

PLANS SUB-COMMITTEE NO. 3

Minutes of the meeting held at 7.00 pm on 17 January 2017

Present:

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

Also Present:

Councillors Russell Mellor and Angela Wilkins

20 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

An apology for absence was received from Councillor Alan Collins.

21 DECLARATIONS OF INTEREST

There were no declarations of interest reported.

22 CONFIRMATION OF MINUTES OF MEETING HELD ON 17 NOVEMBER 2016

RESOLVED that the Minutes of the meeting held on 17 November 2016 be confirmed and signed as a correct record.

23 PLANNING APPLICATIONS

SECTION 2

(Applications meriting special consideration)

23.1 SHORTLANDS

(16/03549/FULL1) - 9 Rosemere Place, Shortlands, 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. It was reported that comments from Ward Member, Councillor Mary Cooke, in objection to the application had been circulated to Members.

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

23.2
COPERS COPE

(16/03847/FULL1) - 1 St Clare Court, Foxgrove Avenue, Beckenham, BR3 5BG

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

Oral representations in objection to the application were received. Oral representations from Ward Member, Councillor Russell Mellor, in objection to the application were received at the meeting. It was reported that further objections to the application had been received and photographs from the applicant had been received and circulated to Members. It was also reported that Members should take into consideration Policies H8 and H10.

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

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

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

23.3
COPERS COPE

(16/03932/FULL1) - 9 St Clare Court, Foxgrove Avenue, Beckenham, BR3 5BG

Description of application – Conversion of basement storage into no1 bedroom flat.

Oral representations from Ward Member, Councillor Russell Mellor, in objection to the application were received at the meeting. It was reported that further objections to the application had been received and that Members should take into consideration Policies H8 and H10.

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

23.4
SHORTLANDS

**(16/04022/FULL1) - Studio at Burgh Hill,
Kingswood Rd, Bromley, BR2 0HQ**

Description of application - 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.

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

Councillor Douglas Auld had visited the site and said that it was the smallest site he had visited in his ten years as a Member. The three garage site overlooked the rear of 48 Valley Road, with panoramic views of the properties beneath. In Councillor Auld's opinion The Fire Service would be unable to access Burgh Hill Drive due to its narrowness and at the rear the ground fell away which he described as upper and lower levels and said that the other two garages were reasonably well maintained and may be in use. Councillor Charles Joel agreed with Councillor Auld's comments.

Councillor William Huntington-Thresher referred to his knowledge of the local area and had parking concerns.

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

1. The proposal by virtue of the extension required in order to ensure that the dwelling is capable of meeting minimum amenity standards, the significant level of overlooking that would result for neighbouring properties in Valley Road and inadequate vehicular access and parking arrangements would give rise to a cramped overdevelopment of the site contrary to Policy 3.5 of the London Plan (2015) and Policies BE1, H7, T3, and T18 of the Unitary Development Plan (2006).

23.5
BROMLEY COMMON AND
KESTON

**(16/04250/FULL1) - 3 Cedar Crescent, Bromley,
BR2 8PX**

Description of application – Raised patio with steps to rear (PART RETROSPECTIVE).

Oral representations in support of the application were received at the meeting. It was reported that photographs from the applicant had been received and circulated to Members.

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

be **GRANTED** as recommended, subject to the conditions set out in the report of the Chief Planner with a further condition to read:-

“4. The existing flank boundary fences shall be maintained and permanently retained as such.

REASON: In the interests of protecting the amenity of adjoining neighbouring properties in compliance with Policy BE1 of the Unitary Development Plan.”

23.6
CHISLEHURST
CONSERVATION AREA

(16/04418/FULL1) - 27 Heathfield, Chislehurst, BR7 6AF

Description of application – Demolition of existing bungalow and erection of two storey 4 bedroom dwelling.

Oral representations in support of the application were received at the meeting. It was reported that a dismissed appeal decision dated 9 January 2017 had been circulated to Members together with photographs from the applicant.

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

23.7
CRYSTAL PALACE
CONSERVATION AREA

(16/04635/FULL1) - Alan Hill Motors, Alma Place, Anerley SE19 2TB

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

Oral representations in objection to and in support of the application were received. Oral representations from Ward Member, Councillor Angela Wilkins, in objection to the application were received at the meeting.

It was reported that further objections to the application had been received and Condition 7 had been omitted from page 96 of Chief Planner’s report. An offer letter dated 1 December 2016 from Summers Solicitors to purchase the site had been received and circulated to Members.

Councillor Wilkins recognised the need for housing but preferred the site to be retained for small light industrial business and was concerned that the applicant had not marketed the site adequately nor acknowledged that an offer to purchase had been

received. She referred to her local knowledge of the vicinity and had parking concerns.

Councillor Douglas Auld had visited the site and the access was very narrow. In his opinion the main garage building was structurally not sound and that all the buildings appeared tired.

Councillor Alexa Michael liked the proposed design and pointed out that business use would be replaced. Councillor William Huntington-Thresher referred to the Local Development Framework and said that Policy EMP5 had not been met.

Councillor Stephen Wells had noted an increase in the loss of light industrial units in the north of the Borough which prevented small companies to set up and grow and maintained that the principle of losing such sites should be avoided. He said that there was a strong argument for the site not to become residential as then the opportunity for commercial use had been lost.

Members having considered the report, objections and representations, **RESOLVED that the application BE DEFERRED**, without prejudice to any future consideration to seek further clarification on the marketing information of the site to ensure compliance with Policy EMP5 of the Unitary Development Plan.

23.8 BICKLEY

(16/04692/FULL6) - Eagleshurst Bickley Park Road Bickley Bromley BR1 2BE

Description of application – 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).

Oral representations in support of the application were received at the meeting. It was reported that further objections to the application had been received. It was also reported that on page 108 of the Chief Planner's report, the last word and line 2 and first two words on line 3, 'and would not' should be removed. Also on page 109 the first paragraph should be amended to read, 'The new boundary treatment would be located adjacent to Bickley Park Road and follows the existing boundary treatments of the adjacent properties, given this, 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.'

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

be GRANTED as recommended, subject to the conditions set out in the report of the Chief Planner.

**23.9
CHISLEHURST**

(16/04897/FULL6) - Greycot, Willow Grove, Chislehurst, BR7 5DA

Description amended to read, 'Demolition of existing carport and erection of single storey side extension and front boundary wall incorporating piers and railings and automated gate.

Oral representations in objection to the application were received at the meeting. A representation from the neighbour and additional information from the applicant had been received and circulated to Members.

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

**23.10
CLOCK HOUSE**

(16/05387/FULL1) - 43 Stembridge Road, Penge, SE20 7UE

Description of application – 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.

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

**23.11
DARWIN**

(16/05553/FULL1) - 378 Main Road, Biggin Hill, TN16 2HN

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

Oral representations in support of the application were received at the meeting. It was reported that further objections to the application had been received. The Chairman referred to two previous planning appeals where the Inspectors' opinions varied with regard to the definition of the land but the Council defined the land as green belt.

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)

23.12 BROMLEY TOWN

(16/05446/RESPA) - 3 Cobden Court Wimpole Close Bromley BR2 9JF

Description of application – 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).

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

23.13 BROMLEY TOWN

(16/05698/RESPA) - 4 Cobden Court Wimpole Close Bromley BR2 9JF

Description of application – 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).

It was reported that a letter of support had been received.

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

The meeting ended at 8.55 pm

Chairman

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SECTION '1' – Applications submitted by the London Borough of Bromley

Application No : 17/00287/FULL1

Ward:
Farnborough And Crofton

Address : Tubbenden Primary School, Sandy Bury, Orpington BR6 9SD

OS Grid Ref: E: 544810 N: 165000

Applicant : Mr James Turvey - Head Teacher

Objections : NO

Description of Development:

Single storey extension to provide SEN classroom with associated facilities, and elevational alterations to existing building including replacement windows and doors and new canopies

Key designations:

Biggin Hill Safeguarding Area
Biggin Hill Safeguarding Area
London City Airport Safeguarding
London City Airport Safeguarding
Smoke Control SCA 14
Urban Open Space

Proposal

It is proposed to add a single storey flat-roofed extension to the rear of the existing Infant classrooms and adjacent to the outdoor Infant play areas in order to provide an SEN classroom with ancillary facilities. The extension would be located on a steeply sloping part of the site surrounded by school buildings, and would include a new retaining wall and an undercroft area which could be used for storage.

Minor elevational alterations would also be carried out to some of the existing buildings, including replacement windows and doors and the addition of canopies

Location

Tubbenden Primary School is located to the west of Tubbenden Lane and is accessed via Sandy Bury to the north. The site is designated as Urban Open Space.

Consultations

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

Comments from Consultees

No objections are raised to the proposals from a highways point of view as the proposals would not affect the existing parking layout, and the applicant has confirmed that there are sufficient spaces in the existing car parks to accommodate any additional cars if necessary.

Drainage initially commented that they would not accept the connection of the extension to the existing storm water drainage system without any attenuation, but revised drainage plans were submitted on 23rd February 2017 which proposed the use of a soakaway to store surface water run-off from the extension, and the proposals are now considered acceptable from a drainage point of view.

Planning Considerations

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

BE1 Design of New Development
C7 Educational and Pre-School Facilities
G8 Urban Open Space
T3 Parking
T18 Road Safety

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

Draft Policy 28 - Education
Draft Policy 30 - Parking
Draft Policy 32 - Road Safety
Draft Policy 37 - General Design of Development
Draft Policy 55 - Urban Open Space

The London Plan (2015):

3.18 Education Facilities
6.13 Parking
7.18 Protecting Local Open Space

The NPPF is also relevant.

Conclusions

The main issues relating to the application are the impact of the proposals on the open nature of this area of Urban Open Space, the impact on the amenities of neighbouring residential properties, and the impact on highway safety.

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

The school site is designated as Urban Open Space, and Policy G8 of the UDP allows for built development where it is related to the existing use, and where the scale, siting and size of the proposal would not unduly impair the open nature of the site.

The proposed extension would be located within the area of the main school buildings, and would be fairly modest in size, therefore, the proposals are not considered to cause significant harm to the openness of the area. The elevational alterations proposed would be minor in nature, and would not detract from the appearance of the buildings.

With regard to the impact on residential amenity, the nearest dwellings are in Deacons Leas to the south-east, but the extension would be shielded by the existing school buildings, and the proposals are not therefore considered to adversely affect residential amenity.

With regard to the impact on highway safety, the Council's Highways Officer has confirmed that the proposals would not affect the existing parking available on the site, and accepts that there would be sufficient parking available on-site to accommodate any additional cars that may be needed.

In conclusion, the proposals are not considered to impact detrimentally on the open nature of the Urban Open Space, nor result in a significant loss of amenity to local residents or be detrimental to highway safety.

**RECOMMENDATION: PERMISSION
as amended by documents received on 23.02.2017**

Subject to the following conditions:

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

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

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

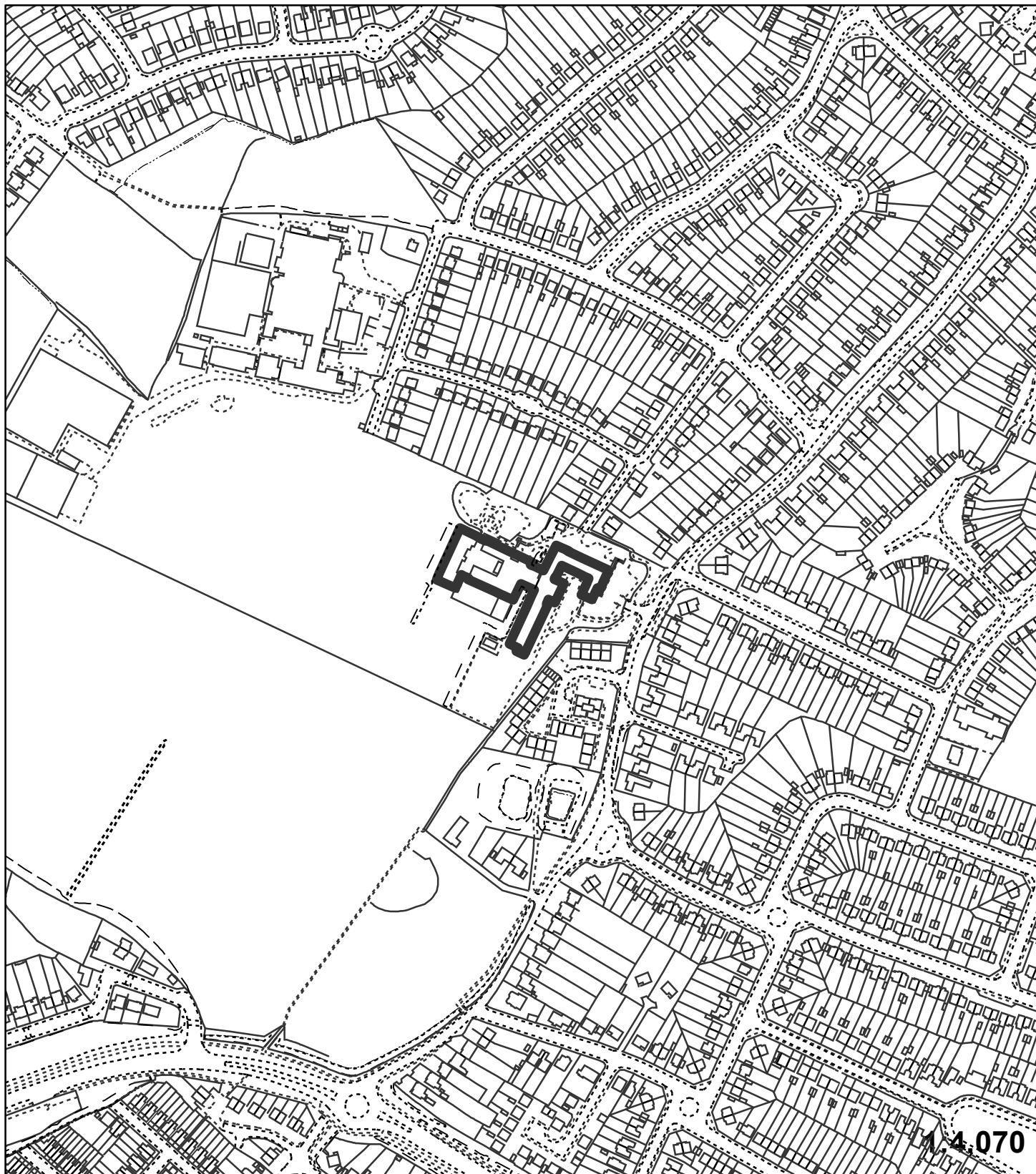
- 4** The development hereby permitted shall not be carried out otherwise than in complete accordance with the plans approved under this planning permission unless previously agreed in writing by the Local Planning Authority.

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

Application:17/00287/FULL1

Address: Tubbenden Primary School Sandy Bury Orpington BR6 9SD

Proposal: Single storey extension to provide SEN classroom with associated facilities, and elevational alterations to existing building including replacement windows and doors and new canopies



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

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SECTION '2' – Applications meriting special consideration

Application No : 15/04610/FULL1

Ward:
Cray Valley East

Address : North Orpington Pumping Station, East Drive, Orpington

OS Grid Ref: E: 546496 N: 167282

Applicant : Fernham Homes Ltd

Objections : YES

Description of Development:

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

Key designations:

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

Update

The application was deferred without prejudice from planning sub-committee 1 on the 15th December to seek a review of the following:

- Side Space and ensure compliance with Policy H9;
- Remove 3-storey elements;
- Siting and layout of the development.

Concern was also raised over condition 20 and the details regarding the surface water disposal.

Following the deferral, amended plans have been submitted which have removed the roof space accommodation from the dwellings located along the southern boundary of the site, more specifically plots 8-10 and 23 and 24. The dwellings now appear as two storeys in height, with those at plot 8-10 having been altered to a full hipped roof profile in contrast to the previously proposed barn hip roof. The proposed garage which was sited to the flank elevation of plot 8 has also been removed and replaced with surface parking.

The resulting loss of the roof space accommodation has not altered the number of bedrooms proposed within each unit however the reduction in the size of the

bedrooms has resulted in the occupancy of the dwelling being reduced from a five person dwelling to a four person dwelling. The alterations to the bedroom sizes remain compliant with the London Plan Standard in excess of 7.5sqm for a single room and 11.5sqm for a double bedroom. Both units at plots 23 and 24 are mirror images of each other with no alternate layout now proposed for the affordable unit at plot 24.

The alterations to the dwellings along the southern boundary of the site are provided in a direct response to the committee's previous deferral reasons with the dwellings closest to the existing residential area having been reduced in scale to a more reflective form to the surrounding residential properties along Glendower Crescent. The dwellings and apartment block that run centrally through the site have not been amended in height.

In terms of the compliance with Policy H9, it is noted that the only aspect of the overall development that does not comply with the required 1m space standards for development of two storeys or more is between the single storey garage at plot 11 and the flank elevation of plot 12 where just over a 1m space is to be retained. Whilst it is noted that this part of the development does not adhere to the policy requirement, given that this is a new development, adequate separation is generally retained between the new buildings and the resulting visual impact would not appear unduly cramped. The impact upon the spaciousness of the site as a result of the non-compliance with policy H9 in this location is also mitigated by the overall siting of the dwelling at plot E which has a positive impact in terms of openness given its green and spacious corner setting. It is noted that the Applicant has removed a garage from the flank elevation of plot 8 replacing the built form with surface car parking; this is considered to result in a more spacious appearance and less intrusive impact upon the owner occupiers of number 1 Lockesley Drive enhancing the spatial standards of the overall development. Matters concerning the terrace housing have been previously discussed within the preceding report.

Concern was previously raised by members as to the wording of condition 20 which precludes surface water runoff from discharging onto the highway and the impact of this runoff upon the water supply. It is noted within the submitted FRA that the Applicant states that the surface water is to drain into the sewer and storage tanks which is considered appropriate in this case. Members are directed to the wording of condition 28 which states that whilst the principles and installation of sustainable drainage schemes are to be encouraged, no drainage systems for the infiltration of surface water drainage into the ground are permitted other than with the express written consent of the LPA, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters.

One additional neighbour comment has been received since the application was deferred which states that the neighbouring owner/occupier would like to reverse his criticism in regard to the proposals for units 8,9, 10, 23 and 24 as these units are now to be two storey and better aligned to that of adjacent houses. The neighbour would like to re-affirm that the previously agreed 2m hedge to the south of the development should still be provided.

The original report is repeated below, updated where necessary.

Proposal

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

- Buildings are a mixture of two-three storeys in height and include detached, semi-detached and terraced houses with the eleven flats being located within a three storey block adjacent to plot 19.
- 3 x 1 bedroom apartments and 4 x 2 bedroom apartments (including the wheelchair accessible unit) are allocated as affordable rent, 1 x 3 bedroom house and 4 x 2 bedroom apartments are allocated as shared ownership. The rest of the dwelling houses are to be available at market price.
- The development is laid along two roads with the main vehicular access proposed from Lockesley Drive accessed to the south of Oakdene Road.
- One unit is designed to be wheelchair accessible and is located within the ground floor of the apartment block. House types A and D are wheelchair adaptable.
- Buildings are of traditional appearance featuring hipped or gable ended pitched roofs utilising a traditional palette of yellow bricks, render and concrete roof tiles in a mixture of grey and brown along with uPVC windows;
- a scheme of hard and soft landscaping is proposed including a small open green area towards to the south of the development which hosts two mature retained trees. Replacement planting is proposed throughout the site.
- The western boundary planting and some of the southern boundary is to be removed to facilitate the development. Some of the southern boundary is proposed to be replaced.
- Parking for a total of 73 vehicles is proposed with most houses hosting two parking spaces

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

Transport statement (April 2016)

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

The report ascertains that car parking is proposed in line with local standards and national guidance and is considered sufficient to reduce the possibility of residents

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

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

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

Ecological Assessment (August 2015)

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

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

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

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

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

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

A line of sycamore trees are proposed to be removed along the western boundary of the site fronting Lockesley Drive to facilitate the entrance to the development and some of the most western proposed dwellings with a partial removal of the hawthorn and elder hedge to the south to provide adequate parking bays. A

scheme of re-planting is proposed including a condition to retain the hedgerow to the south. Tree protection measures are proposed for the retention of significant trees within the site, inclusive of the two beech trees to the south.

Sustainability and Energy statement (July 2016)

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

Flood risk assessment (Jan 2015)

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

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

Geo-Environmental Site Assessment (November 2011)

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

Archaeological Desk-Based Assesment (February 2016)

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

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

Statement of Community Involvement (October 2016)

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

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

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

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

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

- Submission of sections and illustrative showing the relationship with neighbouring properties to the south and the retention of the hedgerow along the southern boundary
- Addendum to the FRA to cover works to the culvert
- Plans to demonstrate compliance with Building Regulations Part M4(3) in terms of wheelchair unit provision.
- Provision of balconies to the apartment block
- Amended affordable housing statement to reflect the provision of a wheelchair accessible unit

Location

- The site measures 0.8 hectares (gross site area)
- The site formed part of the adjacent water treatment plant known as North Orpington Pumping Station. The land is now surplus to requirements.
- The land comprises an area of grassland with some trees and planting with hedgerows.

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

Consultations

Comments from Local Residents:

As notified on the 14th December 2015:

- Notification letters not received
- The houses should be built in the building line of Lockesley Drive.
- The houses are dominant and would affect privacy and outlook
- Protection for the hedge along the southern boundary is required as it is part of the green corridor
- Potential increase of traffic along Austin Road
- Traffic calming measures would be beneficial
- The development is too densely packed
- Planned gardens are too small
- The development will remove another green space from the Borough.
- As the land slopes down the buildings will be prominent
- The development would cause too much environmental destruction
- No measures to increase school places, GP's and hospital beds etc.
- The infrastructure in the area is not robust enough
- Loss of quality of life for existing residents
- Flooding may occur along Glendower Crescent
- The block of flats used for social housing would not satisfactorily integrate families
- Three storey properties are highly inappropriate especially when considering the relationship with the single storey homes along 1-7 Lockesley Drive
- The drawings are misleading
- Inappropriate design of plots 8,9 and 10 and house types F and G are in contradiction to SPG advice on design
- Grouped parking courts and the use of clustered car ports and remote parking spaces is of concern

- Trees within the site have already been cut down and the development should provide replacement semi-mature planting
- Bromley SPG states that three storey houses are not in keeping with the inter war estate style
- The front elevations of the buildings are not set back sufficiently which gives little opportunity for landscaping and may lead to a loss of privacy.
- Significant overlooking from the apartment block to the rear of 17 Oakdene Crescent.

As notified on the 3rd August 2016:

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

As notified on the 17th October 2016

- The amended plans do not deal with the height of the 4 bedroom houses or apartment block
- The development is out of character
- Overdevelopment of the site
- Wildlife harm
- Small garden provision
- Storm water flooding from the development is a concern
- Noise pollution during build
- The height of plots 8,9 and 10 will be exaggerated as the land level slopes downwards to neighbouring existing properties
- Concern about the drainage ditch at the nearby allotments and possible damage and effectiveness of this.

As notified on the 18th November 2016

- The development will cause disruption, noise, pollution and make a quiet road a busy and dangerous road

- It will ruin the area
- The plots at 8,9 and 10 need to be built in line with the building line along Lockesley Drive
- Plots 8.9 and 10 would cause overlooking into the rear of 65 and 67 Glendower Crescent.

