foxgrove Avenue are all of a similar style and appearance. The proposed dormer windows are located on the rear & side elevation of 1-4 St Clare Court. The dormer window on the side elevation is relatively modest in its size and scale and will look out onto the roof area of No. 1-6 Beverley House. The development being confined largely to the rear of the building is not considered to be out of keeping with the wider pattern of the street scene and neighbouring two blocks of flats.

The quality of living conditions for future occupiers

Policy 3.5 of the London Plan states the minimum internal floorspace required for residential units on the basis of the occupancy that could be reasonably expected within each unit. The floorspace of the proposed unit varies in size depending on the useable height area (owing to the sloping heaves height).

Table 3.3 of the London Plan requires a Gross Internal Area of 70sqm for a two bedroom, three person flat. The GIA of the proposed flat would be approximately 82sqm which is above the minimum for a two bedroom, three person flat.

Table 3.3 of the Draft Minor Alterations to the London Plan(May 2015) and the Draft Housing SPG (2015) state that 'The nationally described space standard sets a minimum ceiling height of 2.3m for at least 75% of the gross internal area of the dwelling. However, to address the unique heat island effect of London and the district density and flatted nature of most of its residential development, a minimum ceiling height of 2.5m for at least 75% of the gross internal area is strongly encouraged so that new housing is of adequate quality, especially in terms of light, ventilation and sense of space. The submitted drawings indicate that the bedrooms would meet the required headroom.

Concerns were raised during the previous planning applications from the Environmental Health Officer regarding ventilation and fire risk, however it is noted that this falls under separate legislation.

Residential Amenity and Impact on Adjoining Properties

The proposed use of the space as a flat will have an impact on the amenities of neighbours below and in adjacent properties through noise and disturbance. Several neighbours have stated that the building of the basement flat allowed in 2010 caused lots of noise, dirt, dust and debris. From a planning perspective this cannot be used a ground to substantiate refusal of the application.

The rear windows would overlook the playground of St Mary's primary school which is not considered to cause an impact in terms of amenity. The dormer window on the flank elevation would overlook the roof area of No.1-6 Beverley House which again is not considered to cause an impact in terms of overlooking or a loss of privacy.

Highways

Several of the neighbours have complained that there is no off-street parking and that there is already inadequate parking in the road with evenings and weekends being particularly troublesome. They maintain that to add another dwelling would generate additional traffic.

As part of the previous application the Highway Officer commented on the application and stated that the site lies within a low (1a) PTAL area. A Parking Survey was submitted as part of the previous application and no objection was raised.

Summary

In summary Members will need to decide if the new plans have overcome the previous grounds of refusal.

Background papers referred to during production of this report comprise all correspondence on the file ref(s) DC/15/00503 & 16/00263 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.**

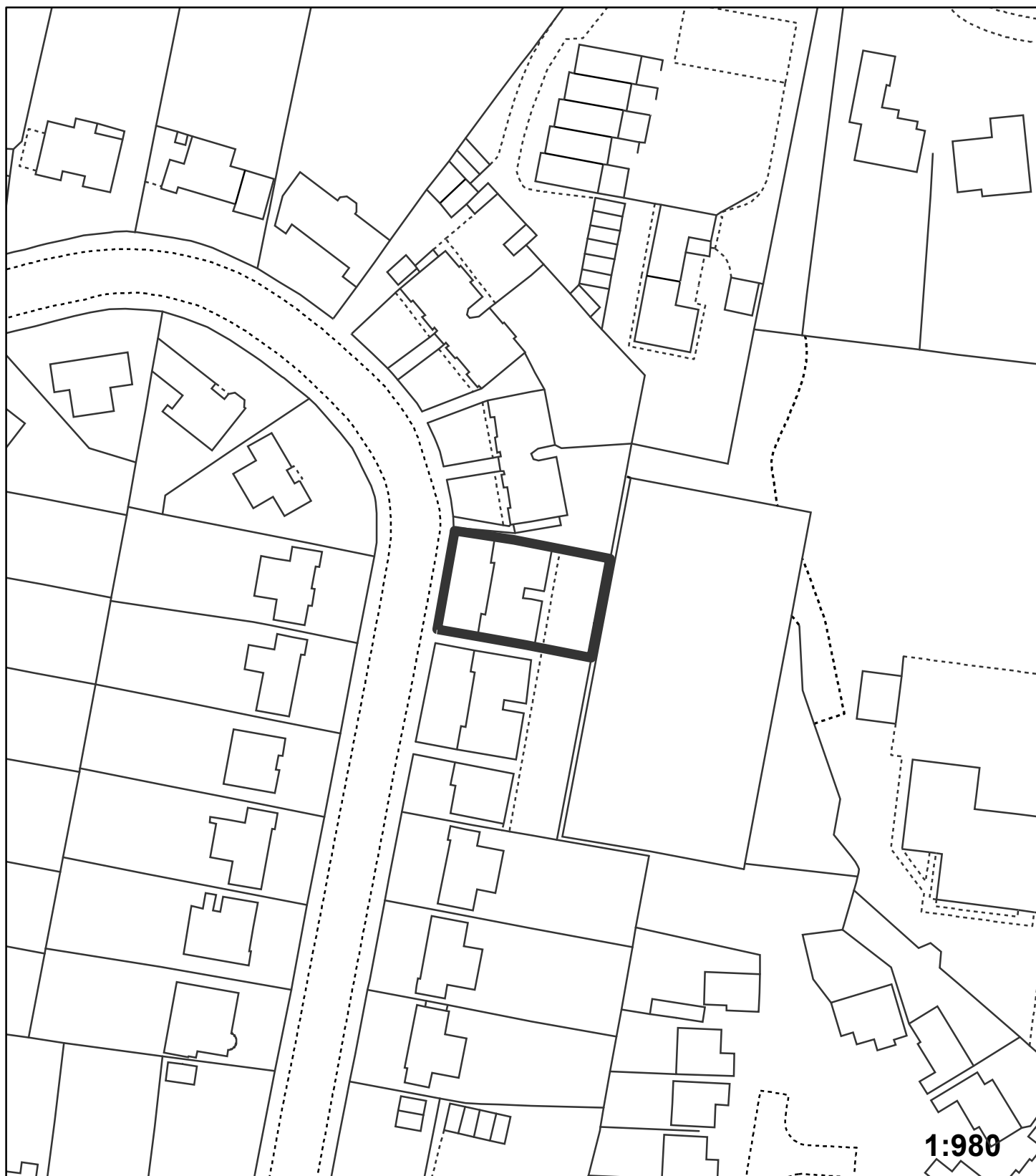
REASON: In order to comply with Policy BE1 of the Unitary Development Plan and in the interest of the visual and residential amenities of the area.

This page is left intentionally blank

Application:16/03847/FULL1

Address: 1 St Clare Court Foxgrove Avenue Beckenham BR3 5BG

Proposal: Conversion of roof space into a 2 bedroom self-contained flat, with dormer windows to the rear and flank elevation



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

This page is left intentionally blank

SECTION '2' – Applications meriting special consideration

Application No : 16/03932/FULL1

Ward:
Copers Cope

Address : 9 St Clare Court Foxgrove Avenue
Beckenham BR3 5BG

OS Grid Ref: E: 537994 N: 170143

Applicant : Mr D Sengupta

Objections : YES

Description of Development:

Conversion of basement storage into no1 bedroom flat

Key designations:

Area of Special Residential Character
Biggin Hill Safeguarding Area
London City Airport Safeguarding
Smoke Control SCA 12

Proposal

Planning permission is sought for conversion of the existing basement storage into a one bedroom flat.

- * Members should be aware that the incorrect certificate had been signed by the agent. Certificate B has now been signed and the relevant tenants have now been notified of the development.

Location

The application site is located at Nos. 9-10 St Clare Court, Foxgrove Road, Beckenham and is within the Foxgrove Road Area of Special Residential Character (ASRC). The application site is a detached building located on the eastern side of Foxgrove Avenue, Beckenham.

St Clare Court currently consists of three blocks of two storey buildings adjacent to each other.

The land slopes steeply towards the east where a communal garden is provided which is accessed through a steeply sloping shared driveway. This drive also provides access to the existing garages and store rooms located underneath the existing flats. The external doors to these garages are located in the flank walls adjacent to the driveway. There are 2 small external doors and windows located on the side and rear elevations of both existing blocks which provide light and access to the store rooms.

Consultations

- o The developer is already in breach of the previous basement application.
- o The site is already over developed
- o The impact of the construction work would be devastating for the existing properties
- o There is restricted standing heights will the existing coal cellar/basement. The property was built in c1930 and it is unlikely that the foundations will be adequate to take the extra load.
- o There is inadequate parking in the road
- o In order to provide normal head room (2.5m) together with insulated/damp-proofed/sound-proofed ceilings and floors the proposed self contained flat would entail excavating to a depth of some 1.5m below the existing ground and floor level.
- o The excavation would seriously impact the access to Flat 8a.
- o The privacy of residents in Flat 8a will be severely impacted by the proposal.
- o The proposed development holds common parts of the buildings for flats 9 and 10. It holds the pipework and boilers to the building.

Consultee comments

Environmental Health (Housing) -

Lighting and Ventilation

There must also be an area of openable window equivalent to 1/20th of the floor area to the room to achieve the natural ventilation requirement.

Environmental Health (Pollution) - No objection, subject to informative.

Thames Water - no objection

Drainage - no comment

Waste Services - no comments received

Planning Considerations

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

- BE1 Design of New Development
- H1 Housing Supply
- H7 Housing Density and Design
- T3 Parking
- T18 Road Safet

London Plan

- 3.3 Increasing Housing Supply
- 3.4 Optimising Housing Potential
- 3.5 Quality and Design of Housing Developments
- 3.8 Housing Choice
- 3.9 Mixed and Balanced Communities
- 5.12 Flood Risk Management
- 5.13 Sustainable Drainage
- 6.9 Cycling
- 6.13 Parking
- 7.1 Building London's Neighbourhoods and Communities
- 7.2 An Inclusive Environment
- 7.3 Designing Out Crime
- 7.4 Local Character
- 8.3 Community Infrastructure Levy

The Mayor's Housing Supplementary Planning Guidance

National Housing Standards

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

Planning History

Under planning application ref: 15/01235 planning permission was refused for conversion of basement storage area into self-contained flat. The reason for refusal read as follows:-

“The proposed windows within the bedrooms of the proposed basement flat do not provide a reasonable view or outlook and the kitchen and bathroom do not provide adequate means of natural light or ventilation which would be harmful to the amenities of the user of the habitable room contrary to Policies BE1 and H11 of the Unitary Development Plan and the Mayors Housing SPG”.

“The proposal would lack adequate on-site car parking resulting in increased stress on existing on-street parking in the area and leading to concerns regarding highway safety, Furthermore the applicant has failed to demonstrate that adequate cycle parking could be accommodated on the site. Consequently the proposal is contrary to Policies T2, T3 and T18 of the Unitary Development Plan and Policy 6.3 of the London Plan”.

Under planning application ref. DC/10/01670 (No.1-4 St Clare Court) planning permission was granted for "Conversion of existing basement storage area into 2 two bedroom flats and installation of new windows and doors to the rear and side elevation. Formation of new storage cellar/communal store room /bicycle and bin store.

Application reference: 10/01670 was similar to that approved under DC/10/00880. The internal layout was varied to create a central hallway and the layout of the flats was varied on the advice of the Council's Fire Officer that there was inadequate means of escape.

Under planning application reference:- DC/10/00880/AMD an amendment to the internal layouts and replacement of entrance doors to flats A & B (with integral windows) with kitchen windows was refused (at No.1-8 St.Clare Court).

Under planning application reference:- DC/10/00880 planning permission was granted for the conversion of the existing basement storage area into 2 bedroom flats and installation of new windows and doors to rear and side elevation. Formation of new storage cellar/communal store room/bicycle and bin store (at No.1- 8 St. Clare Court).

Conclusions

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

- o Principle of development
- o The design and appearance of the proposed residential development and its impact on the character and appearance of the area and locality
- o The quality of living conditions for future occupiers
- o Impact on the amenity of neighbouring residents
- o Highways and traffic issues

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

The National Planning Policy Framework (NPPF) promotes the efficient and sustainable use of land for housing. Policy H7 of the UDP outlines the criteria that applications for new housing must meet. It requires the site layout, buildings and level of amenity space to be in keeping with the surrounding area. The Council will therefore resist proposals that would undermine local character or that would be likely to result in detriment to existing residential amenities.

Bromley's Supplementary Planning Guidance No. 2 (Residential Design Guidance) states "local context is of particular importance when adding new buildings to established areas. Building lines, spaces between buildings, means of enclosure and the use and location of garden or amenity space should all respect the character of the locality".

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

The provision of an additional dwelling by converting the existing basement needs to be considered subject to an assessment of the impact of the proposal on the appearance/character of the surrounding area, the residential amenity of adjoining and future residential occupiers of the scheme, car parking and traffic implications, sustainable design and energy, community safety and refuse arrangements.

Planning permission was granted at the neighbouring court for a basement extension under planning application reference: DC/10/01670.

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

The property is located on Foxgrove Avenue, Beckenham where there are a wide variety of differently designed large detached properties, and blocks of flats as in this case. Consistent character is, however, achieved through similar separation spaces, dwelling footprint and plot widths. The Foxgrove Avenue Area of Special Residential Character states that the area is in the main inter/post war with spacious rear gardens. The blocks of flats along this part of Foxgrove Avenue are all of a similar style and appearance.

The eleven flats located within the three blocks were constructed during the 1930's and the basement areas below flats 1-8 & 9-10 were originally used for the storage of coal and now forms part of a large storage area for residents of these flats.

The proposed changes will require both internal and external changes on the flank and rear elevations with windows and bi-folding doors to the rear to provide adequate means of escape in the event of a fire. A new entrance door is proposed together with larger windows on the north-east flank elevation.

The privacy of the residents of Flat 8a, the basement of Block 5-8, will be impacted by the proposal. There will be a front door and two sets of windows in the proposed conversion which will overlook Flat 8a. Whilst the living room window is shown to be obscure glazed this will limit the amount of light into the room with the rear bi-folding doors providing the main source of light and outlook.

Table 3.3 of the Draft Minor Alterations to the London Plan(May 2015) and the Draft Housing SPG (2015) state that 'The nationally described space standard sets a minimum ceiling height of 2.3m for at least 75% of the gross internal area of the dwelling. However, to address the unique heat island effect of London and the district density and flatted nature of most of its residential development, a minimum ceiling height of 2.5m for at least 75% of the gross internal area is strongly encouraged so that new housing is of adequate quality, especially in terms of light,

ventilation and sense of space. The submitted drawings indicate that the basement flat would only have a ceiling height of 2m which would result in the flat not meeting the required standard.

The quality of living conditions for future occupiers

Policy 3.5 of the London Plan states the minimum internal floorspace required for residential units on the basis of the occupancy that could be reasonably expected within each unit. The floorspace of the proposed unit varies in size depending on the useable height area (owing to the sloping heaves height).

Table 3.3 of the London Plan & National Housing Standards requires a Gross Internal Area of 50sqm for a one bedroom, two person flat. With regard to the above it appears that the size of the flat complies with the minimum space standards (measuring approximately 70.98sqm) contained in the London Plan.

Comments received from the Council's Environmental Health department, outline concerns about inadequate ventilation and natural light and refuse provision.

Residential Amenity and Impact on Adjoining Properties

The proposed conversion of the basement will have some impact on the amenities of neighbours below and in adjacent properties through noise and disturbance. Several neighbours have stated that the building of the basement flat at No.1-8 allowed in 2010 caused lots of noise, dirt, dust and debris.

There will also be mutual overlooking between the existing occupants of Flat 8a (opposite) and any new owner/tenant of the new basement conversion.

Highways

The site is within a low (1a) PTAL area. No additional parking has been provided as part of the application and as the Highways Officer as part of the previous application stated the development would not have a significant impact on the parking in the surrounding road network.

Several of the neighbouring residents have complained that there is no off-street parking and that there is already inadequate parking in the road with evenings and weekends being particularly troublesome. They maintain that to add another dwelling would generate additional traffic. Residents have also stated that there is no useable space to erect cycle storage racks.

Summary

In summary, while the general principle of a conversion may not be considered inherently out of character given the Council's decision to grant planning permission for a basement conversion at No.1-8 St Clare Court the proposal fails to provide adequate natural light and ventilation to the property therefore contrary

to strategic policies in the London Plan and relevant design and housing policies within the UDP. The development would also not meet the required head height.

Background papers referred to during production of this report comprise all correspondence on the file ref(s) DC/15/01235 & DC/00880 00503 set out in the Planning History section above, excluding exempt information.

RECOMMENDATION: APPLICATION BE REFUSED

The reasons for refusal are:

01 The proposed windows within the living room do not provide adequate means of natural light or ventilation which would be harmful to the amenities of the user of the habitable room contrary to policy BE1 of the Unitary Development Plan.

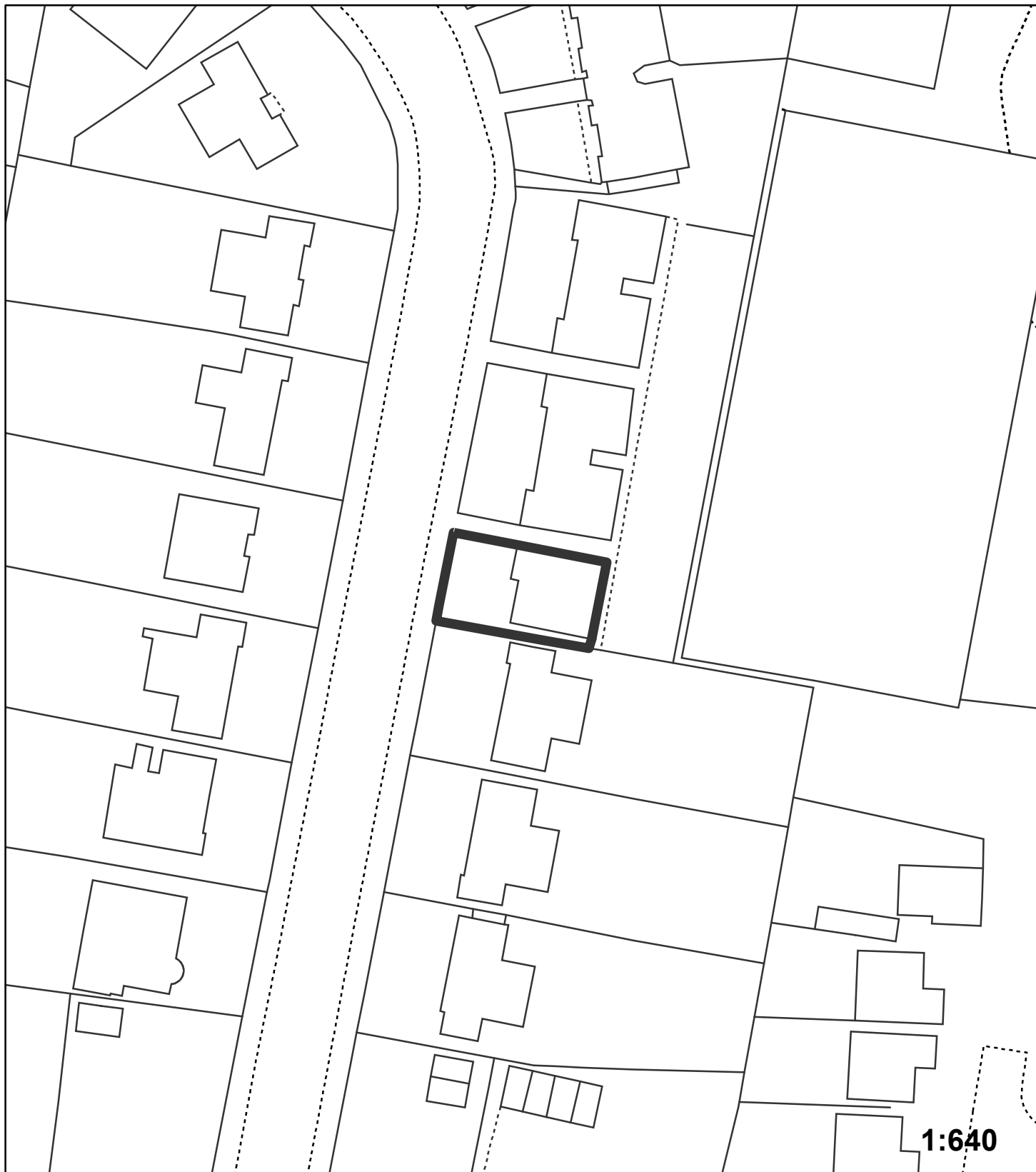
02 The proposed basement conversion would not comply with the required head heights contrary to Policy 3.5 of the London Plan.

This page is left intentionally blank

Application: 16/03932/FULL1

Address: 9 St Clare Court Foxgrove Avenue Beckenham BR3 5BG

Proposal: Conversion of basement storage into no1 bedroom flat



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

This page is left intentionally blank

SECTION '2' – Applications meriting special consideration

Application No : 16/04022/FULL1

Ward:
Shortlands

Address : Studio At Burgh Hill Kingswood Road
Shortlands Bromley BR2 0HQ

OS Grid Ref: E: 539427 N: 169022

Applicant : Mr Kokchong Chan

Objections : YES

Description of Development:

Conversion of garage and studio below to form new one bedroom unit. Increase in roof height of existing garage, ground floor rear extension and provision of external courtyard area to ground floor. Elevational alterations

Key designations:

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

Proposal

Planning permission is sought to change the use of one of the existing garage/former potters shed and basement area beneath to a one bedroom, two person dwelling (Use Class C3). The application also proposes to raise the roof height of the existing structure by 0.5m and add a small extension to the rear to provide an internal staircase and a small courtyard area outside on the lower ground floor.

The applicant proposes to replace the existing garage door into habitable accommodation with a front door & kitchen window in the front elevation, two sets of sliding doors on the rear elevation and a roof light above the proposed bedroom. A small courtyard area is shown on the proposed lower ground floor with mixed planting in the top left hand corner.

The application is a resubmission of previously refused applications and appeals. The last application (reference: DC/15/05470/FULL1) was refused on 11th March 2015 & then dismissed at appeal on 9th August 2016. The application is accompanied by a Design & Access Statement.

The Design & Access Statement sets out the comparisons and changes that have been made since the previously refused and dismissed appeal which include:-

- o The overall floorarea of the unit has been increased to 59m²
- o The bedroom has been moved to the ground floor and the kitchen is now on the first floor
- o The timber screening/ pergola has been replaced by a glazed lattice screen to the living/dining area.
- o The obscure glazed windows located in the flank/rear elevation have been removed.
- o Two sets of patio doors are now shown opening onto the courtyard/garden area

Location

The application site comprises one of three lock up garages originally constructed in the late 1960's within the boundary of No.48 Valley Road. The unit was a former pottery studio and the garages have been severed from No.48 and the site.

The entrance to the site is via Burgh Hill Drive, Kingswood Road. The narrow road is also a driveway for six other properties.