Comments from Consultees:

The Council's Highways Development Engineer:

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

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

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

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

The Council's Drainage Officer:

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

The Council's Street Trees Officer:

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

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

The Council's Environmental Health Officer (Pollution):

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

Metropolitan Police Designing Out Crime Advisor:

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

Thames Water:

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

Transport for London:

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

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

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

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

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

Environment Agency:

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

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

Historic England:

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

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

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

Planning Considerations

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

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

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

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

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

The most relevant draft Local Plan policies include:

- Draft Policy 1 - Housing Supply
- Draft Policy 2 - Provision of Affordable Housing
- Draft Policy 4 - Housing Design
- Draft Policy 8 - Side Space
- Draft Policy 30 - Parking
- Draft Policy 31 - Relieving Congestion
- Draft Policy 32 - Road Safety
- Draft Policy 33 - Access for All
- Draft Policy 34 - Highway Infrastructure Provision
- Draft Policy 37 - General Design of Development
- Draft Policy 113 - Waste Management in new Development
- Draft Policy 115 - Reducing Flood Risk
- Draft Policy 116 - Sustainable Urban Drainage Systems
- Draft Policy 119 - Noise Pollution Draft Policy 120 - Air Quality
- Draft Policy 122 - Light Pollution
- Draft Policy 123 - Sustainable Design and Construction
- Draft Policy 124 - Carbon Dioxide Reduction, Decentralised Energy Networks and renewable energy

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

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

- 5.9 Overheating and cooling
- 5.10 Urban greening
- 5.11 Green Roofs and Development Site Environs
- 5.12 Flood risk assessment
- 5.13 Sustainable Drainage
- 5.14 Water quality and wastewater infrastructure
- 5.15 Water use and supplies
- 5.21 Contaminated land
- 6.3 Assessing effects of development on transport capacity
- 6.9 Cycling
- 6.10 Walking
- 6.13 Parking
- 7.1 Lifetime neighbourhoods
- 7.2 An inclusive environment
- 7.3 Designing out crime
- 7.4 Local character
- 7.5 Public Realm
- 7.6 Architecture
- 7.8 Heritage assets and archaeology
- 7.13 Safety, security and resilience to emergency
- 7.14 Improving Air Quality
- 7.15 Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes
- 7.18 Protecting Open Space and Addressing Deficiency
- 7.19 Biodiversity and access to nature
- 7.21 Trees and woodlands
- 8.2 Planning obligations
- 8.3 Community infrastructure levy

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

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

The relevant London Plan SPGs are:

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

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

14: achieving sustainable development
17: principles of planning
47-50: housing supply
56 to 66: design of development
109 -111, 118, 120 - 121, 121: nature conservation and biodiversity

Planning History

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

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

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

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

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

Conclusions

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

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

Housing Supply

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

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

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

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

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

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

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

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

within a predominantly residential area, bounded on three sides by a mixture of single and two storey properties.

It is noted that the site has a low PTAL of 1B however the application has been accompanied by a comprehensive transport statement and subsequent addendum which does not identify any detrimental impact upon the surrounding highways network or parking capabilities within the site. The statement also highlights local bus routes and St Mary Cray train station which is 1.1km from the site.

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

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

Density

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

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

As set out above, the housing density of the development would equate to 43.75 units per hectare which is compliant with the density guidelines set out in the UDP and the London Plan and approximately 203.75 habitable rooms per hectare which

is slightly over the density guidelines as stipulated however would not materially impact upon the overall provision.

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

Design

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

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

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

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

Consistent with this policy BE1 of the London Borough of Bromley Unitary Development Plan (UDP) requires new developments to be imaginative and attractive to look at; complement the scale, form, layout and materials of adjacent

buildings and areas; development should not detract from the existing street scene and/or landscape and should respect important views, skylines, landmarks or landscape features; the space about buildings should provide opportunities to create attractive settings and security and crime prevention measures should be included in the design and layout of buildings and public areas. The emerging Draft Local Plan takes a similar stance.

Layout

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

In terms of the compliance with Policy H9, it is noted that the only aspect of the overall development that does not comply with the required 1m space standards for development of two storeys or more is between the single storey garage at plot 11 and the flank elevation of plot 12 where just over a 1m space is to be retained. Whilst it is noted that this part of the development does not adhere to the policy requirement, given that this is a new development, adequate separation is generally retained between the new buildings and the resulting visual impact would not appear unduly cramped. The impact upon the spaciousness of the site as a result of the non-compliance with policy H9 in this location is also mitigated by the overall siting of the dwelling at plot E which has a positive impact in terms of openness given its green and spacious corner setting. It is noted that the Applicant has removed a garage from the flank elevation of plot 8 replacing the built form with surface car parking; this is considered to result in a more spacious appearance and less intrusive impact upon the owner occupiers of number 1 Lockesley Drive enhancing the spatial standards of the overall development. Furthermore, the separation distances around the perimeter of the site retain in excess of 1m separation distance to existing boundaries. The revised layout amended the roadways within the development and re-positioned the dwellings along two main roads, retaining an open green area to the south.

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

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

surrounding locality. A scheme of landscaping will be conditioned to be submitted which is considered to soften the impact of the proximity of the dwellings to Lockesley Drive.

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

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

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

Appearance and Scale

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

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

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

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

Housing Issues

Unit Size Mix:

London Plan policy requires new housing development to offer a range of housing choices in terms of the mix of housing sizes and types taking into account the housing requirements of different groups. Policies within the Bromley UDP do not set a prescriptive breakdown in terms of unit sizes however the priority in the London Plan is for the provision of affordable family housing, generally defined as having three or more bedrooms. The size of the site and location in a suburban setting with good access to open space make it suitable for the provision of family housing and the proposed mix of 1 and 2 bedroom flats and 3 and 4 bedroom houses are considered acceptable in this respect. The majority of the affordable units are one and two bedroom dwellings which is considered to reflect local need and is considered acceptable by the Council's housing team.

Affordable Housing:

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

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

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

Standard of Residential Accommodation

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

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

The proposed units all comply with the space standards set out in the Technical Housing Standards and the proposed wheelchair accessible unit (plot 27 (flat 3 within the apartment building) will have an internal area of just over 61.29 square

metres, larger than the other one bedroom apartments within the block, and the detailed layouts for the wheelchair apartments confirm that this unit will be able to meet the requirements of Part M4(3) of the Building Regulations which will be secured by way of legal agreement.

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

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

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

Impact on neighbouring amenity

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

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

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

Comments have been received from the dwellings along Glendower Crescent whose rear amenity space backs onto the development to the north. The comments pertain mainly to the impact of the loss of the hedge which bounds the

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

Comments have also been received with regard to the impact upon number 1 Lockesley Drive and the siting of the development in relation to the dwellings along this part of the highway, specifically requesting that the properties are sited in line with the existing building line. The dwellings are not considered to detrimentally impact upon the dwelling at number 1 Lockesley Drive, with no flank windows proposed facing the neighbouring property. The two storey house is located 4.5m from the common side boundary boundary. The acceptability of the siting of the dwelling is further evidenced by the compliance with the 45 degree angled light test when taken from the rear habitable room windows of 1 Lockesley Drive. Whilst there will be some visual incursion as a result of the development, given the separation distances provided it is not considered that the scheme would unduly compromise residential amenity in this regard.

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

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

Concerns have also been raised regarding the relationship of the proposed house at plot 7 to the dwellings at 29 and 31 Oakdene Road. While the house at plot 7 and 6 is situated in close proximity to 29 and 31 Oakdene Road, there is a separation distance of 8-8.5m to the rear amenity space of the adjacent properties,

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

The apartment block to the east of the site provides balconies to the first and second floor apartments. Plot 19 is located to the west of the site, 5.5m from the nearest balcony and is the nearest residential dwelling. Properties along Oakdene Road are sited over 32m from the apartment block and are not considered to be detrimentally impacted as a result of the raised outdoor amenity area. The balconies are also located 11m from plot 24 to the south which is also considered sufficient. To prevent any actual and perceived overlooking into the rear of plot 19, details of screening can be conditioned for details to be forthcoming prior to occupation which will alleviate concerns regarding residential amenity.

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

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

Parking and cycling provision and Highways impacts

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

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

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

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

The proposed junction with the access road and Lockesley Drive is on the outside of a bend which gives satisfactory sightlines. A Stage 1 Road Safety Audit was provided on the layout of the junction combined with the access to plots 8 - 10, which is satisfactory. A further detailed plan is needed for the layout of the access junction, including the access to no.1 Lockesley Drive, relocation of lamp column, tactile paving, repositioning of the gully etc which can be conditioned for submission should Members be minded to grant permission. The access road is proposed as a 4.8m carriageway which is satisfactory. A revised swept path analysis was submitted for the refuse lorry access and the findings of this were satisfactory.

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

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

Landscaping, Trees and Ecology

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

Policy NE7 of the UDP requires proposals for new development to take particular account of existing trees on the site and on adjoining land, which, in the interests of

visual amenity and/or wildlife habitat, are considered desirable to be retained. Policy NE9 seeks the retention of existing hedgerows and replacement planting; where appropriate, recognising the important role they can play in softening and screening new development.

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

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

A line of sycamore trees are proposed to be removed along the western boundary of the site fronting Lockesley Drive to facilitate the entrance to the development and a partial removal of the hawthorn and elder hedge will be required to the south of the site to provide adequate parking bays. A scheme of re-planting is proposed including a condition to retain the remaining hedgerow to the south. Tree protection measures are proposed for the retention of significant trees within the site, inclusive of the two beech trees to the south. No objections are made by the Council's Tree Officer in this regard stating that existing trees within the site will be sufficiently protected for the duration of the scheme, with particular protection of the two protected beech trees to the south. Comments from neighbours have been forthcoming as to the extent of the removal of the trees on the site at present, whilst this is regrettable these do not have any formal protection and as such can be removed without prior notification to the Council. A scheme of replacement planting including mature trees has been forthcoming which is considered to mitigate some of the loss of the trees.

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

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

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

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

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

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

Site wide energy requirements

London Plan Policies 5.1 - 5.7 refer to energy requirements to achieve climate change mitigation including reduction in carbon emissions and renewable energy. The applicant has submitted a Sustainable Energy report setting out options to meet these requirements. The report recommends the use of photovoltaic cells to provide renewable energy which it states are able to meet London Plan energy requirements of a 35% reduction in carbon emissions above that of the 2013 Building Regulations. Further information was submitted with regard to the anti-glare capabilities of the panels and the effectiveness of the PV panels located under the trees. The report concludes that with the introduction of lean, clean and green energy efficient measures, the total emissions are reduced by a total of 18,268kg CO₂ per year, or 35.05% of the TER emissions. Both of these points were found to be acceptable. A condition would be recommended should permission be forthcoming to ensure this reduction is achieved and to seek further details regarding the appearance and layout of the proposed photovoltaics.

Planning Obligations

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

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

Paragraph 122 of the Community Infrastructure Levy Regulations (April 2010) puts the above three tests on a statutory basis, making it illegal to secure a planning

obligation unless it meets the three tests. From 5th April 2015, it is necessary to link Education, Health and similar proposals to specific projects in the Borough to ensure that pooling regulations are complied with.

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

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

The scheme would also be subject to Mayoral CIL.

Summary

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

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

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

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

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

as amended by documents received on 09.02.2017

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

and the following conditions:

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

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

- 2 The development hereby permitted shall be carried out otherwise than in complete accordance with the following plans unless previously agreed in writing by the Local Planning Authority:**

Site wide plans/elevations/floor plans: 041505-FER-03 Rev F, 041505-FER-01 Rev H, 041505-FER-H-E3, 041505-FER-H-E2, 041505-FER-H-E1 Rev A, 041505-FER-H-P1 Rev A, 041505-FER-B1-P3 Rev B, 041505-FER-B1-P2 Rev B, 041505-FER-C-E1 Rev B, 041505-FER-C-P1 Rev B, 041505-FER-B-E1 Rev B, 041505-FER-B-P1 Rev A, 041505-FER-F-E1 Rev B, 041505-FER-F-P1 Rev B, 041505-FER-E-E1 Rev B, 041505-FER-E-P1 Rev B, 041505-FER-SS05 Rev C, 041505-FER-SES02 Rev B, 041505-FER-GAR01 Rev B, 041505-FER-05 Rev F, 041505-FER-04 Rev F, 041505-FER-02 Rev J, 041505-FER-A-E1 Rev B, 041505-FER-A-P1 Rev A, 041505-FER-B1-P1 Rev C, 041505-FER-D-E1 Rev B, 041505-FER-D-P1 Rev B, 041505-FER-D-P1 Rev B, 041505-FER-G-E1 Rev B, 041505-FER-G-P1 Rev B, 041505-FER-CP03 Rev A, 041505-FER-CP01 Rev A, 041505-FER-CP02 Rev A, 041505-FER-06, 041505-FER-SS04 Rev D, 041505-FER-B1-E3 Rev B, 041505-FER-B1-E1 Rev C, 041505-FER-B1-E2 Rev C, 041505-FER-B1-E4 Rev B, 041505-FER-B1-P4 Rev A, 041505-FER-SES01 Rev B, 041505-FER-PER02 REV D, 041505-FER-PER01 REV D, 041505-FER-PER03 REV A, 041505-FER-CP04

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

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

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

- 4 The development hereby permitted shall incorporate measures to minimise the risk of crime and to meet the specific needs of the application site and the development. Details of these measures shall be submitted to and**

approved in writing by the Local Planning Authority prior to commencement of the development hereby permitted above ground level, and implemented in accordance with the approved details. The security measures to be implemented in compliance with this condition shall seek to achieve the "Secured by Design" accreditation awarded by the Metropolitan Police.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

- 12 No wall, fence or hedge on the front boundary or on the first 2.5 metres of the flank boundaries shall exceed 1m in height, and these means of enclosure shall be permanently retained as such.

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

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

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

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

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

15 The arrangements for storage of refuse (which shall include provision for the storage and collection of recyclable materials) and the means of enclosure shown on the approved drawings shall be completed before any part of the development hereby permitted is first occupied, and permanently retained thereafter.

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

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

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

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

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

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

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

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

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

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

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

21 Before any work is commenced on the access/highway works a Stage 1 and where appropriate a Stage 2 Road Safety Audit (these may be combined with the prior agreement of the local Planning Authority) shall be submitted to and approved in writing by the local Planning Authority for the entire road layout. The works shall be implemented strictly in accordance with the approved details to the satisfaction of the local Planning Authority before any part of the development hereby permitted is first occupied. A Stage 3 Audit shall be submitted to and approved in writing by the local Planning Authority following satisfactory completion of the works and before they are opened to road users.

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

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

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

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

REASON: For the protection of the integrity and function of the existing culvert. Clearance of debris within and around the culvert has the potential for unexpected damage to be inflicted on the culvert structure. In addition, any

change to the flow or water level of a river may result in potential adverse effects further downstream of the river.

- 24 Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority [LPA]), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:
- 1) A preliminary risk assessment which has identified:
 - all previous uses
 - potential contaminants associated with those uses
 - a conceptual model of the site indicating sources, pathways and receptors
 - potentially unacceptable risks arising from contamination at the site.
 - 2) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
 - 3) The results of the site investigation and detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
 - 4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Any changes to these components require the express consent of the local planning authority. The scheme shall be implemented as approved.

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

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

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

- 26 Prior to occupation of the development, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the LPA. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for

longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, if appropriate, and for the reporting of this to the local planning authority. Any long-term monitoring and maintenance plan shall be implemented as approved.

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

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

Reason

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

28 Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the LPA, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

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

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

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

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

writing and a report on that evaluation has been submitted to and approved by the local planning authority in writing.

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

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

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

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

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

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

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

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

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

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

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

34 Before the development hereby permitted is first occupied the proposed window in the rear elevation of bedroom 2 of the dwelling at plot 7 shall be obscure glazed to a minimum of Pilkington privacy Level 3 and shall be non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed and the window (s) shall subsequently be permanently retained in accordance as such.

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

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

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

36 No trees or hedgerows on the site shall be felled, lopped, topped or pruned before or during building operations except with the prior agreement in writing by the Local Planning Authority. Any trees or hedgerows removed or which die through lopping, topping or pruning within 10 years of the date of this consent shall be replaced in the next planting season with trees of such size and species as may be agreed with the Authority.

Reason: In order to comply with Policy NE7 of the Unitary Development Plan and to ensure that as many trees as possible are preserved at this stage, in the interest of amenity.

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

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

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

The statement shall include details of:

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

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

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

You are further informed that :

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

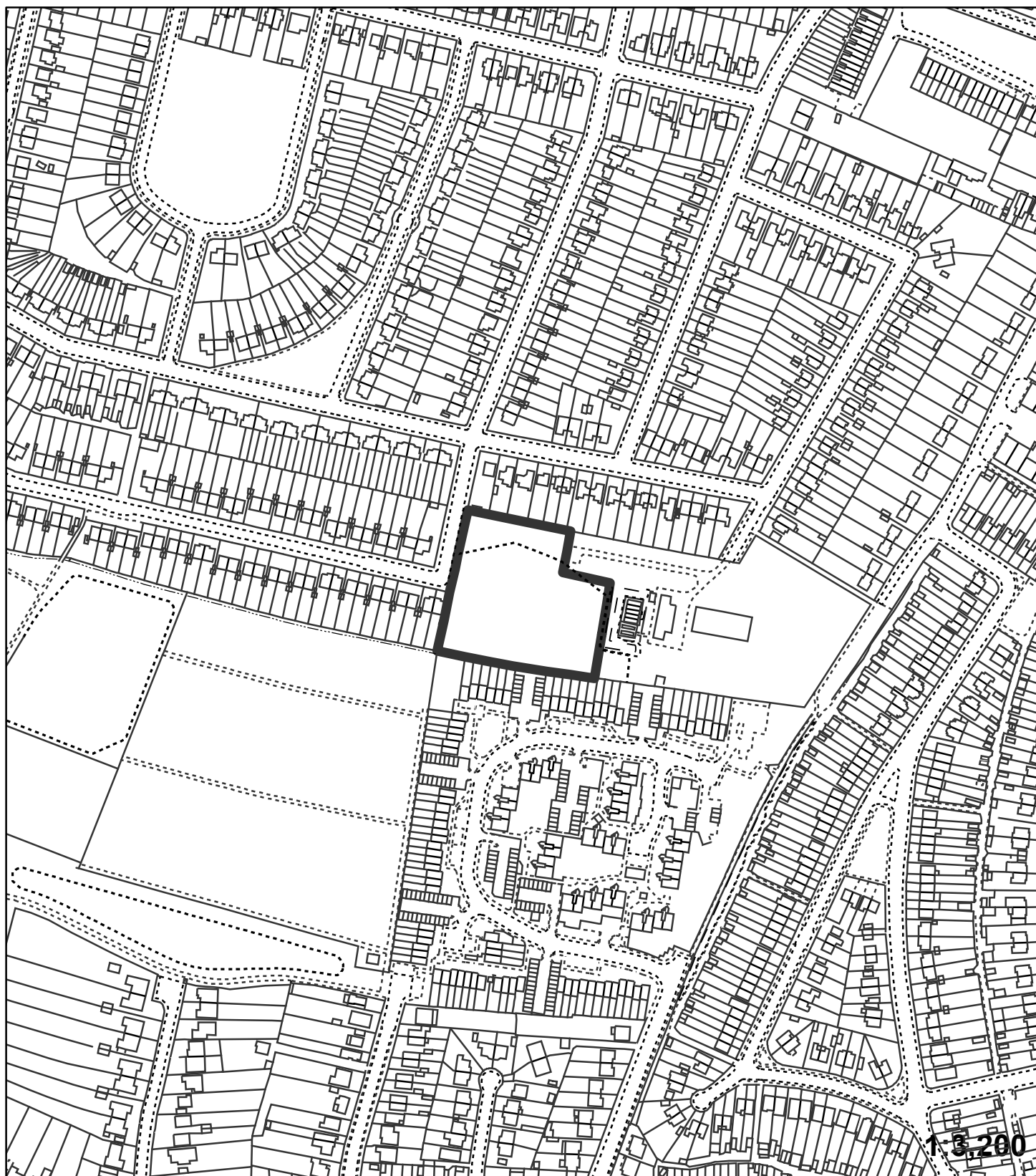
- 3** Before works commence, the Applicant is advised to contact the Pollution Team of Environmental Health & Trading Standards regarding compliance with the Control of Pollution Act 1974 and/or the Environmental Protection Act 1990. The Applicant should also ensure compliance with the Control of Pollution and Noise from Demolition and Construction Sites Code of Practice 2008 which is available on the Bromley web site. If during the works on site any suspected contamination is encountered, Environmental Health should be contacted immediately. The contamination shall be fully assessed and an appropriate remediation scheme submitted to the Local Authority for approval in writing.
- 4** You should contact extension 4621 (020 8313 4621 direct line) at the Environmental Services Department at the Civic Centre with regard to the laying out of the crossover(s) and/or reinstatement of the existing crossover(s) as footway. A fee is payable for the estimate for the work which is refundable when the crossover (or other work) is carried out. A form to apply for an estimate for the work can be obtained by telephoning the Highways Customer Services Desk on the above number.
- 5** Written schemes of investigation will need to be prepared and implemented by a suitably qualified archaeological practice in accordance with Historic England Greater London Archaeology guidelines. They must be approved by the planning authority before any on-site development related activity occurs.
- 6** There are large water mains adjacent to the proposed development. Thames Water will not allow any building within 5 metres of them and will require 24 hours access for maintenance purposes. Please contact Thames Water Developer Services, Contact Centre on Telephone No: 0800 009 3921 for further information.
- 7** A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team.
- 8** Conditions imposed on this planning permission require compliance with Part M4 of the Building Regulations. The developer is required to notify Building Control or their Approved Inspector of the requirements of these conditions prior to the commencement of development."

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Application:15/04610/FULL1

Address: North Orpington Pumping Station East Drive Orpington

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



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

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SECTION '2' – Applications meriting special consideration

Application No : 16/03768/OUT

Ward:
Shortlands

Address : 44 Cumberland Road, Shortlands,
Bromley BR2 0PQ

OS Grid Ref: E: 539661 N: 168531

Applicant : Aventier Land Bank

Objections : YES

Description of Development:

Demolition of an existing dwelling and erection of single residential block containing 4 x 2-bed flats with associated access and parking (Outline Application).

Key designations:

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

Proposal

Outline permission is sought for the demolition of the existing house and the construction of 4 two bedroom self-contained flats with associated parking.

The application has been submitted in 'outline' for provision of an access to a front parking area just off Cumberland Road and also for the layout and scale of the development. All other matters regarding appearance and landscaping are reserved.

The proposal would provide 4 parking spaces to the front of the property.

The application has been amended since the original submission with the removal of one residential unit.

Location

The application site is located on a corner plot at the junction of Cumberland and Winchester Road. There is an existing detached residential dwelling, which would be demolished under the current proposal. The application property forms one of four detached dwellings on this section of Cumberland Road, which step downwards in height towards Winchester Road, accounting for a change in gradient. Immediately opposite the site is a pedestrian crossing.

The surrounding area is residential in character and there is a mixture of single residential dwellings and flatted developments.

The property is not located within a conservation area.

Consultations

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

- The relocation of the traffic island would restrict views from the junction of Cumberland Road and St Mary's Avenue. Drivers wanting to pass a bus at the bus stop would not be able to do so
- Relocation of refuse will have a negative impact on road safety for children and families
- Bus stops are not shown on the diagrams
- The proposal does not show a sufficient reduction in size since the previous rejection. It is greater in depth to the rear than the existing property and will impede on light and privacy of surrounding properties
- Harm to the character of the area and leafy, open feel of the area
- Previous refusals and dismissed appeals for similar developments on this site and the current proposal would have a greater impact due to width, depth and balconies
- Building appears to be 7% larger than the application dismissed by the planning inspectorate
- Hardstanding to the front remains out of character and plans showing mature trees are misleading
- The design and square roof give the appearance of a larger building.
- This is a dangerous junction and the development would cause safety issues
- Development has same footprint as rejected schemes
- Increase in traffic
- Close to Highfield Junior School and many families walk this way to and from the school the development and relocation of the crossing would result in safety issues
- Density of area already very high and adding another block of flats would add to the dangers of a busy three way junction
- Pedestrian crossing will be closer to a busy bus stop and there are risks with overtaking on a hill. Large number of children using the road
- Island will prevent drivers being able to overtake when a bus is at the bus stop. This would create further congestion.
- Concerns about visibility on the highway and cars already travelling at speed
- There is an existing lamp column would also need relocating. This would, like the crossing, be most likely outside No 42 which would cause a nuisance into bedrooms
- The lamp post also illuminates the junction and moving this will make it more dangerous

- The development will create an environment which is more hazardous for pedestrians and is unethical and irresponsible
- Statements made within supporting documents are misleading and inaccurate
- The design and scale have not changed from previous schemes but have only changed position within the plot
- Loss of light and overshadowing
- Confusion about the size of the proposed dwelling and dimensions of the existing property
- The size and location of the development will result in neighbours feeling 'hemmed in'
- Loss of outlook
- Concerns about boundary walls
- Subsidence
- Health, safety and noise concerns during construction
- Spacing between properties would be reduced and would disrupt continuity of the properties within the road
- Would appear out of place within the street and plot
- Loss of trees and garden land
- Increase runoff from hardstanding
- The area already struggles with drainage problems and removing natural drainage will exacerbate problems
- Inaccuracies within the drawings.
- Bulky appearance
- Appears to be the same height of the existing building but living accommodation would be provided and it would be larger than the current pitched roof. Destroy uniformity of the street
- Overlooking
- No other properties have terraces
- Increase in noise and disturbance
- Cramped overdevelopment of the plot
- Will set a precedent
- Unclear whether moving the traffic island is feasible and who would pay for it
- Moving the traffic island will harm highway safety for pedestrian and will change traffic behaviour
- Traffic audit is not reliable; it was carried out in the middle of the day when traffic levels are lower. Higher numbers of people at school drop off and pick up times.
- The location of the existing crossing helps direct people, slow down traffic and ensure correct lane position
- The safety audit does not mention the existing bus stop
- The inspector of the previous appeal refused the scheme on highway safety grounds and indicated there was nothing to indicate that the relocation of the crossing as proposed by the applicant could be to a safe location.
- Safety audit is inadequate
- St Marys Road/Cumberland Road junction is already a dangerous blind corner

- Moving the island closer to the bus stop would increase congestion. It would restrict turning into/out of Highfield Drive
- The latest scheme is less objectionable in design and scale
- The tracking information appears to show conflict with dustbin lorry manoeuvring
- Moving the crossing will encourage cars to drive faster on the hill.
- Inaccuracies within the safety audit
- Accidents already have occurred close to these junctions
- The road conditions will result in the position of the new crossing being obscured
- Will not be sufficient space for residents of No 42 to manoeuvre in/out of driveway
- A second road safety audit should be undertaken at peak times
- Access should be from Winchester Avenue

The full content of the comments received are available to view on the file.

Drainage Officer - The applicant indicates that he intends to discharge surface water into the public sewer. This won't be possible as there is evidence that public sewers in the area are overwhelmed and flooding occurs in heavy rainfall. The applicant is required to use SUDS and conditions relating to surface water drainage and SUDs are requested.

Highways officer - Further to the road safety audit; no objections are raised to the proposed. The applicant should be aware that all highway work inclusive or relocation of the street lighting column is subject to a Section 278 Agreement.

Please include the following with any permission:

CONDITION

H01 (Access and relocation of pedestrian island)

H03 (Car Parking)

H18 (Refuse)

H22 (Cycle)

H29 (Construction Management Plan)

H32 (Highway Drainage)

INFORMATIVE

DI16 (Crossover)

Nonstandard informative - Street furniture/ Statutory Undertaker's apparatus "Any repositioning, alteration and/ or adjustment to street furniture or Statutory Undertaker's apparatus, considered necessary and practical to help with the modification of vehicular crossover hereby permitted, shall be undertaken at the cost of the applicant

Environmental Health Officer - No comments have been received in relation to the current application however the following comments were received in relation to the previous scheme and are still considered relevant:

The application site is within an Air Quality Management Area declared for NOx. I would therefore recommend that the following conditions are attached:

The application site is located within an Air Quality Management Area declared for NOx: In order to minimise the impact of the development on local air quality any gas boilers must meet a dry NOx emission rate of <40mg/kWh (To minimise the effect of the development on local air quality within an Air Quality Management Area in line with NPPF p124 and Policy 7.14 of the London Plan)
and

An electric car charging point shall be provided to a minimum of 20% of car parking spaces with passive provision of electric charging capacity provided to an additional 20% of spaces. (To minimise the effect of the development on local air quality within an Air Quality Management Area in line with NPPF p124 and Policies 6.13 and 7.14 of the London Plan)

I would also recommend that the following informatives are attached:

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

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
H1 Housing Supply
H7 Housing Density and Design
H9 Side Space
NE7 Development and Trees
ER10 Light pollution
T3 Parking
T7 Cyclists
T18 Road Safety

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

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

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 5.2 Minimising carbon dioxide emissions
Policy 5.3 Sustainable design and construction
Policy 5.7 Renewable energy
Policy 5.9 Overheating and cooling
Policy 5.10 Urban greening
Policy 5.11 Green roofs and development site environs
Policy 5.12 Flood risk management
Policy 5.13 Sustainable drainage
Policy 5.14 Water quality and wastewater Infrastructure
Policy 5.15 Water use and supplies
Policy 6.9 Cycling
Policy 6.13 Parking
Policy 7.2 An inclusive environment
Policy 7.3 Designing out crime
Policy 7.4 Local character
Policy 7.6 Architecture
Policy 7.15 Reducing and Managing Noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes
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 makers can also give weight to relevant policies in emerging plans according to:

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

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

The following emerging plans are relevant to this application.

Draft Local Plan

The Council is preparing a Local Plan and commenced a period of consultation on its proposed submission draft of the Local Plan on November 14th 2016 which closed on December 31st 2016 (under The Town and Country Planning (Local Planning) (England) Regulations 2012 as amended). It is anticipated that the submission of the 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 73 Development and Trees
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

01/01844/FULL1: 1.8 metre high front boundary wall. Permission granted on the 11.07.2001

97/01955/FUL: Boundary fence. Refused on the 03.09.1997

97/03138/FUL: Boundary fence. Permission on the 14.01.1998

07/01252/FULL1 Two-storey detached house with accommodation in roof space/2 car parking spaces and bin stores on land adjacent to no.44 Cumberland Road with new access fronting Winchester Road. Refused on the 17.05.2007

Refused for the following reasons:

1. The proposal involves the unsatisfactory sub-division of an existing plot resulting in a cramped overdevelopment of the site and a retrograde lowering of the spatial standards of the area, harmful to the character of the streetscene and contrary to Policies H7, H9 and BE1 of the Unitary Development Plan.
2. The proposed building, because of its design siting and materials, would result in a structure out of character with and harmful to the appearance and character of its surroundings, contrary to Policies H7 and BE1 of the Unitary Development Plan.

The above was subsequently dismissed at appeal on the 8th April 2008 (APP/G5180/A/07/2059853).

15/03404/OUT: Demolition of existing dwelling and erection of single block containing 6 x 2-bed flats with associated parking and access. Refused on the 15.1.2016.

Refused for the following reasons:

1. The proposed development, by reason of its scale, mass, intensification, prominent siting and encroachment onto the open setting of the junction would result in a cramped overdevelopment that would result in a retrograde lowering of the spatial standards of the area, harmful to the character of the streetscene contrary to Policies 3.4 Optimising Housing Potential, 7.4 Local Character of the adopted London Plan (2015); Policies BE1 Design of New Development , H7 Housing Density and Design and H9 Side Space of the Unitary Development Plan, the Council's adopted Supplementary Planning Guidance 1 and 2 and the National Planning Policy Framework.
2. The proposed development by reason of its layout, scale, mass, intensification and proximity with the side boundary would result in a dominant and intrusive form of development harmful to the visual amenities of neighbouring properties contrary to Saved Policy BE1 Design of New Development of the adopted Unitary Development Plan (2006) and the Council's adopted Supplementary Planning Guidance 1 and 2
3. The proposed balconies and intensification of the site would result in unacceptable overlooking and a loss of privacy for neighbouring residents contrary to Policy BE1 Design of New Development of the adopted Unitary Development Plan (2006).

An appeal against the refusal, PINS Ref. APP/G5180/W/16/3144993, was dismissed on 2nd August 2016. The Inspector noted the contribution that the side garden at No44 made to the open, spacious character of the acute Cumberland Road/ Winchester Road corner, and that although some of the side garden would be retained the proposed flats would erode this character. The closer proximity and the additional depth of the building, together with the more bulky roof form and gables to front and rear would result in an intrusive and discordant building on a prominent corner site and also when viewed along Winchester Road where the flats would project in front of the building line. The existing and proposed boundary screening would fail to mitigate against this impact. (paragraph 6). The Inspector also agreed that the corner site required a higher standard of spatial separation and considered that the proposal conflicted with policies BE1, H7 and H9 of the Unitary Development Plan.

In regard to the impact on the living conditions of surrounding residents, the Inspector found that the appeal proposal would roughly align with the front and rear elevations of the detached house at 42, Cumberland Road and he therefore thought that there would therefore be no perceptible effect on outlook from its windows. Whilst acknowledging that the flats at the rear would have balconies at

first and second floor levels the Inspector noted that these would be screened with solid sides and it was thought that only oblique views would be provided over the rear garden of No.42. The rear elevation would be set back from the rear boundary with No.39 and there would be screening proposed to mitigate the impact. Two windows at No.39 were identified, both serving bedrooms. He identified potential for inter-looking between the front bedroom window and two balconies at the rear of the proposed block of flats but considered that the oblique nature of this together with the separation between the properties and boundary screening (not yet specified, as in outline) would offset this.

16/01121/OUT - Demolition of the existing dwelling and erection of single residential block containing 6x2 bed flats, with associated access and parking.

Refused for the following reasons:

1. The proposed development, by reason of its scale, mass, intensification, prominent siting and layout would represent an incongruous form of development, which does not compliment or respect the scale, continuity or pattern of adjacent development, resulting in an encroachment onto the open setting of the junction and a cramped overdevelopment harmful to the character and appearance of the streetscene contrary to Policies 3.4 Optimising Housing Potential, 7.4 Local Character of the adopted London Plan (2015); Policies BE1 Design of New Development , H7 Housing Density and Design and H9 Side Space of the Unitary Development Plan, the Council's Supplementary Planning Guidance 1 and 2 and the National Planning Policy Framework.
2. The proposed development by reason of its layout, position, scale and mass would result in a dominant, overbearing and intrusive form of development harmful to the visual amenities of neighbouring properties at No 39 Winchester Road and 42 Cumberland Road contrary to Saved Policy BE1 Design of New Development of the adopted Unitary Development Plan (2006) and the Council's Supplementary Planning Guidance 1 and 2
3. The location of the proposed vehicular access, in close proximity to a pedestrian crossing on Cumberland Road, would be prejudicial to the free flow of pedestrian and vehicular traffic, thereby constituting a safety hazard contrary to Policies H7 Housing Density and Design, T6 Pedestrians, T11 New Accesses and T18 Road Safety of the Unitary Development Plan (2006).

The above application was appealed under ref: APP/G5180/W/16/3156491. The inspector of the above appeal found in favour of the applicant in relation to the scale and mass of the development and also in respect of neighbouring amenity. Objections were however raised to the proximity of the entrance to an existing pedestrian crossing, thereby being prejudicial to highway safety.

Conclusions

The main issues relating to the application are the principle of the development and the effect in principle that a residential development would have on the character and appearance of the locality, the effect of the design layout and scale on the locality and visual amenity of the area, access arrangements and the impact the scheme would have on the living conditions and amenities of nearby properties. Consideration should also be given to the previous reasons for refusal and a number of recent appeal decisions.

Principle of development

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

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

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

The site is currently in residential use and is located adjacent to residential dwellings to the north east and south east of the site. In this location the Council will consider residential infill development provided that it is designed to complement the character of surrounding developments, the layout makes suitable residential accommodation, and it provides for garden and amenity space. Any adverse impact on neighbouring amenity, conservation and historic issues, biodiversity or open space will need to be addressed.

Therefore the provision of the new dwelling units on the land is acceptable is subject to an assessment of the impact of the proposal on the appearance/character of the surrounding area, the residential amenity of adjoining and future residential occupiers of the scheme, car parking and traffic implications, community safety and refuse arrangements.

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 existing development within Cumberland Road is a mixture of single residential dwellings and flatted developments. The architectural language is also varied. However, it is noted that the pattern of development and space surrounding the buildings within the locality has a regular continuity and rhythm, allowing for a suburban and spacious character.

The junction setting of the site also has a relatively spacious feel as original intended in the street layout. In this location any intervention on the flank of properties on any of the corner areas may appear obtrusive and incongruent unless they were of a subservient mass and scale. The existing property on this site forms one of four, two-storey detached dwellings, which step down in height towards Winchester Road. The existing built form is set back from this junction and provides a generous side space. The neighbouring properties to the north east (39-35 Winchester Road) are also two-storey detached dwelling that have also been set back from the highway adding to the spatial qualities of this junction and wider locality.

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

The proposed building would have a staggered building line, measuring 11 m in width and 15.2m along Winchester Avenue. This would result in 2.6m spacing between the proposed development and No 42 Cumberland Road. It would also include a 10m separation from the common side boundary with Winchester Road at its widest point and 5m at its narrowest. The case considered a the most recent appeal had a similar scale and its frontage along Cumberland Road measured 10m at its maximum point and 15m along Winchester Avenue. In relation to the most recent appeal, the Inspector considered that whilst the 'the footprint and bulk of the proposed building would be greater than that of the existing dwelling; a significant gap would be retained (2.4m) along its side boundary with No 42. Furthermore, when viewed from Cumberland Road, the building would be situated at a lower ground level compared to this adjacent dwelling, in accordance with the slope of the road. In this context the proposal would not appear obtrusive'. The relationship within the current application is not dissimilar to this most recent appeal and weight is therefore given to the Inspectors conclusions. The current scheme has marginally reconfigured the layout of building and narrowed the main bulk of the structure fronting Cumberland Road to 8.2m, whereas the main structure of the previous scheme measured 10m. However, the reconfiguration of the layout and narrowing of the main building has subsequently increased the depth and size of the flat roof side element along the Winchester Avenue frontage and this is no longer as set back from Cumberland Road as with the previous scheme.

The Inspector of the above appeal stated that 'The depth of the proposed building would be greater than that of the existing dwelling. Whilst this would be evident in the side elevation and prominent at higher ground level in relation to Winchester Road, the building would be sited sufficiently inside the plot to ensure the retention of generous spacing to the north-west side boundary. With the probability of additional landscaping, the building would not therefore appear cramped or dominant in this corner plot location'.

There have been a number of schemes refused at the application site, two of which were dismissed partially on design grounds at appeal, one for a detached dwelling (APP/G5180/A/07/2059853), the second for an apartment block (APP/G5180/W/16/3144993). In both cases, the buildings would have encroached further into the spacious corner and garden area of the plot, significantly more so in the case of the dwelling. The Inspector of the most recent appeal however (APP/G5180/W/16/3156491), noted that these examples were 'not therefore readily comparable to the current proposal'. Subsequently, the Inspector concluded that 'the proposal would not harm the character and appearance of its surroundings.

The current application is similar in form to the most recent appeal and also achieves a similar spatial relationship with the corner. It would incorporate a projecting side element along the Winchester Road frontage, which is not as subservient as the previous scheme, however this would still be recessed from the front and rear elevations and the main bulk of the building has been narrowed to broadly adhere to the proportions of the existing property. The current application also includes a smaller number of units and achieves a greater separation with No 42 (2.7m). The spacing at the corner is slightly larger than previous schemes and the flat roof of the projecting element, together with its recessed design, would

narrow the form of the building when viewed from Cumberland Road. Therefore, when taking the most recent appeal decision into account, Members may consider that the proposal is on balance acceptable and would not result in harm to the character and appearance of the streetscene.

Standard of Residential Accommodation

Policy 3.5 of the London Plan (2015) Quality and Design of Housing Developments and Prescribed Housing Standards states the minimum internal floor space 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 proposal would provide 4 two-bed 3 person units. The proposed units would provide a level of accommodation, which complies with the prescribed housing standards.

All rooms would achieve a reasonable level of light and outlook.

In relation to amenity space the development would provide a communal garden to the side/rear. This is considered to be acceptable.

Neighbouring amenity

Policy BE1 seeks to ensure that new development proposals respect the amenity of occupiers of neighbouring buildings and that their environments are not harmed by noise and disturbance or by inadequate daylight, sunlight or privacy or by overshadowing.

The main impact of the proposed development would be on neighbouring residential occupiers.

No 39 Winchester Road is located directly to the rear of the site and sits at a right angle to the proposed development. Whilst No 42 Cumberland Road is located to the south east of the application site and is set at a slightly higher ground level.

The proposed building would project 3.5m beyond the rear of No 42 but would include a setback from the common side boundary. There would also be 9m between the rear elevation of the development and the side elevation of No 39 Winchester Road. The spatial relationship between the development and neighbouring properties is similar to the recent application considered at appeal, however the layout had been marginally reconfigured and there has been a reduction in the number of units.

Concerns were raised within the previous application in relation harm to neighbouring residential amenities. However at appeal, the Inspector considered that whilst there would be some impact on outlook from the rear of No 42, the degree of projection (also 3.5m) was limited and the building would have been at a

markedly lower level compared to No 42 and off set from the boundary. The Inspector concluded that "The proposal would not result in a significant degree of enclosure that it would result in an overbearing presence and cause oppressive living conditions for residents". No 42 is also located to the south east, which would prevent any significant loss of light or overshadowing.

In relation to No 39 the inspector observed that the front elevation of the property would be 'Perpendicular to and further away from the rear of the proposed building. As such the orientation of the proposal would not interfere with the outlook for residents of that dwelling. Whilst it would be possible to overlook No 39 from windows in the proposed apartment block, the relative orientation of the buildings means that such views would be over the area forward of the front elevation of the dwelling, which being close to the public realm would, not enjoy high standards of privacy in any event'.

Finally, in relation to overlooking the Inspector considered that 'The proposed building, including terraced areas would be sufficiently separated from the house on the opposite side of Winchester Road, No 63 St Mary's Avenue, not to result in any undue loss of privacy to that property from overlooking'. Accordingly the development was found to not conflict with Policy BE1 of the UDP or the SPG insofar as they seek to protect the living conditions of residents.

The location, position and separation of the proposed development from No 42 Cumberland Avenue and 39 Winchester Avenue is not dissimilar to the previous scheme and the overall scale of the development is now marginally smaller. Therefore, in light of the conclusions drawn by the Inspector, no objections are raised to the current proposal. Members may therefore consider that the impact on neighbouring amenity would be acceptable.

Highways, Car Parking and access

Cumberland Road is an unclassified local distributor road that links St Marys Avenue with Westmoreland Road in a north / south direction. It is a 2 way single carriageway road and has footways present along both sides. Residential properties front on both sides with off road parking provision. During the course of the previous application concerns were raised with regard to the location of the proposed vehicular entrance adjacent to an existing pedestrian crossing/refuge, which is located outside of the site on Cumberland Road, and the potential harm to pedestrian and vehicular safety. These concerns were subsequently upheld by the Inspector of the most recent appeal. In assessing the appeal scheme the inspector stated that 'The relevant drawing suggests that there would be vehicle conflict with the existing crossing and a requirement for it to be relocated'. He goes on to state that 'There is no evidence before me to provide satisfactory reassurance that the pedestrian crossing could be relocated to a safe and convenient alternative location'.

In response to these concerns the applicant now proposes to relocate the existing pedestrian crossing approximately 10.5m to the southeast along Cumberland Road. The application is supported by a Stage 1 Road safety audit relating to the relocation of the crossing and this has been reviewed by the Council's Highways

Team. There have been a significant number of objections relating to the relocation of this crossing, with many representations raising concerns with its proximity with Highfield Drive and a bus stop. The existing crossing is also used by families of the nearby Highfield Junior School. However, no objections have been raised by the highways off regarding the content of the Audit, feasibility of relocation or subsequent safety issues. If Members are minded to approve, it is considered reasonable and necessary to condition the applicant to enter into a S278 agreement with the Highway Authority in order to finalise the technical details of the relocation.

The application would provide off-street vehicular parking for 4 cars. The level of parking provision is considered to be acceptable and generally accords with the London Plan, which seeks less than one space per unit for 1-2 bedroom dwellings. The highways officer has not raised any objections to this level of parking provision and the proposal is therefore considered to be acceptable in parking terms.

Trees/Landscaping/ecology

The application is for outline permission with matters of landscaping and appearance reserved. There are a number of trees and shrubs within the site, however they are not subject to Tree Preservation Orders.

Community Infrastructure Levy

The Mayor of London's CIL is a material consideration. CIL contributions will be sought in connection with any subsequent reserved matters applications.

Background papers referred to during production of this report comprise all correspondence on the file ref(s) 16/03768 and any other applications on the site set out in the Planning History section above, excluding exempt information.

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- 1 (i) Details relating to appearance and landscaping shall be submitted to and approved by the Local Planning Authority before any development is commenced.**
- (ii) Application for approval of the details referred to in paragraph (i) above must be made not later than the expiration of three years beginning with the date of this decision notice.**
- (iii) The development to which this permission relates must be begun not later than the expiration of two years from the final approval of the details referred to in paragraph (i) above, or in the case of approval on different dates, the final approval of the last such matter to be approved.**

Reason: No such details have been submitted and to comply with the requirements of Section 92 of the Town and Country Planning Act 1990.

- 2 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.

- 3 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.

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

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

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

Reason: In order to comply with Policy T3 of the Unitary Development Plan (2006)

- 6** 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.

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

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

- 8** Details of the layout of the access road and turning area including its junction with Cumberland Road and dimensions of visibility splays shall be submitted to and approved in writing by the Local Planning Authority and these access arrangements shall be substantially completed before any part of the development hereby permitted is first occupied. There shall be no obstruction to visibility in excess of 0.9m in height within the approved splays except for trees selected by the Authority, and which shall be permanently retained.

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

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

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

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

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

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

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

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

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

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 (i) Prior to commencement of the works the applicant shall enter into a S.278 Agreement with the Local Highway Authority in order to:
- o Relocate the pedestrian island opposite the site entrance as outlined within the application hereby approved.
- (ii) All highway works shall be completed prior to the first use of the development to the satisfaction of the Local Planning Authority.

Reason: In the interest of highway safety and to comply with saved Policy T18 Road safety of the adopted Unitary Development Plan (2006)

You are further informed that :

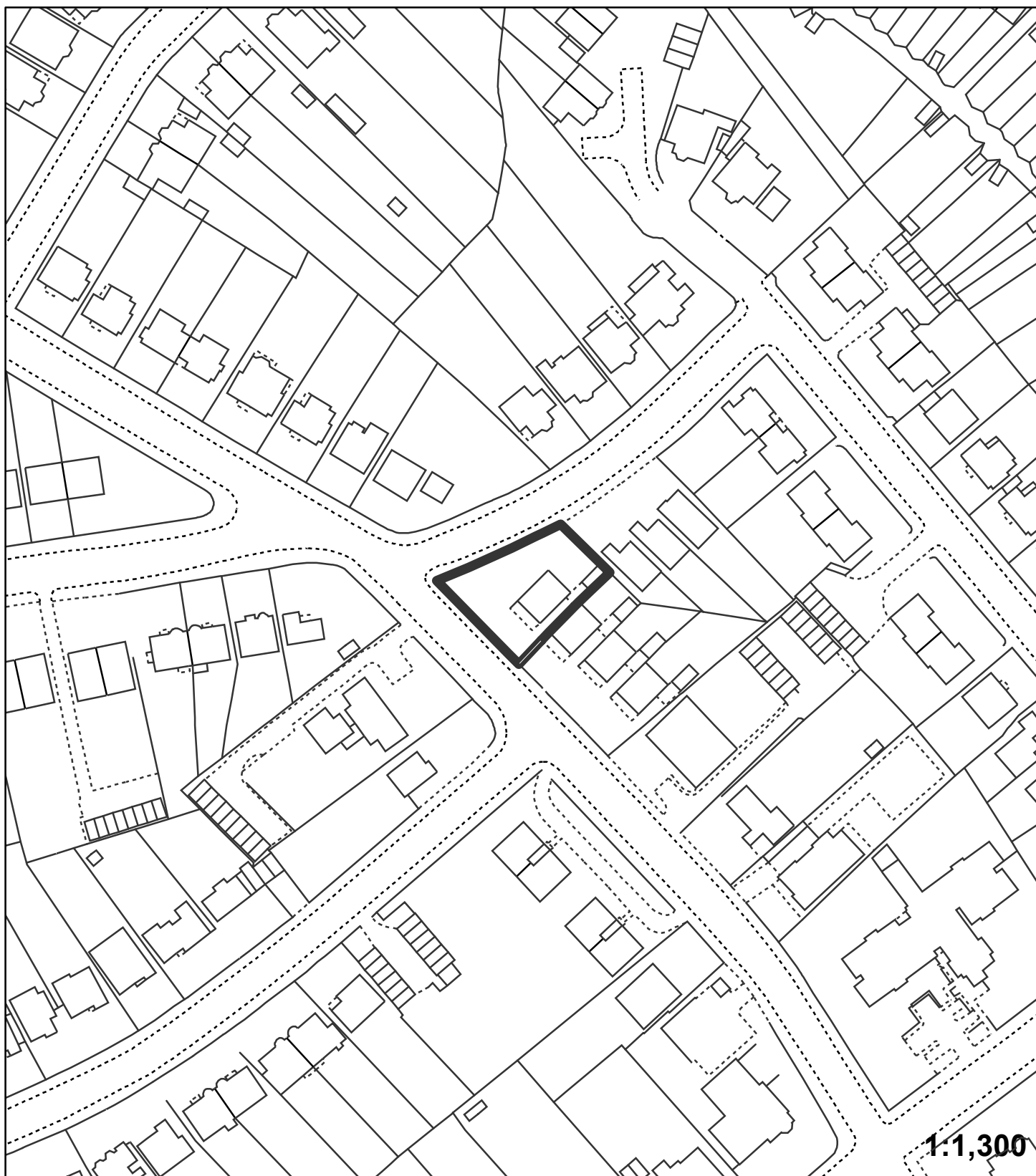
- 1 You should contact extension 4621 (020 8313 4621 direct line) at the Environmental Services Department at the Civic Centre with regard to the laying out of the crossover(s) and/or reinstatement of the existing crossover(s) as footway. A fee is payable for the estimate for the work which is refundable when the crossover (or other work) is carried out. A form to apply for an estimate for the work can be obtained by telephoning the Highways Customer Services Desk on the above number.
- 2 Any repositioning, alteration and/ or adjustment to street furniture or Statutory Undertaker's apparatus, considered necessary and practical to help with the modification of vehicular crossover hereby permitted, shall be undertaken at the cost of the applicant
- 3 Before works commence, the Applicant is advised to contact the Pollution Team of Environmental Health & Trading Standards regarding compliance with the Control of Pollution Act 1974 and/or the Environmental Protection Act 1990. The Applicant should also ensure compliance with the Control of Pollution and Noise from Demolition and Construction Sites Code of Practice 2008 which is available on the Bromley web site.
- 4 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:16/03768/OUT

Address: 44 Cumberland Road Shortlands Bromley BR2 0PQ

Proposal: Demolition of an existing dwelling and erection of single residential block containing 4 x 2-bed flats with associated access and parking (Outline Application).