Consultations

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

- o If garage no.1 is turned into residential accommodation it will mean that the residents will have nowhere to park.
- o It will also contravene the legal terms of the lease of these garages
- o Access is important because the access road may need to be used by an emergency vehicle to for occupants of Burg Hill
- o The conversion for one new dwelling is entirely unsuitable
- o Concerned that waste from the kitchen and bathroom will once again be discharged into our garden
- o Note the boundary line is omitted from the plans, is this to conceal that the proposed bedroom extension would stretch right up to the boundary.

The Council's refuse and cleansing department were consulted and no comments were received.

From an Environmental Health (Housing) perspective, concerns have been raised regarding lighting and ventilation and outlook from the bedroom and combined kitchen/dining/living area.

From an Environmental Health (Pollution) perspective, no objection was raised in principle subject to an informative.

The Council's Drainage Officer raised no objections nor did Thames Water.

The Council's Highway Officer provided the following comments:-

Burgh Hill Drive is a private unmade, unlit and partially tree-lined access way. Due to the location of the street lighting in Kingswood Road it seems unlikely that Burgh Hill Drive would benefit to any great extent from that lighting. The application site is some 35m distant from the adopted/lit public highway.

I have assumed that the studio and garages are owned as one entity which is separate from any other dwelling/land in the location.

I have also assumed that the garages are not in use for parking at present and that as part of the history for this site it has been demonstrated that there is no local demand for such parking.

Based on the above I have to assume that the loss of one of the garages is not significant. Especially as the application form indicates that there is no parking on the site at present.

The PTAL rating for the site is 3 (moderate) and the application provides no parking, even though the adjacent garages would appear to be empty and could thus have been included as parking for this dwelling.

Reliance is placed on walking and cycling, a cycle stand being shown on the plans. Given the unmade and unlit nature of the access way leading to the proposed dwelling this is far from ideal.

However, it appears as if the principle of such development has been accepted as part of the history for the site. I also assume that the access way is not in the applicant's control and that the provision of lighting in it is not controllable as part of this application.

A previous application refusal did not include a highway ground.

On the basis of the above I consider I am not in a position to raise objection from the highway point of view. Apply the following to any permission

H23 if the applicant controls Burgh Hill Drive
H29

Planning Considerations

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

Policy BE1	Design of New Development
Policy BE7	Railings, Boundary Walls and Other Means of Enclosure
Policy H1	Housing Supply
Policy H7	Housing Density and Design
Policy H9	Side Space
Policy H11	Residential Conversions
Policy H12	Conversion of Non-Residential Buildings to Residential Use
Policy T3	Parking
Policy T7	Access
Policy T18	Road Safety

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

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

Draft Policy 1	Housing Supply
Draft Policy 6	Residential Extensions
Draft Policy 30	Parking
Draft Policy 37	General Design of Development

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

- 3.3 Increasing Housing Supply
- 3.4 Optimising Housing Potential
- 3.5 Quality and Design of Housing Developments
- 3.8 Housing Choice
- 3.9 Mixed and Balanced Communities
- 5.3 Sustainable Design and Construction
- 5.13 Sustainable Drainage
- 6.9 Cycling
- 6.13 Parking
- 7.1 Building London's Neighbourhoods and Communities
- 7.2 An Inclusive Environment
- 7.3 Designing out Crime
- 7.4 Local Character
- 7.6 Architecture
- 7.21 Trees and Woodland

8.3 Community Infrastructure Levy

The Mayor's Housing Supplementary Planning Guidance + National Housing Standards

National Planning Policy Framework.

Planning History

There is an extensive planning history relating to the site. The space below the garages has previously been used as a hobby studio space for a local artist/potter.

Applications of particular note are:

Under planning application reference: 15/05470 planning permission was refused on 11th March 2015 for conversion of garage and studio below to form one bedroom dwelling, including elevational alterations and new external terraces.

The application was refused for the following reason:

'The proposed development by reason of limited natural daylight/ventilation, private amenity space and general facilities commensurable with modern living standards represents an overdevelopment and an unsatisfactory form of cramped living accommodation for future occupants of the building, contrary to Policies BE1 and H12 of the Unitary Development Plan, Policy 3.5 of the London plan and the Technical Housing Standards (DCLG)'.

A subsequent appeal (Appeal Ref: APP/G5180/W/16/3147940) was dismissed on the 9th August 2016. The Inspector considered the main issues to be:-

Whether the proposed dwelling would provide acceptable living conditions for its occupiers, with particular regard to the available floorspace, the receipt of natural light and ventilation.

The Inspector concluded that the proposed pergola and lattice glazing installed on the ground floor would be likely to adversely affect the natural light received into the living room and kitchen area. The Inspector further considered the scheme had inadequate ventilation, floorarea and outlook that would be available to the accommodation's occupiers.

Under planning application ref:- 14/02644 planning permission was refused for 'Conversion of garage and studio below to form new one bedroom dwelling, including elevational alterations and new external terrace with pergola.

The application was refused for the following reason:

"Having regard to the location of the building, the proposed elevational changes and permanent change of use of the garage and basement space beneath to form a one bedroom dwelling (use class C3) is considered inappropriate, a cramped

form of development and out of context with the sites residential characteristics, detrimental to the amenities of surrounding residential properties and thereby contrary to Policies BE1 and H12 of the Unitary Development Plan".

A subsequent appeal (Appeal Ref: APP/G5180/W/14/3001230) was dismissed to the above mentioned application on 7th May 2015. The Inspector considered the main issues to be:-

- (i) whether the proposal would provide acceptable living conditions for future occupiers with particular regard to internal space provision, natural light and ventilation;
- (ii) the effects of the proposal on the living conditions of occupiers of neighbouring properties, with particular regard to noise, disturbance, privacy and outlook; and
- (iii) the effects of the proposal on the character and appearance of the area

The Inspector concluded that whilst the development was a modest addition the proposed dwelling would fail to meet minimum space requirements with a proportion of the floorspace being taken up by the stairs. The Inspector also raised concern about noise and disturbance. The living and bedroom would be single aspect with limited views out and restricted access to daylight due to the proposed pergola and louvered screen in front of the glazed sliding doors. Finally the Inspector considered that the proposal would provide a cramped form of living accommodation with inadequate levels of natural light and ventilation, which could be prone to noise and disturbance from the garages above.

The Inspector did not consider that the proposed development would lead to unacceptable harm to the character and appearance of the area or on the living conditions of occupiers of neighbouring properties. Finally the Inspector did not consider that the proposal would result in an increase in vehicular movements in the lane.

Under planning application ref: 13/02040/FULL2, an application to change the use of the garage to a wig studio (use class B1) and elevational alterations was refused by the Council.

The reasons for refusal were:

"Having regard to the location of the building, the proposed elevational changes and permanent change of use of the garage and basement space beneath to allow commercial activities falling within the use class B1 is considered inappropriate and out of context with the sites residential characteristics, detrimental to the amenities of surrounding residential properties, and thereby contrary to Policies BE1 and EMP6 of the Unitary Development Plan."

In 2010, under ref: 10/01848/FULL2, an application for the use of the studio as a residential dwelling was refused by the Council.

The reasons for this refusal were:

"The conversion of the studio by reason of limited natural daylight/ventilation, private amenity space and general facilities commensurable with modern living standards represents an overdevelopment and an unsatisfactory form of cramped living accommodation detrimental to the amenities of the occupants of the building and harmful to the character and spatial standards of the area, contrary to Policies BE1 and H12 of the Unitary Development Plan"

"Having regard to the location of the building, the residential use is inappropriate and detrimental to the amenities that the current occupiers of the building and nearby residents in 48 Valley Road, might reasonably expect to be able to continue to enjoy by reason of mutual overlooking, loss of privacy and prospect, thereby contrary to Policy BE1 of the Unitary Development Plan".

In 1989, a further temporary consent allowing the space to be used as a potters studio - personal to the applicant and not transferable - was allowed (ref: 89/2977) but with a condition stating that the use shall be discontinued and the site returned to its former condition on or before 31.12.1991.

This personal permission was extended in 1987 under ref: 87/3448, remaining solely for the applicant to use the space 'in an amateur capacity' as a potters studio for a further 5 years.

84/1300 - 'Continued use of building as pottery studio' - this was permitted, but with conditions. The consent was personalised to the applicant and time limited (3 years).

79/3189 - 'residential studio flat below detached garages' - refused

76/2553 - planning permission granted for 'conversion of room below detached garage block into artist's studio'.

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.

Previous scheme

Under planning application reference: 15/05470 planning permission was refused for conversion of garage and studio below to form one bedroom dwelling, including alterations and new external terraces. The reason for refusal read as follows:-

'The proposed development by reason of limited natural daylight/ventilation, private amenity space and general facilities commensurable with modern living standards represents an overdevelopment and an unsatisfactory form of cramped living accommodation for future occupants of the building, contrary to Policies BE1 and H12 of the Unitary Development Plan, Policy 3.5 of the London plan and the Technical Housing Standards (DCLG)'.

A subsequent appeal (Appeal Ref: APP/G5180/W/16/3147940) was dismissed on the 9th August 2016. The Inspector concluded that the proposed pergola and lattice glazing installed on the ground floor would be likely to adversely affect the natural light received into the living room and kitchen area. The Inspector further considered the scheme had inadequate ventilation, floorarea and outlook that would be available to the accommodation's occupiers.

Following the refusal of the previous scheme and dismissed appeal the agent has sought to change the proposal by increasing the floorarea of the unit to meet the required standard for a one bedroom unit and adding patio doors which could be ventilated through adequate building control regulations. The pergoula has been replaced with a glazed lattice screen to improve privacy. The internal layout has been changed with the kitchen now on the ground floor and the bedroom on the ground floor.

Principle of Development

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

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

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

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

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

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

Design, Siting and Layout

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

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

The Council had previously argued that the introduction of a self-contained residential dwelling fronting the access road would undermine the character of the area, which is generally defined by residential dwellings and flats fronting the main road. The introduction of a new residential dwelling within the established grounds of residential gardens would have also failed to respect the pattern of development in the locality. The development would have also increased the height of the building and introduce a side extension and metal staircase. Despite the Council's concerns the Inspector in dismissing the previous application stated at paragraph 12 of the appeal decision that the property was relatively unassuming utilitarian brick structure that would result in a modest increase in bulk and

introduction of timber cladding. Although the Inspector acknowledged at paragraph 13 that the proposal would introduce domestic activity generated by a small-person dwelling, the nature of the area meant the proposal would not be detrimental to the area's character.

The submitted drawings show that the main changes following the previous refusal would involve the kitchen now being on the first floor with an internal staircase down to a living room, bedroom and bathroom. Two sets of patio doors would be introduced to the bedroom and living room area.

Standard of Residential Accommodation

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

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

The submitted drawings show that the residential dwelling would measure 59sqm and would therefore comply with The London Plan standard which requires the the Gross Internal Floorarea (GIA) to be 58sqm for a two storey dwelling.

Impact upon adjoining properties

A number of representations have been received over the development ranging from overlooking into the rear of No.48 Valley Rd, noise, disposal of waste water, cramped form of accommodation and an undesirable form of back land development. The development is on balance not considered to impact upon neighbouring residents.

Access, parking and refuse

The access road leading off Kingswood Road is narrow and serves in the most part a small number of residential lock-up garages. The Inspector considered the parking as part of the previous application and stated that he was satisfied that the proposal would not result in harmful effects of highway safety. Furthermore the Council's highways officer has not raised any objection regarding the loss of one garage space and no parking is proposed for the new development. He did ask that any future occupiers of the development would not be eligible to apply for resident car parking permits.

Summary

The removal of the garage door and replacement doors and windows, coupled with the increase in roof height with timber cladding would result in a new residential dwelling. Based on the Inspectors comments from the last appeal and the changes made by the agent to overcome the previous grounds of refusal members may now consider that planning permission can be granted.

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

RECOMMENDATION: PERMISSION

Subject to the following conditions:

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

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

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

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

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

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

- 4 Details of arrangements for storage of refuse and recyclable materials (including means of enclosure for the area concerned where necessary) shall be submitted to and approved in writing by the Local Planning Authority before any part of the development hereby permitted is commenced and the approved arrangements shall be completed before any part of the development hereby permitted is first occupied, and permanently retained thereafter.**

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

- 5** 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.

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

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

You are further informed that :

- 7** 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
- 8** 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

This page is left intentionally blank

Appeal Decision

Site visit made on 28 June 2016

by **Grahame Gould BA MPhil MRTPI**

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

Decision date: 9 August 2016

Appeal Ref: APP/G5180/W/16/3147940

Burgh Hill, Kingswood Road, Shortlands, Bromley BR2 0HQ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Kokchong Chan against the decision of the Council of the London Borough of Bromley.
 - The application Ref DC/15/05470/FULL1, dated 15 December 2015, was refused by notice dated 11 March 2016.
 - The development proposed is 'the conversion of garage and studio below to form one bedroom dwelling, including elevational alterations and new external terrace with pergola (resubmission)'.
-

Decision

1. The appeal is dismissed.

Procedural Matters

2. In March 2016 the Mayor of London published 'Minor Alterations to the London Plan (the MALP). The MALP include alterations to the floor space standards for dwellings set out in Table 3.3 that is cross referenced in Policy 3.5 of the London Plan (originally of 2011 and now subject to various revisions) (the London Plan). The MALP having been introduced to bring the London Plan into conformity with the 'Technical housing standards – nationally described space standard' (the THS) introduced by the Government in March 2015.
3. While the aforementioned change to the development plan has arisen in the period between the refusal of planning permission and the submission of this appeal, the appellant has had the opportunity to comment upon it. I am therefore content that I can take into consideration the provisions of the extant London Plan without prejudice being caused to the appellant. As the London Plan forms part of the development plan that is extant within the Council's area and its provisions reflect those of the THS, I find it unnecessary for me to comment on the appellant's submissions about whether or not the THS should have been applied by the Council when it determined the appealed application.

Main Issue

4. The main issue is whether the proposed dwelling would provide acceptable living conditions for its occupiers, with particular regard to the available floorspace, the receipt of natural light and ventilation.

Reasons

5. The appeal premises are two storeys in height and comprise a block of three garages on the upper level, accessible via Burgh Hill, and a vacant pottery studio on the lower level. The premises back onto 48 Valley Road (No 48), a four storey semi-detached property that has been converted into flats.
6. The proposal would involve the conversion of the premises into a one bedroomed dwelling, with two of the garages being retained for parking purposes. To assist with this conversion a two storey rear stairwell extension would be provided. The appealed application having been submitted following the dismissal of an appeal¹ concerning application 14/02644/FULL.
7. Despite submissions to the contrary I consider this proposal should be treated as being for a two storey dwelling because there would be habitable accommodation on both floors and the layout would be typical of many houses, i.e. non-sleeping and sleeping accommodation respectively on the lower and upper floors. Policy 3.5 of the London Plan requires two storey, two person, one bedroom dwellings to have a minimum gross internal area of 58 square metres (m²) and it is agreed that this dwelling would have an area of 53m². This dwelling would therefore fall some way short of what is a minimum space standard and in this respect this proposal would not comply with Policy 3.5 of the London Plan.
8. To minimise the potential for unacceptable overlooking to arise between the new dwelling and the properties in Valley Road it is intended that a pergola and latticed glazing would be installed at ground floor level to the rear of the dwelling. I find that the siting of the pergola would be likely to adversely affect the level of natural light received within the living room and kitchen areas, given the proximity of its vertical screen to the lower floor windows. I also consider that the aforementioned privacy measures would adversely affect the outlook that would be available to the dwelling's occupiers using the single aspect main living space. I therefore find the privacy measures in fulfilling their purpose would unacceptably limit the receipt of natural light to and outlook from the accommodation.
9. While concern has been raised about the adequacy of the ventilation arrangements for the lower floor accommodation this is something that I understand from the appellant's case would be a matter for detailed consideration under the Building Regulations. Accordingly as this is a matter that comes within the scope of other legislation I am not persuaded that it relates to an issue that would be grounds for the dismissal of this appeal. My findings with respect to the ventilation arrangements are, however, outweighed by those concerning the inadequacy of the dwelling's internal floorspace and the poor levels of natural lighting and outlook that would be available to this accommodation's occupiers.
10. For the reasons given above I therefore conclude that the development would provide unacceptable living conditions for its occupiers. The development would therefore be contrary to Policy 3.5 of the London Plan and Policies BE1 and H12 of the Bromley Unitary Development Plan of 2006, insofar as these policies require new housing to be of the highest quality by providing

¹ APP/G5180/W/14/3001230

adequate internal space and an environment that would provide satisfactory living conditions for its occupiers.

Other Matters

11. The development would make a contribution to the provision of additional housing within the Council's area, however, this would be very modest. I am of the opinion that the scale of the external alterations to the premises would be such that they would not be harmful to the area's character and appearance. I am also mindful of the fact that there is no disagreement about the development's effect upon the living conditions for the occupiers of neighbouring properties and I see no reason to take a contrary view about that matter.
12. While the aforementioned matters provide some support for this scheme, I consider them to be outweighed by the harm that I have identified, with that harm resulting in conflict with various development plan policies. I therefore find that the presumption in favour of permitting sustainable development, most particularly referred to in paragraph 14 of the National Planning Policy Framework, has not been engaged and that the various other paragraphs in the Framework drawn to my attention do not assist the appellant's case.

Conclusion

13. The inadequacy of the available internal floorspace, outlook and natural lighting I have identified would result in unacceptable living conditions for the occupiers of the proposed dwelling. I therefore conclude that this appeal should be dismissed.

Grahame Gould

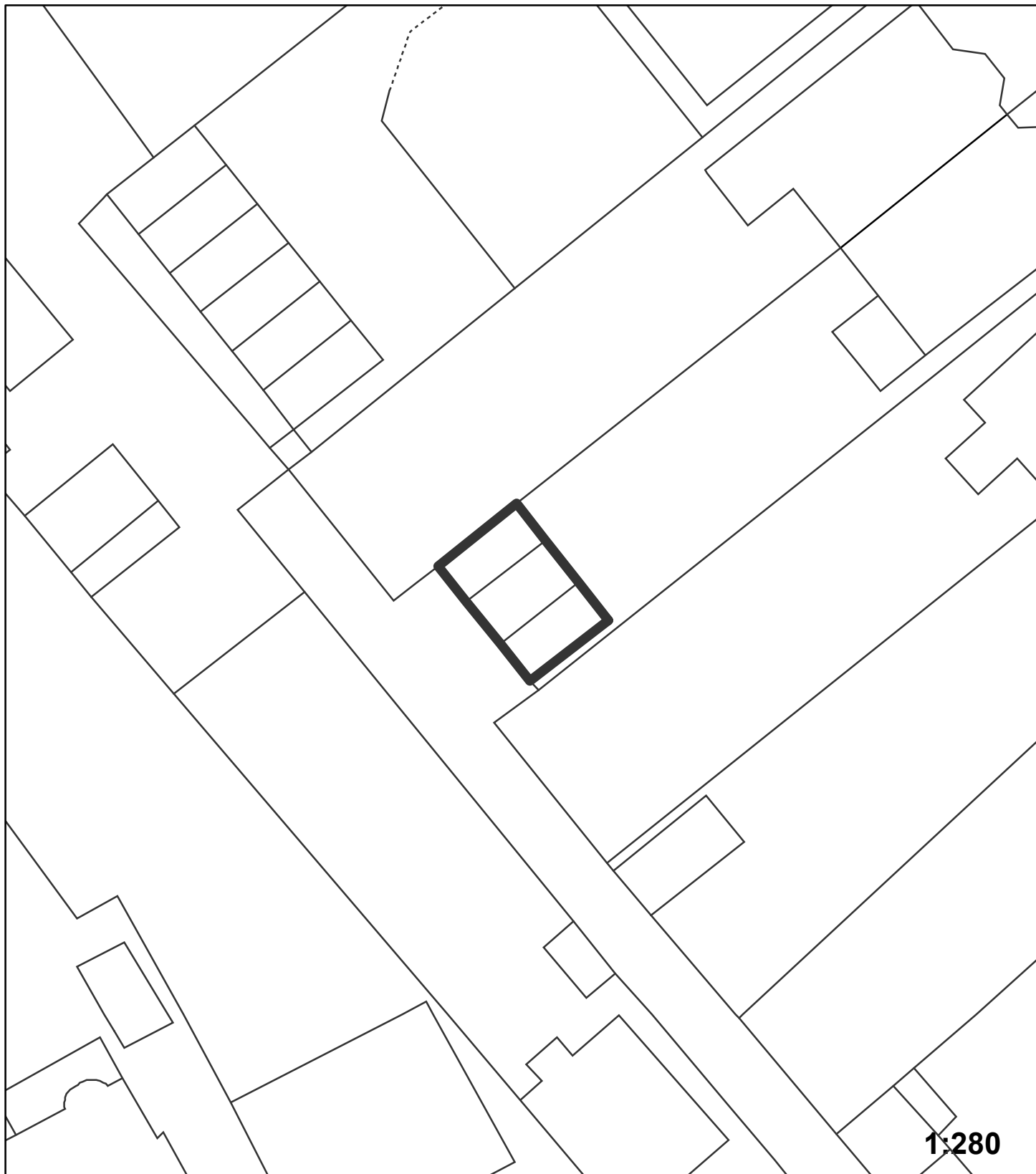
INSPECTOR

This page is left intentionally blank

Application:16/04022/FULL1

Address: Studio At Burgh Hill Kingswood Road Shortlands Bromley
BR2 0HQ

Proposal: Conversion of garage and studio below to form new one bedroom unit. Increase in roof height of existing garage, ground floor rear extension and provision of external courtyard area to ground floor. Elevational alterations



1:280

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

This page is left intentionally blank

SECTION '2' – Applications meriting special consideration

Application No : 16/04250/FULL6

Ward:
Bromley Common And
Keston

Address : 3 Cedar Crescent Bromley BR2 8PX

OS Grid Ref: E: 542208 N: 165223

Applicant : Mr T LATHAM

Objections : YES

Description of Development:

Raised patio with steps to rear (PART RETROSPECTIVE)

Key designations:

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

Proposal

The application seeks consent or retrospect permission for the retention of a raised patio and steps within the rear garden. The patio ranges between 5.2m and 3m in depth. It is set 650mm above ground level.

Location

The application relates to a bungalow style property, with accommodation within the roof space. It is located on the north side of Cedar Crescent and has a modest sized rear garden. The surrounding area is residential in character. At the time of the site visit it was noted that the rear patio was substantially completed.

Consultations

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

- o Drawings are incorrect. The drawings show pre-existing elevations and should not therefore be noted as existing. It should not therefore be considered a valid application.
- o Difference in heights of ground levels are due to sloping
- o Raised patio and steps are very intrusive.
- o Overlooking of neighbouring gardens, bedrooms and bathroom.
- o Raised height of the patio is so significant that a boundary fence at the maximum height of 180mm would have a clearance of circa 60cm above the level of the patio at the point the patio joins the steps. Problems of overlooking could be resolved if the steps were to adjoin a small landing on

- o the rear façade, leading to the patio at garden level, rather than the other way round as currently proposed.
- o Patio does not appear to have drainage, to ensure rainwater flows into soak away and not into neighbouring garden.
- o Loss of screening and hedges adjoining boundary fence
- o Noise
- o Loss of privacy

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

SPG 1 General Design Principles
SPG 2 Residential Design Guidance

Emerging Plans

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

- o The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- o The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- o The degree of consistency of the relevant policies in the emerging plan to the policies in the NPPF, the greater the weight that may be given).

As set out in paragraph 216 of the National Planning Policy Framework, emerging plans gain weight as they move through the plan making process.

The following emerging plans are relevant to this application.

Draft Local Plan

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

Relevant policies:

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

Planning History

10/01955/FULL6 - Single storey side/rear extension, roof alterations including Juliet balcony and front porch. Refused 25.08.2010

10/02876/PLUD - Enlargement and alterations to roof including rear dormer, one rear and two front roof lights, single storey side and rear extensions. Certificate of Lawful Development. Approved 28.01.2011

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.

The application relates to a bungalow style property. The application is for the retention of a raised patio and at the time of the site visit it was clear that the development was substantially built. The size and scale of the patio is considered to be on the larger side, however its location at the rear would not result in significant harm to the character and appearance of the area. Patios of this nature do not appear to be a common feature within the locality; however this is not considered sufficient grounds to withhold permission given its location and limited visibility.

In relation to neighbouring amenity the application property benefits from a generous rear garden with an open prospect to the rear. It is however set adjacent to two similar sized bungalows. No 2 Cedar Crescent is located to the south of the application site and is also set slightly forward of the application property. The rear elevations do not therefore sit immediately adjacent to one another. The raised element of the patio has also been set back from this boundary by 1.1m with this neighbour. There appears to be a relatively new fence along this common boundary and the height of this fence, coupled with the layout of the buildings, and setback, would prevent significant and direct overlooking to this neighbouring property and its rear garden.

No 4 is located to the north of the application site and the rear elevation of this neighbour has a similar line to the application property. A number of windows, which appear to serve principle rooms, sit immediately adjacent to this common fence. The patio extends up to this fence line and does not include a setback at

this point. Officers have been on site to observe the impact of this raised patio on neighbouring amenity and it was noted that a temporary fence has been erected along this boundary. There is also a large hedge further along the garden, which provides a degree of screening. In this case, the proposal would result in some overlooking; however on balance, this could be suitably mitigated with screening along this boundary. It is therefore considered reasonable and necessary to condition the submission of this information within 3 months from the date of any permission in order to protect the residential amenities of neighbouring occupiers.

The proposed terrace would likely be used for sitting out, however any noise generated from the space would unlikely be materially worse than noise generated from the existing lower garden level.

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

RECOMMENDATION: PERMISSION

Subject to the following conditions:

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

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

- 2 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 Notwithstanding the details hereby approved, details shall be submitted within 3 months of the date of this Decision Notice and approved in writing by the local planning authority showing raised screening to the side boundary of the patio with No 2 & No 4 Cedar Crescent. The development shall be carried out in accordance with the approved details within 2 months of the date of approval and shall be 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 H8 Unitary Development Plan.

Application: 16/04250/FULL6

Address: 3 Cedar Crescent Bromley BR2 8PX

Proposal: Raised patio with steps to rear (PART RETROSPECTIVE)



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

This page is left intentionally blank

SECTION '2' – Applications meriting special consideration

Application No : 16/04418/FULL1

Ward:
Chislehurst

Address : 27 Heathfield Chislehurst BR7 6AF

OS Grid Ref: E: 544368 N: 170630

Applicant : Mr & Mrs Rainer Schmitz

Objections : YES

Description of Development:

Demolition of existing bungalow and erection of two storey 4 bedroom dwelling

Key designations:

Conservation Area: Chislehurst

Biggin Hill Safeguarding Area

London City Airport Safeguarding

Smoke Control SCA 16

Proposal

The application site currently contains a single storey detached bungalow located at the eastern end of Heathfield, and lies within Chislehurst Conservation Area.

Permission is sought for the demolition of the existing bungalow and the erection of a two storey 4 bedroom dwelling with habitable rooms in the roof space.

The replacement dwelling is located predominantly within the footprint of the approved scheme (15/01879/OUT) with the addition of a single storey element that projects approximately 7.1m beyond the proposed rear façade. The new dwelling will provide a minimum of 1m side space to both flank boundaries.

Consultations

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

- Too close to neighbouring property
- Will still block light to kitchen of neighbouring property
- Still extends too long into the garden
- Design doesn't match other houses
- Still too high.
- New design continues to be out of character and not in-keeping with the current character of Heathfield and surrounding area.
- Significant increase in massing compared to the bungalow
- Proposed front elevation has a strong vertical design emphasised by two gables and tall glazing components. In an appropriate setting this may be considered as an exciting and bold design but given the locality, and

position within the Chislehurst Conservation Area, the proposal is inimical to the character and appearance of the local area

- Unclear if the glazing at the rear, which serves the 'master bedroom', is openable. May form a large Juliet balcony, which would lead to overlooking and loss of privacy for neighbours
- Second floor 'games room' gives access to a large open terrace which may give rise to overlooking and noise nuisance
- Proposal is contrary to Policy BE1 BE11 and H7

Letters in support of the proposals have also been received from residents within the borough which can be summarised as follows:

- Scale and design is more preferable than that previously permitted.
- A number of neighbouring properties have been refurbished since the Conservation Area came into being, bringing new materials such as timber cladding and slate roofing previously not part of the vernacular
- In keeping with the character of the road to bring in new contemporary elements as time passes
- Proposed house is modern but not of radical appearance and would enjoy seeing it in the street
- Objected to previous application however reduction in number of first floor windows, removal of chimney stack and increased distance to boundary reduces concerns.
- Improvement to the road
- Adds character and is consistent with the existing street scene
- The design continues the gradual upgrading of Heathfield
- Positive contribution to the Conservation Area

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

- Proposal would be very assertive in the streetscene
- No objection in principle to modern designs within conservation areas however any replacement house on this site should be more sensitive to its context.
- In addition to the bulk and scale of the proposal, the design incorporating large glazed elements would make it particularly conspicuous.

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

- There is no change to the access arrangement.
- There is a good size garage and other parking on the frontage.
- If permission, conditions are recommended regarding parking, hardstanding and highway drainage.

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

- Conditions are recommended regarding sustainable drainage systems and to ensure details of surface water drainage systems are submitted to the Council prior to development.

The Advisory Panel for Conservation Areas, (APCA) were consulted on the application and their comments can be summarised as follows:

- Proposal is too large and too assertive and hence discordant in the streetscene
- Contrary to BE1 and BE11 of the UDP.

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

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

London Plan (March 2015)

Policy 3.3 Increasing Housing Supply.
Policy 3.4 Optimising Housing Potential
Policy 3.5 Quality and design of housing developments
Policy 3.8 Housing choice
Policy 5.1 Climate change mitigation
Policy 5.2 Minimising carbon dioxide emissions
Policy 5.3 Sustainable design and construction
Policy 5.7 Renewable energy
Policy 5.9 Overheating and cooling
Policy 5.10 Urban greening
Policy 5.11 Green roofs and development site environs
Policy 5.13 Sustainable drainage
Policy 5.14 Water quality and wastewater Infrastructure
Policy 5.15 Water use and supplies
Policy 5.16 Waste net self-sufficiency
Policy 5.17 Waste capacity
Policy 5.18 Construction, excavation and demolition waste
Policy 5.21 Contaminated land
Policy 6.9 Cycling
Policy 6.13 Parking
Policy 7.2 An inclusive environment
Policy 7.3 Designing out crime
Policy 7.4 Local character
Policy 7.6 Architecture
Policy 8.2 Planning obligations

Policy 8.3 Community infrastructure levy

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

Draft Policy 1 Housing Supply
Draft Policy 4 Housing Design
Draft Policy 8 Side Space
Draft Policy 30 Parking
Draft Policy 32 Road Safety
Draft Policy 73 Development and Trees
Draft Policy 37 General Design of Development

Planning History

The site has been subject to a previous planning application:

- 15/01879/OUT - Demolition of existing dwelling and erection of a 2 storey 4 bedroom dwelling OUTLINE APPLICATION - Permitted 12.11.2015
- 16/03115/FULL1 - Demolition of existing bungalow and erection of two storey 4 bedroom dwelling. - Refused 02.09.2016

Conclusions

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

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

This application has been submitted following a recent refusal under planning reference: 16/03115/FULL1 for the demolition of existing bungalow and erection of two storey 4 bedroom dwelling. The reasons for refusal are as follows:

1. The replacement dwelling, by reason of the contemporary design will appear overly dominant within the street scene and fail to enhance or respect the character and appearance of the Chislehurst Conservation Area, contrary to Policies BE1 and BE11 of the Unitary Development Plan.
2. The replacement dwelling, by way of its excessive depth and proximity to the boundary, would result in a dominant and visually intrusive form of development, harmful the amenities of No.25 by reason of outlook and visual amenity, contrary to Policies BE1 and H8.

Design, Siting and Layout.

The site is currently a detached bungalow located at the eastern end of Heathfield, and lies within Chislehurst Conservation Area. The existing bungalow occupies the full width of the site with an attached garage along its northern side. The site is elevated in comparison to the neighbouring properties. The surrounding streetscene comprises largely of two storey properties set within large plots.

The principle of a replacement dwelling was established by an Outline application, planning ref: 15/01879/OUT. The approval was for the demolition of existing dwelling and erection of a 2 storey 4 bedroom dwelling. Since, the site has been subject to a refusal (planning ref: 16/03115/FULL1) for the erection of a two storey 4 bedroom dwelling, the reasons for refusal were due to (1) the contemporary design resulting in dominant form of development which fails to respect the character or appearance of the Chislehurst Conservation Area, and (2) the impact on the amenities of the neighbouring property due to the excessive rearward projection of the single storey rear element.

The current application is for the demolition of the existing bungalow erection of a two storey 4 bedroom dwelling with habitable rooms in the roof space. The replacement dwelling is located predominantly within the footprint of the approved scheme (15/01879/OUT) with the addition of a single storey rear projection.

Policy H9 of the Unitary Development Plan states that for a proposal of two or more storeys in height, a minimum 1 metre space from the side boundary of the site should be retained for the full height and length of the flank wall of the building, however, where higher standards of separation already exist within residential areas, proposals will be expected to provide a more generous side space, including corner plots. The new dwelling will provide 1m - 1.7m side space therefore is compliant with Policy H9.

The overall design of the replacement dwelling is modern and incorporates two front gable features. The materials proposed include brick, render, glass and metal panels. The Councils Conservation Officer and the Advisory Panel for Conservation Areas (APCA) raised concerns regarding the contemporary design, proposed materials and the impact on the character of the area. Amended plans (received 01/12/2016) indicate that the height of the proposed dwelling, when scaled from the submitted plans, will be 9.4m, a 2.1m increase from the bungalow and 0.5m increase from the approved Outline application (15/01879/OUT). The street scene elevation (received 01/12/2016) indicates that the proposed roof would be similar to that of No.25 to the north however would be 1.8m above that of No.29 to the south. Whilst a small increase in height would be considered acceptable in principle, the proposed roof alterations and increase in height would contribute to adding significant bulk to the appearance of the property above that existing, particularly given the size of the proposed front gables. It is considered to result in an unacceptable increase in the bulk of the property that would be harmful to the character of the host dwelling, the Chislehurst Conservation Area and the streetscene in general.

The proposed dwelling incorporates a roof terrace. A 7.5m deep section of roof will be removed from the northern roof slope. The rearmost 0.5m of roof will be

reformed as a gable feature. This reduces the opportunity for overlooking to the rear. The proposed section indicates that the remaining side roof slope will provide 1.8m high screening therefore the roof terrace is not considered to result in overlooking or loss of privacy to the occupiers of No.25. The design of the roof terrace, although unusual, is located towards the rear of the property and therefore only an oblique view of the roof will be visible between the properties. This element is therefore not considered to result in a detrimental impact on the street scene or character of the Chislehurst Conservation Area.

Residential Amenity and Standard of Residential Accommodation

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

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

The surrounding area comprises large detached two storey dwellings, therefore the principle of a two storey dwelling is considered acceptable. The shape, room size and layout of the rooms in the proposed dwelling are considered to be satisfactory. None of the rooms would have a particularly convoluted layout which would limit their use. The proposed dwelling is located within a relatively large plot. It would have a large GIA and all four bedrooms exceed the minimum requirements for double bedrooms. It is therefore considered that the proposal would offer a high level of residential amenity for future occupiers.

Highways

The site is located in an area with low PTAL rate of 2 (on a scale of 1 - 6, where 6 is the most accessible). The proposal provides a large integral garage and additional parking on the frontage. The existing access is to remain. On this basis, the Council's Highways Officer raised no objection to the proposal and conditions are recommended with regards to parking, hardstanding and highway drainage.

Impact on Adjoining Properties

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

The proposal includes a single storey rear projection that projects approximately 7.1m beyond the proposed rear façade. The roof of this element will be flat. The flank wall facing No.25 Heathfield will contain one high-level window. The rear and southern flank will contain bi-fold doors. This element is located 1.5m from the northern flank boundary with No.25 Heathfield. Additional information has been submitted which indicates that the proposed extension will not cross the 25 degree line of the neighbouring rear window and it is considered that this element will not

impact on the level of daylight and sunlight to this neighbouring property, however given the excessive depth proposed and the proximity to the boundary, the rear projection is considered to result in a detrimental impact on this neighbouring property by way of loss of outlook and visual amenity. It is noted that this element has been reduced by 2.9m from the previous refusal (previous depth 10m) however this reduction is not considered sufficient to overcome the second reason for refusal.

With regards to the proposed roof terrace, it will provide 1.8m high screening therefore it is not considered to result in overlooking or loss of privacy to the occupiers of No.25. The gable is reformed at the rear therefore there is no opportunity for overlooking towards the rear. Therefore the proposal is not considered to have a significant impact on the amenities of neighbouring properties with regards to loss of privacy or excessive noise.

Summary

Having had regard to the above it was considered that the design of the replacement dwelling is not acceptable in that it would result in an overly dominant form of development that would impact significantly on the street scene and would not respect the character or appearance of the Chislehurst Conservation Area. Furthermore, the proposed single storey rear projection is considered excessive giving rise to a significant loss of amenity to neighbouring residents, thereby contrary to policies BE1, BE11 and H8 of the UDP.

as amended by documents received on 21.11.2016, 01.12.2016

RECOMMENDATION: APPLICATION BE REFUSED

The reasons for refusal are:

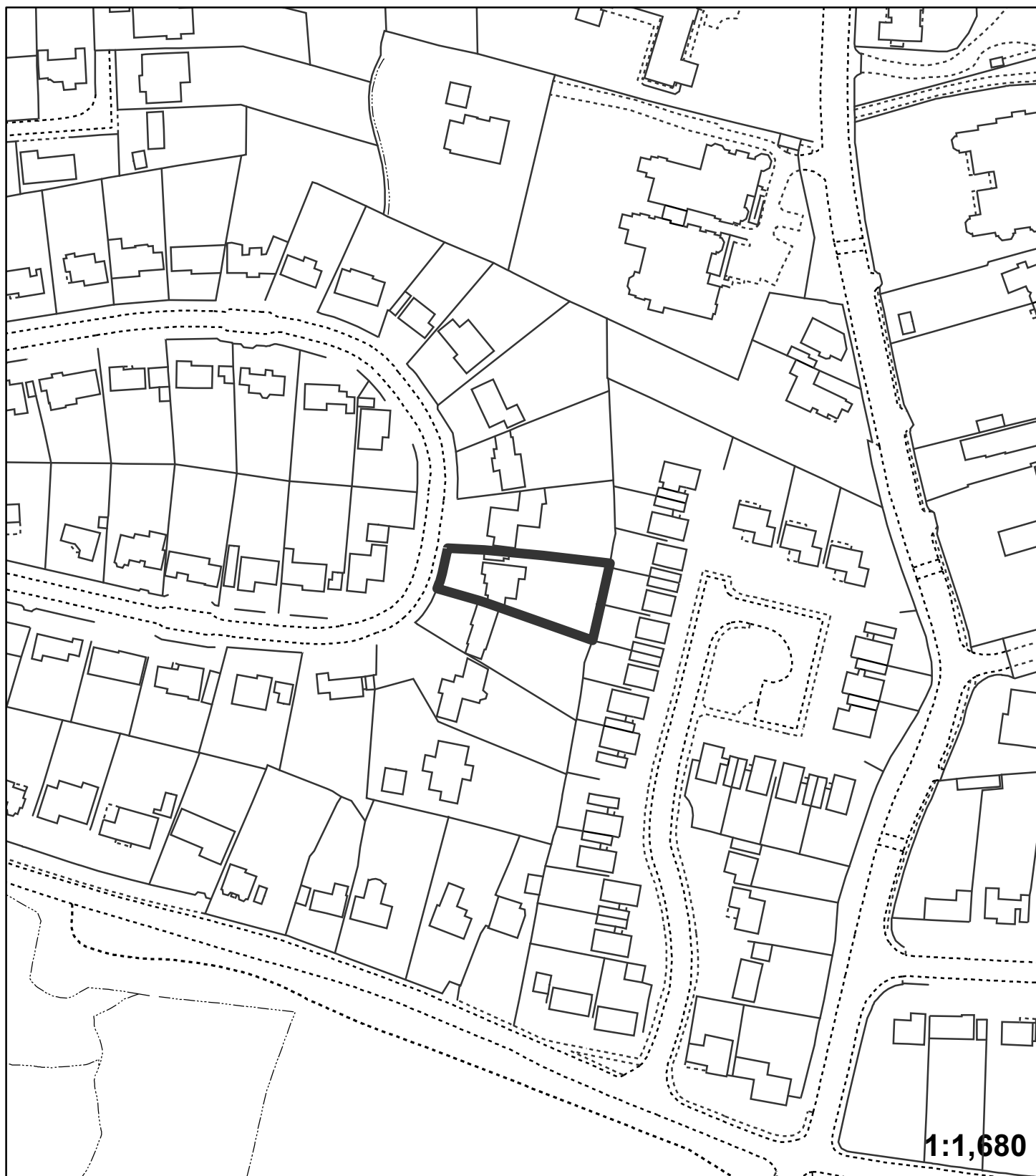
- 1 The replacement dwelling, by reason of the contemporary design will appear overly dominant within the street scene and fail to enhance or respect the character and appearance of the Chislehurst Conservation Area, contrary to Policies BE1 and BE11 of the Unitary Development Plan.**
- 2 The single storey projection, by way of its excessive depth and proximity to the boundary, would result in a dominant and visually intrusive form of development, harmful the amenities of No.25 by reason of outlook and visual amenity, contrary to Policies BE1 and H8**

This page is left intentionally blank

Application:16/04418/FULL1

Address: 27 Heathfield Chislehurst BR7 6AF

Proposal: Demolition of existing bungalow and erection of two storey 4 bedroom dwelling



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

This page is left intentionally blank

Section '2' - Applications recommended for PERMISSION, APPROVAL or CONSENT

Application No : 16/04635/FULL1

Ward:
Crystal Palace

Address : Alan Hills Motors Alma Place Anerley
London SE19 2TB

OS Grid Ref: E: 533596 N: 170454

Applicant : TLS (Alma Yard) Ltd

Objections : YES

Description of Development:

Demolition of existing structures and the construction of three dwellings, commercial floorspace, private and communal amenity areas, car parking, refuse and bicycle storage.

Key designations:

Conservation Area: Belvedere Road
Biggin Hill Safeguarding Area
London City Airport Safeguarding
Smoke Control SCA 6

Proposal

The application seeks consent for the demolition of the existing structures onsite and the construction of 3 four bedrooms dwellings. It would also include the construction of a detached single-storey office building providing Use Class B1 floor space. Four car parking spaces would be provided, together with refuse and bicycle storage. A woodland sanctuary would also be created.

Location and Site Context

The application site is currently being used as a commercial premise for a service and repair workshop for motor vehicles (Use Class B2). There are a number of various single-storey sheds used in conjunction with the use across the site. The site is bounded to north west by a three-storey Locally Listed terrace, which includes commercial uses at ground floor level and residential accommodation above. The above building fronts Church Road and includes a number of outdoor terraces at first floor level, which directly overlook the application site situated at the rear. The rear gardens of Nos 67-69 Church Road also directly back on to the north end of the site. Immediately to the south west are two 2 storey terraces of Alma Place and Spring Cottages. To the south east are the rear gardens of No 19-25 Belvedere Road, which are Grade II Listed two/three storey buildings.

There are significant gradient changes at the northern and eastern edges of the site, including steep embankments which slope downwards to a woodland area.

The site is located within the Belvedere Conservation Area.

Consultations

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

- o Surrounding woodland needs to be protected. Erosion of this woodland is unthinkable and should be preserved.
- o Road in Alma Place is very fragile and heavy equipment will cause damage to the foundations and drain services
- o Works to the properties at the top of Belvedere Road caused flooding.
- o The application states there are unauthorised parking in Alma Place. This is not the case. We have permission from the leaseholder and written permission from the previous owner that we can park outside our homes. An arrangement which has been in place 16 years
- o The statement there is ample parking in the area is not correct. There is a high demand for parking. Bays surrounding area are constantly in use.
- o The proposed houses are three storeys and surrounding properties are two-storeys
- o Overlooking to neighbouring houses.
- o When neighbours tried to apply for a third floor this was rejected for reasons of overlooking.
- o Noise, disturbance and pollution from the building works. Problems for health and wellbeing of residents.
- o Negative impact on the overall aspect of Alma Place
- o Loss of light
- o Harm to the Conservation Area
- o Does not guarantee sufficient parking spaces for existing residents. Three spaces is not sufficient.
- o Loss of parking
- o Will be within 4m of Spring Grove a Locally Listed Cottage resulting in potential damage
- o Dustbin storage next to properties
- o Vermin and odours from refuse.
- o Proposal is favourable and appears to be an elegant solution that treads a delicate line between the constant call for housing and the need for conservation.
- o Pleased to see the proposal maintains and supports the ongoing life of the wood. Which supports diverse population of wildlife. We would encourage permeable fencing to new homes to promote integration.
- o The Locally Listed and Grade II listed buildings make a real contribution to the CA but stand on shallow foundations and are vulnerable to ground works. Proper safeguards should be in place to make sure they are protected.
- o The proposed cobbled street should be made a planning condition to be continued throughout Alma Place. This would provide much needed stability to the long-neglected road and would bring consistency between the new build and old creating a uniform route. It would also support the heritage of the street.

- o Location of refuse storage will promote fly tipping. There are already problems with rubbish being dumped.
- o Inaccurate statements in application. The applicant has not consulted with local residents.
- o There are no vehicular movements during the weekends, thus there would be increased disturbance during this time.
- o Deeds to the houses along Alma Place require residents to contribute to the maintenance of the area. Movement of the refuse point would impact on the Covenants on the Deeds.
- o Unadopted Road which is not capable of heavy traffic. Both road maintenance and its suitability to traffic flow have not been addressed.
- o An offer has been made to the owners of the site to continue the existing business use after termination of the Lease with Alan Hill. The neighbours who have made the offer also are willing to pay for improvements in the building/facilities on site.

Highways - The site is located in an area with PTAL rate of 5 (on a scale of 1 - 6, where 6 is the most accessible).