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

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SECTION '2' – Applications meriting special consideration

Application No : 16/04685/FULL6

Ward:
Chislehurst

Address : Copley Dene, 34 Wilderness Road,
Chislehurst BR7 5EY

OS Grid Ref: E: 543746 N: 170190

Applicant : Mr Paul Fernback

Objections : YES

Description of Development:

Single storey rear extension.

Key designations:

Conservation Area: Chislehurst

Smoke Control SCA 16

JOINT REPORT WITH 16/04714/LBC

Proposal

The property is Grade II Statutory Listed building located on the western side of Wilderness Road overlooking Chislehurst Golf Course and within the Chislehurst Conservation Area.

The list description is as follows:

Architect Ernest Newton. Circa 1909. L-shaped. 2-storeys and attics red brick. Hipped tiled roof with 3 hipped dormers on front elevation. 4 mullioned windows, the 2 left windows set in 2 storey roughcast bays. The roof slopes to the ground floor on the right hand side and there is one further bay through 2 storeys to the right of this. Entrance at base of right side bay.

Planning permission and Listed Building consent is sought for a single storey rear extension. The extension would measure 5.71m deep, 13.29m wide with a flat roof to a maximum height of 3.19m.

Consultations

Nearby owners/occupiers were notified of the application and one representation was received stating that the proposed extension is shown to be building on part of the shared garden. Their lease states that although they own part of the shared garden, the whole garden is available for all residents of the estate of Copley Dene to use, and no permanent structure is to be built in the garden.

APCA were consulted and raised objections to the proposal stating that “this is a Grade II listed building by a distinguished architect and this extension would distract from the existing building”.

The Chislehurst Society have made observations on the application, stating that:

“The Society would expect to support any project that is restoring a listed building and retaining features associated with the period and illustrative of the work of the original architect.

The proposed works are confined to the rear of the dwelling and consist of a single – storey extension.

We note the intension of the applicant is to retain the existing (original) rear bay, and the existing ground floor window and door opening within the extended space. If planning permission and listed building consent are granted these significant features of the building’s fabric should be safeguarded and the implementation of approved works should be closely monitored.

A positive feature of the highly glazed extension is that it would permit the preserved existing fabric of the original house wall (as noted above) to be visible from outside. But the design and materials employed in the prosed extension should be of the highest quality.

It is a pity that little comment is made in the supporting documentation on the choice of materials and their merits: glass, Zinc and aluminium. The Design/Heritage Statement might be more robust in demonstrating the positive attributes of the design of the proposed extension”.

Considerations

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

National Planning Policy Framework (NPPF) (2012)

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

Chapter 7 – Requiring Good Design

Chapter 12 – Conserving and enhancing the historic environment

The London Plan (2015)

Policy 7.4 Local Character

Policy 7.6 Architecture

Policy 7.8 Heritage Assets

Unitary Development Plan (2006)

BE1 Design of New Development

BE11 Conservation Areas

BE8 Statutory Listed Buildings

H8 Residential Extensions

Other Guidance

Supplementary Planning Guidance 1 - General Design Principles

Supplementary Planning Guidance 2 - Residential Design Guidance

Supplementary Planning Guidance - Chislehurst Conservation Area

Bromley's Proposed Submission Draft Local Plan (2016):

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

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

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

Current draft Policies relevant to this application include:

Draft Policy 6 Residential Extensions
Draft Policy 37 General Design of Development
Draft Policy 38 Statutory Listed Buildings
Draft Policy 41 Conservation Areas

Planning History:

The planning history of the site is summarised as follows:

- 08/01288/LBC - Listed building consent was refused for the demolition of existing double garage/wall and green house and erection of detached two storey building for garage with games room over and juliet balcony at rear for the following reasons:

"The proposed garage, by reason of its poor design and prominent position, would be harmful to the character and appearance of the listed building and its setting contrary to Policy BE8 of the Unitary Development Plan."

- 08/00657 - Conservation Area Consent granted for the removal of green house and existing garage
- 08/00654- Planning permission granted for a detached two storey building for garage with games room over and Juliet balcony at rear
- 04/00961/LBC and 03/00673 - Consent granted for internal alterations.
- 13/04045/FULL1/04047/LBC - Two storey side extension including double garage, pitched roof to existing side dormer, elevational alterations and internal alterations to first and second floors, front extension to existing garage and rear patio.
- 15/00707/LBC - Replacement aluminium framed windows.

Conclusion

It is considered the planning issues and considerations relate to:

- Design, bulk and impact on the Statutory Listed Building and character of the Chislehurst Conservation Area
- Neighbouring amenity

Design, bulk and impact on the Statutory Listed Building and character of the Chislehurst Conservation Area:

The main issues relating to the application are the effect that it would have on the Statutory Listed Building and the character of the Chislehurst Conservation Area.

Paragraph 128 in the National Planning Policy Framework (2012) seeks to secure the preservation of historic buildings and now requires local planning authorities to pay special attention to the desirability of preserving or enhancing the character or appearance of a conservation area. The proposal would maintain the existing use of the Listed Building and provide a rear extension of a sympathetic design and scale appropriate to the host building.

The host building is Grade II Listed, Policy BE8 states that applications for development involving a listed building or its setting, or for a change of use of a listed building, will be permitted provided that the character, appearance and special interest of the listed building are preserved and there is no harm to its setting. In the case of a change of use, the applicant needs to additionally demonstrate that the existing or last use is not viable or is no longer compatible with the building's fabric, interior or setting. The site is also located within the Chislehurst Conservation Area; therefore Policy BE11 is relevant to this application. This policy seeks to preserve and enhance the character and appearance of Conservation Areas. These policies are supported by London Plan Policy 7.8.

National policy on design is set out in the National Planning Policy Framework, this states that the appearance of proposed development and its relationship to its surroundings are material planning considerations. Therefore development plans should provide clear indications of a planning authority's design expectation and concentrate on broad matters of scale, density, height, layout, landscape and access.

New development should contribute towards a better quality of environment as part of a coherent urban design framework, which looks at how the urban form is used and how that form has an impact on the way development is planned. The Unitary Development Plan contains policies designed to promote very high standards of design, to preserve and enhance the existing character of areas to promote environmental importance, and to ensure that the natural environment is not adversely affected.

Policy BE1 of the Unitary Development Plan requires all development proposals, including extensions to existing buildings, will be expected to be of a high standard of design and layout. Policy H8 of the Unitary Development Plan states that proposals for alterations and enlargements should respect and complement the host dwelling and be compatible with the surrounding area, this is supported by London Plan Policies 7.4 and 7.6.

The extension has been designed as a glass box structure. The proposed works also include the removal of several internal walls, and sections of walls.

The internal layout of a listed building is an important part of its special interest and can indicate the way the building was originally used. This proposal suggests a significant amount of internal demolitions. The accompanying heritage statement provides an assessment of the internal layout and its significance is thorough. In conjunction with the proposed mitigation measures any harm internally would be at the very lowest end of the scale and not sufficient to refuse on its own right.

With regards to the proposed extension, the external assessment shows that apart from the slightly enlarged bay and modified verandah, the rear elevation is largely as per the original Newton design and as such the rear elevation of this building is of an extremely high architectural standard and largely unaltered. Whilst many buildings can take such extensions easily, it is considered that the glass box type structure would visually interrupt the architectural composition in a harmful manner and that the harm would be “less than substantial” and would not be outweighed by any public benefit as per para 134 of the NPPF.

It is therefore considered that an extension of this size and location of the single storey rear extension would detract from the character and appearance of this listed building which retains substantial original charm.

It is considered that the development as proposed would cause “less than substantial harm” as described by para 134 of the NPPF and there would be no public benefit to outweigh the harm.

For these reasons, it is considered that the proposed development is unacceptable and does not comply with policy on design or Listed Building.

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.

Due to the orientation of the site, location of existing buildings and extension, the overall size and scale of the extension and its distance from the boundary; the proposed extension would not impact on any of the neighbouring occupiers in terms of creating a sense of enclosure loss of sunlight / daylight and loss of outlook from the rear of the adjoining neighbours.

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

Summary:

It is considered that apart from the slightly enlarged bay and modified verandah, the rear elevation is largely as per the original Newton design. Whilst many buildings can take such extensions easily, it is considered that the glass box type structure would visually interrupt the architectural composition in a harmful manner and that the harm

would be “less than substantial” and would not be outweighed by any public benefit as per para 134 of the NPPF.

As such it is considered that the proposal would be by reason of its siting, design and excessive bulk, would visually detract from the special interests of the Statutory Listed Building dwelling contrary to Policy 7.8 of the London Plan 2015, Policy BE8 of the Unitary Development Plan, 2006 and the NPPF.

Background papers referred to during production of this report comprise all correspondence on the file ref(s) 16/04685/FULL6 and 16/04714/LBC set out in the Planning History section above, excluding exempt information.

As amended by documents received 2.2.17

RECOMMENDATION: APPLICATION BE REFUSED

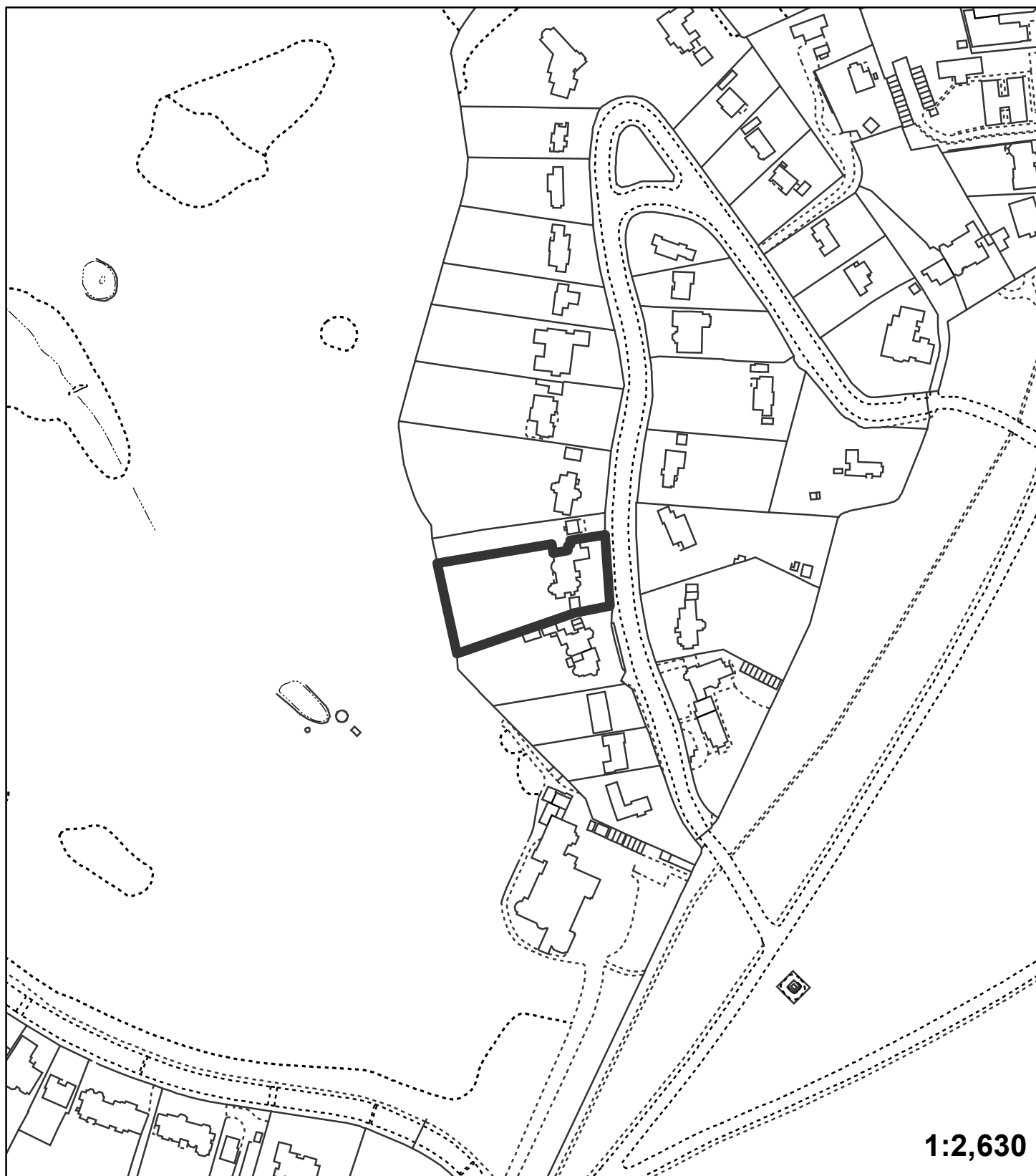
The reasons for refusal are:

The proposed single storey rear extension, by reason of its siting, design and excessive bulk, would visually detract from the special interests of the Statutory Listed Building, thereby contrary to Policy 7.8 of the London Plan (2015) Policy BE8 of the Unitary Development Plan (2006) and Section 12 of National Planning Policy Framework (2012).

Application: 16/04685/FULL6

Address: Copley Dene 34 Wilderness Road Chislehurst BR7 5EY

Proposal: Single storey rear extension.



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

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SECTION '2' – Applications meriting special consideration

Application No : 16/04714/LBC

Ward:
Chislehurst

Address : Copley Dene, 34 Wilderness Road,
Chislehurst BR7 5EY

OS Grid Ref: E: 543746 N: 170190

Applicant : Mr Paul Fernback

Objections : YES

Description of Development:

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Key designations:

Conservation Area: Chislehurst
Smoke Control SCA 16

JOINT REPORT WITH 16/04685/FULL6

Proposal

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Architect Ernest Newton. Circa 1909. L-shaped. 2-storeys and attics red brick. Hipped tiled roof with 3 hipped dormers on front elevation. 4 mullioned windows, the 2 left windows set in 2 storey roughcast bays. The roof slopes to the ground floor on the right hand side and there is one further bay through 2 storeys to the right of this. Entrance at base of right side bay.

Planning permission and Listed Building consent is sought for a single storey rear extension. The extension would measure 5.71m deep, 13.29m wide with a flat roof to a maximum height of 3.19m.

It is considered that apart from the slightly enlarged bay and modified verandah, the rear elevation is largely as per the original Newton design. Whilst many buildings can take such extensions easily, it is considered that the glass box type structure would visually interrupt the architectural composition in a harmful manner and that the harm would be “less than substantial” and would not be outweighed by any public benefit as per para 134 of the NPPF.

As such it is considered that the proposal would be by reason of its siting, design and excessive bulk, would visually detract from the special interests of the

Statutory Listed Building dwelling contrary to Policy 7.8 of the London Plan 2015, Policy BE8 of the Unitary Development Plan, 2006 and the NPPF.

Background papers referred to during production of this report comprise all correspondence on the file ref(s) 16/04685/FULL6 and 16/04714/LBC set out in the Planning History section above, excluding exempt information.

RECOMMENDATION: REFUSE LISTED BUILDING CONSENT
As amended by documents received 2.2.17

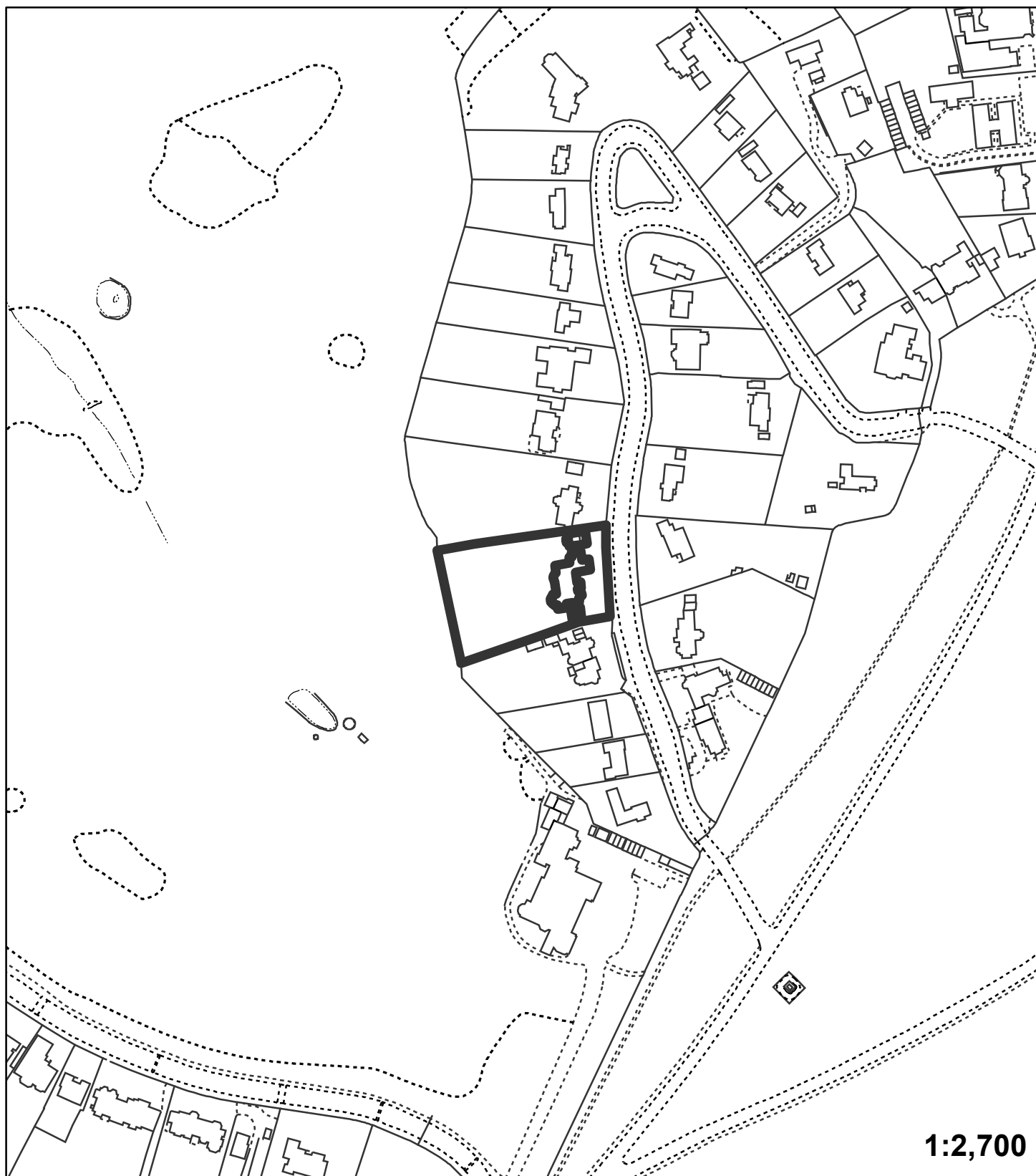
The reasons for refusal are:

The proposed single storey rear extension, by reason of its siting, design and excessive bulk, would visually detract from the special interests of the Statutory Listed Building, thereby contrary to Policy 7.8 of the London Plan (2015) Policy BE8 of the Unitary Development Plan (2006) and Section 12 of National Planning Policy Framework (2012).

Application:16/04714/LBC

Address: Copley Dene 34 Wilderness Road Chislehurst BR7 5EY

Proposal: Single storey rear extension.



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

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SECTION '2' – Applications meriting special consideration

Application No : 16/04893/FULL1

Ward:
Clock House

Address : New Bowers 1 Thornsett Road Penge
London SE20 7XB

OS Grid Ref: E: 534647 N: 169095

Applicant : Mr Eshan Bhatia

Objections : YES

Description of Development:

Erection of a single storey rear extension, reconfiguration of internal layout, increase in the number of children between 0-5 years from 20-45. Increase in opening hours (Monday-Friday 7:30-18:30). Two off street parking spaces, bike store, refuse store and landscaping.

Key designations:

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

Proposal

Planning permission is sought for a single storey rear extension to the rear of the existing property on the western boundary measuring 7.6m in depth x 5.5m in width x 3m in height with a sloping roof and four rooflights. The extension would be built of red brick, timber frame and timber shingle cladding and have timber bi-folding doors. The extension will be built in place of a proportion of the existing outdoor playground area.

The frontage of the site would be altered as part of the development to provide two off-street car parking spaces, 3 cycle racks, refuse store and a landscaped area.

The property is currently vacant and was last in use as a day care nursery which is currently permitted to operate between 0800 until 1800 Monday to Friday excluding weekends and Bank Holidays. The nursery is situated within a semi-detached house which was formerly one pair of semi-detached properties covering two floors. The application seeks to extend the hours of opening to 0730-1830 Monday-Friday.

The agent submitted revised planning application forms on 24.02.2017, drawings, planning statement and transport survey which sought to increase the number of child places at the nursery. The vacant nursery currently has permission to allow 20 child care places to children between the ages of 2-5 years. The applicant is seeking to allow a total of 45 child places split between the following age ranges:-

0-2 years: 12 children
2-3 years: 16 children
3-5 years 17 children
Total = 45 children

The application is accompanied by a Planning & Transport Statement.

The application site is a semi-detached property located on the northern side of Thornsett Rd, Penge. The area is predominately residential in character and the property (formerly Norris Nursery) has been vacant since July 2016. The rear garden area is used as play space during operational hours and the property is bounded on all three sides by the rear garden curtilages of properties on Thornsett Road, Thornsett Place and Thornsett Terrace.

Consultations

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

- The increase in traffic and stationary traffic will cause traffic jams in Thornsett Road
- The increase in staff who may park while working may take the limited number of spaces in Thornsett Rd affecting visitors and residents
- The noise when children are in the play area has been a cause of disturbance with previous numbers when children have been allowed to scream and shout
- I am retired and am home most of the day and I do not want to be listening to screaming when I sit in my garden or have windows open
- Toys and objects have been previously thrown over the fence and caused damage to our conservatory roof
- Because the houses are semi-detached we can often hear banging on the walls. There will be even more with young babies being allowed to come to the nursery
- The bike store will be an eyesore to the front of the property. This is a residential road and not an Industrial Area and should not be allowed.
- The demand for extra spaces is totally unacceptable and should be rejected on the grounds that this will be a school and should be locate on a more suitable site for this vast increase.

Consultee comments

Environmental Health

I have looked at this application and on the basis of the information provided would recommend that permission be refused.

I disagree with paragraphs 4.4.10 to 4.4.13 of the Planning Statement that the proposal will have no impact on the amenity of neighbouring residents, as it is commonly accepted that should a noise source double (in this case children increasing in number from 20 to 45) then the noise level will increase by 3-6dB. A

similar increase in noise level could be expected from vehicle movements as these too would be likely to double in number.

Highways:

The site is located to the north of Thornsett Road in an area with PTAL rate of 2 on a scale of 0 - 6b, where 6b is the most accessible. Parking is permitted on both sides of the carriageway on both Thornsett Road and Thornsett Place. Two car parking spaces are proposed at the site frontage. Also, three Sheffield cycle stands will be provided.

Trip Generation

Trip generation for the proposed extended nursery has been calculated using data supplied by Ladybird Nurseries from a survey conducted at a similar site, Laybird Nurseries in Anerley (SE20 8NQ).

It is expected that 45 children in total will attend the proposed nursery daily, together with 14 staff that are spread evenly across five nine-hour shifts commencing at half-hourly intervals from 07:30 onwards.

The calculations were based on a number of assumptions, as follows:

- Each car contains a single child
- All staff travel by car
- Total number of children = 45
- Total number of staff = 15
- 28% of clients travel by car (from data for Station House Nursery - see below)

The number of users travelling to the nursery by car will be in the region of 28%. Most are likely to walk, as the nursery is central to a large residential area.

Parking

Concern is expressed over the quantum of parking available to carers dropping off and picking up children at the nursery. The site has a PTAL score of 2; it is surrounded by residential development putting it within easy walking distance of many potential users.

However, because of the relatively low PTAL rating, it is accepted that a number of users will drive to the facility. This has been identified as 28% at another local Ladybird nursery.