Vehicular Access- the access is from Alma Place leading to the car parking area. The access is confined by the adjacent building and parked vehicles. Service vehicles will have difficulty accessing the site.

Car parking- Four car parking spaces would be provided; this is acceptable.

Cycle Parking - The applicant should be aware that two secure cycle parking spaces per unit are required.

Refuse- The applicant should demonstrate how the refuse vehicle(s) can enter the site and exit in a forward gear.

If minded to approve please include the following with any permission:

CONDITION

H03 (Car Parking)

H16 (Hardstanding for wash-down facilities)

H18 (Refuse)

H22 (6 Cycle parking spaces)

H23 (Lighting scheme for access and parking)

H29 (Construction Management Plan)

H32 (Highway Drainage)

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

Natural England - No comments on the application

Environmental Health - I have looked at this application, in particular the Desk Study Report prepared by Ground and Water Ltd to determine the likelihood of ground contamination. The Report recommends and intrusive ground investigation as well as gas monitoring, with which I concur.

In principle there are no objections to permission being granted however recommend that Standard Condition K09 be imposed as the most effective way to control this, even though the Desk Study complies in part with that Condition.

Drainage - No objections. Recommend the following condition: The development permitted by this planning permission shall not commence until a surface water drainage scheme for the site based on sustainable drainage principles, and an assessment of the hydrological and hydro geological context of the development has been submitted to, and approved by, the Local Planning Authority. The surface water drainage strategy should seek to implement a SUDS hierarchy that achieves reductions in surface water run-off rates to Greenfield rates in line with the Preferred Standard of the Mayor's London Plan. Reason: To reduce the impact of flooding both to and from the proposed development and third parties

Thames Water - No comments have been received in relation to the current application but the following comments were received from Thames Water to the previous withdrawn case and are still considered applicable to this application:

Waste Comments

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

There are public sewers crossing or close to your development. In order to protect public sewers and to ensure that Thames Water can gain access to those sewers for future repair and maintenance, approval should be sought from Thames Water where the erection of a building or an extension to a building or underpinning work would be over the line of, or would come within 3 metres of, a public sewer. Thames Water will usually refuse such approval in respect of the construction of new buildings, but approval may be granted in some cases for extensions to existing buildings. The applicant is advised to contact Thames Water Developer Services on 0800 009 3921 to discuss the options available at this site.

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.

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
BE8 Statutory Listed Buildings
BE10 Locally Listed Buildings
BE11 Conservation Areas
BE12 Demolition in Conservation Areas
BE14 Trees in Conservation Areas
H1 Housing Supply
H7 Housing Density and Design
H9 Side Space
NE5 Protected species
NE7 Development and Trees
NE8 Conservation and Management of Trees and Woodland
ER10 Light pollution
T3 Parking
T7 Cyclists
T18 Road Safety
EMP 2 Office Development
EMP 5 Development Outside Business Areas
ER7 Contaminated Land

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

Belvedere Road Conservation Area SPG

London Plan (2016)

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 4.2 Offices
 Policy 4.3 Mixed Use Development and Offices
 Policy 5.1 Climate change mitigation
 Policy 5.2 Minimising carbon dioxide emissions
 Policy 5.3 Sustainable design and construction
 Policy 5.7 Renewable energy
 Policy 5.9 Overheating and cooling
 Policy 5.10 Urban greening
 Policy 5.11 Green roofs and development site environs
 Policy 5.12 Flood risk management
 Policy 5.13 Sustainable drainage
 Policy 5.14 Water quality and wastewater Infrastructure
 Policy 5.15 Water use and supplies
 Policy 5.21 Contaminated Land
 Policy 6.9 Cycling
 Policy 6.13 Parking
 Policy 7.2 An inclusive environment
 Policy 7.3 Designing out crime
 Policy 7.4 Local character
 Policy 7.6 Architecture
 Policy 7.8 Heritage Assets and Archaeology
 Policy 7.15 Reducing and Managing Noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes
 Policy 7.19 Biodiversity and Access to Nature
 Policy 7.21 Trees and Woodlands
 Policy 8.3 Community infrastructure levy

Housing: Supplementary Planning Guidance. (2015)

DCLG: Technical Housing Standards (2015)

National Planning Policy Framework (NPPF) - Relevant chapters include Chapters 6, 7, 11, 12.

Emerging Plans

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

- o The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- o The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- o The degree of consistency of the relevant policies in the emerging plan to the policies in the NPPF, the greater the weight that may be given).

As set out in paragraph 216 of the National Planning Policy Framework, emerging plans gain weight as they move through the plan making process.

The following emerging plans are relevant to this application.

Draft Local Plan

The Council is preparing a Local Plan and commenced a period of consultation on its proposed submission draft of the Local Plan on November 14th 2016 which closed on December 31st 2016 (under The Town and Country Planning (Local Planning) (England) Regulations 2012 as amended). It is anticipated that the submission of the draft Local Plan to the Secretary of State will be in the early part of 2017.

Policy 1 Housing Supply
Policy 3 Backland and Garden Land Development
Policy 4 Housing Design
Policy 8 Side Space
Policy 30 Parking
Policy 32 Road Safety
Policy 37 General Design of Development
Policy 38 Statutory Listed Buildings
Policy 39 Locally Listed Buildings
Policy 41 Conservation Areas
Policy 43 Trees in Conservation Areas
Policy 72 Protected Species
Policy 73 Development and Trees
Policy 74 Conservation and Management of Trees in Woodland
Policy 79 Biodiversity and Access to Nature
Policy 83 Non-designated Employment Land
Policy 86 Office Uses Outside Town Centres
Policy 115 Reducing Flood Risk
Policy 116 Sustainable Urban Drainage
Policy 118 Contaminated Land
Policy 119 Noise Pollution
Policy 122 Light Pollution
Policy 123 Sustainable Design and Construction

Planning History

85/00279/FUL - Alan Hills motors ltd Alma Place Church Road. Continued use for repairing motor cars renewal 812891. Permission 25.07.1985

10/00965/TREE - Intention to crown lift to 40ft above ground level and crown reduce and crown thin by 15% 1 Lime and crown lift to 30 ft above ground level and crown reduce and crown thin by 15% 2 sycamores. No objection 06.05.2010

11/03769/TREE - Intention to remove 3 large branches of 1 ash tree overhanging 2 Rama Lane. No objection 16.12.2011

15/03018/TREE - Reduce the height of 3 lime trees to 8 metres. No objection 19.08.2015

15/04824/FULL1 Demolition of existing structures and the construction of four dwellings, private and communal amenity areas, car parking, refuse and bicycle storage, the creation of a community woodland and the extension to the private amenity space of Nos 1-3 Alma Place Withdrawn 10.03.2016

Conclusions

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

- o Principle of Development
- o Design/Impact on the character and appearance of the wider CA
- o Standard of Residential Accommodation
- o Impact on adjoining neighbours
- o Highways and Traffic Issues
- o Ecology and Trees

Principle of Development

EMP 5 Development Outside Business Areas allows for the redevelopment of business sites outside Designated Business Areas provided that:

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

The Council's Proposed Submission Draft Policy 83 Non-Designated Employment Land states that 'proposals for change of use or redevelopment of non-designated sites containing Class B uses for alternative employment generating uses will be considered provided that the amenity of any nearby residential uses is not detrimentally affected'. The policy goes on to state that a change to a non employment generating use will be considered on the following criteria:

(a) demonstrable lack of demand for the existing use or any potential alternative employment generating use, including evidence of recent and active marketing of the site for reuse or redevelopment undertaken prior to submission of the planning application over a minimum six month period.

(b) whether all opportunities for re-let and sale for redevelopment for employment uses have been fully explored, both in terms of existing and any alternative employment generating uses and layout, including small/more flexible business units, and

(c) where the site is capable of accommodating a mixed use scheme, whether the proposal includes the re-provision of a similar quantum of floor space for employment generating uses, that is flexibly designed to allow for refurbishment for a range of employment uses.

The application site is located on the north side of Alma Place, which is accessed from Church Road and forms the south east side of the Crystal Palace Triangle gyratory. It is surrounded by residential and commercial properties and comprises a mixture of single-storey buildings used as a vehicular repair workshop, storage and office space. The current application is for the provision of a mixed use development to include a commercial unit in B1 (a) Use (50sqm) and 3 four bedroom residential family dwellings.

There is currently an existing independent motor repair workshop (Alan Hill Motors) operating out of the site, which has been in place for approximately 45 years. It is noted that the previous withdrawn application included objections from this occupier with regards to the loss of the unit and employment site, however no such objection has been received to the current proposal. The supporting text for Policy EMP5 states that "The supply of independent business sites in the Borough is diminishing. Many of the established sites within or neighbouring residential areas are under threat from new residential development. These sites serve an important purpose in the Borough, accommodating small business uses that cannot be located satisfactorily in Business Areas or town centres. One of the key objectives is to retain a range of accommodation for different business uses. It is important, therefore, to retain individual sites unless there are significant reasons as to why their continued business use is not feasible".

The applicant has provided a commercial feasibility report in support of the application, which has been prepared by Pedders and Ansun. Pedders were appointed by the applicant to provide a professional opinion in respect of the market demand for the existing buildings and uses, or an alternative commercial use.

The report confirms that the site has been marketed since October 2014 by a number of agents on a freehold and leasehold interest, and this was on a 'price was on request' basis.

The report notes that the buildings onsite are in a poor condition and are in need of modernisation, with significant investment needed to bring them up to an appropriate standard. This level of investment is considered to be prohibitive for any future occupier or viable use of the site.

Furthermore, in terms of location, the report considers that Alma Place is secondary for business occupiers. The report states that the access arrangements are narrow and the site is surrounded by residential accommodation. In particular, the report notes that pedestrian safety, noise levels and operating hours of a commercial use are impeded by the surrounding residential uses. The above factors are considered prohibitive to any future tenant taking the site forward as an employment use. Moreover, a continued commercial activity of an alternative B2 Use would likely impact detrimentally on the residential amenities of surrounding residential occupiers.

In relation to market demand and financial non-viability, the commercial report provides an assessment of current market demand for the existing commercial use

of the site and area, and provides evidence in relation to supply and demand of commercial premises in the locality.

The report confirms that the property was marketed as for sale and to let, with both quoting 'price on application', however the reaction to marketing was apparently limited. Details of the offers and interest have also been outlined within the report. There were commercial enquires, however on inspection of the site, this initial interest was then apparently discounted due to concerns relating to the existing property condition, need for repairs and refurbishment, proximity of residential properties, access and contamination concerns. It is noted that an objection has been received from Summers Solicitors, who are acting on behalf of a nearby resident. The objection states that an offer has been made to the owners of the site to purchase the same and who would wish to preserve the existing use as a motor repair workshop upon termination of the lease granted to Alan Hill Motors. The representation also states that the purchaser would be willing to invest into the existing site and improve the premises. However, no further details have been provided about when the offer was made or who by. The applicant has also supplied further information in response to this representation; which is from the estate agent confirming that no offer has been made.

The report concludes that the "micro-location of the site would not be popular location for business occupiers in respect of both the existing space, and also redevelopment of the site with the same use". This is based on the location of the site and marketing indicating that there is an oversupply of better qualified stock in other areas and that the market is flush, leading to a lack of demand.

The proposal would provide a mixed use scheme, with three family units and an employment generating use (B1a) which is more compatible with adjacent residential uses compared to the existing industrial (B2) use. The location of the site, access arrangements and condition of the existing built development is considered to be prohibitive for similar uses going forward and in this case, Members may consider that the proposal complies with Policy EMP 5 and is therefore acceptable in principle.

Scale and Layout.

The National Planning Policy Framework (NPPF) states that a key role for planning is to seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. Further to this, paragraph 58 of the NPPF states that planning decisions should aim to ensure that developments function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development; establish a strong sense of place, respond to local character and history, and reflect the identity of local surroundings and materials; and are visually attractive.

The London Plan further reiterates the importance of ensuring good design, and states, in Policy 7.4, that development should improve an area's visual or physical connection with natural features and, in areas of poor or ill-defined character, development should build on the positive elements that can contribute to establishing an enhanced character for the future function of the area. Policy 7.6

of the London Plan also states that development should be of the highest architectural quality, be of a proportion, composition, scale and orientation that enhances, activates and appropriately defines the public realm and should comprise details and materials that complement, not necessarily replicate, the local architectural character.

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

The site is located within the Belvedere Road Conservation Area and is a backland site accessed from Alma Place. Alma Place comprises two sets of terraced houses, 3 of which are locally listed (1-3 Spring Grove). The proposal would see the removal of the existing single-storey garage structures on site, the construction of three terrace townhouses and the erection of a single-storey office building.

The applicants design and access statement explains that the design of the proposed residential dwellings references assessments of massing, fenestration and architectural detailing of adjacent buildings and the wider context. The proposed dwellings would have a similar massing to the buildings within the immediate locality and architectural features such as the use of a butterfly roof, with central windows and recesses brickwork is considered to be an acceptable design approach within this sensitive context. The buildings would follow the alignment and massing of the Spring Grove cottages but the entrances to each unit have been pulled away from the drive way and the elevation off-set from its neighbour, allowing each to be perceived as individual dwelling. The entrance into the development site would have a sense of legibility in relation to the transition between the old and new development. The buildings have been sited immediately to the north of Spring Grove and would face inwards towards the proposed parking area. The overall height of the residential element would be no higher than the neighbouring buildings of Spring Grove and would step down marginally to the north, taking into account the change in gradient across the site.

There is a significant level change across the whole of the site, with the ground level falling away steeply to the north, north east and east. The applicant has overcome this specific constraint by arranging the development centrally within the site and having the rear amenity space utilise the areas with the most significant changes in ground level. A proposed woodland sanctuary is also proposed around the area of amenity space to the north, east and south. This woodland area would separate the development from the Grade II Listed Buildings along Belvedere Road. The position of the development in relation to these dwellings, traditional vernacular, change in ground level and the introduction of a woodland area would limit the impact on these properties and would not therefore result in harm to their setting or special historical interest.

Consideration has been given the scale and height of the proposed buildings in relation to neighbouring properties, the existing site levels and relationship with woodland area along the site fringes. It is considered that the dwellinghouse are sympathetic to the character and appearance of the neighbouring Locally Listed Buildings and their setting. The design approach, alignment of the buildings and massing is sensitive and responds well to local context. The existing uses and the poor state of repair of the current buildings onsite do not make a positive contribution to the CA and given the above, it is considered the proposal would therefore enhance the character and appearance of the CA.

A single-storey office building is proposed along the north west boundary of the site. This would face inwards towards the proposed parking area. There is currently an existing single-storey storage building along this boundary and in terms of massing, the proposed office building would be similar to the existing arrangement. It would not appear out of keeping in this context and would utilise London Stock Brickwork, dark stained timber cladding and timber window frames. It would benefit from a wildflower green roof and would generally preserve the character and appearance of the Conservation Area.

Given the above, Members may consider that the proposal is acceptable form of development, which accords with Policies H7, BE1 and BE11 of the UDP and preserves the character and appearance of the Conservation Area, setting of the Locally Listed buildings and Grade II Listed building along Belvedere Road.

Standard of Accommodation

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

The 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.

All rooms would achieve a satisfactory level of light, outlook and ventilation.

Private and secure amenity space would be provided to the rear of each new dwelling and each would comply with the minimum requirements set out within the London Plan.

Neighbouring amenity

The closest residential properties to the proposed development would be the terraces of Alma Place and Spring Grove. Furthermore, the proposal would be in close proximity to a number of commercial and residential properties on Church Road and Belvedere Road.

No 1-3 Alma Place is located to the west of the site and can be described a small terrace of two-storey residential cottage type dwellings. The above properties front Alma Place and include small amenity areas to the rear, which back directly onto the site. The proposed parking area and single-storey office building would be situated to the rear of these properties and the bulk of the proposed dwellings would be set away at an oblique angle from the rear elevation. Whilst the rear of the site would be more built up, the overall scale and orientation of the development would not result in an unacceptable loss of outlook or be significantly intrusive or overbearing for these neighbouring occupiers.

The proposed dwellings would include windows within the front elevation, which face inwards towards the proposed parking area and the rear elevations of Alma Place and Church Grove. However the dwellings have been orientated at an oblique angle to the rear of Alma Place, which prevents direct overlooking into rear windows. Unit 1 would face the flank elevation of 3 Alma Place, whilst Units 2 and 3 would be situated approximately 14m, and 26m, away from the rear elevations of Alma Place at an oblique angle. It is clear that mutual overlooking occurs between neighbouring properties in this area to a considerable extent, particularly as there are terraces at first floor level to the rear of Church Road which overlook the application site and rear gardens/elevations of 1-3 Alma Place. The proposed front elevation of the proposed units would be separated from the rear elevation and terraces of Church Road by approximately 19m at its closets point.

Spring Grove is located immediately to the southwest of the application site and comprises a small terrace of three two-storey residential dwellings. The ground level falls away at the rear, meaning the garden is below the front entrance level. The proposed residential development would be located to the north of Spring Grove but would be situated approximately 6.5m back from the front elevation. This would result in the building of Unit 1 projecting 6.4m beyond its rear elevation. It would be set back from the flank elevation of this property by 3.8m at its narrowest point and this extends up to 4.2m due to the tapering nature of the boundary line. The building has been design to have a similar height to the Spring Grove Cottages and in terms of outlook; the applicant has achieved a 45 degree sightline. The flank elevation of the proposed dwellings would be highly visible from the rear amenity space at 1-3 Spring Grove and the overall height of the flank elevation would appear pronounced due to the changes in ground level. However, the gardens of Spring Grove have a green and open prospect to the rear due to the woodland setting and trees surrounding the periphery of the site. Members may therefore consider that the orientation of the proposed development and set back from the common boundary would prevent unacceptable harm by way of an overbearing visual impact, loss of outlook or unacceptable sense of enclosure.

Windows are also proposed on the north facing side elevation and rear elevations. The windows on the north facing elevations would serve a study and bathroom. They would be set well back from the boundary with No 73 Church Road and are partially screened by trees and shrubs. It is not considered that the would be a material loss of privacy to neighbouring properties due to the above factors and changes in ground level. The windows on the rear elevation would include Juliette balconies. These would however face the proposed rear amenity spaces and

would be set away from Spring Grove at an oblique angle, thereby preventing direct overlooking.

The applicant has supplied a daylight, sunlight and overshadowing analysis in support of the application. A technical analysis was carried out to the worse-case receptors in neighbouring properties to identify any daylight and sunlight impacts to neighbouring windows. The results indicate that the worse-case receptors satisfy the BRE criteria in terms of daylight and sunlight they receive. The report concludes that the proposed development is not anticipated to have any negative impact on the daylight and sunlight received by neighbouring properties. In terms of overshadowing the site analysis within the report did not identify any amenity spaces close to proposed development, where overshadowing is likely to occur.

Given the above, Members may consider that the proposed development would have an acceptable impact on the amenities of neighbouring properties.

Highways

The site benefits from a PTAL of 6a and is therefore highly accessible. It is close to local amenities and is within walking distance of good transport links. The proposed scheme would provide 4 parking spaces, one for each of the residential dwellings and one for the commercial unit.

The Parking Addendum to Policy 6.13 of the London Plan provides maximum parking standards for residential development and employment uses. It states that residential dwellings with 4 or more bedrooms should provide up to 2 spaces per unit. However, it goes on to state that 'All development in areas of good public transport accessibility should aim for significantly less than 1 space per unit'. Similarly, within outer London, one space should be provided per 100-600sqm of office floor space (GIA). The proposed office would have a floor area of 50sqm and the level of provision for both the commercial and residential elements of the scheme, within this highly sustainable location, are considered to be compliant with the requirements of the London Plan.

The site is accessed via Alma Place, which is a private road, but included properties of 1-3 Alma Place and 1-3 Spring Grove.

At the time of the site visit it was clear that Alma Place is used for parking by the residents of the above properties. However the agent has confirmed that Alma Place is wholly within the applicant's ownership and that the residents of the above properties have no formal right to park in this area. Objections have been received from residents of Alma Place disputing this arrangement; however issues of ownership fall beyond the scope of this assessment and are a civil matter between interested parties. Nevertheless, it is clear that there is some informal parking arrangement and the proposed development could result in the displacement of parking for these properties. A parking stress survey undertaken by the applicant and this states there is capacity locally to accommodate up to 27 additional vehicles. Notwithstanding this point, the applicant has indicated that enhancements are proposed within Alma Place to include formalised parking for some of the existing residents. Details of this formalised arrangement have been provided on

plan number 2015/2818/005 within the Transport Statement (TS) and it is clear 3 additional spaces could be accommodated.

In relation to traffic generation the TS has made a comparison between the proposed development and the number of trips generated from the establish use of the site as an M.O.T and repair garage. The TS identifies that it is anticipated the proposed development would result in an overall net reduction in terms of traffic movements, with 44 fewer two way vehicle trips on daily basis compared to the existing situation; thereby improving the level of traffic movements along Alma Place.

The Council's highways officer has reviewed the parking arrangements for the site and details of trip generation and raised no objections to the proposed scheme.

The proposal would provide cycle parking in accordance with the requirements of the London Plan, which is considered acceptable.

A refuse collection point would be set to the front of Alma Place and storage would be to the north of Spring Grove. No objections have been raised to the servicing arrangements by the highways officer, however full details regarding means of enclosure and a refuse management plan could be conditioned, should the application be considered acceptable. The Highways officer has indicated that service vehicles may have difficulty accessing the site, however paragraph 5.5.5 and 5.5.6 and the accompanying Swept path analysis shown on drawing 2015/2818/004 demonstrate that a delivery vehicle, such as supermarket delivery van can access and egress the site in forward gear. This information has been raised to the above officer and no objections have been received.

Subject to the above conditions Members may consider that the proposal would have an acceptable highway impact.

Ecology and Trees

Policy NE3 states that where development proposals are otherwise acceptable, but cannot avoid damage to and/or loss of wildlife features, the Council will seek through planning obligations or conditions including (i) inclusion of suitable mitigation measures; and the creation, enhancement and management of wildlife habitats and landscape features. Policy NE5 states that planning permission will not be granted for development that will have an adverse effect on protected species, unless mitigating measures can be secured to facilitate survival, reduce disturbance or provide alternative habitat.

The site is surrounded by an area of woodland, with a mixture of trees and shrubs. The applicant has sought to retain this area of woodland with the creation of a woodland sanctuary.

The application is supported by an Ecology Report with an Extended Phase 1 Habitat Survey. No evidence of protected animals species were recorded during the walkover survey and the site was considered to be of limited value to such species, given the urban location and type of habitats present. The woodland

fringe, which surrounds the site periphery, could support small numbers of birds during breeding periods, but no evidence of hedgehogs were found. However the dense vegetation in certain areas of the site meant that their presence could not be completely ruled out. Furthermore, the woodland was also considered to have value for stag beetles; however none were noted during the survey.

No on-site trees were seen to possess obvious natural features of potential value to roosting bats. Three on-site trees did have wooden bat boxes but no evidence of bat use (historic and recent use) was seen during the bat box inspections and these are to be retained within the current scheme. A number of off-site trees were noted as being suitable for roosting bats but are to be retained within the proposed development. All buildings within the site were checked and were considered to be of Negligible to Low Value for roosting bats. A number of Pipistrelle bat(s) were seen and recorded foraging around the site but the report considers that these bats had been roosting off-site and no more than one bat was seen or recorded at one time.

The report concludes that the development would be confined to existing areas of hard-standing and building, and significant effects on habitats and protected species, including breeding birds, roosting/foraging bats, hedgehog and stag beetle are not anticipated in relation to the proposed development. The impact in ecological terms is therefore considered acceptable, however it is considered reasonable and necessary to condition a pre-development clearance strategy in order to mitigate the impact on the wildlife. The above report also recommends a 'precautionary approach' to tree/shrub clearance in relation to bats and other protected species, together with habitat enhancement and compensation measures. The above recommendations are considered reasonable and could also be suitably conditioned to limit the ecological harm. Further details regarding the management of the woodland and habitat enhancement could also be conditioned.

In relation to trees, Policy BE14 states that development will not be permitted if it will damage or lead to the loss of one or more trees in conservation areas, unless (i) removal of the tree is necessary in the interest of good Arboricultural practice, or (ii) the reason for the development outweighs the amenity value of the tree/s, (iii) in granting permission one or more appropriate replacement trees of a native species will be sought either on or off site through the use of conditions.

Policy NE7 states that proposals for new development will be required to take particular account of existing trees on the site and on adjoining land, which in the interest of visual amenity and/or wildlife habitat, are considered desirable to be retained.

The site is located within the Conservation Area and includes a large number of trees and shrubs along the periphery of the site, which add the visual character of this section of the Conservation area and are visible from surrounding properties, and the wider locality, due to changes in gradients and ground levels. The application would see the removal of four trees onsite (G12 Sycamore, G13 Sycamore, T14 Ash and T15 Ash). The application proposes to mitigate the removal of these trees through extensive soft landscaping, including tree replanting. This will comprise Semi mature Lime Tree, Beech and Hornbeam trees,

however it is considered reasonable and necessary to condition the submission of a full landscaping scheme in order to finalise the details of the proposed species mix.

All other trees would remain on site and the Council's Tree Officer has reviewed the application and advised that the revised design allows for the healthy retention of trees located at the end of each of the rear gardens. It is considered that the development can proceed in accordance with the precautionary measures detailed within the Arboricultural Report and a condition ensuring such compliance has been recommended.

Contamination

The applicant has supplied a contamination desk study report in support of the application. The Council's Environmental Health Officer has reviewed the submitted information and has not objected to the conclusions within the assessment and has requested appropriate remediation conditions. Given the history of the site and nature of the existing uses this is considered reasonable and necessary condition in order to protect future occupiers and surrounding properties.

In summary, Members may consider that the principle of development is acceptable and would comply with the requirements Policy EMP 5. Members may also consider that the scheme has taken into account the sensitive nature of the site surrounds and would enhance the character and appearance of the CA. The highways officer has raised no objections on parking grounds and the impact on neighbouring amenity is considered to be on balance acceptable.

RECOMMENDATION: PERMISSION

Subject to the following conditions:

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

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

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

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

- 3 Details of a scheme of landscaping, which shall include the materials of paved areas and other hard surfaces, shall be submitted**

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

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

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

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

- 5 The development shall be implemented in accordance with the Arboricultural Report (ha/aiams4/ay) submitted and approved as part of this planning application and under the supervision of a retained arboricultural specialist in order to ensure that the phasing of the development accords with the stages detailed in the method statement and that the correct materials and techniques are employed.

Reason: To maintain the visual amenity of the area and to comply with Policy NE7 of the Bromley Unitary Development Plan (adopted July 2006).

- 6 A woodland management plan, including tree and shrub planting, habitat enhancement, long term design objectives, management responsibilities and maintenance schedules for the proposed woodland sanctuary outlined on Drawing number 1605(PL)003 shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the development hereby permitted. The plan shall include arrangements and timetable for its implementation and shall be carried out in accordance with the approved details.

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

- 8** Sample panels of facing brickwork showing the proposed colour, texture, facebond and pointing shall be provided on site and approved in writing by the Local Planning Authority before any work is commenced and the sample panels shall be retained on site until the work is completed. The facing brickwork of the development hereby permitted shall be carried out in accordance with the details of the approved sample panels.

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

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

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

- 10** 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

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

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

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

- 12 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.

- 13 Details of arrangements for storage of refuse and recyclable materials (including means of enclosure for the area concerned where necessary) shall be submitted to and approved in writing by the Local Planning Authority before any part of the development hereby permitted is commenced and the approved arrangements shall be completed before any part of the development hereby permitted is first occupied, and permanently retained thereafter.

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

- 14 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.

- 15 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.

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

Reason: To ensure satisfactory means of surface water drainage and to accord with Policies 5.12 and 5.13 of the London Plan (2016)

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

Reason: To ensure satisfactory means of surface water drainage, to reduce the impact of flooding both to and from the proposed development and third parties and to accord with Policies 5.12 and 5.13 of the London Plan (2016)

- 18 Prior to commencement a pre-development clearance strategy for any overgrown areas should be submitted to and approved in writing by the local planning authority. The strategy should outline measures to minimise the impact on wildlife during the clearance and construction of the development and the details of a suitably licenced ecologist on call to provide advice and/or liaise with statutory authorities (Natural England) if required.**

Reason: In order to minimise the impact of the wildlife and to comply with Saved Policy N3 Nature Conservation and Development of the adopted Unitary Development Plan (2006)

- 19 The office accommodation (Use Class B1) hereby permitted shall be used for no other purpose (including any other purpose in the B1 Use Class 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 EMP 5 of the Unitary Development Plan and in order to protect neighbouring amenity and the character and appearance of the area.

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

Reason: In order that the Council may assess the impact of future development on neighbouring residential amenities and character and appearance of the area.

- 21 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.

You are further informed that :

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

Application:16/04635/FULL1

Address: Alan Hills Motors Alma Place Anerley London SE19 2TB

Proposal: Demolition of existing structures and the construction of three dwellings, commercial floorspace, private and communal amenity areas, car parking, refuse and bicycle storage.



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

This page is left intentionally blank

SECTION '2' – Applications meriting special consideration

Application No : 16/04692/FULL6

Ward:
Bickley

Address : Eagleshurst Bickley Park Road Bickley
Bromley BR1 2BE

OS Grid Ref: E: 543079 N: 169138

Applicant : Mr P Eagles

Objections : YES

Description of Development:

Two storey side extension, first floor side extension, front porch, elevational alterations, associated garden landscaping and balustrading and new front boundary fence (Amended front elevation)

Key designations:

Area of Special Residential Character
Biggin Hill Safeguarding Area
London City Airport Safeguarding
Open Space Deficiency

Proposal

The application property is a detached two storey dwelling is situated on the north-western side of Bickley Park Road, and lies within Bickley Area of Special Residential Character. A similar style dwelling known as Liberton lies immediately to the north-east (and has been recently extended), whilst a detached two storey property known as Kenedon lies at a higher level to the south-west.

It is proposed to add a two storey front/side extension to the south-western side of the dwelling, along with a first floor side extension behind the garage on the north-eastern side, and a pitched roof over the garage and existing side dormer. Bi-fold doors are also proposed in the rear elevation at ground floor level, whilst a terrace would be provided to the rear of the proposed two storey extension. This can be summarised as follows:

Two storey side: This would have a maximum height of 7.8m and provide new hall, TV room and lounge on the ground floor and two bedrooms with ensembles on the first floor. The extension would be 7.4m wide and 12.5m in depth.

First floor side: This would provide a bathroom and additional ensuite. The extension will have a pitched roof to a maximum height of 4.5m. A pitched roof is also to be added to the existing side dormer to a maximum height of 1.7m.

Porch: This is a two storey porch to a maximum height of 6.7m and is incorporated into the side extension.

Front extension: This will infill the current overhang between the garage and the living room. It will project 0.9m and 4.4m wide.

Elevational alterations: The house is to be rendered and a mono-pitched roof added above the existing living room together with alterations to the rear elevation with the insertion of bi-folding doors.

Front boundary fence: Retrospective planning permission is sought for a new front boundary fence which is ~20.8m in length with a maximum height of 1.8m high timber fence.

A separation of between 2.1-3.8m would be provided between the two storey front/side extension and the south-western flank boundary with Kenedon, whilst a separation of 1.8m exists to the north-eastern flank boundary with Liberton.

Consultations

Nearby owners/occupiers were notified of the application and representations were received from the occupier of 12 Alpine Copse to the rear which can be summarised as follows:

- o loss of sunlight and privacy to rear of house and back garden
- o imposing impact of extension which will be overly high
- o the short depth of the gardens would exacerbate the impact of the extension.

Highways: No objections.

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

BE7 Railings, Boundary walls and other means of enclosure

H8 Residential Extensions

H9 Side Space

H10 Areas of Special Residential Character

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

Draft Policy 1 Housing Supply

Draft Policy 4 Housing Design

Draft Policy 8 Side Space

Draft Policy 30 Parking

Draft Policy 32 Road Safety

Draft Policy 73 Development and Trees

Draft Policy 37 General Design of Development

Other Guidance

Supplementary Planning Guidance 1 - General Design Principles

Supplementary Planning Guidance 2 - Residential Design Guidance

Planning History:

Planning permission was refused for the construction of a two storey front/side extension, first floor side extension, pitched roof over garage and side dormer, elevational alterations and raised terrace at rear under ref: 16/01457/FULL6 (2nd June 2016) for the following reasons:

1 The proposed two storey front/side extension would, by reason of its high level siting and bulky and incongruous design, have a detrimental impact on the character and appearance of Bickley Area of Special Residential Character, thereby contrary to Policies BE1, H8 and H10 of the Unitary Development Plan.

2 The proposed two storey front/side extension would, by reason of its size, high level siting and close proximity to the rear of No.12 Alpine Copse, result in significant overlooking and loss of outlook from this property, thereby contrary to Policy BE1 of the Unitary Development Plan.

The application was subsequently dismissed at appeal (19/09/2016), the Inspector assed the application in respect of the refusal grounds and stated:

"In this particular instance, due to the lie of the land, the central ridgeline of the side extension would be to a significantly greater height than that of the host dwelling and this would make for a noticeable awkward juxtaposition. The extension is also in two distinct sections with a narrow two-storey front projection sitting ahead of the main part of the development, overlain by a gabled roof to reflect the arrangement behind. However, I consider that this rather fragmented appearance, along with the height increase and the resultant bulky form, would make for a somewhat disparate and insubordinate form of development, distorting the architectural integrity of the existing dwelling. This would be contrary to the recognised aims of protecting the BASRC from unsympathetic development of which I consider the proposal to be a case in point".

"Both the appeal property and No 12 Alpine Copse, behind, do not enjoy particularly deep rear gardens and, in terms of potential overlooking, I consider that the elevated level of the proposed extension would be compounded by the expanse of clear glazing lighting the proposed 'Master Suite'. In the circumstances it is likely that the proposed physical arrangement would make the rear garden of No 12 vulnerable to being overlooked by persons looking out from this rear facing room at first floor level".

Conclusions

It is considered the planning issues and considerations relate to:

- o Design and bulk
- o Neighbouring amenity
- o Mayoral CIL

To address the previous reasons for the refusal and inspectors concerns the design of the extension has been addressed with the extension now appearing as one cohesive extension with the land to the north-west being excavated to allow the extension to set into the slope and therefore addressing the second refusal ground.

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 site is located within the Bickley Area of Special Residential Character (BASRC) which, along with other identified ASRCs within the borough. Policy H10 advises that development in ASRCs will be required to respect and complement the established and individual qualities of these areas and outlines the general

approach to be taken when designing new development therein. The Council considers is vulnerable to unsympathetic development threatening the area's established character and residential amenity.

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

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

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

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

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

The south-western extension would be set 2-3.8m away from the flank boundary and the proposed first floor side extension would have a 1.8m side space which would therefore accord to with policy H9.

The proposed extension would alter the overall design and character of the original dwelling by removing the original distinctive 1970's design of the cat-slide roof. This property was originally identical to Liberton to the north-east and properties to the north located in Alpine Close. The majority of properties along Bickley Park Road appear to be individually designed, and the new extensions would make the properties similar to the remaining properties along Bickley Park Road and as therefore on balance whilst this would now remove one of the identical pair of properties would not impact or detract from the character and appearance of area generally.

The extension would be rendered together with the original building.

The proposal is for a with new boundary wall at a maximum height of 1.8m, which is similar to the existing arrangement and other boundary treatments along Bickley Park Road and is considered to complement the character of the area.

It is considered that the extensions have addressed the previous concerns raised by the Council and Inspector by creating a cohesive design similar to others along Bickley Park Road and at the same level as the original house. Given the size of

the plot and distance from neighbouring properties it is considered that the extensions would not appear overly bulky or dominant within the street scene, and would not

As such it is considered that the proposed development is acceptable and complies with policy on design.

Neighbouring Amenity:

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

Both the appeal property and No 12 Alpine Copse, behind, do not enjoy particularly deep rear gardens and, in terms of potential overlooking. Concerns have been raised from a neighbouring property in terms of light and privacy.

The Inspector when dismissing the previous application (ref: 16/01457/FULL6) considered "that the elevated level of the proposed extension would be compounded by the expanse of clear glazing lighting the proposed 'Master Suite'. In the circumstances it is likely that the proposed physical arrangement would make the rear garden of No 12 vulnerable to being overlooked by persons looking out from this rear facing room at first floor level." To address this the two storey side extension has been lowered to the level of the existing dwelling, whilst there is a new windows proposed to serve the "Master Suite" this appears large with an opening of 3.1m wide and 3.2m high in the rear elevation, however the flank panels are proposed to be obscure glazed and to ensure the level of obscurity a condition requiring details has been requesting. It is noted that the location of the new rear window is at the same level as the existing bedroom 4 and would not lead to an increased overlooking over and beyond the current situation.

With regards to loss of light, the two storey side extension is located ~18.5 m to the south. Given this distance it is considered that the development would not result in an un-neighbourly sense of enclosure and loss of daylight / sunlight, to the detriment of the neighbouring occupiers.

With regards to Kenedon to the south-west, this property is set at a higher level than the application property, and the south-western extension would be set 2-3.8m away from the flank boundary. The proposals are not therefore considered to adversely affect the amenities of the occupiers of this property.

The proposed first floor side extension to the north-eastern side of the dwelling would be set back 1.8m from the flank boundary with Liberton, and together with the pitched roofs over the garage and side dormer, would not unduly impact on the amenities of the adjoining occupiers.

The new boundary treatment would increase by a maximum of 0.35m and given the location to the side of the property adjacent to the Fairfield Road it is considered that the proposal would not have any significant impact on the neighbour's amenities in terms of loss of light, increase sense of enclosure or outlook over the current situation.

For these reasons, it is considered that the proposed development is acceptable, has addressed the previous reasons for refusal and Inspectors concerns and now complies with policy on neighbouring amenity.

Mayoral Community Infrastructure Levy (CIL):

The Mayor has introduced a London-wide Community Infrastructure Levy (CIL) to help implement the London Plan, particularly policies 6.5 and 8.3. The Mayoral CIL formally came into effect on 1st April, and it will be paid on commencement of most new development in Greater London that was granted planning permission on or after that date. The Mayor's CIL will contribute towards the funding of Crossrail. The Mayor has arranged boroughs into three charging bands. The rate for Bromley is £35 (plus indexing) per square metre.

The current application is not liable to this requirement.

Summary:

Having regard to the relevant provisions of Policies 7.4 and 7.6 of the London Plan 2015, Policies BE1, H8 and H9 of the Unitary Development Plan, 2006, the Council's Supplementary Planning Guidance on General Design Principles and Residential Design Guidance and other material considerations; it is considered that the proposed development would not materially harm the character or appearance of the area and the amenity of the surrounding occupiers. It is recommended that planning permission be granted.

as amended by documents received on 05.12.2016

RECOMMENDATION: PERMISSION

Subject to the following conditions:

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

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

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

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

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

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

- 4 Before the development hereby permitted is commenced, details of the proposed windows serving the first floor in the rear (north) elevation shall be obscure glazed in accordance with details to be submitted to and approved in writing by the Local Planning Authority and details of any openings shall be submitted to and approved in writing by the Local Planning Authority and shall subsequently be permanently retained in accordance with the approved details.**

Reason: In order to comply with Policy 7.6 of the London Plan, 2015 and Policy BE1 of the Unitary Development Plan and in the interest of the amenities of the adjacent properties.

Appeal Decision

Site visit made on 6 September 2016

by Timothy C King BA(Hons) MRTPI

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

Decision date: 19 September 2016

Appeal Ref: APP/G5180/D/16/3154003

Eaglehurst, Bickley Park Road, Bickley, Bromley, BR1 2BE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr P Eagles against the decision of the Council of the London Borough of Bromley.
 - The application Ref DC/16/01457/FULL6, dated 23 March 2016, was refused by notice dated 2 June 2016.
 - The development proposed is '*Two storey flank extension together with galleries entrance lobby and first floor flank extension together with internal alterations and façade changed.*'
-

Decision

1. The appeal is dismissed.

Procedural Matter

2. In accordance with a prior request, following my site visit I viewed the appeal site from the side gate of No 12 Alpine Copse which lies to the north west of the appeal site; the two properties sharing a common boundary. However, this did not affect my conclusions.

Main Issues

3. The Council has only raised concerns relating to the two-storey extension proposed on the dwelling's south western flank wall, not the proposed first floor extension behind the garage, the intended roof alterations thereto, nor the proposed side dormer extension. I agree with this approach and, as such, the main issues in this appeal are:
 - i) the effect of the proposed two storey side extension on the character and appearance of the surrounding area, with particular regard to the site's location within the Bickley Area of Residential Character; and
 - ii) the effect of the proposed two storey side extension on the living conditions of neighbouring occupiers, with particular regard to those at No 12 Alpine Copse.
-

Reasons

Character and appearance

4. The appeal property comprises a two-storey, post-war dwelling with an assymetrical roof form, characteristic of its time. The dwelling is set back from the front footway boundary and the land rises sharply south westwards along Bickley Park Road. This means that the flat, side curtilage area towards the common boundary with Kenedon, which has heavy, coniferous vegetation screening the appeal site, is significantly raised from the dwelling's facing flank wall. Set atop a shrubbery bank this piece of land is accessed via steps from the lawned rear garden. The proposed two-storey side extension would be built on this strip of land.
5. The site lies within the locally designated, Bickley Area of Special Residential Character (BASRC) which, along with other identified ASRCs within the borough, the Council considers is vulnerable to unsympathetic development threatening the area's established character and residential amenity. Policy H10 of the Council's Unitary Development Plan (UDP) advises that development in ASRCs will be required to respect and complement the established and individual qualities of these areas and outlines the general approach to be taken when designing new development therein.
6. One such requirement of UDP Policy H10 is that the general height of existing buildings in the area shall not be exceeded. In this particular instance, due to the lie of the land, the central ridgeline of the side extension would be to a significantly greater height than that of the host dwelling and this would make for a noticeable awkward juxtaposition. The extension is also in two distinct sections with a narrow two-storey front projection sitting ahead of the main part of the development, overlain by a gabled roof to reflect the arrangement behind. However, I consider that this rather fragmented appearance, along with the height increase and the resultant bulky form, would make for a somewhat disparate and insubordinate form of development, distorting the architectural integrity of the existing dwelling. This would be contrary to the recognised aims of protecting the BASRC from unsympathetic development of which I consider the proposal to be a case in point.
7. On the first main issue I conclude that the proposal would be harmful to the character and appearance of the surrounding area, and this would materially conflict with the aims and requirements of UDP Policies H10, BE1 and H8; the latter two also promoting good design appropriate to the particular contextual setting.

Living conditions

8. UDP Policy BE1 requires that development proposals should respect the amenities of occupiers of neighbouring buildings so as to ensure that their environments are not harmed by, amongst other things, privacy issues.
9. Both the appeal property and No 12 Alpine Copse, behind, do not enjoy particularly deep rear gardens and, in terms of potential overlooking, I consider that the elevated level of the proposed extension would be compounded by the expanse of clear glazing lighting the proposed 'Master Suite'. In the circumstances it is likely that the proposed physical arrangement would make

the rear garden of No 12 vulnerable to being overlooked by persons looking out from this rear facing room at first floor level.

10. On the second main issue I conclude that the proposal would likely be harmful to the living conditions of neighbouring occupiers, conflicting with the aims and requirements of UDP Policy BE1.

Conclusion

11. I have found that harm would result on both main issues, and this is compelling. For the above reasons, and having had regard to all matters raised, the appeal does not succeed.

Timothy C King

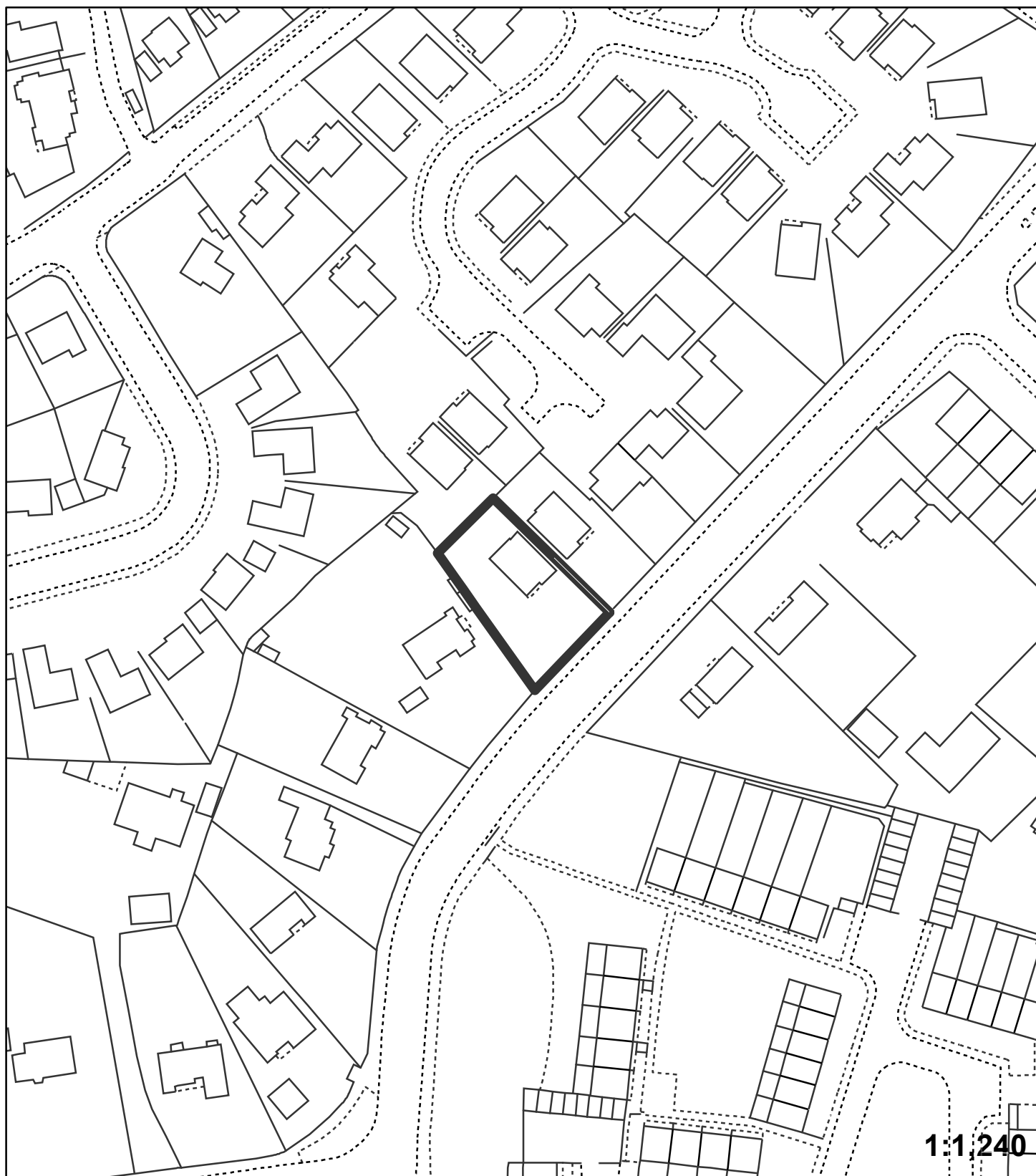
INSPECTOR

This page is left intentionally blank

Application:16/04692/FULL6

Address: Eagleshurst Bickley Park Road Bickley Bromley BR1 2BE

Proposal: Two storey side extension, first floor side extension, front porch, elevational alterations, associated garden landscaping and balustrading and new front boundary fence (Amended front elevation)



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

This page is left intentionally blank

SECTION '2' – Applications meriting special consideration

Application No : 16/04897/FULL6

Ward:
Chislehurst

Address : Greycot Willow Grove Chislehurst BR7
5DA

OS Grid Ref: E: 543459 N: 170611

Applicant : Mr & Mrs Alan and Tracey Brown

Objections : YES

Description of Development:

Demolition of existing carport, single storey side extension and front boundary wall incorporating piers and railings and automated gate

Key designations:

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

Proposal

The application site is a two storey detached property located on the northern side of Willow Grove. The site is not located within a Conservation Area.