There are to be two on-site parking spaces, the majority of parking by necessity would occur on-street. In order to establish that sufficient parking on Thornsett Road is available, especially during the busiest morning and evening peak hour periods a parking survey was conducted on Tuesday 18th January 2017 during 08:00-10:00 and 16:00-18:00 within 75m of the proposed development site.

To summarise, the number of vacant on-street parking spaces within 75m of Norris Nursery during the survey hours ranged between 16 and 19 spaces.

Given that no more than eight clients and their children arrive by car, and stay on average for five minutes, it is evident that there is more than sufficient parking available for drop off and pick up, together with reasonable parking available for staff members.

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

H03 (Car Parking)

H22 (Cycle/ pram parking)

H29 (Construction Management Plan)

Bromley Early Years Team:

The government has committed to doubling the amount of free childcare from 15 to 30 hours a week for working parents of three and four year olds from September 2017. The additional hours will enable families to work and supports parents who wish to work, or to work more hours. The local authority has a duty to ensure that there are sufficient places for parents wishing to access their entitlement. We are aware, however, from our recent Sufficiency Report 2016 that the number of places in day nurseries, preschools and childminders is not sufficient for the anticipated high demand for the 30 hours free childcare.

Whilst the Sufficiency Report indicates that there may be an adequate number of childcare places in the Clockhouse ward there is a lack of places in 3 of the 4 wards that surround Clockhouse - these are Copers Cope, Crystal Palace and Kelsey & Eden Park. We know that parents requiring childcare in these wards will travel within the area to access their 30 hours entitlement and demand will "spill over" into both the Clockhouse and Penge & Cator wards. It is essential that there is availability in these wards if we hope to have any chance of fulfilling our duty to ensure sufficient places for parents in the London postcode areas of the borough.

There are already two Ladybird Day Nurseries in the borough. The nursery in Beckenham offers a Good standard of care (Ofsted inspection 6/5/2014) and the one in Anerley is rated as Satisfactory (Ofsted inspection 8/4/2013). The Quality Improvement Officer who has been working with the owners at their existing nursery in Anerley and another new one in Anerley has assured me that they have been keen to work with her to ensure that they deliver a high standard of care and education.

With regards to the current free entitlement of 15 hours, the nurseries have always encouraged and supported their parents to take up their full entitlement. The owners of the nurseries have booked to attend a meeting this month to discuss the delivery of the 30 hours scheme. I fully expect that they will be supportive of the new government initiative and will work with us to implement the 30 hours childcare at their settings in the borough. It is already clear that they are taking the proposed changes to the entitlement seriously and want to expand to meet the demand from parents

For these reasons we support this application as it will enable more parents in the London Borough Bromley to access their full entitlement to free childcare in a good quality setting.

Thames Water

No comments received

Drainage

No objections, subject to condition D02.

Planning Considerations

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

- BE1 Design of New Development
- H8 Residential Extensions
- C1 Community Facilities
- C7 Educational and Pre-School Facilities
- EMP8 Use of Dwellings for Business Purposes
- T2 Assessment of Transport Effects
- T3 Parking
- T6 Pedestrians
- T7 Cyclists
- T18 Road Safety

The London Plan and National Planning Policy Framework are also key considerations in determination of this application.

The above policies are considered to be consistent with the principles and objectives of the National Planning Policy Framework.

Emerging Bromley Local Plan:

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

- Draft Policy 20 - Community Facilities
- Draft Policy 27 - Education
- Draft Policy 30 - Parking
- Draft Policy 32 - Road Safety

Draft Policy 33 - Access for All
Draft Policy 37 - General Design of Development
Draft Policy 77 - Landscape Quality and Character
Draft Policy 119 - Noise Pollution
Draft Policy 120 - Air Quality
Draft Policy 123 - Sustainable Design and Construction

Planning History

The application premises has a long planning history. The last three planning applications are set out below:-

Under planning application ref: 03/01275/VAR planning permission was refused for variation of condition 1 of permission ref:- 02/03198 to allow an increase in the number of children from 20 to 34.

Under planning application ref:- 02/03198/FULL4 planning permission was granted for continued use without complying with condition 1 attached to temporary permission 01/03603 granted for continued use as a day nursery to enable use to be permanent.

Under planning application ref:- 01/03603/RENEW planning permission was granted for continued use as a day nursery.

Conclusions

The main planning considerations relevant to this application are:

- Background and the need for the development
- Noise and disturbance
- The design of the proposed extension
- Traffic, parking and servicing

Policy C1 of the UDP is concerned with community facilities and states that a proposal for development that meets an identified education needs of particular communities or areas of the Borough will normally be permitted provided the site is in an accessible location.

Policy C7 of the UDP is concerned with educational and pre-school facilities and states that applications for new or extensions to existing establishments will be permitted provided they are located so as to maximise access by means of transport other than the car.

Policy BE1 also requires that development should respect the amenity of occupiers of neighbouring buildings and those of future occupants and ensure their environments are not harmed by noise and disturbance.

Background and the need for the development

The use of the day nursery ceased on 31st July 2016. The applicant has applied to reopen and refurbish the existing nursery and build a single storey rear extension which will add two additional playrooms in the rear extension and result in the internal reconfiguration of the existing ground and first floors. The proposed floorplans also show 3 x playrooms on the ground floor (previously there were 2), quiet room, toilet and kitchen. On the first floor 2 playgrounds are shown, office/staff room and toilets.

The applicant is also seeking to increase the number of child places from 20 to 45 (an increase of an additional 25 children broken down into three age groups).

The applicants have outlined that the family has owned nurseries in the Borough for over 20 years and currently owns three other nurseries. Due to excessive demand No.1 Thornsett Rd has been purchased to try and alleviate demand in branches close by. For several years the nurseries have experienced a rapid increase in demand for childcare places in Anerley and currently there are no spaces for children aged 0-2 years until September 2018 and for children aged 2-4 years until August 2018 with the nurseries having to turn away applications for places each week. Bromley Early years have been consulted and they are in agreement that the SE20 area is in desperate need of additional spaces for children aged under 5 yrs. The need for nursery places is increasing with working parents requiring facilities to drop their children off early and pick them up after work; hence the reason for the increase in opening hours half an hour at either end of the day.

The Bromley Early Years team have confirmed there is a need for more childcare places especially in Anerley as a result of the Government's Policy to double the amount of free childcare from 15 to 30 hours a week for working parents of three and four year olds from September 2017. Like every local authority Bromley has to ensure that there are sufficient places for parents wishing to access their entitlement. The Borough is aware from a recent Sufficiency Report 2016 that the number of places in day nurseries, preschools and childminders is not sufficient for the anticipated high demand for the 30 hours free childcare.

Whilst the Sufficiency Report indicates that there may be an adequate number of childcare places in the Clockhouse ward there is a lack of places in 3 of the 4 wards that surround Clockhouse - these are Copers Cope, Crystal Palace and Kelsey & Eden Park. Bromley is aware that parents requiring childcare in these wards will travel within the area to access their 30 hours entitlement and demand will "spill over" into both the Clockhouse and Penge & Cator wards. The bottom line as outlined by the Bromley Early Years team is to try and ensure there is availability in these wards if the Council hope to have any chance of fulfilling its duty to ensure sufficient places for parents in the London postcode areas of the borough.

It is noted that condition 1 of the 2002 permission limits the number of children attending the day nursery to 20 children between the ages of 2-5 yrs to control the use of the site in terms of neighbouring amenity. In the intervening time, demand for the facility and others like it has increased in terms of population demographics

and it is considered that a degree of flexibility to address the demand need is required.

Noise and disturbance

This application has a long planning history. Planning application reference 03/01275/VAR was refused in 2003 to vary condition 1 of permission ref:- 02/03198 to allow an increase in the number of children from 20 to 34. This application was refused on the basis that the proposed increase in the number of children would result in an over intensive use of a non-residential use; this being a semi-detached property detrimental to the amenities of adjoining residents by reason of additional noise and disturbance.

The current application now proposes to increase the number of childcare places to 45; 11 more places than what was refused in 2003. Furthermore the Council's Environmental Health Officer has stated that doubling the number of children will double the noise; the noise level will increase by 3-6dB. A similar increase in noise level could be expected from vehicle movements as these too would be likely to double in number.

No noise survey has been submitted along with the application however it is not considered that any noise mitigation measures can be put in place to reduce the noise created by the additional number of children. The rear garden/play area is bounded on all three sides by rear gardens. The property which will be most affected with by the increase in the number of children is the adjoining semi No.1a Thornsett Road. Whilst a high garden fence separates the two properties the increase in the number of children will lead to more noise during break times.

Analysing the age breakdown of children, as follows:-

0-2 years:	12 children
2-3 years:	16 children
3-5 years	17 children
Total =	45 children

An analysis of the makeup of the intended 45 children shows that the main increase in the intended numbers is for an increase in the intake of babies/toddlers; 12 and the rest being in the 2-5 age range; 33 children. The current condition allows for 20 children in the 2-5 age range. Therefore the usage of the external area is likely to increase noticeably given the age group that which will use the space will remain in the 2-5years range with babies and toddlers largely being cared for indoors. 13-25 more children could potentially be utilising the outdoor play space creating increased noise and disturbance for neighbours.

It is not considered practicable or enforceable to put forward a planning condition to limit the number of children who could be allowed to play outside at any one time.

The Environmental Health Officer has also expressed concerns about the noise impact associated with the increased number of drop offs in the mornings and pickups in the afternoon/evening given Thornsett Road is a residential road.

Several letters of objections have been received from neighbours regarding the noise and disturbance associated with allowing a higher number of child places and increased comings and goings to the site. One letter states that whilst there is no objection to the nursery reopening maintaining the original number of 20 children they object to an increase to 45 children; given the property is located in a residential road.

Rear extension

The single storey rear extension will be located on the western boundary of the site with the rear gardens of No's 177-179 looking down onto the extension. The rear extension will measure 7.6m in depth a 5.5m in depth x 3m in height. The proposal will result in a substantial development to the rear of the site and Members will need to consider whether this element is acceptable in relation to other properties.

No windows or doors would exist in the outside flank or rear elevations. Timber bi-folding doors would run for the full width of the inside flank elevation and lead out onto the outdoor playground. The rear extension will also eat into part of the existing playground area leaving approximately 70sqm.

Highways and Parking

A key consideration in an application of this type is the impact of the proposal on the surrounding highway network, and parking pressure arising from the increase in drop-off/pick-ups by parents of users of the facility.

Policy C7 supports proposals for pre-school facilities provided they are located so as to maximise access by means of transport other than the car, and should be located within the communities they serve, often provided within residential properties, thereby necessitating the protection of residential amenity. The site has a PTAL rating of 2 and Thornsett Road is a standard residential road. The agent has submitted a Transport Assessment which has been assessed by the Council's Highways Officer.

The site will provide 2 off-street parking spaces and 3 spaces for cycle racks for staff and visitors. Parking is permitted on Thornsett Road on both sides of the road. A parking survey was carried out on 28.01.2017 and concluded that sufficient spaces existed for additional drop off and pickups Monday-Friday between the hours of 0730-1830.

A number of objections from local residents have detailed parking issues and congestion as being problematic in the immediate area. Based on the transport assessment put forward by the agent The Council's Highway Officer has reviewed the current application and has not raised objection in this regard.

Summary

Members will need to decide whether the rear extension and the need for additional early child care spaces outweighs the harm the increase in child numbers will have on neighbouring amenity in terms of creating additional noise and disturbance. It is not considered that acceptable mitigation measures can be put in place to control and mitigate the impacts.

**RECOMMENDATION: APPLICATION BE REFUSED
as amended by documents received on 24.01.2017**

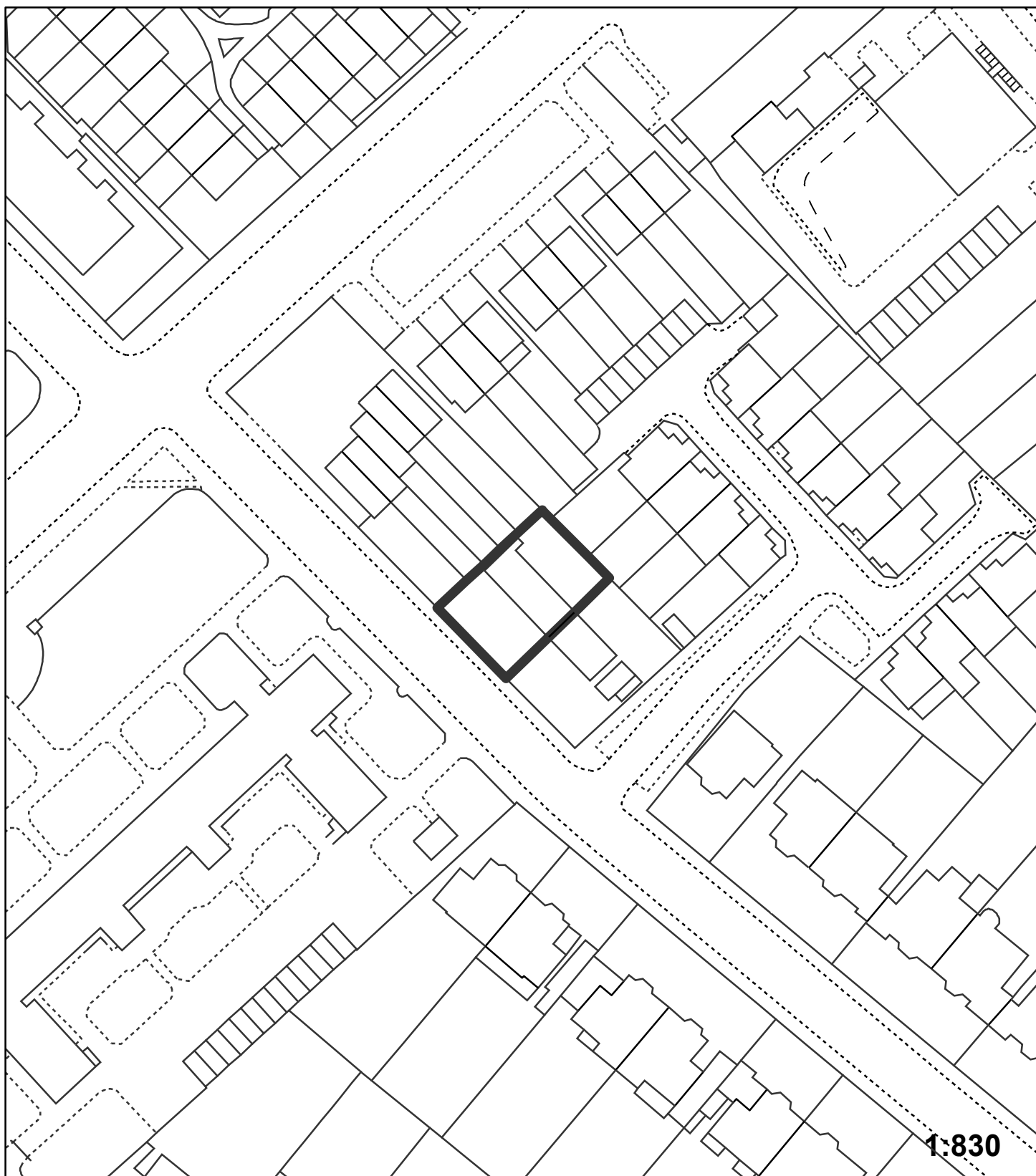
For the following reason:

The proposals would result in an over intensive use of the property, which would be detrimental to the amenities of nearby residents by reason of noise and disturbance thereby contrary to Policy BE1 of the Unitary Development Plan.

Application:16/04893/FULL1

Address: New Bowers 1 Thornsett Road Penge London SE20 7XB

Proposal: Erection of a single storey rear extension, reconfiguration of internal layout, increase in the number of children between 0-5 years from 20-45. Increase in opening hours (Monday-Friday 7:30-18:30). Two off street parking spaces, bike store, refuse store and landscaping.



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

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SECTION '2' – Applications meriting special consideration

Application No : 16/05788/FULL1

Ward:
Copers Cope

Address : 84 Albemarle Road, Beckenham
BR3 5HT

OS Grid Ref: E: 538852 N: 169531

Applicant : JAMCAP LTD

Objections : YES

Description of Development:

Demolition of existing dwelling and erection of a three storey building comprising 6 one bedroom and 3 two bedroom flats with associated parking, amenity space, refuse/cycle store together with formation of a new vehicle access and associated landscaping

Key designations:

Biggin Hill Safeguarding Area
London City Airport Safeguarding
Open Space Deficiency
Smoke Control SCA 12

Proposal

Planning permission is sought for the demolition of existing two storey dwellinghouse and construction of a 3 storey building comprising 6 one bedroom and 3 two bedroom flats with associated parking, amenity space, cycle storage together with formation of a new vehicle access onto Albemarle Road.

The accompanying Design and Access Statement describes the scheme as being designed to complement the scale, form, layout and materials of adjacent buildings and the surrounding area, whilst protecting the amenities of the neighbouring properties by maintaining adequate separation to the boundary and through the stepped form of the structure.

A contemporary design approach is opted for within the scheme. The building footprint will measure approximately 21.8m width and 18.1m in depth at ground level at its maximum extents. The height of the building will be approximately 9.8m at the highest roof point, replacing a building with a height of 8.2m. The footprint of the building has been arranged to address the triangular shape of the site with a 7m gap to No. 87, 3.2m to Albemarle Road and a minimum 4.5m gap to Cadogan Close. The building's main front elevation will face onto Albemarle Road.

Access and servicing will take place from Albemarle Road comprising the main existing vehicle access and a second additional vehicle access onto Albemarle Road. The car parking arrangement will accommodate 9 cars and a separate

detached store building is proposed to the south east corner of the site to house 8 cycles and refuse/recycling storage.

Private rear gardens are provided for the three ground floor flats. Upper level flats have access to private balconies and a communal garden area to the south of the building.

Materials are indicated as including render and timber boarding to the elevations of the building.

Location

The site is located on Albemarle Road close to the junction with Bromley road and comprises a two storey detached residential property. The site is located opposite the Sloane Hospital and approximately 400m to the west of Shortlands Station.

The adjacent property at No. 87A is a two storey residential detached dwelling. The property at No.87 Bromley Road is a part two-storey and part 3 storey residential building of six flats sited on higher ground to the application site. The surrounding area is characterised by a mix of residential housing types of predominantly three and four storeys, with flats located adjacent on Cadogan Close. Opposite the site at the end of Albemarle Road are Ibis Court, Vantage Point and Alexander Court which are three storey blocks of flats built in a contemporary modern design style.

The application site is not within a conservation area and the existing building is not listed.

Comments from Local Residents

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

- Excessive number of flats in close proximity
- Loss of the original residential house impacts harmfully on the character of the area
- Insufficient car parking provision proposed leading to parking problems and highway safety issues in surrounding roads.
- Noise and disturbance, pollution and littering

Consultations

Highways - The site is located in an area with low PTAL rate of 3 (on a scale of 1 - 6, where 6 is the most accessible). It is therefore likely that future residents will own cars and 9 car parking spaces satisfactory. The existing access will be retained and will serve parking spaces 5-9. Visibility splays min 2.4m x 43m will be achieved to ensure that there will be no highways safety issues with the proposal. A new access is proposed to serve parking spaces 1-4. This will achieve visibility splays of 2.4m x 43m and will ensure that this will not cause any highways safety or convenience issues. Details of the sustainable drainage system for the hard standing parking areas and the two accesses is required to prevent water draining

onto the highway. The creation of a new access to Albermarle Road will remove one or two on-street parking spaces. The parking beat surveys submitted by the developer show that parking demand is high during the day in the road but there are always several spare parking spaces. As such, the loss of one or two on-street parking spaces will not result in parking problems in Albermarle Road. The developer is providing 14 cycle spaces which meet the London Plan requirement and ensure sustainable modes of transport are utilised. However Policy 6.9 (B)(a) of this plan states that developments should provide integrated, convenient and accessible cycle parking facilities so secure cycle store of sufficient dimensions to accommodate 14 cycles should be provided. The storage is located close to the highway boundary but it is unclear if it has the capacity to store refuse of 9 flats so please consult LBB Waste Service regarding size of the refuse storage and servicing of the units. A Road Safety Audit for the new vehicular access is also required.

Environmental Health (Pollution) – no objections raised subject to standard informatives.

Environmental Health (Housing) – concerns are raised in respect to natural light and ventilation as a result of some of the window sizes in the flats.

Drainage - the submitted Planning Statement states that soakaways will be used to store surface water run-off which is an accepted measure to LPA. A standard condition is recommended.

Planning Considerations

London Plan 2015:

- 3.3 Increasing Housing Supply
- 3.4 Optimising Housing Potential
- 3.5 Quality and Design of Housing Developments
- 3.8 Housing Choice
- 3.9 Mixed and Balanced Communities
- 5.1 Climate change mitigation
- 5.2 Minimising Carbon Dioxide Emissions
- 5.3 Sustainable Design and Construction
- 5.7 Renewable Energy
- 5.10 Urban Greening
- 5.11 Green Roofs and Development Site Environs
- 5.12 Flood Risk Management
- 5.13 Sustainable Drainage
- 5.14 Water quality and wastewater Infrastructure
- 5.15 Water use and supplies
- 5.16 Waste self-sufficiency
- 5.17 Waste capacity
- 5.18 Construction, excavation and demolition waste
- 5.21 Contaminated land
- 6.3 Assessing Effects of Development on Transport Capacity
- 6.5 Funding Crossrail and other strategically important transport infrastructure

- 6.9 Cycling
- 6.13 Parking
- 7.1 Lifetime Neighbourhoods
- 7.2 An Inclusive Environment
- 7.3 Designing Out Crime
- 7.4 Local Character
- 7.5 Public Realm
- 7.6 Architecture
- 7.14 Improving Air Quality
- 7.15 Reducing and Managing Noise, Improving and Enhancing the Acoustic Environment and Promoting Appropriate Soundscapes.
- 7.19 Biodiversity and Access to Nature
- 8.3 Community Infrastructure Levy

Housing: Supplementary Planning Guidance. (March 2016)

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

Unitary Development Plan:

- BE1 Design of New Development
- H1 Housing Supply
- H7 Housing Density and Design
- H9 Side Space
- NE7 Development and Trees
- T3 Parking
- T5 Access for People with Restricted Mobility
- T6 Pedestrians
- T7 Cyclists
- T11 New Accesses
- T18 Road Safety

Supplementary Planning Guidance 1: General Design Principles

Supplementary Planning Guidance 2: Residential Design Guidance

Emerging Bromley Local Plan

The Council is preparing a Local Plan and the final consultation on its proposed submission draft of the Local Plan closed on December 31st 2016 (under The Town and Country Planning (Local Planning) (England) Regulations 2012 as amended). The updated Local Development Scheme was submitted to Development Control Committee on November 24th 2016 and Executive Committee on November 30th 2016, and indicated the submission of the draft Local Plan to the Secretary of State in the early part of 2017. 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 31 - Relieving Congestion
Draft Policy 32 - Road Safety
Draft Policy 33 - Access for All
Draft Policy 37 - General Design of Development
Draft Policy 73 – Development and Trees
Draft Policy 77 - Landscape Quality and Character
Draft Policy 112 - Planning For Sustainable Waste Management
Draft Policy 113 - Waste Management in New Development
Draft Policy 115 - Reducing Flood Risk
Draft Policy 116 - Sustainable Urban Drainage Systems (SUDS)
Draft Policy 117- Water and Wastewater Infrastructure Capacity
Draft Policy 119 - Noise Pollution
Draft Policy 120 - Air Quality
Draft Policy 122 - Light Pollution
Draft Policy 123 - Sustainable Design and Construction
Draft Policy 124 - Carbon Dioxide Reduction, Decentralise Energy Networks and Renewable Energy

Planning History

There is no relevant planning history relating to the site.

Planning permission was granted at No. 87A Bromley Road under ref. 16/02120 for demolition of existing two storey dwellinghouse and construction of a part 3 and 4 storey building comprising 9 x 2-bedroom flats with associated parking, amenity space, cycle storage together with formation of a new pedestrian access, relocated vehicle access and associated landscaping.

Conclusions

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

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

Principle of Development

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

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

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

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

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

The site is surrounded by residential dwellings. The site is currently developed for a less dense residential use with a single residential house on a large plot. Therefore, in this location the Council will consider a higher density residential infill development provided that it is designed to complement the character of surrounding developments, the design and layout make suitable residential accommodation, and it provides for garden and amenity space. Any adverse impact on neighbouring amenity, conservation and historic issues, biodiversity or open space will need to be addressed. Therefore the provision of a replacement residential block on the land is acceptable in principle subject to an assessment of the impact of the proposal on the appearance/character of the surrounding area, the residential amenity of adjoining and future residential occupiers of the scheme, car parking and traffic implications, sustainable design and energy, community safety and refuse arrangements.