Permission is sought for a single storey side extension to form a garage. It will be 10.8m deep and have a maximum width of 3.73m. It will project 2.5m forward of the existing front façade. The existing carport will be removed to accommodate the proposal. The application also includes front boundary walls and electronic gates. The wall will have a maximum height of 1m, with piers and railings resulting in an overall height of 2.111m high.

Consultations

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

- Incorrect boundary line
- Incorrect ownership certificate
- Proximity to the boundary will destroy the separation gap that currently exists between the properties and impact on the character and appearance of the area.
- Side extension will be constructed 1.3-1.5m from the neighbouring elevation and will result in loss of daylight and sunlight
- Increased sense of enclosure

- The proposal is not imaginative or attractive to look at and will not complement the scale, form and layout of adjacent buildings.
- It has no respect for the amenity of Coopers Cob and will be harmful in terms of inadequate daylight, sunlight, privacy and overshadowing
- The application is not accompanied by a written statement describing how the development relates to the wider context.
- Location is an area of low density development characterised by large detached dwellings and directly adjacent to the Chislehurst Conservation Area.
- Contrary to Policy BE1 and H8 of the UDP and the NPPF
- Plot of Greycot is substantially smaller than the adjacent plots and the dwelling has already been extended multiple times and, compared to all other buildings in the neighbourhood, occupies a significantly larger percentage of the plot.
- The dormer, permitted under 16/02670/FULL6, is not shown on the plans. This creates a misleading impression by hiding the overall bulk of the building if this new application is also approved. If approved, will result in an overdevelopment of the plot to the detriment of the overriding character and appearance of the area
- Impact on spatial standards, contrary to Policy H9
- The front elevation of the side extension is not set back from the façade of the main building but protrudes by 2.5m, thereby fails to respect Section 2.2 of the Residential Design Guidance SPG.
- Reduced views through and to vegetation to the rear thereby contrary to Section 2.1 of the Residential Design Guidance SPG.
- Raised issues regarding boundary lines which is a private legal matter and does not fall within the realm of planning considerations.

Comments from the Councils Highways officer can be summarised as follows:

- The proposal includes a good size single garage and there is also other parking on the frontage.
- There are no changes proposed to the access.
- There is currently a high hedge/fence on the frontage and so the wall/railings will not change the sightlines.
- There is a manual gate in place at present and this will be replaced with an automated one. It is set back 5m from the carriageway.
- There may be the potential to improve the sightlines but the proposal is effectively the same as the existing situation and so I would have no objection to the application.

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
 BE13 Development Adjacent to a Conservation Area
 H8 Residential Extensions

T3 Parking
T18 Road Safety

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

London Plan (March 2015)

Policy 6.9 Cycling
Policy 6.13 Parking
Policy 3.5 Quality and design of housing developments
Policy 7.4 Local character
Policy 7.6 Architecture

The National Planning Policy Framework 2012

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

Draft Policy 6 Residential Extensions
Draft Policy 30 Parking
Draft Policy 32 Road Safety
Draft Policy 37 General Design of Development

The site has been subject to previous planning applications:

- 86/03223/FUL - Front boundary fence maximum 1.6m high - Permitted 22.01.1987
- 98/02114/FUL - Part one/two storey front and side extension - Permitted 07.10.1998
- 14/03330/PLUD - Single storey rear extension. CERTIFICATE OF LAWFULNESS FOR A PROPOSED DEVELOPMENT - Proposed Development is Lawful 22.10.2014
- 16/02670/FULL6 - Extension to rear dormer at first floor and elevational alterations - Permitted 04.08.2016

Conclusions

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

- o Design
- o Impact on Neighbouring Properties
- o Highways and Traffic Issues

Principle of Development

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

Policy H8 concerning Residential Extensions advises that 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, space or gaps between buildings should be respected or maintained where these contribute to the character of the area.

The proposed single storey side extension will be 10.8m deep and have a maximum width of 3.73m to form a garage. It will project 2.5m forward of the existing front façade. The existing carport will be removed to accommodate the proposal. The site is not located within a Conservation Area, nor is the property listed. In this location the single storey extension is considered to be acceptable in principle, subject to an assessment of the impact of the proposal on the appearance/character of the surrounding area, car parking and traffic implications and neighbouring amenity.

The proposal also includes replacement front boundary walls and electronic gates. The wall will have a maximum height of 1m, with piers and railings resulting in an overall height of 2.111m high. The site currently benefits from a low front boundary wall with a high hedge and a gate which is set in from the front boundary. The proposed height and style is not considered to detract from the character or appearance of the area within which the site is located therefore the principle of replacement front boundary walls and electronic gates is acceptable subject to an assessment of the impact of the proposal on the appearance/character of the surrounding area and car parking, pedestrian safety and traffic implications.

Design, Siting and Layout.

Policy BE1 states that all development proposals, including extensions to existing buildings, will be expected to be of a high standard of design and layout. This includes being imaginative and attractive to look at, compliment the scale, form, layout and materials of adjacent buildings and areas; should not detract from existing streetscene and/or landscape.

The existing dwelling is located well within the site and, although the proposed extension projects 2.5m forward, the proposal will be set back a minimum of 11.5m from the front boundary line. From visiting the site it was noted that the existing front porch projects 1.4m from the front elevation and wraps around the property to the east. Furthermore, the existing car port is located forward of the dwelling. This structure will be removed to accommodate the proposal. It is therefore considered

that the proposed front projection is in-keeping with the character and appearance of the host dwelling and will not result in a significant impact on the street scene.

The extension will be 3.73m wide. Concerns have been raised regarding the impact on spatial standards and lack of side space. Policy H9 requires a minimum of 1m for developments of two or more stories therefore is not relevant to this application. The proposed extension will be single storey and will be located close to the flank boundary however it is not considered to result in a detrimental impact on the spatial standards of the area. As it is single storey only, the proposed extension is not considered to result in a cramped appearance or unrelated terracing.

With regards to the replacement front boundary wall and gates, Policy BE7 concerning Railings, Boundary Walls and Other Means of Enclosure advises that the Council will:

- (i) seek to ensure the retention of railings, walls, plantings and hedgerows of native species and other means of enclosure where they form an important feature of the streetscape; and
- (ii) resist the construction or erection of high or inappropriate enclosures where such boundary enclosures would erode the open nature of the area, or would adversely impact on local townscape character.

The proposed replacement front boundary walls and electronic gates will have a similar footprint as the existing. With regards to the character of the area, the site has an existing low wall and high hedge. It is considered that the change in materials is acceptable and will not result in a detrimental impact on the character of the host property or the street scene in general. From visiting the site it was noted that the neighbouring property to the west, Coopers Cob, has similar existing front boundary walls and gates however does not benefit from planning permission therefore cannot be used to set a precedent.

Impact on Adjoining Properties

Policy BE1 in the Adopted UDP states that the development should respect the amenity of occupiers of future occupants and should also respect the amenity of occupiers of neighbouring buildings and those of future occupants and ensure their environments are not harmed by noise and disturbance or by inadequate daylight, sunlight or privacy or by overshadowing.

The topography of the site is such that it slopes down from west to east, with the neighbouring property, Coopers Cob, higher than the application site. Concerns have been raised regarding the proximity to the boundary and the neighbouring property. The proposed plans indicate that the extension will be located 0.1-0.5m from the flank boundary. The roof of the proposed extension will be dual pitched, with an eaves height of 2.8m and a maximum height of 4.8m. Given the topography of the site, the proposed extension is not considered to result in a detrimental impact on the amenities of the neighbouring property, Coopers Cob, with regards to loss of outlook or visual amenity. Furthermore, the proposed flank elevation is blank therefore it is not considered to impact on current privacy levels.

Concerns have been raised regarding the impact on the level of daylight and sunlight to the flank windows of the neighbouring property to the west, Coopers Cob. The neighbouring property has an integral garage located close to this flank boundary. The flank windows in the flank elevation of Coopers Cob appear to serve the garage, a bathroom and a utility room. As these are not considered habitable rooms, the impact on daylight and sunlight to these rooms is not considered significant to warrant refusal of the application.

It has been raised that the boundary lines indicated on the plans is incorrect and that the proposed extension will be on land owned by the occupiers of Coopers Cob. It has been confirmed by the applicant that the correct information has been submitted. However this is a private legal matter as to who owns the land and whether development can proceed.

The proposed extension will be located to the west of the application site, projecting 2.5m to the front. It is therefore considered that the proposed extension will not impact on the amenities of the neighbouring property to the east, Summerfield.

The proposed front boundary treatment is not considered to impact on the amenities of either neighbouring property, over and above that already existing.

Highways

Willow Grove is a Local Distributor Road. The site has a very low PTAL score of 1a (on a scale of 1 - 6, where 6 is the most accessible). The proposal includes a garage (3.3m wide x 7.117m deep), turning space on the frontage and replacement front boundary walls and electronic gate.

The proposed side extension will form a garage, thereby creating additional secure parking. The extension will project forward into the existing driveway by 2.5m however the existing hardstanding is large and provides sufficient parking and turning space therefore the extension is not considered to impact on the current level of off-street parking.

The proposed front boundary wall will have a maximum height of 1m, with piers and railings resulting in an overall height of 2.111m high, to replace the existing high hedge and wall. It is therefore considered that the proposal will not alter the existing sightlines. Furthermore, the gate is set back 5m from the carriageway therefore the vehicles entering/leaving the site will not impact on the traffic flow. It is therefore considered that the proposed electronic gate would be acceptable and would not result in a significant impact on highway safety. As such, no objection was raised from the Councils Highways Officer.

Summary

Having had regard to the above it was considered that, on balance, the siting, size and design of the proposed extension is acceptable in that it would not result in a significant loss of amenity to local residents or impact detrimentally on the

character of the area. Furthermore, the proposed front boundary walls and gates are not considered to impact on highways safety.

as amended by documents received on 18.11.2016

RECOMMENDATION: PERMISSION

Subject to the following conditions:

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

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

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

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

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

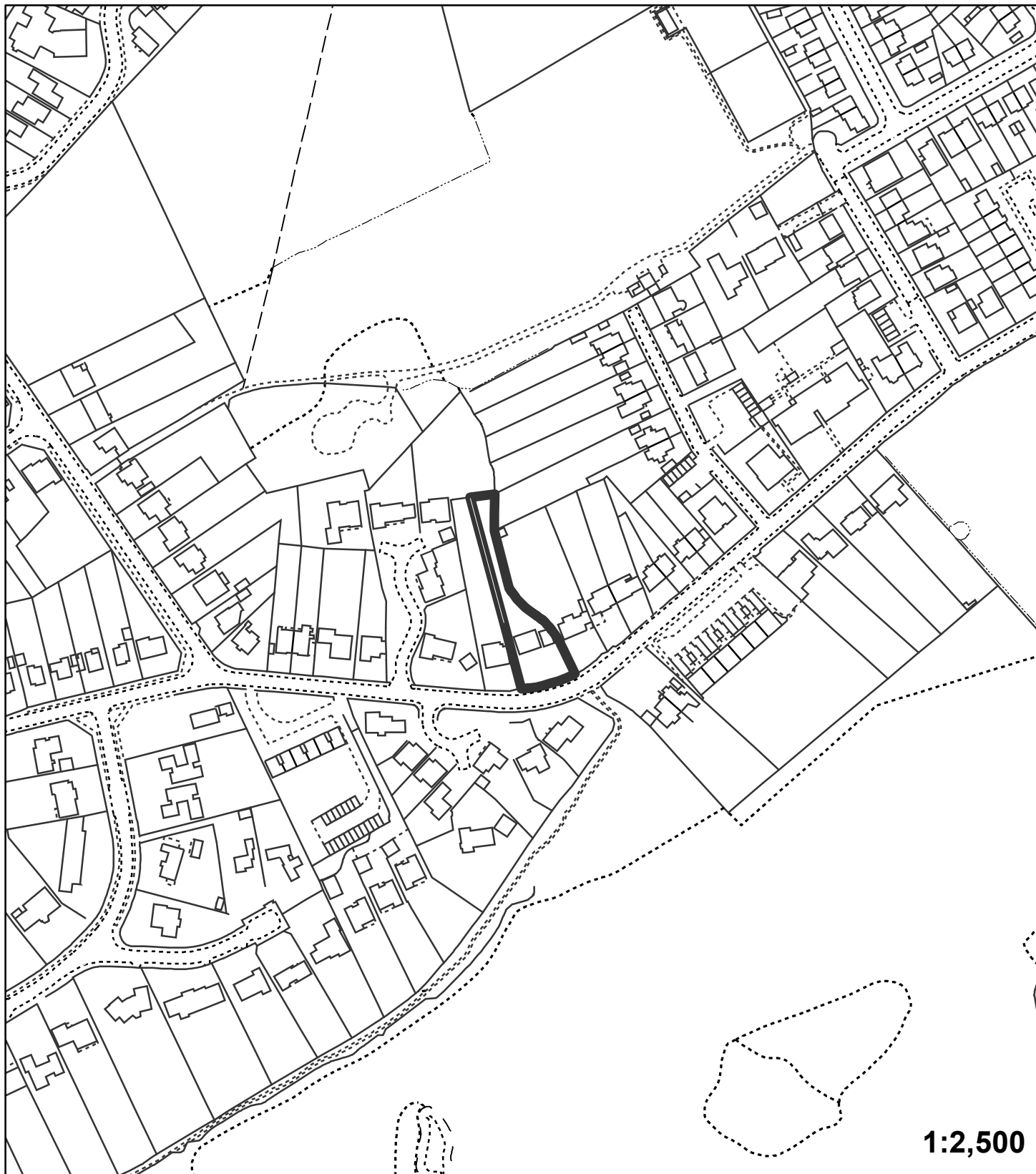
Reason: In order to comply with Policy BE1 of the Unitary Development Plan and in the interest of the visual and residential amenities of the area.

This page is left intentionally blank

Application:16/04897/FULL6

Address: Greycot Willow Grove Chislehurst BR7 5DA

Proposal: Demolition of existing carport, single storey side extension and front boundary wall incorporating piers and railings and automated gate



1:2,500

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

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

This page is left intentionally blank

SECTION '2' – Applications meriting special consideration

Application No : 16/05387/FULL1

Ward:
Clock House

Address : 43 Stembridge Road Penge London
SE20 7UE

OS Grid Ref: E: 534849 N: 169068

Applicant : Mr Rouven Dawson

Objections : YES

Description of Development:

Single storey rear extensions, rear dormer extension and conversion of existing building to 1 two bedroom, 2 one bedroom and 1 one bedroom duplex flat

Key designations:

Biggin Hill Safeguarding Area
London City Airport Safeguarding
Smoke Control SCA 51

Proposal

The proposal is for the conversion of existing residential property to 1 two bedroom flat, 2 one bedroom flats and 1 one bedroom duplex flat incorporating single storey rear extensions either side of the existing two storey rear addition to the building and a further single storey rear extension to the rear of the two storey rear projection. The proposal will not provide additional car parking.

The application is accompanied by a Transport Assessment and a Design and Access Statement.

Amended plans have been received dated 05/12/16 indicating Flat 1 to be a two bed three person flat. An additional sectional drawing with corrections has also been submitted.

Location

The site is located on the north east side of Stembridge Road and comprises a large two storey mid terraced dwellinghouse. The property is wider than its neighbours due to a side garage/undercroft entrance to the rear curtilage with accommodation above as originally constructed. The last known use as advised by the applicant was as residential bedsits.

Comments from Local Residents

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

- o Overshadowing and loss of light
- o Overlooking and loss of privacy
- o Excessive density and overdevelopment of the site
- o Detrimental impact on the character of the area
- o Poor and unsympathetic design
- o Extensions to the building would be out of character
- o Lack of a range of housing types proposed
- o Proposal does not comply with Building Regs Part M
- o Increase in car parking demand and inadequate car parking provision in the locality
- o Noise and disturbance
- o Lack of suitable refuse and cycle storage facilities
- o Lack of private amenity space
- o Inadequate light to kitchen areas

Consultations

Highways - The site is located in an area with Public Transport Accessibility Level (PTAL) of 2, on a scale of 0 to 6b where 6b is the most accessible. The applicant is removing all the existing car parking spaces. The Parking beat surveys were carried out during late night hours in accordance with Lambeth Methodology for streets located within a 200m radius. The surveys show a minimum of 39 vacant car parking spaces out of a capacity of 175 spaces available between 1am and 5am on a weekday within 200m of the subject site. Of greater relevance is the level of stress and extent of spare capacity along Stembridge Road itself. Between 1am and 5am, there were a minimum of 11 spare spaces (80 cars parked out of a capacity of 91 spaces, equating to 88% stress). As there are limited on street spaces available and the size of the units (1 bed flat) is likely to be attractive to non-car owners. Therefore no objection is raised.

Environmental Health (Housing) - concern is raised that Flat 1 will have a lower than recommended minimum floor space for a two bed four person unit. Further concerns are raised in terms of natural lighting and ventilation.

Drainage - no objections subject to a standard condition.

Thames Water - no objections raised.

Waste Services - no comments received.

Planning Considerations

National Planning Policy Framework, 2012

- Chapter 6 Delivering a Wide Choice of High Quality Homes
- Chapter 7 Requiring Good Design
- Chapter 11 Conserving and Enhancing the Natural Environment

The most relevant London Plan policies are as follows:

- 3.3 Increasing Housing Supply
- 3.4 Optimising Housing Potential
- 3.5 Quality and Design of Housing Developments
- 3.8 Housing Choice
- 3.9 Mixed and Balanced Communities
- 5.1 Climate Change Mitigation
- 5.2 Minimising Carbon Dioxide Emissions
- 5.3 Sustainable Design and Construction
- 5.7 Renewable Energy
- 5.10 Urban Greening
- 5.11 Green Roofs and Development Site Environs
- 5.12 Flood Risk Management
- 5.13 Sustainable Drainage
- 5.14 Water Quality and Wastewater Infrastructure
- 5.15 Water Use and Supplies
- 5.16 Waste Self-Sufficiency
- 5.17 Waste Capacity
- 5.18 Construction, Excavation and Demolition Waste
- 5.21 Contaminated Land
- 6.3 Assessing Effects of Development on Transport Capacity
- 6.5 Funding Crossrail and Other Strategically Important Transport Infrastructure
- 6.9 Cycling
- 6.13 Parking
- 7.1 Lifetime Neighbourhoods
- 7.2 An Inclusive Environment
- 7.3 Designing Out Crime
- 7.4 Local Character
- 7.5 Public Realm
- 7.6 Architecture
- 7.14 Improving Air Quality
- 7.15 Reducing and Managing Noise, Improving and Enhancing the Acoustic Environment and Promoting Appropriate Soundscapes.
- 8.3 Community Infrastructure Levy

Housing: Supplementary Planning Guidance. (March 2016)

Technical Housing Standards - Nationally Described Space Standard (March 2015)

The most relevant Unitary Development Plan policies are as follows:

BE1 Design of Development
ER7 Contaminated Land
H1 Housing Supply
H7 Housing Density and Design
H9 Side Space
H11 Residential Conversions
NE7 Development and trees
T1 Transport Demand
T6 Pedestrians
T3 Parking
T7 Cyclists
T18 Road Safety

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

Emerging Bromley Local Plan:

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

Draft Policy 1 - Housing Supply
Draft Policy 4 - Housing Design
Draft Policy 9 - Residential Conversions
Draft Policy 30 - Parking
Draft Policy 31 - Relieving Congestion
Draft Policy 32 - Road Safety
Draft Policy 33 - Access for All
Draft Policy 37 - General Design of Development
Draft Policy 77 - Landscape Quality and Character
Draft Policy 113 - Waste Management in New Development
Draft Policy 116 - Sustainable Urban Drainage Systems (SUDS)
Draft Policy 117- Water and Wastewater Infrastructure Capacity
Draft Policy 119 - Noise Pollution
Draft Policy 120 - Air Quality
Draft Policy 122 - Light Pollution
Draft Policy 123 - Sustainable Design and Construction
Draft Policy 124 - Carbon Dioxide Reduction, Decentralise Energy Networks and Renewable Energy

Planning History

90/00172/FUL: Conversion into 2 two bedroom flats. Approved 21.03.1990

92/00552/OTH: Internal rearrangement and retention of garage for car parking (Revision procedure to 90/00172 granted for conversion into 2 two bedroom flats) Approved 07.05.1992

93/02222/EUC: Use as 2 two bedroom flats. Certificate of Lawfulness for a proposed use. Refused 03.11.1993

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 impact on highway safety and the standard of accommodation provided are also considerations.

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 large dwellinghouse as originally built and last used as bedsits. Given the substantial size of the property it is not considered that its conversion will lead to a loss of medium or small size family dwellings. On this basis the principle of conversion appears acceptable.

Design and Layout

Policy BE1 of the UDP requires new buildings to complement the scale, form, layout and materials of adjacent buildings and areas, and seeks to protect the amenities of neighbouring properties.

Policy H8 of the UDP requires residential extensions to blend with the style and materials of the host dwelling, and ensure that spaces or gaps between buildings are respected where these contribute to the character of the area.