Density

The density of the proposal would be 90 units per hectare (u/ha). Table 3.2 of the London Plan sets out the appropriate density range for a site with a PTAL of 3 in an urban area as 55-225 u/ha.

Given, the density of the proposal is within the lower end of the density guideline criteria the amount of development on site is considered suitable at this location.

Design, Siting and Layout.

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

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

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

Policy H9 requires that new residential development for a proposal of two or more storeys in height a minimum of 1m side space from the side boundary is maintained and where higher standards of separation already exist within residential areas. Proposals will be expected to provide a more generous side space.

The predominant urban character of this area is mixed in design form but with a similar scale and mass in the surrounding buildings which provides a coherent and identifiable built form. Therefore any replacement building on the application site with a greater scale and site coverage must be carefully considered. It is noted that there are three and four storey blocks surrounding the site as detailed above. Given the design sets the upper floor in from the lower levels and includes part one/ two and three storey sections, the prominence of the proposed building is reduced substantially within the street scene and the bulk of the building when viewed in the local context would not be excessive or out of character. The building will be sited in close proximity to the front boundary of the site adjacent to Albemarle Road, however the majority of the three storey bulk will be set back from this closest point, resulting in a relationship in the street scene that would not be overly prominent. It is also noted that the building will be sited a significant distance from No. 82A Albemarle Road and therefore the building will not appear intrusive and will not break an established building line. It is also noted that the recently permitted building at No. 87A will be sited in closer proximity to the corner of Albemarle Road and Bromley Road than the existing building does. The result is that both new structures will form a new building line on this part of Albemarle Road that will be approximately 3.5m from the highway.

In terms of the design, the proposed elevations encompass a varied and complimentary palette of materials. It is considered that the external appearance of the resultant building would not be detrimental to the character of the area. The design would feature through colour rendered areas and timber clad areas. The neighbouring buildings in the locality feature a variety of finishes and it is therefore considered that the proposed materials would not appear prominent in the street scene. In addition, the use of different materials will break up the elevations and ensure that the elevations do not appear bland or monolithic and without architectural interest. As such it is considered that the proposal would respect the established pattern of development of the locality and would not detract from the character and appearance of the area.

Standard of Residential Accommodation

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

The floor space size of each of the proposed units in the building ranges between 52m² and up to 80m² respectively. The nationally described space standard requires a 50m² of gross internal floor space for a one bedroom two person flat over one level and 70m² of gross internal floor area in relation to a two bedroom four person unit over one level. On this basis, the floorspace provision for all of the units is compliant with the required standards and is considered acceptable.

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

Amenity Space

In terms of amenity space, provision is provided with a communal garden to the south of the building. Private gardens are proposed for the three ground floor flats and balconies have been provided to all upper floor flats to create private areas of amenity space. The size of these areas is generally in compliance with the requirements of the London Plan guidelines. Therefore the total provision is considered acceptable at this location.

Impact on Adjoining Properties

Policy BE1 of the Unitary Development Plan states that development should respect the amenity of occupiers of neighbouring buildings and ensure they are not harmed by noise disturbance, inadequate daylight, sunlight, and privacy or overshadowing.

In terms of outlook from the resultant building, the fenestration arrangement will provide mainly front and rear outlook for each unit overlooking the adjoining road and outlook from the rear towards Cadogan Close. The balconies will not overlook

private curtilage areas in the locality due to the proposed retention of boundary screening. The balconies will also offer no side views towards No. 87 Bromley Road due to the proposed balcony screens and the proposed upper floor side facing windows will be high level.

Given the siting and orientation of the site it is considered that there is limited impact on outlook from adjoining property windows. Adequate separation distances are maintained to adjoining properties with the proposed building sited with a greater degree of separation to No. 87 than the existing house at No. 84. The main rear facing windows at Cadogan Close will face to the north of the new block, with high level flank windows only facing the new development. The new block will also be sited on lower ground than Cadogan Close and Bromley Road and although taller than the building it replaces, the topography mitigates the impact of the three storey elevational appearance. The proposal would therefore maintain a suitable level of outlook, daylight and sunlight ingress to neighbouring buildings.

Highways and Car Parking

The Council's Highway Officer has reviewed the current application and not raised objection in this regard. 9 spaces are to be provided on site which is considered satisfactory subject to an appropriate visibility splay being provided at both the existing and proposed junctions. The Highways Officer has confirmed that the accompanying Parking Stress Survey has confirmed that the loss of on-street car parking spaces would not lead to a significant additional stress on the surrounding highway network. A Road Safety Audit can also be conditioned to ensure the safety of the proposed second vehicle access. The proposal is considered generally acceptable from a highways safety perspective subject to appropriate planning conditions.

Cycle Parking

Cycle parking is required to be 1 space per 1 bedroom flat and 2 spaces for all other dwellings. The applicant has provided details of a secure and lockable storage building along with cycle parking facilities within the private amenity areas for the ground floor flats. This is considered suitable subject to an appropriate condition.

Refuse and Recycling

All new developments shall have adequate facilities for refuse and recycling. The applicant has provided details of refuse storage for the units in a separate building to the south of the site. The location point is considered acceptable within close proximity of the highway for collection services. Any further update will be reported verbally.

Sustainability and Energy

Policy 5.3 Sustainable Design and Construction of the London Plan states that the highest standards of sustainable design and construction should be achieved in London to improve the environmental performance of new developments and to

adapt to the effects of climate change over their lifetime. Policy 5.2 Minimising Carbon Dioxide Emissions of the London Plan states that development should make the fullest contribution to minimising carbon dioxide emissions in accordance with the hierarchy; Be lean: use less energy; be clean: supply energy efficiently and be green: use renewable energy.

The application proposes a sustainable construction and a sustainable drainage system for the hard standing areas of the site. A green roof is also provided. These measures are welcomed and a sustainable construction condition can be imposed in this regard.

Trees and Landscaping

An indicative landscaping layout has been submitted as shown on the proposed site plan drawing that details the areas given over to garden for external amenity for future occupiers. The Council's Arboriculture Officer has commented in respect of the loss of trees within the central areas of the site and retention of mature trees on and towards the periphery. No objections are raised in this regard subject to the implementation of the submitted Arboricultural Report. A condition is recommended to ensure compliance and full detail of hard and soft landscaping and boundary treatment can also be sought by condition as necessary.

Community Infrastructure Levy

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

Summary

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

Background papers referred to during production of this report comprise all correspondence on file ref(s): 16/02120/FULL1 and 16/05788/FULL1, excluding exempt information.

RECOMMENDATION: PERMISSION

Subject to the following conditions:

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

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

- 2 The landscaping scheme as shown on the submitted drawings shall be implemented in the first planting season following the first occupation of the buildings or the substantial completion of the development whichever is the sooner. Any trees or plants which within a period of 5 years from the substantial completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species to those originally planted.**

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

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

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

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

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

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

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

- 6 No development shall take place until details of drainage works have been submitted to and approved in writing by the Local Planning Authority, and drainage works shall be carried out in accordance with the approved details prior to first use of any dwelling. Prior to the submission of those details, an assessment shall be carried out into the potential for disposing of surface water by means of a sustainable drainage system in accordance with the principles of sustainable drainage systems set out in Annex F of PPS25, and the results of the assessment provided to the Local Planning Authority. Where a sustainable drainage system scheme (SuDS) is to be implemented, the submitted details shall:**
- i) provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and / or surface waters;**
 - ii) specify the responsibilities of each party for the implementation of the SuDS scheme, together with a timetable for that implementation; and**
 - iii) provide a management and maintenance plan for the lifetime of the development, which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.**

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

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

- 7 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 1995 (or any Order amending, revoking and re-enacting this Order) or not shall be carried out on the land or garages indicated or in such a position as to preclude vehicular access to the said land or garages.**

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

- 8** Before commencement of the development hereby permitted details of (a) turning area(s) within the site shall be submitted to and approved in writing by the Local Planning Authority. The turning area(s) shall be provided before any part of the development is first occupied and shall be permanently retained thereafter.

Reason: In order to comply with Policies T3 and T18 of the Unitary Development Plan and to enable vehicles to enter and leave the site in a forward direction, in the interest of pedestrian and vehicular safety.

- 9** No wall, fence or hedge on the front boundary or on the first 2.5 metres of the flank boundaries shall exceed 0.6m in height, and these means of enclosure shall be permanently retained as such.

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

- 10** Before any part of the development hereby permitted is first occupied that part of a sight line of 43m x 2.4m x 33m which can be accommodated within the site shall be provided in both directions at the accesses to the site and with the exception of trees selected by the Local Planning Authority no obstruction to visibility shall exceed 1m in height in advance of this sight line, which shall be permanently retained as such.

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

- 11** Before the access hereby permitted is first used by vehicles, it shall be provided with 3.3m x 2.4m x 3.3m visibility splays and there shall be no obstruction to visibility in excess of 1m in height within these splays except for trees selected by the Local Planning Authority, and which shall be permanently retained thereafter.

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

- 15 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.

- 16 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.

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

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

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

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

- 19** 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.

- 20** 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.

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

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

- 22** Before any work is commenced on the access/highway works a Stage 1 and where appropriate a Stage 2 Road Safety Audit (these may be combined with the prior agreement of the local Planning Authority) shall be submitted to and approved in writing by the local Planning Authority. The works shall be implemented strictly in accordance with the approved details to the satisfaction of the local Planning Authority

before any part of the development hereby permitted is first occupied. A Stage 3 Audit shall be submitted to and approved in writing by the local Planning Authority following satisfactory completion of the works and before they are opened to road users. The road safety auditor should also request for a member of LBB traffic team (Lisa Allen 020 8313 45280) to be present on site at the time of audit.

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

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

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

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

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

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

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

- 26** Notwithstanding the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking, re-enacting or modifying that Order), no plumbing or pipes, other than rainwater pipes, shall be fixed on the external elevations of the building.

Reason: It is considered that such plumbing or pipes would seriously detract from the appearance of the buildings and to comply with Policy BE1 of the Unitary Development Plan.

(a) The development shall be constructed with a biodiversity living roof laid out in accordance with Plan No. PSD-16-84-04 - Rev B hereby approved and maintained thereafter.

(b) The living roofs shall not be used as an amenity or sitting out space of any kind whatsoever and shall only be used in the case of essential maintenance or repair, or escape in case of emergency.

(c) Evidence that the roof has been installed in accordance with (a) shall be submitted to and approved in writing by the local planning authority prior to the first occupation of the development hereby approved.

Reason: To comply with Policies 5.10 Urban greening, 5.11 Green roofs and development site environs, 5.12 Flood risk management, 5.13 Sustainable Drainage and 7.19 Biodiversity and access to nature conservation in the London Plan.

27 Notwithstanding the details hereby approved, no development shall commence until detailed plans at a scale of 1:20 showing screening details for balconies and for the third floor communal terrace have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Reason: In order that the local planning authority may be satisfied as to the detailed treatment of the proposal and to comply with Policies H7 and BE1 of the Unitary Development Plan.

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

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

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

The statement shall include details of:

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

Type and siting of scaffolding (if required);

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

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

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

Location of bonfire site (if required);

Details of the location of underground services avoiding locating them within the protected zone.

Details of the method to be used for the removal of existing hard surfacing within the protected zone.

Details of the nature and installation of any new surfacing within the protected zone.

Methods proposed for the watering of the trees during the course of the project

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

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

You are further informed that:

- 1 The applicant is advised that any works associated with the implementation of this permission (including the demolition of any existing buildings or structures) will constitute commencement of development. Further, all pre commencement conditions attached to this permission must be discharged, by way of a written approval in the form of an application to the Planning Authority, before any such works of demolition take place.**
- 2 You should consult the Land Charges and Street Naming/Numbering Section at the Civic Centre on 020 8313 4742 or e-mail: address.management@bromley.gov.uk regarding Street Naming and Numbering. Fees and application forms are available on the Council's website at www.bromley.gov.uk**
- 3 You are advised that this application may be liable for the payment of the Mayoral Community Infrastructure Levy under the Community Infrastructure Levy Regulations (2010) and the Planning Act 2008. The London Borough of Bromley is the Collecting Authority for the Mayor and this Levy is payable on the commencement of development (defined in Part 2, para 7 of the Community Infrastructure Levy Regulations (2010)). It is the responsibility of the owner and /or person(s) who have a material interest in the relevant land to pay the Levy (defined under Part 2, para 4(2) of the Community Infrastructure Levy Regulations (2010)).**

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

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

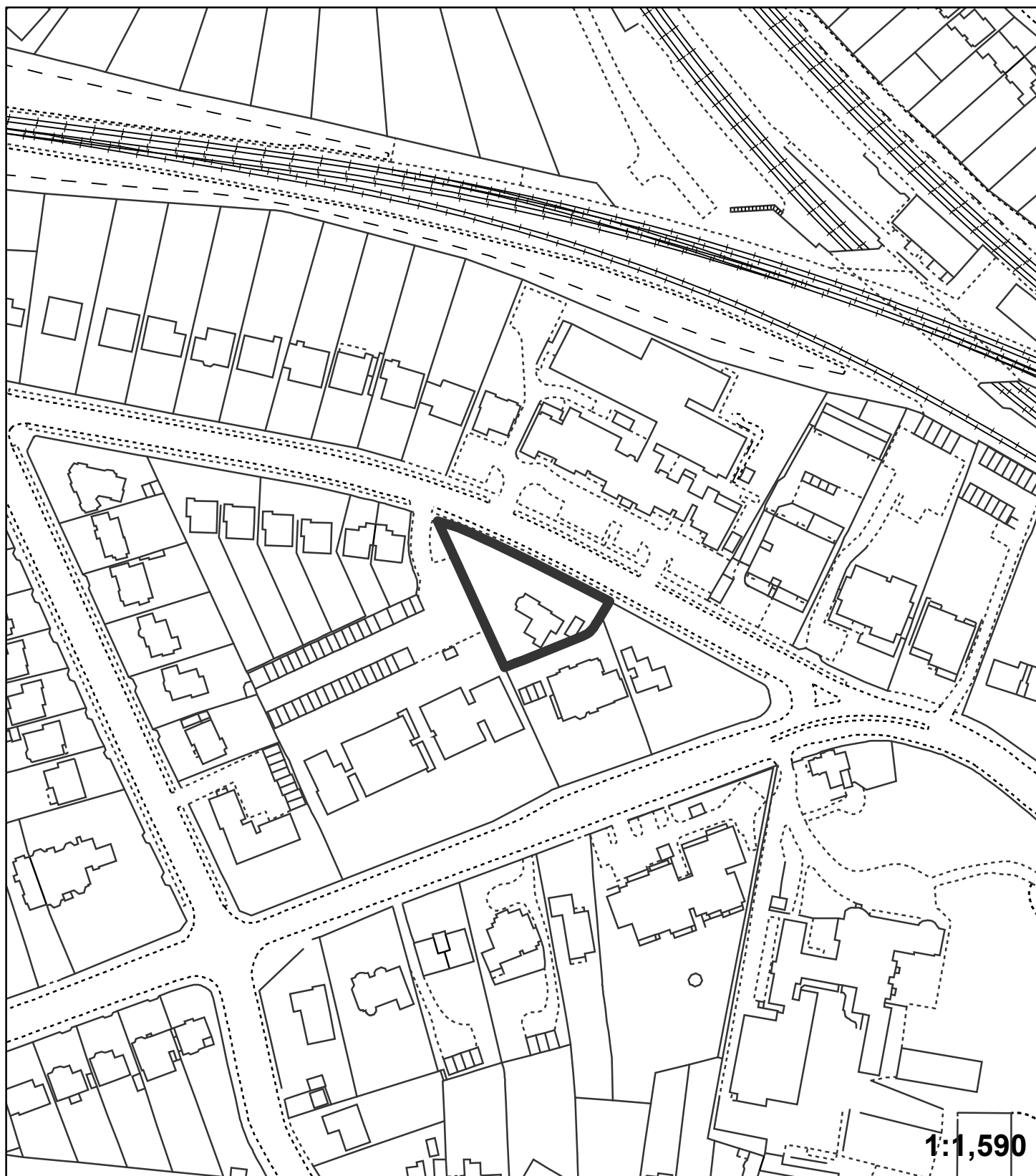
- 4 You should contact extension 4621 (020 8313 4621 direct line) at the Environmental Services Department at the Civic Centre with regard to the laying out of the crossover(s) and/or reinstatement of the existing crossover(s) as footway. A fee is payable for the estimate for the work which is refundable when the crossover (or other work) is carried out. A form to apply for an estimate for the work can be obtained by telephoning the Highways Customer Services Desk on the above number.
- 5 You are advised that it is an offence under Section 153 of the Highways Act 1980 for doors and gates to open over the highway.
- 6 Any repositioning, alteration and/ or adjustment to street furniture or Statutory Undertaker's apparatus, considered necessary and practical to help with the modification of vehicular crossover hereby permitted, shall be undertaken at the cost of the applicant.
- 7 Before works commence, the Applicant is advised to contact the Pollution Team of Environmental Health & Trading Standards regarding compliance with the Control of Pollution Act 1974 and/or the Environmental Protection Act 1990. The Applicant should also ensure compliance with the Control of Pollution and Noise from Demolition and Construction Sites Code of Practice 2008 which is available on the Bromley web site.
- 8 Before demolition commences, the applicant is advised to have a full pre-demolition survey carried out to identify any asbestos containing products which may be in the building, and then contact the Health and Safety Executive to ensure compliance with all relevant legislation. The applicant should ensure compliance with the Control of Asbestos Regulations 2012 and the Health & Safety at Work Act 1974 in relation to safe removal of asbestos on site prior to demolition.
- 9 If during the works on site any suspected contamination is encountered, Environmental Health should be contacted immediately. The contamination shall be fully assessed and an appropriate remediation scheme submitted to the Local Authority for approval in writing.

- 10** 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.
- 11** 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.
- 12** Piling has the potential to impact on local underground sewerage utility infrastructure. The applicant is advised to contact Thames Water Developer Services on 0800 009 3921 to discuss the details of the piling method statement.

Application:16/05788/FULL1

Address: 84 Albemarle Road Beckenham BR3 5HT

Proposal: Demolition of existing dwelling and erection of a three storey building comprising 6 one bedroom and 3 two bedroom flats with associated parking, amenity space, refuse/cycle store together with formation of a new vehicle access and associated landscaping



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

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SECTION '2' – Applications meriting special consideration

Application No : 17/00030/FULL6

Ward:
West Wickham

Address : 18 Hayes Chase, West Wickham
BR4 0HZ

OS Grid Ref: E: 539227 N: 167634

Applicant : Mr J Barton

Objections : NO

Description of Development:

Part one/ two storey side/rear extension.

Key designations:

Area of Special Residential Character
Biggin Hill Safeguarding Area
London City Airport Safeguarding
Smoke Control SCA 2

Proposal

The proposal comprises a first floor side and two storey rear extension. The first floor element would be positioned above the existing garage at the side which lies in close proximity to the boundary. The first floor extension would incorporate a 1m space to the flank boundary and would be 1.5m wide, set beneath a pitched roof which would have subservience to the main roof. The front elevation of the first floor extension would be set back from the adjacent existing front elevation by approx. 4.5m.

The first floor extension would project for the full depth of the existing single storey garage, having a depth of rearward projection beyond the main rear wall of approx. 4m. No windows are proposed to the first floor north western facing elevation. The south eastern elevation of the extension would face towards the boundary with No. 20 and would incorporate narrow window openings at first floor level which would serve a bedroom. The first floor rear projection would be set approx. 3.2m from the party boundary.

The application comprises a resubmission of a previously refused scheme, with the proportions, design and siting of the extension being as previously proposed. The current application is accompanied by a covering letter which refers to the permission granted at No. 24 Hayes Chase in 2014 for a similar extension, and the plans are annotated with reference to that permission (14/00917).

Location

The application property is a north west facing detached dwelling sited on a plot measuring approx. 9.5m wide by 62m long. The end of the rear garden is covered by an area TPO. The houses on the street are almost all detached. Some of the properties in Hayes Chase have been extended to the side and to the rear.

Consultations

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

Planning Considerations

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

BE1 Design of New Development
H8 Residential Extensions
H9 Side Space

Supplementary Planning Guidance is also a material consideration in the assessment of the proposals:

SPG1: General Design Principles
SPG2: Residential Design Guidance

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

Draft policies of relevance to the application comprise:

Draft Policy 6 - Residential Extensions
Draft Policy 8 - Side Space
Draft Policy 37 - General Design of Development.

London Plan

Policy 7.4 of the London Plan relates to local character.

Policy 7.6 relates to architecture.

The National Planning Policy Framework is a material consideration in the determination of the application.

Planning History

Under reference 85/02507 planning permission was granted for a single storey side extension to the detached host dwelling.

Under reference 16/02841 planning permission was refused for a development identical in terms of the design, scale and siting of the extensions on the grounds:

"The proposed first floor extension would, by reason of its excessive rearward projection and proximity to the boundary, have a significantly adverse impact on the residential amenities that the occupants of the neighbouring dwelling might reasonably expect to continue to enjoy and the visual amenities of the area resulting in a loss of prospect and undue visual impact, thereby contrary to Policies BE1, H8 and H9 of the Unitary Development Plan."

Conclusions

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

Under reference 00/00057 planning permission was granted for a similar extension at No. 15 Hayes Chase, albeit with a depth of rearward projection of the first floor element of 2.3m. Under reference 00/02347 planning permission was refused at No. 15 Hayes Chase for an extension with a depth of rearward projection of 3.2m. Permission was refused on the grounds that the first floor extension would have been excessively deep, detrimental to the residential amenities of the neighbouring property at No. 13.

The applicant has referred to a development at No. 24 Hayes Chase as setting a precedent for the current proposal. The planning history of that property is summarised:

13/01195

Planning permission refused for a two storey rear and first floor side extension with a rear dormer on the following grounds:

1. "The proposal does not comply with the Council's requirement in respect of two storey development for a minimum 1 metre side space to be maintained for the full height and width of the flank elevation to the flank boundary, in the absence of which the extension would constitute a cramped form of development, out of character with the street scene, conducive to a retrograde lowering of the spatial standards to which the area is at present developed and contrary to Policies BE1 and H9 of the Unitary Development Plan."

2. "The proposed two storey rear extension would, by reason of its excessive rearward projection, appear over dominant when viewed from Nos. 22 and 26 Hayes Chase thereby resulting in overshadowing and loss of prospect seriously detrimental to the amenities enjoyed by the residents of these properties, contrary

to Policies BE1 and H8 of the Unitary Development Plan and Supplementary Planning Guidance 1 and 2."

13/02887

A further application for a revised form of the refused proposal, reference 13/02887, was refused permission on the grounds that:

"The proposal does not comply with the Council's requirement in respect of two storey development for a minimum 1 metre side space to be maintained for the full height and width of the flank elevation to the flank boundary, in the absence of which the extension would constitute a cramped form of development, out of character with the street scene, conducive to a retrograde lowering of the spatial standards to which the area is at present developed and contrary to Policies BE1 and H9 of the Unitary Development Plan."

This refusal was subsequently upheld at appeal with the Inspector commenting that the increase in the height of the width, depth and height of the roof would increase the actual and perceived mass of the existing roof and would appear unduly bulky within the street scene. The side element featured a recess/set back of 1.9m from the front elevation.

In dismissing the appeal, the Inspector also disregarded examples of other developments in the area, noting that none were directly comparable.

The rear extensions were considered to not amount for a reason to dismiss the appeal on their own right although they contributed to concerns regarding the impact on the spatial standards of the area. Some loss of light was recognised to No.22.

14/00917

Under 14/00917 planning permission was granted by Members of Plans Sub-Committee No. 1 for a revised scheme which incorporated a 5m set back from the main front elevation and amended roof design. A minimum of 1m side space was retained to the flank boundary at first floor level.

It is this application that has been referenced on the submitted drawings as providing a precedent/context for the current application.

It is not considered on balance that the proposed extension would have a significant impact on the daylight/sunlight as a consequence of the siting of the extension in relation to the immediately neighbouring houses. However, it is noted that the proposed 4m depth of rearward projection would lie significantly to the rear of the rear elevation of the neighbouring dwelling at No. 16. This element is unchanged in the current application, having already been considered under reference 16/02841 as being likely to result in the development having an overdominant appearance when viewed from the neighbouring dwelling, from the rear garden and from rear facing windows. That there is a level of separation to the boundary was noted, but this separation at first floor level is only 1m and it was not

considered to adequately mitigate the impact on outlook/visual impact referred to above.

With regards to the impact of the proposal on the visual amenities of the area, the proposal would not provide a minimum side space of 1m for the full height of the flank elevation, being positioned above a single storey element which lies closely adjacent to the boundary. Policy H9 of the Unitary Development Plan states that for proposals of two or more storeys in height a minimum of 1m side space shall be retained for the full height of the flank elevation. The neighbouring property is set over two storeys 1m from the boundary as a consequence of which the proposal would result in a 2m space retained between two storey development on either side of the boundary at first floor with a 1m space at ground floor level.