The proposed rear extensions will be sited either side of the existing two storey rear projection, and will be sited adjoining the flank boundaries of the site shared with Nos. 41 and 45. The northern extension will have a rear projection of 3.5m and the southern extension a projection of 3.0m. A third rear extension at ground floor level will extend the central existing section of the building by 2.6m to the rear. Despite the proximity to the boundaries, the extensions will have a low eaves height of 2.2m and a shallow pitched roof. It is considered that, due to the presence of a large two storey rear extension at the site, the additional small extensions would not result in an unreasonable loss of daylight/sunlight or un-neighbourly sense of enclosure to the adjoining properties. It is therefore considered that the development would not impact significantly detrimentally on the amenities of either neighbouring property.

The proposed rear dormer extension, whilst significant in scale and width, is set within the roof slope and set in from the side boundaries of the property. The

dormer is therefore considered to have a degree of subservience to the main roof of the building. The dormer will also be sited on the rear elevation of the building, which is considered to minimise the impact on the character of the building.

Residential Amenity, Standard of Residential Accommodation and Impact on Adjoining Occupiers

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).

Policy BE1 in the Adopted UDP states that the development should respect the amenity of occupiers of future occupants and should also respect the amenity of occupiers of neighbouring buildings and those of future occupants and ensure their environments are not harmed by noise and disturbance or by inadequate daylight, sunlight or privacy or by overshadowing.

The nationally described space standards require a Gross Internal Area of 61m² for a two bedroom three person flat and 50m² for a one bedroom two person flat. The layout of all the flats is compliant in terms of floorspace size provision. The views of Environmental Health are noted, however amended plans have been submitted to indicated Flat 1 as a two bed three person unit and therefore the floor area is compliant. The individual bedroom sizes and other room sizes are also considered to be compliant with the relevant guidance.

In terms of amenity space, this is provided with all flats having access to a communal amenity area to the rear of the building. No private amenity space is provided for the upper floor one bedroom flats, however in this location where development is constrained by the sensitivities of the terraced nature of the building and the overlooking issues that must be considered, the addition of a terrace or balcony could be considered unsympathetic. In this case, the flats would be occupied by a single resident or couple rather than a family and although the Housing SPG encourages private open space, its absence is not considered to warrant refusal in this instance. The site is located in an area with reasonable access to public open space such as Betts Park approximately 400m to the north of the site.

In terms of outlook, the fenestration arrangement indicates front and rear outlook to public areas and over the rear garden area to the rear for the habitable rooms, which is considered acceptable.

Highways and Parking

The site is located in an area with PTAL rate of 2 (on a scale of 1 - 6, where 6b is the most accessible).

No additional car parking is proposed and the application is accompanied by a transport assessment. This generally covers an area of 200m or a 2 minute walk around a site during two separate weekdays one between 12:00 (noon) and 14:00

and at night time between the hours of 0100-0500. The assessment demonstrates that the potential increase in parking will not lead to on street parking congestion in the locality and therefore no objections are raised from a highway safety point of view. Cycle parking facilities are also proposed to the rear of the building and this is considered acceptable.

Summary

Having had regard to the above it was considered that the development in the manner proposed is acceptable and policy compliant. Members are therefore requested to determine that the proposal is acceptable and worthy of permission being granted.

Background papers referred to during production of this report comprise all correspondence on file ref. DC/16/05387, 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 No development shall take place until details of drainage works have been submitted to and approved in writing by the Local Planning Authority, and drainage works shall be carried out in accordance with the approved details prior to first use of any dwelling. Prior to the submission of those details, an assessment shall be carried out into the potential for disposing of surface water by means of a sustainable drainage system in accordance with the principles of sustainable drainage systems set out in Annex F of PPS25, and the results of the assessment provided to the Local Planning Authority. Where a sustainable drainage system scheme (SuDS) is to be implemented, the submitted details shall:**

i) provide information about the design storm period and intensity, the method employed to delay and control the surface water

discharged from the site and the measures taken to prevent pollution of the receiving groundwater and / or surface waters;

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

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

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

Reason: In order to comply with Policy 5.13 of the London Plan and to ensure the adequate drainage of the site.

- 4 Details of arrangements for storage of refuse and recyclable materials (including means of enclosure for the area concerned where necessary) shall be submitted to and approved in writing by the Local Planning Authority before any part of the development hereby permitted is commenced and the approved arrangements shall be completed before any part of the development hereby permitted is first occupied, and permanently retained thereafter.

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

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

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

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

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

- 7 The developer must offer the first residents 2 years annual membership of City Car Club (or operator of the closest car club to the development). In the first year of the car club membership, the developer will also provide the first resident a minimum of 20 hours driving time per unit for the type of vehicle located closest to the development.**

Reason: In order to provide for the transport needs of the development and comply with Policies T3 and T18 of the Unitary Development Plan.

You are further informed that :

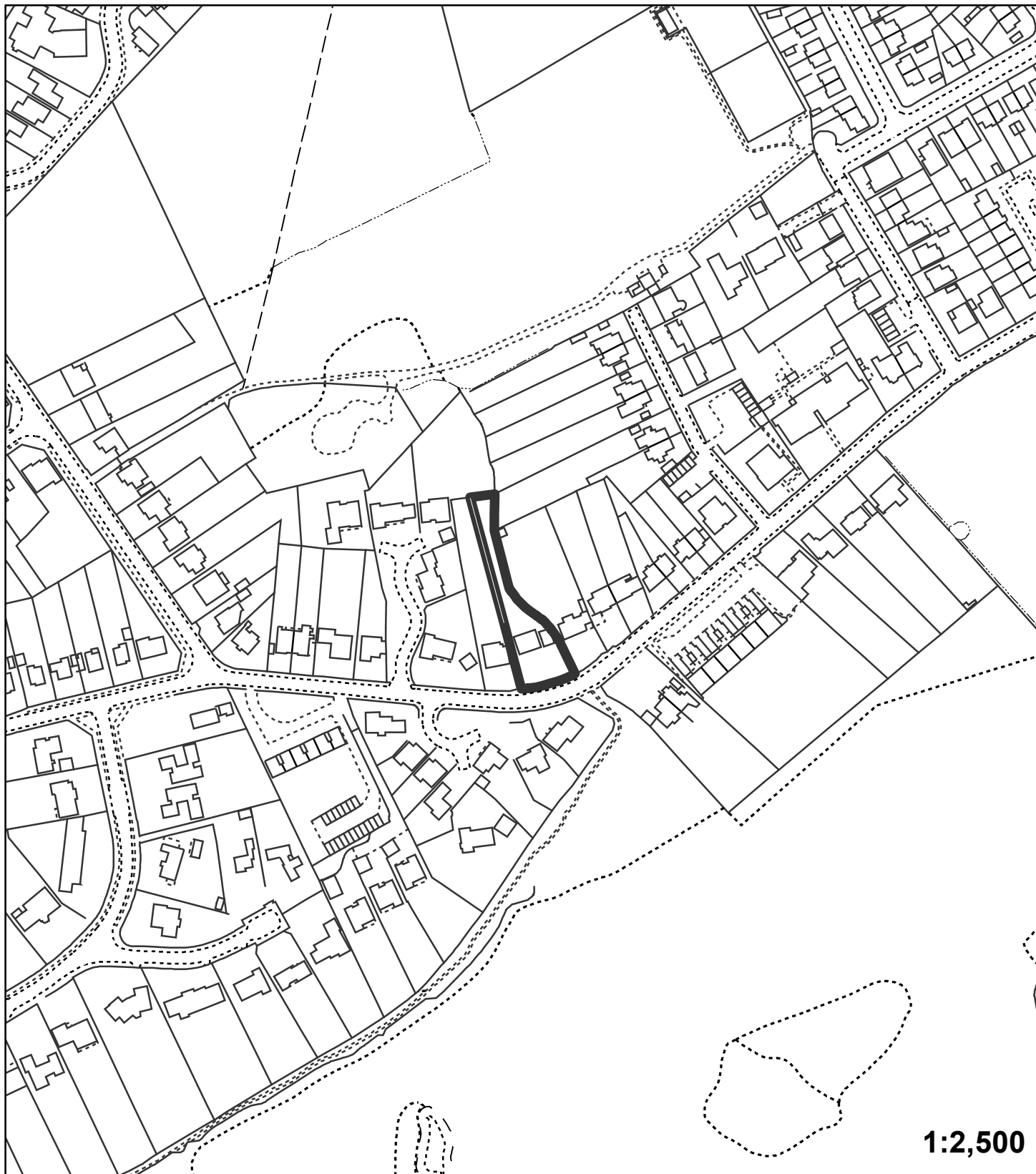
- 1 This is a summary of the main reasons for this decision as required by law. The application has been determined in accordance with the development plan insofar as it is relevant and taking into account all other material planning considerations, including all the representations received. For further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

This page is left intentionally blank

Application:16/04897/FULL6

Address: Greycot Willow Grove Chislehurst BR7 5DA

Proposal: Demolition of existing carport, single storey side extension and front boundary wall incorporating piers and railings and automated gate



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

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

This page is left intentionally blank

SECTION '2' – Applications meriting special consideration

Application No : 16/05553/FULL1

Ward:
Darwin

Address : 378 Main Road Biggin Hill TN16 2HN

OS Grid Ref: E: 543164 N: 157784

Applicant : Mr David Abbott

Objections : YES

Description of Development:

Erection of a detached two storey three bedroom dwelling with associated car parking at front and new vehicular access on to main road.

Proposal

- The proposal seeks permission for the erection of a detached two storey three bedroom dwelling with associated car parking at front and new vehicular access onto Main Road.
- The proposed house will have a total width of 8.3m and a length of 11.5m, set back 6m from the highway.
- The house will have a height of 7.0m with hipped roofs and an eaves height of 3.4m.
- The proposed house will be served by a new access onto the Main Road, which will be shared with No. 378, providing a new area of car parking to the front and a turning area within the site.

Location

The site comprises a detached two storey residential dwelling with an open area of garden to the side where the proposed dwelling will be sited. The area is characterised by a ribbon of residential and other development on either side of Main Road to the south end of Biggin Hill. The site and surroundings fall within the Green Belt.

Comments from Local Residents

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

- impact on the rural character of the Green Belt with no very special circumstances to justify the development
- new accesses would impact on highway safety by creating a hazard to road users in an area where many accidents occur. Cherry Lodge Golf Club development adds further to this issue.

- proposal matches the previous application and therefore the same objections are upheld

Comments from Consultees

Highways - the proposal has a similar turning layout as the 2014 application. This type of parking/turning layout is basically the same that was agreed for a similar proposal at 305 Main Road (13/00444). It was agreed that there would be reference in the title deeds for the 2 properties that the turning area would be a right of way for both properties. Given that this has been agreed previously for a nearby site it was previously accepted for this suit. Conditions are suggested should permission be granted.

Tree Officer - no comments received.

No Thames Water objections are raised subject to an informative.

No technical drainage objections are raised subject to a standard condition.

Planning Considerations

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

BE1 Design of New Development
H7 Housing Density and Design
NE7 Development and Trees
T3 Parking
T11 New Accesses
T18 Road Safety
G1 Green Belt

The National Planning Policy Framework

In strategic terms, the application falls to be determined in accordance with the following Policies of the London Plan:

London Plan Policy 3.4 Optimising Housing Potential
London Plan Policy 3.5 Quality and Design of Housing Developments
London Plan Policy 7.16 Green Belt

Housing: Supplementary Planning Guidance. (March 2016)

Technical Housing Standards - Nationally Described Space Standard (March 2015)

Emerging Local Plan

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

Draft Policy 1 - Housing Supply
Draft Policy 4 - Housing Design
Draft Policy 30 - Parking
Draft Policy 31 - Relieving Congestion
Draft Policy 32 - Road Safety
Draft Policy 33 - Access for All
Draft Policy 37 - General Design of Development
Draft Policy 49 - The Green Belt
Draft Policy 73 - Development and Trees
Draft Policy 77 - Landscape Quality and Character
Draft Policy 113 - Waste Management in New Development
Draft Policy 116 - Sustainable Urban Drainage Systems (SUDS)
Draft Policy 123 - Sustainable Design and Construction

Planning History

Planning permission was refused under ref. 12/02604 for erection of 2 semi-detached two storey three bedroom dwellings with associated car parking at front and new vehicular access onto Main Road. The refusal grounds were as follows:

'The proposal would constitute an inappropriate development in the Green Belt, resulting in significant harm to the visual amenities, openness and rural character of the Green Belt by reason of the scale, bulk and proposed use, and the Council sees no very special circumstances which might justify the grant of planning permission, thereby the proposal is contrary to Policy G1 of the Unitary Development Plan.

The proposed additional vehicular access would lead to dangerous reversing manoeuvres onto the highway and would be prejudicial to conditions of general highway safety, contrary to Policies T11 and T18 of the Unitary Development Plan.'

Planning permission was refused under ref. 13/00127 for erection of a detached two storey three bedroom dwelling with associated car parking at front and new vehicular access onto Main Road. The refusal grounds were similar to the 2012 application.

The application was subsequently dismissed on appeal. The Inspector states:

'The appeal site is located within the Green Belt and comprises part of the side and rear garden area of number 378 Main Road (number 378). It lies

between number 378 and a grassed driveway which serves a detached dwelling lying to the rear of the site. A public footpath is located on the opposite side of the grassed driveway. Although the site is garden land and open in appearance, it is part of a substantially built up frontage forming ribbon development along Main Road.

The Council contends that the proposal would be inappropriate development within the Green Belt and quotes paragraph 89 of the Framework in this regard. It argues that the proposal would be unacceptable and would have a harmful effect on the Green Belt by reason of its bulk; increase in intensity of use; associated traffic; and visual impact. Policy G1 of the adopted London Borough of Bromley Unitary Development Plan 2006 (UDP) states that planning permission will not be granted for inappropriate development unless very special circumstances can be demonstrated. This policy accords with Green Belt policy as contained within the Framework.

However, paragraph 89 of the Framework (5th bullet point) states that one of the exceptions to the general presumption against new buildings in the Green Belt is limited in-filling in villages. Whilst I have no information regarding the formal status of Westerham, the settlement contains a number of dwellings, a public house, local shops and businesses. In my opinion, it displays all of the characteristics of a village. Given the location of the site between existing properties in a substantially built up frontage, I conclude that the proposal would represent limited infilling, and on this basis, it is not inappropriate development within the Green Belt. Consequently, the proposal would not conflict with the Framework or with Policy GB1 of the UDP in this regard.

Main Road is a busy classified highway, which carries significant amounts of vehicular traffic. Consequently, I agree with the Council that vehicles should be able to enter and leave the appeal site in a forward gear. Whilst the submitted plans demonstrate that manoeuvring space would be available for vehicles associated with the proposed new dwelling, the parking and manoeuvring area for number 378 is less clear. Due to the limited width and depth of the frontage to 378, it does not appear that vehicles would be able to park on the site without reversing either onto or from the highway.

In reaching my decision, I have taken into account that other properties on Main Road do not have turning space within the site. However, in my opinion this is not a reason to accept further development that would potentially be dangerous to highway users.

I therefore conclude that, as submitted, the proposal does not provide adequate detail to demonstrate that the development would not have a detrimental impact on highway safety. Consequently, the proposal would conflict with Policy T18 of the UDP, which seeks to ensure that road safety is not adversely affected.'

Planning permission was refused under ref. 14/01046 for erection of a detached two storey three bedroom dwelling with associated car parking at front and new vehicular access on to main road. The refusal grounds were as follows:

'The proposal would constitute an inappropriate development in the Green Belt, resulting in significant harm to the visual amenities, rural character and openness of the Green Belt by reason of the scale, bulk and proposed use, and the Council sees no very special circumstances which might justify the grant of planning permission, thereby the proposal is contrary to Policy G1 of the Unitary Development Plan and the NPPF.

The site does not comprise part of a clearly defined settlement or village and therefore 'limited infilling' as described in paragraph 89 of the NPPF would not be appropriate.'

The application was subsequently dismissed on appeal. The Inspector states:

'Policy G1 in the London Borough of Bromley Unitary Development Plan (UDP) (2006) accords with the Framework with respect to seeking to protect the Green Belt from inappropriate development.

The previous Inspector considered that the proposal constituted limited infilling in a village. I realise that he referred to the area as being Westerham, which is actually some distance away. Nevertheless, it is reasonable to assume from the context of his assessment of the area that he was referring to the area surrounding the appeal site.

The previous Inspector acknowledged that he had no information regarding the formal status of the area. I am not aware of any of the information he had received. I have had the benefit of the Council's definition of the status of this area. I have not been made aware of whether or not the previous Inspector had been provided with this information.

In the representations before me, the Council has stated that the appeal site lies within an area that does not constitute a clearly defined settlement or village. The Council takes the view that the area provides an area of rural land that should be protected under Green Belt policy, rather than as an individual village settlement. The Council has stated that the appeal site is in an area washed over by Green Belt to prevent the encroachment of Biggin Hill into the Green Belt.

I consider that the Council has clearly defined the purpose of including the appeal site and the surrounding area within the Green Belt and explained the function of this area as an area of rural land to prevent the encroachment of Biggin Hill into the Green Belt.

Whilst the previous Inspector was not aware of the formal planning status of the area, it is clear from the Council's representations that the appeal site lies within an area that is not a village for the purposes of local planning policy. Although this area may have many of the characteristics of a village,

it also takes the form of a ribbon of development extending out from Biggin Hill into the surrounding countryside that UDP Policy G1 seeks to protect from further encroachment. Indeed, even if I were to conclude that this area constituted a village, UPD Policy G1 makes no provision for limited infilling in villages. I consider that, notwithstanding the findings of the previous Inspector, the proposal would be contrary to UDP Policy G1 in this respect.

The Framework postdates the UDP and is a material consideration, which I have taken into account. The appeal site is a side garden to a residential property. It would constitute development in a gap in a built frontage. As such, I do consider that the proposal would constitute limited infilling. Nevertheless, the Framework excludes private residential gardens from the definition of previously developed land. Therefore, the proposal would not constitute limited infilling of a previously developed site as defined in paragraph 89 in the Framework.

The proposal would not accord with the list of exceptions in paragraph 89 in the Framework. The Framework has not altered my conclusion that the appeal site is not in a village for planning purposes. I see no material reason to determine this appeal other than in accordance with the development plan.

For the above reasons, I consider that the proposal would constitute inappropriate development in the Green Belt, which the Framework states is, by definition, harmful to the Green Belt.

Added to the harm of being inappropriate development is the impact that the proposal would have in diminishing the sense of openness of this part of the Green Belt and any other harm. The proposal would introduce additional built form into this Green Belt location. Due to the bulk, design and scale of the proposed dwelling, it would significantly diminish the sense of openness in this part of the Green Belt. Therefore, I consider that not only would the proposal constitute inappropriate development, there would be additional harm with respect to the openness of the Green Belt.'

Conclusions

The main issues relating to the application are the effect that it would have on the openness and visual amenity of the Green Belt, and the impact that it would have on the amenities of the occupants of surrounding residential properties and the impact on highway safety.

Following the dismissal of the previous scheme (ref. 14/01046) at appeal, the current proposal does not differ, however it is accompanied by a supporting statement that provides an affordable housing offer in order for the house to be occupied by a family relative.

It is noted that the standard of accommodation and housing type has never been objected to and therefore the provision of an affordable housing unit, whilst

considered positively, would not alter the main consideration of the impact of the development on the visual amenity and openness of the Green Belt.

The Inspector agreed with the Council's assertion that the site is not located within a village location for planning policy purposes, rather the site forms part of a ribbon of development on the Main Road between Biggin Hill and Westerham. The Inspector was therefore satisfied that Policy G1 of the UDP seeks to protect such land and should be applied in this instance.

When considering Para 89 of the NPPF, the Inspector considered that the development of the site would constitute a limited infill, however the NPPF states that such infilling is not inappropriate in village locations, which the site is not. In addition, the site cannot be considered to be Previously Developed Land as it forms part of a residential garden and such lands falls outside of this definition. The Inspector therefore concluded that the proposal would not meet any of the exceptions under Para 89 (particularly points 5 and 6) and therefore the proposal constitutes inappropriate development in the Green Belt.

Aside from being inappropriate development, the Inspector also considered that the introduction of a building of the size and scale proposed would diminish the sense of openness at the site and this would result in additional harm to the Green Belt.

It is not considered that there have been any significant changes in circumstances since the latest appeal decision, and therefore there is no reason for the Council to take a contrary view to that which was taken under the previous application and appeal decision. The benefit of providing an affordable housing unit is not considered to outweigh the harm caused in this case.

Having had regard to the above it was considered that the proposal is unacceptable in that it would result in a significantly detrimental impact on the openness and visual amenity of the Green Belt. It is therefore recommended that Members refuse planning permission.

RECOMMENDATION: APPLICATION BE REFUSED

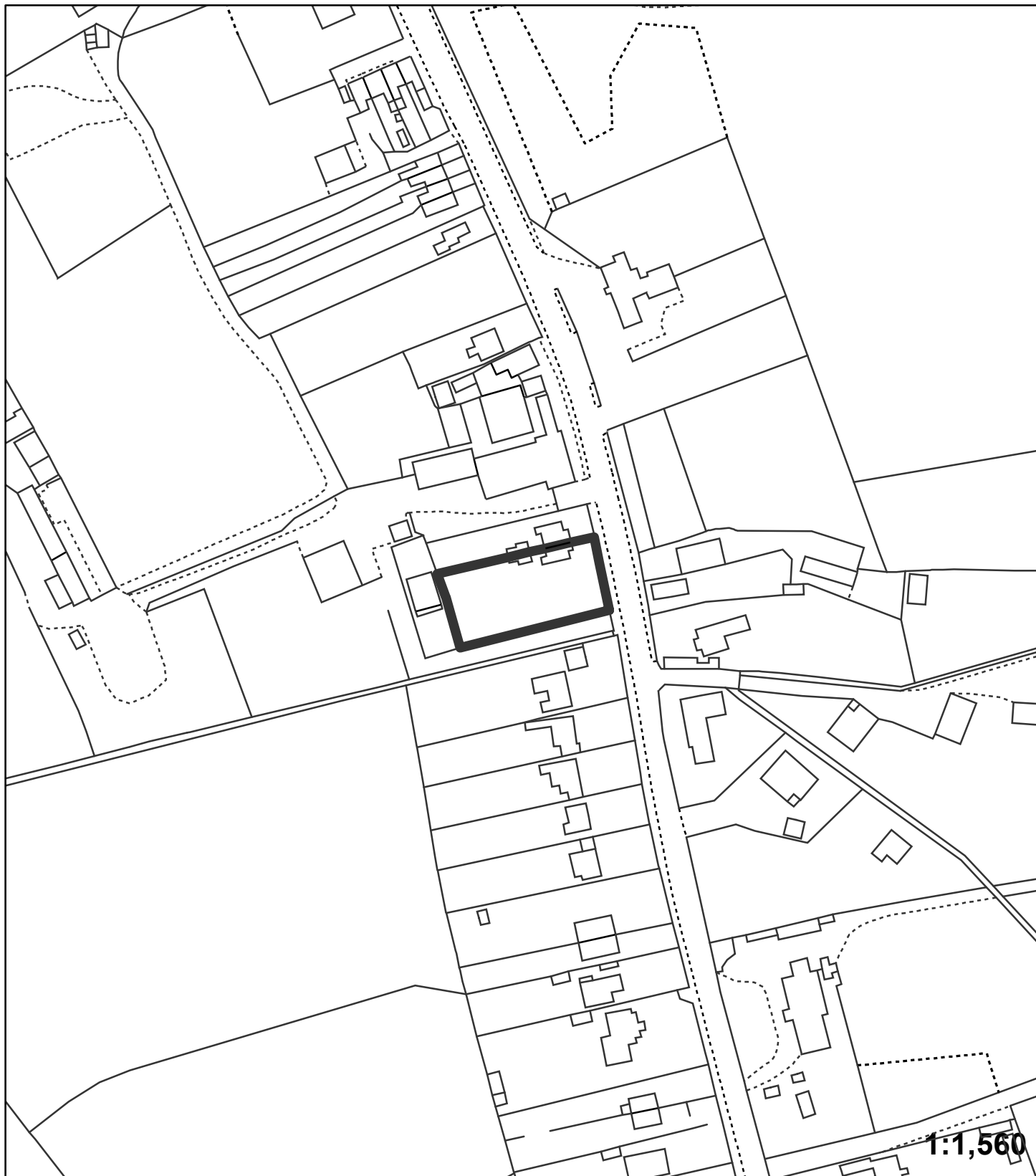
The reasons for refusal are:

- 1 The proposal would constitute an inappropriate development in the Green Belt, resulting in significant harm to the visual amenities and openness of the Green Belt by reason of the scale, bulk and proposed use, and the Council sees no very special circumstances which might justify the grant of planning permission, thereby the proposal is contrary to Policy G1 of the Unitary Development Plan and the National Planning Policy Framework.**

Application:16/05553/FULL1

Address: 378 Main Road Biggin Hill TN16 2HN

Proposal: Erection of a detached two storey three bedroom dwelling with associated car parking at front and new vehicular access on to main road.