The visual impact of the proposal on the spaciousness of the area and the distinctive residential quality is mitigated in part by the positioning of the extension 4.5m from the main front elevation and the design including a degree of subservience to the host dwelling. However, at present the existing/retained gaps between dwellings afford views between the dwellings on this side of Hayes Chase towards the group of protected trees at the rear of the row of houses with this view and the gaps between houses contributing to the visual amenities of the area as it is presently developed.

It is noted that on the other side of the road a number of dwellings have been extended in a similar manner to the current proposal in terms of the first floor side element and that permission was granted for an extension at No. 24 (although this was set further back from the main front elevation of the dwelling than the current proposal). It is however a fundamental principle that each case be considered on its merits.

This is a finely balanced case and Members may recall the granting of planning permission for a similar (although not identical) scheme at No. 24. On balance, and taking into account the recent refusal of planning permission for a scheme of identical proportions and siting at the application property it is considered that the impact of the proposal on the visual amenities of the street scene, the area in general and upon the residential amenities of the neighbouring property would be unsatisfactory and that planning permission should therefore be refused.

Background papers referred to during production of this report comprise all correspondence on the file ref(s) 13/01195, 13/02887, 14/00917 and 16/02841 set out in the Planning History section above, excluding exempt information.

RECOMMENDATION: APPLICATION BE REFUSED

The reasons for refusal are:

- 1 The proposed first floor extension would, by reason of its excessive rearward projection and proximity to the boundary, have a significantly adverse impact on the residential amenities of No. 16 Hayes Chase that the occupants of the neighbouring dwelling might**

reasonably expect to continue to enjoy and the visual amenities of the area resulting in a loss of prospect and undue visual impact, thereby contrary to Policies BE1, H8 and H9 of the Unitary Development Plan.

Application:17/00030/FULL6

Address: 18 Hayes Chase West Wickham BR4 0HZ

Proposal: Part one/ two storey side/rear extension.



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

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SECTION '2' – Applications meriting special consideration

Application No : 17/00060/FULL1

Ward:
Bromley Town

Address : Flat 3 17 Bromley Common Bromley
BR2 9LS

OS Grid Ref: E: 541127 N: 168168

Applicant : Paye

Objections : YES

Description of Development:

Change of use from 3-bed flat to 4-bedroom 7 person House of Multiple Occupation (HMO) and internal alterations to provide shower room

Key designations:

Conservation Area: Bromley Common
Biggin Hill Safeguarding Area
London City Airport Safeguarding
Smoke Control SCA 19

Proposal

Planning permission is sought for the change of use of the existing 3-bed flat to 4-bedroomed 7 person House of Multiple Occupation (HMO) and internal alterations to provide a shower room with additional toilet.

Internally the proposed HMO would provide a large communal kitchen measuring 15.2 m², two communal store rooms with a combined floor space of 5.84 m² one bathroom at 4.9 m² and shower room at 4.5m². The bedrooms would measure as follows:

Bedroom 1: 13.69 m²
Bedroom 2: 21.56 m²
Bedroom 3: 20.99 m²
Bedroom 4: 21.87 m²

Location

The application site is a substantial 3 storey semi-detached locally listed building which has been converted into flats.

The surrounding area is residential and suburban in character and comprises mainly of detached dwellings with large rear gardens some of which have been converted into flats. To the west the site are commercial buildings leading towards Bromley Town Centre.

Consultations

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

- Overcrowding and inappropriate use
- Pressure of drains with increase of tenants
- Multiple tenants lead to a lack of responsibility over the communal areas/garden
- Pressure on other properties to do the same thing
- Inadequate internal provision for future tenants
- Noise pollution
- HMO is out of character for a road
- Concern over privacy and given the current height of the boundary walls and these should be increased to six foot
- Lack of sufficient parking

External consultees

Transport for London:

With regard to the above application, TfL has the following comments

1. The site of the proposal is on the A21 Bromley Common which forms part of the Transport for London Road Network (TLRN). TfL is the highway authority for the TLRN, and is therefore concerned about any proposal which may affect the performance and/or safety of the TLRN.
2. No additional parking spaces seem to have been proposed which is welcomed. However, this should be confirmed by the applicant.
3. A minimum of 2 cycle parking spaces should be provided in line with London Plan standards.
4. The footway and carriageway on the A21 Bromley Common must not be blocked during the conversion. Temporary obstructions during the conversion must be kept to a minimum and should not encroach on the clear space needed to provide safe passage for pedestrians or obstruct the flow of traffic on the Bromley Common.
5. All vehicles associated with the conversion must only park/ stop at permitted locations and within the time periods permitted by existing on-street restrictions.
6. No skips or construction materials shall be kept on the footway or carriageway on the TLRN at any time. Should the applicant wish to install scaffolding or a hoarding on the footway whilst undertaking this work, separate licences may be required with TfL, please see, <https://www.tfl.gov.uk/info-for/urban-planning-and-construction/highway-licences>

Subject to the above comments, the proposal as it stands would not result in an unacceptable impact to the Transport for London Road Network (TLRN).

Planning Considerations

National Planning Policy Framework (NPPF) (2012):

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

Chapter 6 – Delivering a wider choice of high quality homes

London Plan (2016):

- 3.3 Increasing Housing Supply
- 3.4 Optimising Housing Potential
- 3.5 Quality and Design of Housing Developments
- 3.8 Housing Choice
- 3.9 Mixed and Balanced Communities
- 6.9 Cycling
- 6.13 Parking
- 7.1 Lifetime Neighbourhoods
- 7.2 An Inclusive Environment
- 7.3 Designing Out Crime
- 7.4 Local Character
- 7.15 Reducing and Managing Noise, Improving and Enhancing the Acoustic Environment and Promoting Appropriate Soundscapes.

Housing: Supplementary Planning Guidance. (March 2016)

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

Unitary Development Plan (2006):

- BE1 Design of New Development
- H1 Housing Supply
- H11 Residential conversions
- T3 Parking
- T18 Road Safety

Draft Local Plan (2016):

- Draft Policy 1 Housing Supply
- Draft Policy 4 Housing Design
- Draft Policy 9 Residential Conversions
- Draft Policy 37 General Design of Development
- Draft Policy 30 Parking
- Draft Policy 32 Road Safety

Planning History

There is no planning history for this site however it should be noted that there is a pending application under ref: 17/00329/FULL1 for the Construction of a three storey plus basement rear extension and rear roof alterations to the existing building forming additional upper level accommodation to create 9 additional flats comprising three 1 bedroom, six 2 bedroom flats within the extended sections of the building in connection with revised flat layouts in the existing section of the building. Provision of front parking with in/out access, amenity space, refuse and cycle storage and associated landscaping at 15-17 Bromley Common.

Conclusions

The main issues relating to the application are considered to be:

- Principle of use
- Impact on residential amenity
- Standard of accommodation
- Highway impact

Principle of use:

Policy H11 of the UDP seeks to ensure that the borough's older properties are efficiently used, in order to maximise, within environmental constraints the contribution conversions make to housing supply. The conversion of a single family dwelling house into non self-contained accommodation will only be permitted where the amenities of occupiers of neighbouring dwellings will not be harmed; the resulting accommodation will provide satisfactory living environment for the intended occupiers; on street or off street parking resulting from the development will not cause unsafe or inconvenient highway conditions nor affect the character and appearance of the area; and the proposal will not lead to the shortage of medium or small sized family dwellings in the area.

There are no external alterations to the existing building proposed only the internal addition of a shower room with toilet facilities. The surrounding character of the area is largely single family dwelling houses, some of which have been sub-divided into flats set on generous plot sizes. The proposed conversion of a single family 3-bed flat to a 7 person HMO would intensify the use of the site, however in this instance the existing 3-bed flat is large at approximately 146m² GIA. Whilst this proposal would theoretically increase the number of occupants by one person given the overall size of the unit in this instance it is considered that on balance the proposal would not result in an over intensification of the site detrimental to the character of the surrounding area and as such comply with Policy H11 of the Unitary Development Plan.

Impact on residential amenity:

The current three bedroomed flat could theoretically be used by a family with any number of residents or under permitted development be converted to an HMO for up to 6 adults and as such the increase of one additional person given the overall

size of the unit would not in this instance impact upon the living conditions of the surrounding properties in terms of general noise and disturbance from the comings and goings at the site or give rise to an unacceptable loss of amenity to the occupiers of surrounding residential dwellings. As such it is considered that on balance the proposal would comply with policy BE1 of the Unitary Development Plan.

Standard of accommodation:

One large kitchen, two store rooms, one bathroom with toilet and one shower room with a toilet are to be provided. The four bedrooms proposed are large ranging in size from 13.69m² for the single to 20.99-21.56m² for the three double bedrooms. Given the overall GIA of the flat at approximately 146m² and the proposed level of accommodation and communal facilities it is considered to be adequate and would provide a good standard of accommodation for future occupiers, in compliance with Policy H11 of the Unitary Development Plan.

Highway impact:

The site is located within an area of PTAL rate 2 (on a scale of 1 - 6, where 6 is the most accessible). No details have been provided on the number of parking spaces proposed however this can be conditioned to ensure there would be no increase in parking or subsequent impact on the highway network.

Cycle parking:

Cycle parking is required to be 2 spaces; the applicant has not provided details of a secure and lockable storage area cycle storage however this could be conditioned given the available size of the plot.

Refuse:

All new developments shall have adequate facilities for refuse and recycling. The applicant has not provided details of refuse storage however this could again be conditioned given the overall size of the plot.

Summary:

Given all of the above it is considered that the proposed change of use from an existing 3-bed flat to 7 person House of Multiple Occupation (HMO) and internal alterations to provide a shower room would on balance not be detrimental to the character of the area and amenities of the surrounding residential properties. The HMO is also considered to provide satisfactory living conditions for the future occupants.

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

Background papers referred to during production of this report comprise all correspondence on the file ref(s) 17/00060 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: The development to which this permission relates must be begun not later than the expiration of 3 years, beginning with the date of this decision notice.

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

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

- 3 Before first occupation of the HMO hereby approved details of parking spaces and sufficient turning space shall be submitted to and approved in writing by the Local Planning Authority and such provision shall be completed before the commencement of the use of the land or building hereby permitted and shall thereafter be kept available for such use. No development whether permitted by the Town and Country Planning (General Permitted Development Order) 2015 (or any Order amending, revoking and re-enacting this Order) or not, shall be carried out on the land or garages indicated or in such a position as to preclude vehicular access to the said land 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.

- 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 prior to first occupation of the unit 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 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.

You are further informed that :

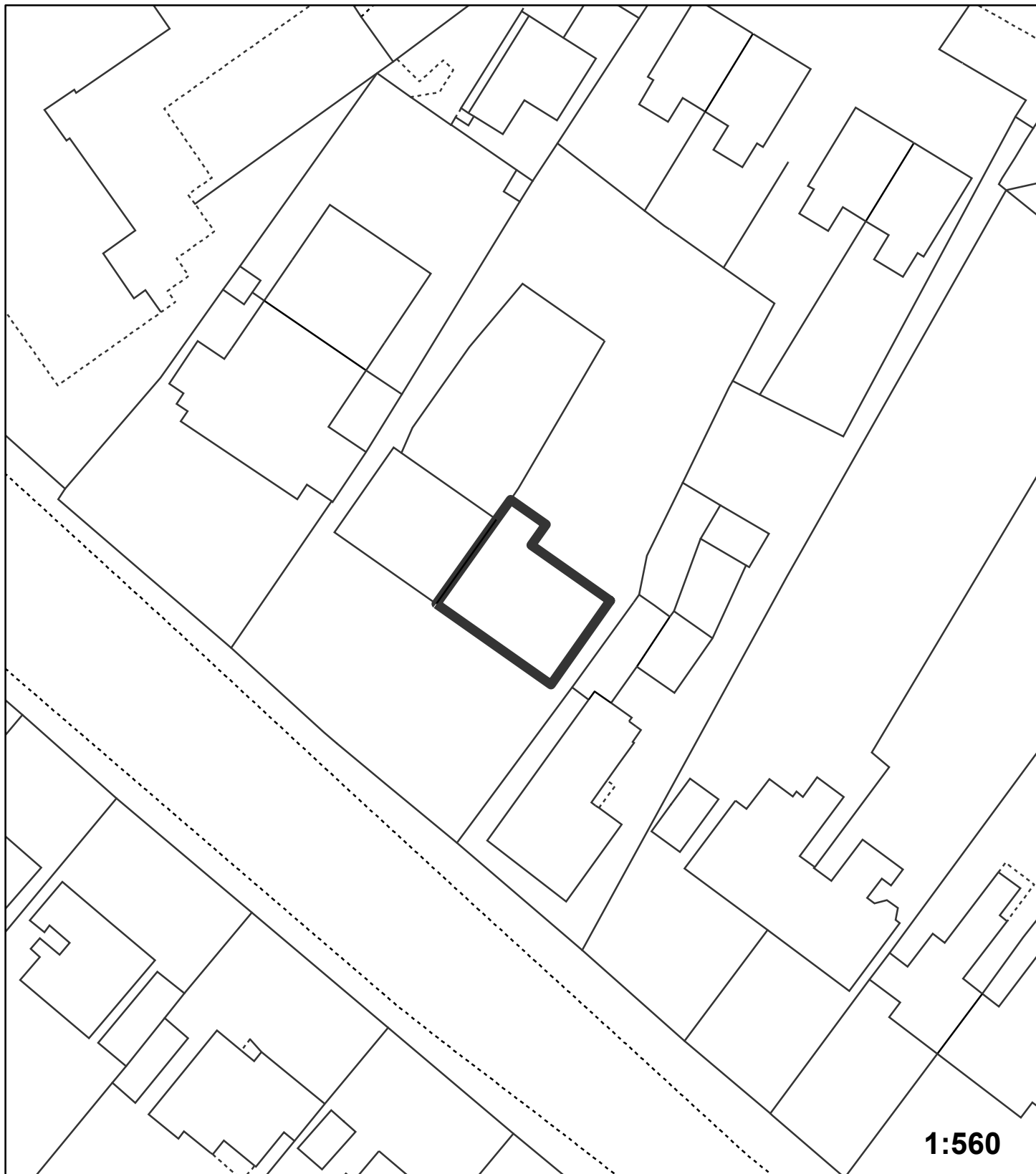
- 1 The footway and carriageway on the A21 Bromley Common must not be blocked during the conversion. Temporary obstructions during the conversion must be kept to a minimum and should not encroach on the clear space needed to provide safe passage for pedestrians or obstruct the flow of traffic on the Bromley Common.**
- 2 All vehicles associated with the conversion must only park/ stop at permitted locations and within the time periods permitted by existing on-street restrictions.**
- 3 No skips or construction materials shall be kept on the footway or carriageway on the TLRN at any time. Should the applicant wish to install scaffolding or a hoarding on the footway whilst undertaking this work, separate licences may be required with TfL, please see, <https://www.tfl.gov.uk/info-for/urban-planning-and-construction/highway-licences>**

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Application:17/00060/FULL1

Address: Flat 3 17 Bromley Common Bromley BR2 9LS

Proposal: Change of use from 3-bed flat to 7 person House of Multiple Occupation (HMO) and internal alterations to provide shower room



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"

Page 141

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SECTION '2' – Applications meriting special consideration

Application No : 17/00068/FULL1

Ward:
Clock House

Address : Ripon House, 254 Croydon Road,
Beckenham BR3 4DA

OS Grid Ref: E: 536502 N: 168768

Applicant : Mr S G Clacy

Objections : YES

Description of Development:

Demolition of existing garages and construction of 2 two bedroom detached dwellings with gardens, parking, refuse storage and bike storage. Revised car parking layout to Ripon house to serve existing flats

Key designations:

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

Proposal

Planning permission is sought for the demolition of the existing garages and construction of 2 two bedroom detached dwellings with gardens, parking, refuse storage and bike storage.

The dwellings will measure 8.35m depth by 7.5m width with a maximum ridge height of 6.63m. The buildings have gable ends facing the front and rear elevations and are of a contemporary design incorporating London stock buff brick, zinc cladding and zinc roofing materials. Private amenity areas of approximately 45m² and 42m² respectively are indicated to the rear at an average of 3.6m depth. Bin storage has been provided for day to day storage to the front of Dwelling 1. Each dwelling would have one parking space and a turning space is provided to enable vehicles to leave in a forward gear. An enlarged refuse store is proposed for the existing 14 flats and for the proposed dwellings bins on collection day adjacent to the main access to Ripon House.

The existing car parking area to the front of Ripon House will be reconfigured with a new car parking layout to provide 9 parking spaces, including one disabled bay. The existing amenity area to the rear of Ripon and Ripley Houses will be retained for use by occupants of the existing flats and enclosed with a fence adjoining the access way.

Location

The wider site is located on the west side of Croydon Road and is currently occupied with large Victorian three storey detached building that has been heavily extended to the south flank and rear elevations and divided into self-contained flats. To the rear is a communal garden area along with an area adjoining the rear boundary that has been developed as 13 garages comprising two rows with central hardstanding area accessed from the front of the property via a side vehicle access way. The rear garages, access way and front curtilage form the application site with the main body of the site measuring 19m depth by 20m width. It is stated that the garages were originally for parking for the occupiers of Ripon and Ripley House but have now not been demised for use by the lessees of the main buildings for at least 5 years. It is stated the lessees can only park in the front curtilage area officially.

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

Consultations

Nearby owners/occupiers were notified of the application at the start of the application process and on a second occasion following minor amendments to vehicle access and parking arrangements.

Representations were received which can be collectively summarised as follows:

- Design is out of keeping and character compared to surrounding properties by design, construction, form and layout.
- Dwellings shoehorned into back of existing property indicative of overdevelopment of the garage space.
- Dwellings by size, height and proximity to boundaries create a hemmed in feeling. House only 4m from garden boundary.
- Concerns regarding impact to external trees in close proximity to the boundaries of the site in terms root system, wellbeing and threat to prune canopies.
- Reconfiguration to front parking area will still leave a shortfall in parking spaces with loss of rear area causing greater congestion and parking issues in the area especially in Shrewsbury Road.
- Provision of new homes is outweighed by negative effect of the proposal.
- Development is direct contradiction to council policy on backland areas.
- Location of buildings will have direct impact on daylight, sunlight, views of skyline to immediately adjacent property.
- Loss of grassed area and landscaping of the front area will be to detriment of visual amenity of streetscene.
- Houses will overlook gardens and reduce privacy and outlook.
- Noise and disturbance from impact of two extra dwellings will impact adversely on quality of life.
- Design is unrelated to surrounding houses in materials.
- The gardens are a substandard outdoor space for a family dwelling.
- Long term neglect of the garages is not a reason to redevelop the site.

- Any two storey development will be detrimental to amenity of surrounding development.
- The site is not appropriate for this development. A single would be better suited to the site and aesthetically appropriate to the site maintaining privacy for Shrewsbury and Westbury Roads.
- Converting this space will set a dangerous precedent for similar such garage plots in the area.
- Concerns expressed that current garage walls are garden boundary walls.
- Concerns regarding damage by the construction process.
- Allowing such areas to develop will create an environment that is cramped and overdeveloped.
- Construction process will cause more mess and noise in the area.
- Proposal constitutes a cramped overdevelopment of the site by reason of number of units, excessive site coverage by buildings, hard surfaces, lack of adequate amenity space.
- The alteration to the front area will impact negatively the access to Ripon House.
- Emergency vehicle access appears tight and unworkable if a driveway is occupied preventing vehicles turning.
- Despite amendments provided the scheme will still change fundamental feel of the area.

Internal consultations

Highways:

The development is located to the north of Croydon Road (A222) and in an area with PTAL rate of 2 on a scale of 0 - 6b, where 6b is the most accessible. The development is utilising the existing access arrangement leading to the front proposed car park and to the rear where the new development is located. The width of this access road leading to the rear varies from 2.7m to 4.0m; my concern is for service vehicles, wanting to access and service the development to the rear. Therefore the applicant is required to provide this office with a swept path analysis showing a fire engine accessing the site and exiting in a forward gear.

Furthermore the doors opening outward into the path of vehicles using the access road to rear is unacceptable.

Nine car parking to the front and 2 spaces at the rear are indicated on the submitted plans which is acceptable in principle. Four cycle parking spaces would be provided which is acceptable.

A communal refuse storage area has been incorporated into the scheme. On collection day the future occupants will transfer their waste to a collection point within an enlarged refuse storage area to the front of 254 Croydon Road. This is satisfactory.

Highways (additional comments):

If the parking space (Building 2) is occupied emergency vehicles can't complete this manoeuvre. Furthermore, the access road is very tight which is of concern.

Drainage:

Further details to be sought by condition regarding drainage systems.

Environmental Health - Pollution:

It is recommended that a land contamination condition is attached due to the previous use of the land. The application site is also within an Air Quality Management Area declared for NOx. Suitable conditions regarding air quality are suggested.

Trees and Landscape:

The proposed development will leave very little in terms of useable amenity space. For this reason alone, the scheme is currently unacceptable. I would expect a scheme of this nature to include tree planting of a standard size. The existing site is formed of a row of garages and associated hard standing. Development here is therefore not objected to in principle and with satisfactory landscaping, would be beneficial.

The trees within the site are of limited value, however, should be incorporated into the scheme to retain a level of mature vegetation. I am more concerned with the chestnut tree that is situated within neighbouring No.1 Shrewsbury Road. This tree should be acknowledged as a constraint to the development. As the tree is third party owned, the tree can't be removed without consent from the owner. The Council can ensure that the tree is protected as part of the development.

This application has failed to acknowledge tree constraints and has not provided sufficient information on trees. I am unable to recommend conditional permission due to the scale of the development and the negative impact upon the third party tree. I have assessed the tree with regards to making a new Tree Preservation Order (TPO) and this would not be justified based on the positioning of the tree in respect of the public domain, the boundary positioning and the current low risk level.

The impact on the tree situated within neighbouring land has resulted in conflict with Council policy. I would subsequently recommend that the application be refused as the proposals are contrary to policy NE7 of the Bromley Unitary Development Plan (adopted July 2006). I would recommend a Tree Constraints Plan (TCP) is preloaded to any future submission.

Planning Considerations

National Planning Policy Framework (NPPF)

- 14: Achieving sustainable development
- 17: Principles of planning
- 29 to 32, 35 to 37: Promoting sustainable transport
- 49 to 50: Delivering a wide choice of high quality homes
- 56 to 66: Design of development

London Plan 2015:

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

Housing: Supplementary Planning Guidance. (March 2016)

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

Unitary Development Plan:

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

Supplementary Planning Guidance 1: General Design Principles

Supplementary Planning Guidance 2: Residential Design Guidance

Emerging Bromley Local Plan:

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 will be to the Secretary of State in the early part of 2017. These documents are a material consideration. The weight attached to the draft policies increases as the Local Plan process advances.

Draft Policy 1 - Housing Supply

Draft policy 3 - Backland and Garden Land Development

Draft Policy 4 - Housing design

Draft Policy 8 - Side Space

Draft Policy 30 - Parking

Draft Policy 32 - Road Safety

Draft Policy 33 - Access for All

Draft Policy 34 - Highway Infrastructure Provision

Draft Policy 37 - General design of development

Draft Policy 73 - Development and Trees

Draft Policy 77 - Landscape Quality and Character

Draft Policy 112 - Planning for Sustainable Waste management

Draft Policy 113 - Waste Management in New Development

Draft Policy 115 - Reducing flood risk

Draft Policy 116 - Sustainable Urban Drainage Systems (SUDS)

Draft Policy 117- Water and Wastewater Infrastructure Capacity
Draft Policy 118 - Contaminated Land
Draft Policy 119 - Noise Pollution
Draft Policy 120 - Air Quality
Draft Policy 122 - Light Pollution
Draft Policy 123 - Sustainable Design and Construction
Draft Policy 124 - Carbon dioxide reduction, Decentralise Energy networks and Renewable Energy

Planning History

04/04362/FULL1: Elevational alterations, external stairs at rear and formation of one bedroom flat within part of basement. Refused 14.01.2005

05/01275/FULL1: Elevational alterations and formation of studio flat within part of basement - amended floor plan received. Refused 18.05.2005

Conclusions

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

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

Principle of development

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

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

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

The document also encourages the effective use of land by reusing land that has been previously developed (brownfield land) and excludes gardens from the definition of previously developed land within Annex 2 of the NPPF.