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

This page is left intentionally blank

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

Application No : 16/05446/RESPA

Ward:
Bromley Town

Address : 3 Cobden Court Wimpole Close
Bromley BR2 9JF

OS Grid Ref: E: 541065 N: 168331

Applicant : Mr M Bickers

Objections : YES

Description of Development:

Change of use of Class B1(a) office to Class C3 residential to form 3x1 bedroom units of the ground, first and second (56 day application for prior approval in respect of transport and highways, contamination and flooding risks under Class O part 3 of the GPDO)

Key designations:

Smoke Control SCA 5

Proposal

Change of use of class B1 (a) office to class C3 dwellinghouse to form 3 x 1 bedroom apartments on the ground, first and second floors.

Members should note that this is a 56 day application for Prior Approval in respect of transport and highways impact, contamination, and flooding risks under Class O, Part 3 of the General Permitted Development Order (2015).

It should also be noted that there is an application under reference 16/05698/RESPA at No. 4 Cobden Court under consideration for the change of use of class B1 (a) office to class C3 dwellinghouse to form 3 x 1 bedroom apartments on the ground, first and second floors.

This is central Government legislation that came into force on 15th April 2015.

This case has been "Called -in" by a Ward Councillor.

Location

The application site is situated on the eastern side of Wimpole Close, Bromley and is a mid-terraced building currently used as an office block.

Consultations

Comments from Local Residents

Nearby owners/occupiers were notified of the application and letters of support were received.

Comments from Consultees:

Highways:

The site is within a good (4) PTAL area and also in the Bromley Town Centre controlled parking zone where there is very limited all-day parking available.

The applicant is proposing 1 space per unit i.e. 3 spaces in total so I would have no objection to the application.

Please include the following condition in any permission.

H03 Satisfactory parking

Environment Agency:

Have raised no objection in respect of the proposal.

Environmental Health:

Have raised no objections within the grounds for consultation.

Planning Considerations

The application requires the Council to consider whether the proposal falls within the parameters of permitted development under Part 3, Class O of the Town and Country Planning (General Permitted Development) (England) Order 2015 and specifically whether any limitations/conditions of the Order are infringed.

The application calls for the Council to establish whether Prior Approval is required as to:

- (a) transport and highways impacts of the development
- (b) contamination risks on the site; and
- (c) flooding risks on the site

Planning History

Under ref: 82/0056 planning permission was granted (08.04.1982) for a 3/4 Storey Block of offices with 28 parking spaces.

Under ref: 85/01133/DET planning permission was granted (27.06.1985) at 43 Stanley Road, Bromley - Erection of one three storey office buildings and car parking details 82/0056

86/01807/FUL planning permission was granted (28.08.1986) at 43 Stanley Road, Bromley - Construction of three storey block of units

87/01578/DET - Planning permission was granted (16.07.1987) for the landscaping details pursuant to permission 86/1807 granted for three storey block of office units.

It should also be noted that under 16/00676/RESPA Prior Approval was granted (07.04.2016) for Change of use of class B1 (a) office to class C3 dwellinghouse to form 3 x 1 bedroom apartments on the ground, first and second floors at No. 2 Cobden Court, Wimpole Close, Bromley.

Conclusions

The purpose of this application is to assess whether the proposed change of use of the ground first and second floors from B1(a) Offices to C3 Residential (3 x 1-bed maisonettes) complies with Class O of the Town and Country Planning (General Permitted Development) (England) Order 2015.

Under Class O of the Town and Country Planning (General Permitted Development) (England) Order 2015, development consisting of a change of use of a building and any land within its curtilage to a use falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order from a use falling within Class B1(a)(office) of that schedule would not be permitted by Class O if:

- the building is on article 2(5) land;
- the building was not used for a use falling within Class B1(a) (offices) of the Schedule to the Use Classes Order immediately before 30th May 2013 or, if the building was not in use immediately before that date, when it was last in use;
- the use of the building falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order was begun after 30th May 2016;
- the site is or forms part of a safety hazard area;
- the site is or forms part of a military explosives storage area;
- the building is a listed building or is within the curtilage of a listed building or is a scheduled monument.

On whether the use or current use of the building started before or on 30th May 2013 and falls within Class B1(a), the original permission of the building in the 1980's was for offices and from an internet search the premises are listed as the office for BCR Publishing

Business Rates confirmed that the property has been occupied for a number of years by BCR Publishing (2002) and advise the use is an office.

On that basis, it can be concluded that the use of this building is as B1(a) office use. Furthermore, the site is not on article 2(5) land, is not part of a safety hazard area, military explosives storage area and it is not a listed building or a scheduled monument.

The conditions under Class O, states that before beginning the development, the developer shall apply to the local planning authority for a determination as to whether the prior approval of the authority will be required as to:

transport and highways impacts of the development;
contamination risks on the site; and
flooding risks on the site.

Transport and highways impacts of the development:

The Council's highways officer has stated that the site is within a good (4) PTAL area and also in the Bromley Town Centre controlled parking zone where there is very limited all-day parking available.

There is a car park to the rear of the site and drawing number 8524/6 shows three spaces have been allocated to proposed flats. Therefore no objections are raised to the proposal subject to conditions.

Contamination risks on the site:

With regards to contamination Environmental Health has assessed the proposal and raises no objections.

Flooding risks on the site:

With regards to flooding, the application site is not within Flood Zone 1, 2 or 3. Therefore no objections are raised.

Summary

Given that the Council is limited to assessing the application against the three criteria set out above and it is considered that Prior Approval should be granted in this instance as the development falls within the limits and procedures of permitted development as set out in the Class O of the Town and Country Planning (General Permitted Development) (England) Order 2015. Officers raise no objections to the proposal on the grounds of its impact on highways and transport, or with regard to flooding, noise and site contamination. Therefore Members are advised to grant Prior Approval.

Members will note that this is a 56 day application and as such a decision must be made by 23rd January 2017.

Background papers referred to during production of this report comprise all correspondence on the file ref(s) 16/05446/RESPA set out in the Planning History section above, excluding exempt information.

RECOMMENDATION: PRIOR APPROVAL REQUIRED AND GRANTED

- 1 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.

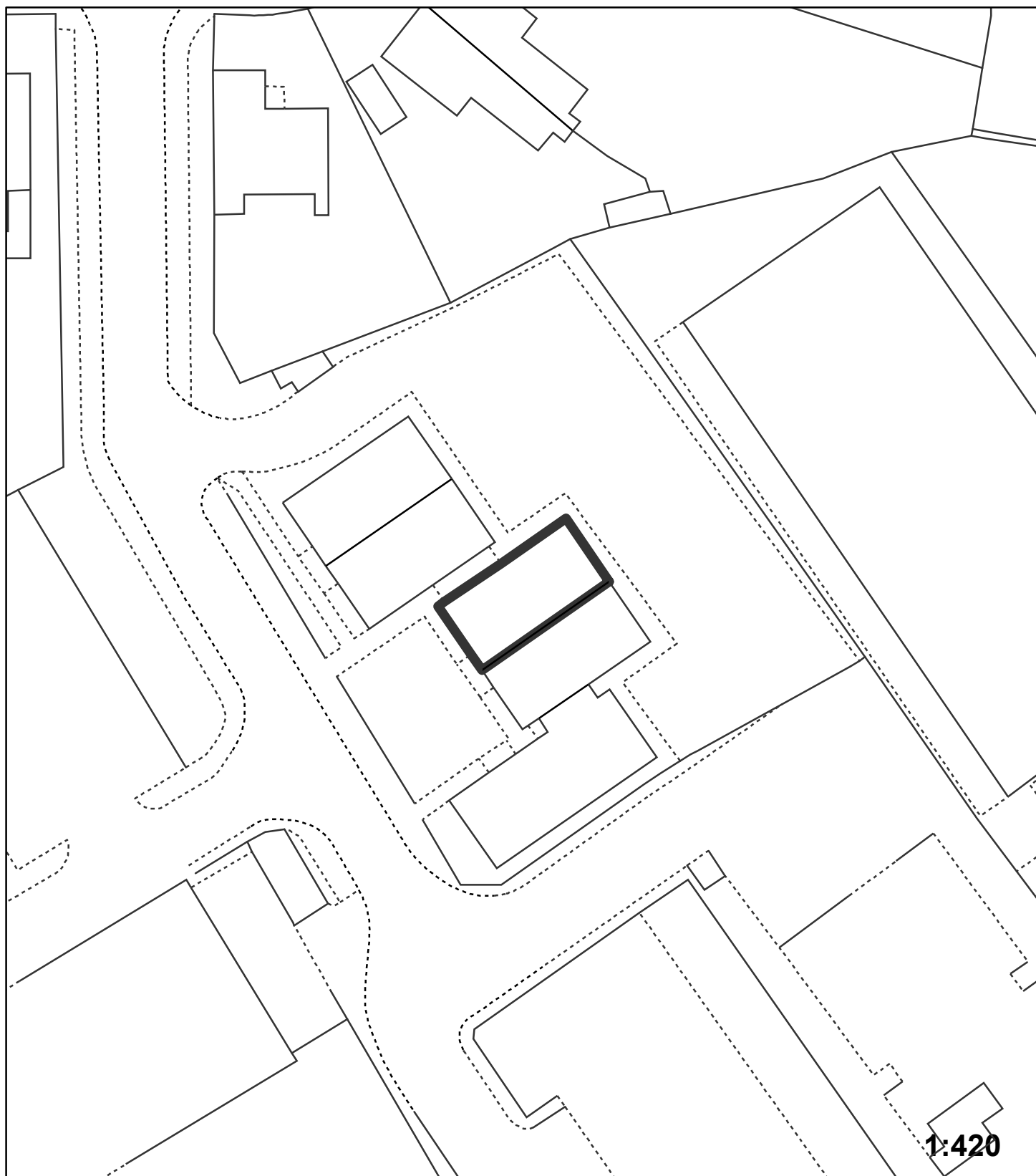
Reason: In order to comply with Policy T3 of the Unitary Development Plan and to avoid development without adequate parking or garage provision, which is likely to lead to parking inconvenient to other road users and would be detrimental to amenities and prejudicial to road safety.

This page is left intentionally blank

Application:16/05446/RESPA

Address: 3 Cobden Court Wimpole Close Bromley BR2 9JF

Proposal: Change of use of Class B1(a) office to Class C3 residential to form 3x1 bedroom units of the ground, first and second (56 day application for prior approval in respect of transport and highways, contamination and flooding risks under Class O part 3 of the GPDO)



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

This page is left intentionally blank

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

Application No : 16/05698/RESPA

Ward:
Bromley Town

Address : 4 Cobden Court Wimpole Close
Bromley BR2 9JF

OS Grid Ref: E: 541068 N: 168327

Applicant : Mr A Folan

Objections : YES

Description of Development:

Change of use of Class B1 (a) Office to Class C3 residential to form 3 x 1 bedroom units on the ground, first and second floors (56 day application for prior approval in respect of transport and highways, contamination and flooding risk under Class O Part 3 of the GPDO)

Key designations:

Smoke Control SCA 5

Proposal

Change of use of class B1 (a) office to class C3 dwellinghouse to form 3 x 1 bedroom apartments on the ground, first and second floors.

Members should note that this is a 56 day application for Prior Approval in respect of transport and highways impact, contamination, and flooding risks under Class O, Part 3 of the General Permitted Development Order (2015).

It should also be noted that there is an application under reference 16/05446/RESPA at No. 3 Cobden Court under consideration for the change of use of class B1 (a) office to class C3 dwellinghouse to form 3 x 1 bedroom apartments on the ground, first and second floors.

This is central Government legislation that came into force on 15th April 2015.

This case has been "Called in" by a Ward Councillor.

Location

The application site is situated on the eastern side of Wimpole Close, Bromley and is a mid-terraced building currently used as an office block.

Consultations

Comments from Local Residents

Nearby owners/occupiers were notified of the application and letters of support were received.

Comments from Consultees:

Highways:

The site is within a good (4) PTAL area and also in the Bromley Town Centre controlled parking zone where there is very limited all-day parking available.

The applicant is providing 3 x car parking spaces for the proposed form 3 x 1 bedroom units plus 1 x visitor car parking space which is satisfactory. Please include the following with any permission:

H03 (Satisfactory Parking)

H18 (Refuse storage)

H22 (Cycle parking) @ 1/unit

H23 (Lighting scheme for access/parking)

Environment Agency:

Have raised no objection in respect of the proposal.

Environmental Health:

Have raised no objections within the grounds for consultation.

Planning Considerations

The application requires the Council to consider whether the proposal falls within the parameters of permitted development under Part 3, Class O of the Town and Country Planning (General Permitted Development) (England) Order 2015 and specifically whether any limitations/conditions of the Order are infringed.

The application calls for the Council to establish whether Prior Approval is required as to:

- (a) transport and highways impacts of the development
- (b) contamination risks on the site; and
- (c) flooding risks on the site

Planning History

Under ref: 82/0056 planning permission was granted (08.04.1982) for a 3/4 Storey Block of offices with 28 parking spaces.

Under ref: 85/01133/DET planning permission was granted (27.06.1985) at 43 Stanley Road, Bromley - Erection of one three storey office buildings and car parking details 82/0056

86/01807/FUL planning permission was granted (28.08.1986) at 43 Stanley Road, Bromley - Construction of three storey block of units

87/01578/DET - Planning permission was granted (16.07.1987) for the landscaping details pursuant to permission 86/1807 granted for three storey block of office units.

It should also be noted that under 16/00676/RESPA Prior Approval was granted (07.04.2016) for Change of use of class B1 (a) office to class C3 dwellinghouse to form 3 x 1 bedroom apartments on the ground, first and second floors at No. 2 Cobden Court, Wimpole Close, Bromley.

Conclusions

The purpose of this application is to assess whether the proposed change of use of the ground first and second floors from B1(a) Offices to C3 Residential (3 x 1-bed maisonettes) complies with Class O of the Town and Country Planning (General Permitted Development) (England) Order 2015.

Under Class O of the Town and Country Planning (General Permitted Development) (England) Order 2015, development consisting of a change of use of a building and any land within its curtilage to a use falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order from a use falling within Class B1(a)(office) of that schedule would not be permitted by Class O if:

- the building is on article 2(5) land;
- the building was not used for a use falling within Class B1(a) (offices) of the Schedule to the Use Classes Order immediately before 30th May 2013 or, if the building was not in use immediately before that date, when it was last in use;
- the use of the building falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order was begun after 30th May 2016;
- the site is or forms part of a safety hazard area;
- the site is or forms part of a military explosives storage area;
- the building is a listed building or is within the curtilage of a listed building or is a scheduled monument.

On whether the use or current use of the building started before or on 30th May 2013 and falls within Class B1(a), the original permission of the building in the 1980's was for offices and from an internet search the premises are listed as the office for Folcrete Restoration Ltd.

On that basis, it can be concluded that the use of this building is as B1(a) office use.

Furthermore, the site is not on article 2(5) land, is not part of a safety hazard area, military explosives storage area and it is not a listed building or a scheduled monument.

The conditions under Class O, states that before beginning the development, the developer shall apply to the local planning authority for a determination as to whether the prior approval of the authority will be required as to:

transport and highways impacts of the development;
contamination risks on the site; and
flooding risks on the site.

Transport and highways impacts of the development:

The Council's highways officer has stated that the site is within a good (4) PTAL area and also in the Bromley Town Centre controlled parking zone where there is very limited all-day parking available.

There is a car park to the rear of the site and drawing number 8524/6 shows three spaces have been allocated to proposed flats. Therefore no objections are raised to the proposal subject to conditions.

Contamination risks on the site:

With regards to contamination Environmental Health has assessed the proposal and raises no objections.

Flooding risks on the site:

With regards to flooding, the application site is not within Flood Zone 1, 2 or 3. Therefore no objections are raised.

Summary

Given that the Council is limited to assessing the application against the three criteria set out above and it is considered that Prior Approval should be granted in this instance as the development falls within the limits and procedures of permitted development as set out in the Class O of the Town and Country Planning (General Permitted Development) (England) Order 2015. Officers raise no objections to the proposal on the grounds of its impact on highways and transport, or with regard to flooding, noise and site contamination. Therefore Members are advised to grant Prior Approval.

Members will note that this is a 56 day application and as such a decision must be made by 7th February 2017.

Background papers referred to during production of this report comprise all correspondence on the file ref(s) 16/05698/RESPA set out in the Planning History section above, excluding exempt information.

RECOMMENDATION: PRIOR APPROVAL REQUIRED AND GRANTED

- 1** 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.

- 2** Details of arrangements for storage of refuse and recyclable materials (including means of enclosure for the area concerned where necessary) shall be submitted to and approved in writing by the Local Planning Authority before any part of the development hereby permitted is commenced and the approved arrangements shall be completed before any part of the development hereby permitted is first occupied, and permanently retained thereafter

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

- 3** 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 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

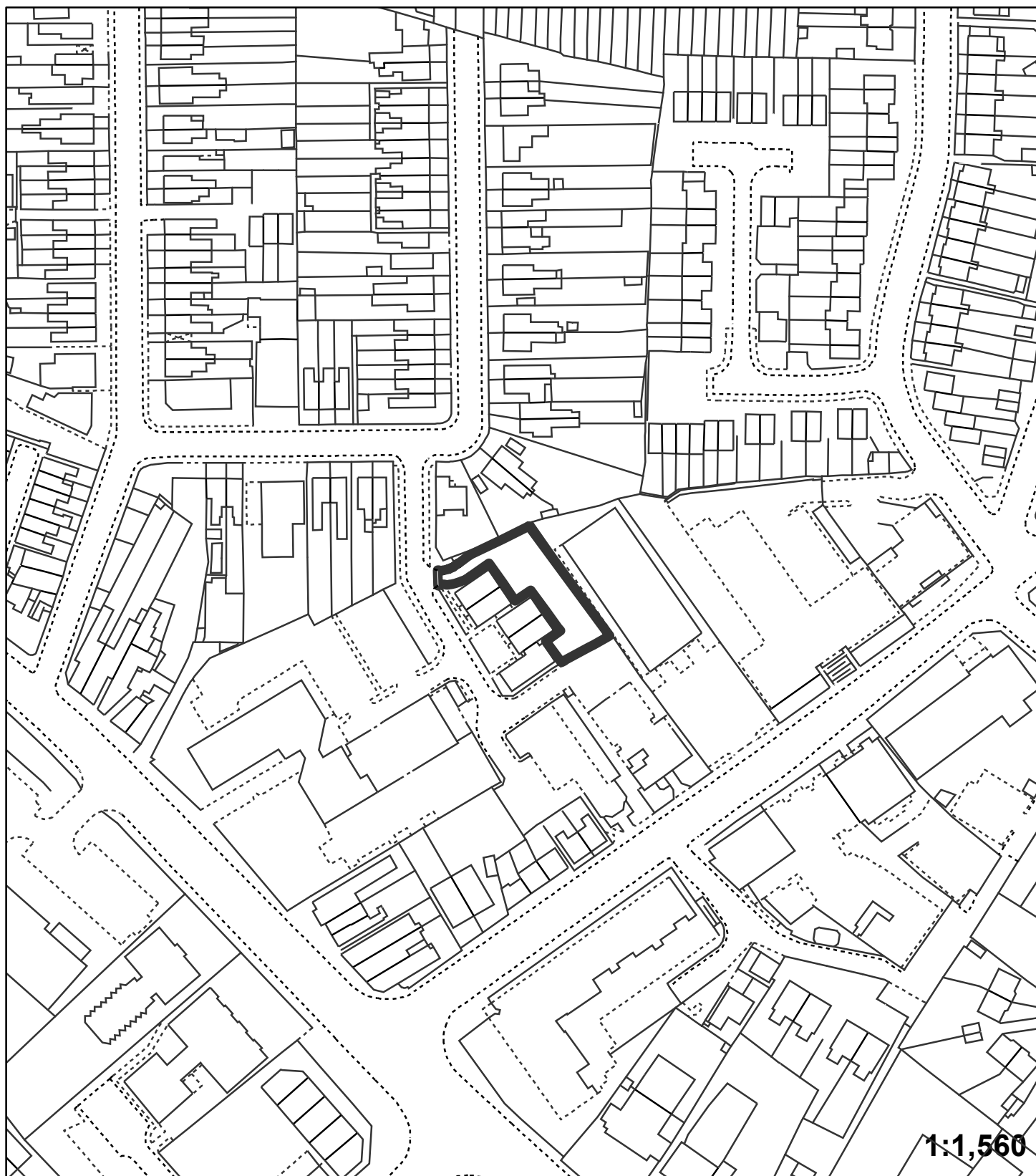
- 4** Details of a scheme to light the access drive and car parking areas hereby permitted shall be submitted to and approved in writing by the Local Planning Authority before the development hereby permitted is commenced. The approved scheme shall be self-certified to accord with BS 5489 - 1:2003 and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

Application:16/05698/RESPA

Address: 4 Cobden Court Wimpole Close Bromley BR2 9JF

Proposal: Change of use of Class B1 (a) Office to Class C3 residential to form 3 x 1 bedroom units on the ground, first and second floors (56 day application for prior approval in respect of transport and highways, contamination and flooding risk under Class O Part 3 of the GPDO)



1:1,560

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

This page is left intentionally blank