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

Draft Policy 3 - Backland and Garden Land Development of the Emerging Local Plan states new residential development will only be considered acceptable on backland or garden land if all of the following criteria are met; there is no unacceptable impact upon the character, appearance and context of an area in relation to the scale, design and density of the proposed development; there is no unacceptable loss of landscaping, natural habitats, or play space or amenity space; there is no unacceptable impact on the residential amenity of future or existing occupiers through loss of privacy, sunlight, daylight and disturbance from additional traffic; and a high standard of separation and landscaping is provided.

The justification paragraphs following the UDP Policy H7 provides further clarification of the Council's approach to backland sites such as at 254 Croydon Road. Many residential areas are characterised by spacious rear gardens and well-separated buildings. The Council will therefore resist proposals which would tend to undermine this character or which would be likely to result in detriment to existing residential amenities. "Tandem" development, consisting of one house immediately behind another and sharing the same access, is generally unsatisfactory because of difficulties of access to the house at the back and the disturbance and lack of privacy suffered by the house in front.

Backland development, involving development of land surrounded by existing properties, often using back gardens and creating a new access, will generally also be resisted. Private gardens can be of great importance in providing habitats for wildlife, particularly in urban areas. Except in Areas of Special Residential Character, such development, however, may be acceptable provided it is small-scale and sensitive to the surrounding residential area.

Within the Emerging Local Plan a specific policy has been developed to address the issue of backland development as detailed above. The supporting text states that in the past the role of small sites in providing additional housing within the Borough has been significant. It is important to also consider the value of backland and garden land in helping to define local character. There is a risk that inappropriate development of these small sites over time could adversely impact upon local character, especially as the availability of sites diminishes.

The NPPF also specifies that windfall sites are normally previously developed sites. Core planning principles include; seeking high quality design and a good standard of amenity for all existing and future occupants of land and buildings, taking account of the different roles and character of different areas and

encouraging the effective use of land by reusing land that has been previously developed.

In this case the site comprises garages within the rear curtilage of the site that are historically linked for the parking of vehicles associated with the flats in Ripon House to the front of the site. It is noted that this link has been severed for at least 5 years as stated by the applicant. Ripon House has itself been substantially extended to the rear and side to expand the residential accommodation on offer. The garage site is therefore considered a windfall site and as such previously developed land and acceptable for a limited form of residential development.

However, the site is surrounded primarily by garden land and therefore with the nature of the spatial qualities of the surrounding backland areas that are mainly garden areas and in part parking areas where similar properties have been converted to flats in the past, it is considered in principle that residential development of the rear area of the site for habitable living accommodation can only be supported on this site if the scheme proposed is designed to complement the character of surrounding developments, the design and layout make suitable residential accommodation, and it provides for garden and amenity space. Any adverse impact on neighbouring amenity, conservation and historic issues, biodiversity or open space will need to be addressed. Therefore the provision of limited residential use of the land appears acceptable in principle subject to an assessment of the impact of the proposal on the appearance, character and context of the surrounding area in relation to the scale, design and density of the proposed development, in addition 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 and Siting.

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

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

Policy H9 requires that new residential development for a proposal of two or more storeys in height a minimum of 1m side space from the side boundary is maintained and where higher standards of separation already exist within residential areas. Proposals will be expected to provide a more generous side space.

The scheme proposal provides two detached dwellings on the site with limited separations from the boundaries of the site that have been created to provide small garden spaces and to comply with the Council's side space policy.

The separations are approximately 1.2m to the south west boundary, 1.2m between proposed dwellings and an average of 2m to the north east boundary. In combination with limited rear garden depths at an average 3.6m it is considered on balance that with the cramped nature of the site due to its restrictive parameters the proposal creates a development that is overly cramped on the site in this back land location given the open context of the immediate surrounding garden land. In particular the buildings will appear overbearing to No1 Shrewsbury Road due to their close proximity, proposed height, mass and scale accentuated by a 6.63m gable end facing in this direction.

The garden spaces proposed are also small and while they may comply with the space in terms of square meterage of the London Plan, regard is still required in respect of the context of provision in the wider area. In this locality gardens are well proportioned which forms part of the spatial character of the area. The provision proposed is considered out of character and at odds with the spatial layout of the area in this regard.

The generally contemporary design of the houses is considered acceptable. However, the suitability of the materials indicated in terms vertical zinc cladding and a zinc clad roof is not deemed to be an appropriate finishing material given the context of the site. Moreover the zinc roof would appear to make the development more prominent and overbearing to surrounding development.

Therefore, while the harm caused by the proposed design for two houses may not be demonstrable as highlighted in the applicant statement, in the planning balance the harm is significant enough to warrant refusal of the currently designed scheme.

In terms of the revised parking layout to the front curtilage of Ripon House, while it is noted that an increased level of hard surface will be provided removing an existing grassed area, some landscape borders are provided to mitigate this impact. Subject to suitable landscape planting to be sought by condition this is not considered to be detrimental to the visual amenity of the streetscene.

Residential Amenity - Standard of Residential Accommodation

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

The floor spaces of the proposed dwellings are 83.9m² each. The nationally described space standard requires a Gross Internal Area of 79m² for a two storey two bedroom house. With regard to the above it appears that the size of the house for its intended occupancy would comply with the minimum standards. On balance this is considered acceptable.

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

However the plans indicate that within the bedroom 1 of the units the windows would be located at a high level with roof lights within the roof space of the building. Therefore in these rooms the units would be reliant on a high placed window and roof lights for outlook and light.

Notwithstanding the reason for the high level windows is to address the issue of privacy to surrounding property it is considered that even if they provided adequate light it would not be possible for future occupiers to have a pleasant outlook from the openings at this level. Overall such a layout would therefore be contrived, representative of a cramped overdevelopment of the site and would not create a satisfactory environment or good standard of amenity for future occupiers.

In terms of amenity space the courtyard provision complies with the sizes required by the London Plan for single level two bedroom unit. However, the garden spaces proposed are small with limited depth and while they may comply with the space in terms of square meterage of the London Plan, regard is still required in respect of the context of provision in the wider area. In this locality gardens are well proportioned which forms part of the spatial character of the area. The provision proposed is considered out of character and at odds with the spatial layout of the area in this regard. Furthermore, the depth and limited proportions to the garden space provide a substandard quality space for the purposes of the potential number of occupiers of a two bedroom four person detached family dwellinghouse with functionally difficult, small and narrow spaces provided.

Impact on Adjoining Properties

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

In terms of outlook, the fenestration arrangement will provide front, rear and flank ground floor windows for each unit overlooking amenity space, neighbouring property or overlooking the access driveway. The flank ground floor windows are high level to dining and living areas and from a standard cill level for the hallways. At the upper level outlook is provided to the front elevation only. To the rear, facing the rear gardens of No1 Shrewsbury Road, a large high level feature window is provided which is above eye level outlook internally. Roof lights provide extra light to these bedrooms.

As discussed above while this design solution goes some way to address direct eye level overlooking the large size of the rear windows, although in an elevated position above floor level, will still be perceived by the adjacent property to constitute a loss of privacy in close proximity to their garden area. It is also considered that the requirement this type of design solution is a further indicator of the excessive scale and cramped overdevelopment of the scheme.

Highways and Traffic Issues.

Car parking and cycle parking

London Plan and UDP Policies encourage sustainable transport modes whilst recognising the need for appropriate parking provision.

The Council's Highway Officer has reviewed the current application and not raised any objection to the level of parking provided at the site. Nine usable spaces are to be provided on site for the existing flats to the front curtilage and 1 each for the proposed dwellings to the rear utilising existing vehicular access points from Croydon Road which is considered satisfactory.

Minor concerns are raised regarding access for service and emergency vehicles to the rear and a garden gate opening onto the access way. A swept path analysis and amendment have been subsequently received during the assessment process. The revisions have been deemed unsatisfactory.

Cycle parking is required to be 2 spaces for dwellings of the size and type proposed. The applicant has provided details of a location for cycle storage for the units within the front curtilage of the proposed dwellings. This is considered acceptable subject to further details to be sought by planning condition had permission been forthcoming.

Refuse

All new developments shall have adequate facilities for refuse and recycling. The applicant has provided details of refuse storage for the units adjacent to the front curtilage of the proposed dwellings with a collection enclosure point at the front of Ripon House adjacent to Croydon road. The location point is considered acceptable. Further details in this regard are recommended by condition in relation to capacity and a containment structure had permission been forthcoming.

Landscaping and trees.

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

An indicative landscaping layout has been submitted as shown on the proposed site plan drawing that details the areas given over to garden for external amenity for future occupiers. Notwithstanding this full detail of hard and soft landscaping

and boundary treatment is also recommended to be sought by condition as necessary.

The Council's Tree Officer has reviewed the scheme and has raised concerns regarding the quality and size of provision as already detailed above.

Furthermore, the impact to trees external to the site boundary but within close proximity of the boundaries of the site has been highlighted. It is considered that the proximity of the buildings in terms of canopy spread and root protection areas may threaten the wellbeing of these trees. Insufficient information has been supplied in this regard and refusal is recommended on this basis.

Sustainability and Energy

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

An informative is recommended with any approval to ensure that the development strives to achieve these objectives.

Community Infrastructure Levy

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

Summary

Having had regard to the above, the proposal represents a cramped overdevelopment of the site by reason of the limited size of plot available for the level of increased density of residential use along with the design, mass and scale and its relationship to adjacent dwellings in this location resulting in an inappropriate and visually obtrusive development harmfully at odds with the open spatial characteristics of the locality which is an important characteristic to the urban grain and pattern of development in the locality and also contributes to the character and appearance of the area.

Furthermore, the proposed development would fail to provide a satisfactory standard of good quality accommodation for future occupiers by reason of its lack of reasonable eye level outlook for rear bedrooms, its poor quality and poor standard of provision of outdoor amenity space for two bedroom dwellinghouses.

The siting and proximity of the dwellings to neighbouring buildings and property boundaries would also have a serious and adverse effect on the perceived privacy

and amenity enjoyed by the occupants of neighbouring property at No 1 Shrewsbury Road.

RECOMMENDATION: APPLICATION BE REFUSED

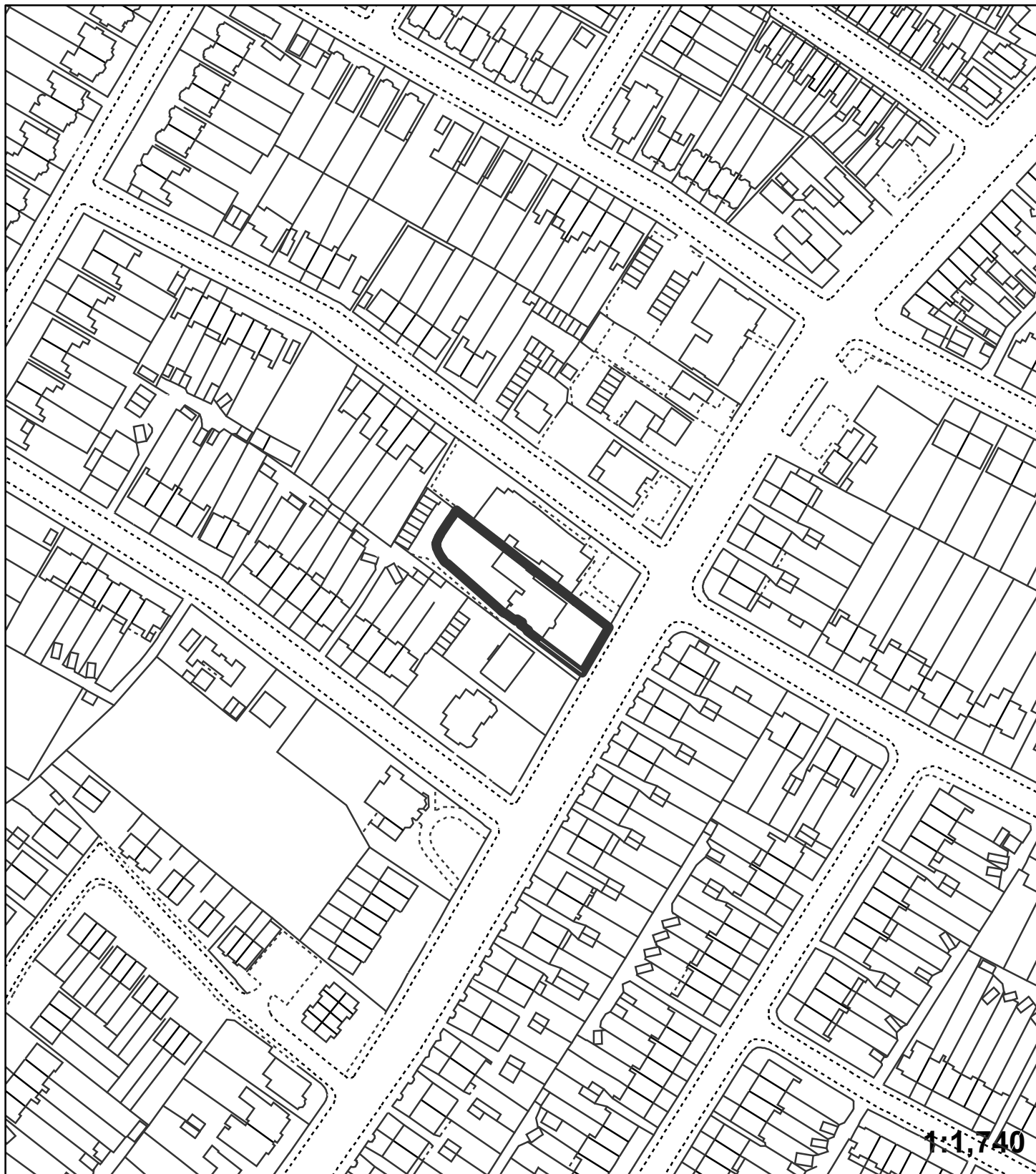
The reasons for refusal are:

- 1 The proposal represents an inappropriate and cramped overdevelopment of the site by reason of its design, mass and scale, its relationship to adjacent dwellings and the limited size of plot available for the level of increased density of residential use. This would be harmfully at odds and detrimental to the open spatial characteristics of the locality which is an important characteristic to the urban grain and pattern of development in the locality and also contributes to the character and appearance of the area contrary to Policies BE1 and H7 of the Unitary Development Plan and Policies 3.4, 3.5, 7.4 and 7.6 of the London Plan.**
- 2 The proposed development would fail to provide a satisfactory standard of good quality accommodation for future occupiers by reason of its lack of reasonable eye level outlook for rear bedrooms contrary to Policy H7 of the Unitary Development Plan, Policy 3.5 of the London Plan, Supplementary Planning Guidance: Housing of the London Plan Implementation Framework.**
- 3 The proposed development, due to its poor quality and poor standard of provision of outdoor amenity space for two bedroom dwellinghouses would provide an unacceptably poor level of external living accommodation for its occupants contrary to Policy BE1 and H7 of the Unitary Development Plan.**
- 4 The proposed development by reason of its overbearing nature, siting and proximity to neighbouring buildings and property boundaries would have a serious and adverse effect on the privacy and amenity enjoyed by the occupants of neighbouring property at No 1 Shrewsbury Road contrary to Policies BE1, H7 of the Unitary Development Plan and Policies 7.6 of the London Plan.**
- 5 In the absence of sufficient information to demonstrate satisfactorily otherwise, the proposals would likely result in conditions prejudicial to the wellbeing of trees on immediately adjoining land contrary to Policy NE7 of the Bromley Unitary Development Plan and Policy 7.21 of the London Plan.**
- 6 The accessibility arrangements for emergency and service vehicles generated by the development the proposals would be likely to result in detrimental conditions of general safety to future occupiers of the development contrary to Policy T18 of the Unitary Development Plan and Policy 6.12 of the London Plan.**

Application:17/00068/FULL1

Address: Ripon House 254 Croydon Road Beckenham BR3 4DA

Proposal: Demolition of existing garages and construction of 2 two bedroom detached dwellings with gardens, parking, refuse storage and bike storage. Revised car parking layout to Ripon house to serve existing flats



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

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SECTION '2' – Applications meriting special consideration

Application No : 17/00093/FULL6

Ward:
Shortlands

Address : 95 Shortlands Road Shortlands Bromley
BR2 0JL

OS Grid Ref: E: 538689 N: 168562

Applicant : Mr Andrew Tsiaoukkas

Objections : YES

Description of Development:

Part retrospective application for retention of existing two storey and single storey extensions and roof extensions including increase in roof height (0.3m) and east and west facing dormer windows (originally permitted under application references 13/03375 and 13/03731) - and proposed elevational alterations including a new line of ridge tiles

Key designations:

Biggin Hill Safeguarding Area
Highways Proposal sites
London City Airport Safeguarding
Open Space Deficiency
Smoke Control SCA 21
Smoke Control SCA 9

Proposal

This application seeks regularisation of and modifications to existing extensions which have been constructed. The proposed changes comprise of the following works:

- an increase to the height of the bargeboard (eaves detail) on the north, east and west facing gables at the property;
- the addition of a second storey north facing window (porthole design);
- tile-hanging to the west facing dormer window facing Hayes Lane; and
- insertion of a new line of ridge tiles on the northern elevation of the building

In addition, the following additional modifications have been incorporated in the proposal during the course of this application (by amended documents received on 1.3.17):

- the insertion of a dummy first floor window along the northern elevation of the building; and
- the repainting of the building to white.

The application is accompanied by a Planning, Design and Access Statement which sets out the nature of the changes proposed, alongside details of previous planning permissions affecting the site.

This application has been called-in by Ward Councillors.

Location

The application site occupies a prominent corner position at southern end of Shortlands Road, adjacent to its junction with Hayes Lane. The site incorporates an area of 0.11ha and is occupied by a single detached dwelling - the subject of this planning application.

The surrounding area is predominantly residential in character. The NE site boundary abuts the Shortlands Road Conservation Area, which also encompasses houses on the facing side of Shortlands Road. The opposite side of Hayes Lane falls within the Park Langley Conservation Area.

Consultations

Comments from local residents

Nearby owners/occupiers were notified of the application and one representation was received, summarised as follows:

- closing of former first floor windows facing Shortlands Road results in strange appearance
- proposed second floor porthole is insufficient and former first floor window should be replaced
- grey rendering colour is undesirable and out of character with the area
- site is extremely visible from surrounding roads
- other examples of development cited by the applicant are not comparable
- house stands out against the other buildings along Shortlands Road and Hayes Lane
- development damages local architectural character and damages views into and out of the area
- imposing and dominant building, an eye sore
- cumulative impact of single storey extension, including visual impact and loss of privacy
- addition of porthole on northern side of the building and plaster lintels above each of the first floor openings is a welcome feature
- additional height results in a more imposing development
- two south-facing rooflights could result in loss of privacy

Comments from consultees

Not applicable.

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

BE13 Development Adjacent to Conservation Areas

H8 Residential Extensions

London Plan:

Policy 7.4 Local Character

Policy 7.6 Architecture

The National Planning Policy Framework is also a material consideration in this appeal.

Planning history

The site is the subject of a fairly detailed planning history. The applications most relevant to this current proposal are set out below:

13/03375/FULL1

Under application reference 13/03375/FULL1 planning permission was granted in December 2013 for the enlargement of the existing house along its southern end to incorporate a kitchen/diner and games room and study. Permission was also granted for a porch along the northern side of the dwelling. The proposal did not include any additional first floor accommodation; however some internal reconfiguration was incorporated on the plans. In addition, the proposed plans appeared to show changes to the external elevational and fenestration treatment.

Amongst the conditions included was No 2 which stated:

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.

The above condition was not discharged.

13/03375/AMD

Under reference 13/03375/AMD, the Council approved a non-material amendment in April 2014 involving modifications to the fenestration design.

13/03731/FULL1

Under application reference 13/03731/FULL1 the Council granted planning permission in January 2014 for a roof extension including a raised roof area and associated openings to serve a master bedroom and en-suite. The maximum height of the ridge was shown to be increased to 8.55m (up from 8.0m).

13/03731/AMD

Under reference 13/03731/AMD an application for a non-material amendment - referred to in the application form as 'Roof extension to be formed within form of existing style without raised element' - was also approved in April 2014. The substance of the changes was illustrated in Drawing No 010. The changes included a more modest increase to the roof height by 0.3m (rather than 0.55m); however, the eaves height was increase by 0.3m.

The table below provides a summary of all previous planning applications relating to the site.

Reference	Description	Status	Decision Date
72/03731	Detached chalet bungalow and garage	Refused	19.12.1972
87/03749/FUL	Demolition of existing car port and erection of detached double garage and formation of vehicular access	Permitted	17.02.1988
00/00848/FULL1	Formation of vehicular access to Shortlands Road	Permitted	03.05.2000
13/03375/FULL1	Erection of single storey side extensions, single storey rear extension and front porch extension	Permitted	04.12.2013
13/03731/FULL1	Roof extension including raised roof area and additional openings to provide a master bedroom and en suite	Permitted	06.01.2014
13/03375/AMD	AMENDMENT: To alter windows from white to grey timber frames double glazed windows, reduction of east bay window from a full height window to a 820mm high sill and alteration of a single glazed panel in the outbuilding to A2 part window	Approved	11.04.2014
13/03731/AMD	AMENDMENT: Roof extension to be formed within existing roof space with no increase in ridge height	Approved	11.04.2014
14/01369/FULL6	Single storey side extensions, part one/two storey rear extension and front porch extension	Refused	09.06.2014
14/02523/FULL1	Replacement of the existing boundary fence with an external wall and shiplap fencing, creation of a covered car port to the front garden area	Refused	29.09.2014
14/04296/FULL1	Replacement boundary fencing to	Permitted	18.06.2015

	include provision for access to refuse store		
14/04308/FULL1	Replacement of existing boundary fence with approx. 2.1m high wall with railings, approx. 2m high fence, approximately 2.3m high timber gates and refuse and recycling store	Refused	01.04.2015
16/02355/FULL6	Car port (retrospective application)	Permitted	28.07.2016

Conclusions

The principal considerations in this case relate to the impact of the proposal on local character, including its effect on the setting of, and views into and out of the neighbouring Shortlands Road and Park Langley Conservation Areas.

This application follows discussions between the applicant and the Planning Department, relating to the degree of conformity between the dwelling as enlarged/alterd and as approved under application references 13/03375 and 13/03731. Following those discussions, it had been established that the main differences between the dwelling as approved and as-built comprise the following:

- increase in the eaves height – the gap between the first floor windows and eaves has been increase from 0.3m (as approved in 13/03731/AMD) to 0.8m;
- whilst the height of the building remains commensurate with the plans approved under ref. 13/03731/AMD, as a consequence of the increase in the eaves height, the overall height of the roof has been decreased by around 0.3m and there has been a corresponding change in the proportions of the roof, including in relation to the five gables;
- as a result of the above changes, the house incorporates a larger expanse of rendered walling – particularly above first floor window level – and its vertical emphasis has been increased accordingly;
- at ground floor level, there has been a change in the design of the fenestration along the north, west and east elevations, whilst the roof above the single storey element incorporates wider overhangs;
- at first floor level, the window central window along the north elevation has been omitted, whilst the tile hanging previously shown along the northern elevation (surrounding the omitted window) has been replaced by render; and
- at roof level, the western face of the dormer is not entirely tile hung

In its existing form, it is considered that the dwelling undermines local character. Whilst the surrounding area contains a diverse building stock, it is considered that the design of the building varies markedly from its surroundings, both in terms of its proportions and external finish. These differences are intensified as a result of its prominent location; as such the house has become an unduly dominant feature within the streetscene.

This application seeks modifications to the existing extensions and is partly retrospective. The changes are summarised below:

- an increase to the height of the bargeboard (eaves detail) on the north, east and west facing gables at the property;
- the addition of a second storey north facing window (porthole design);
- tile-hanging to the west facing dormer window facing Hayes Lane; and
- insertion of a new line of ridge tiles on the northern elevation of the building
- the insertion of a dummy first floor window along the northern elevation of the building; and
- the repainting of the building to white

Whilst the external dimensions of the dwelling do not project beyond the parameters of the approved extensions – in terms of height and footprint – the main concerns arise from the elevational treatment, including window alignment, eaves height and degree of unrelieved grey rendered walling. These features characterise the existing dwelling.

Taking account of the proposed changes, it is considered that these will serve to mitigate the existing disparity between the dwelling and surrounding houses, providing a suitable degree of relief, and help to reduce its overall dominance. It is considered that these changes will achieve a form of development which better complements the scale, form and materials of adjacent buildings. It is also considered that this proposal will enhance the existing street scene and improve the setting of, and views into and out of the adjoining Shortlands Road Conservation Area.

In terms of undertaking the proposed works, the applicant has requested a period of 8 months in which to carry these out, and has submitted a detailed justification to support this request. In summary, the applicant has emphasised the particular complexities associated with the proposal, including works to the roof, manufacture of new bespoke windows along the northern elevation of the dwelling, insertion of new lintels, and the external painting of the building which is best undertaken in late summer. This request is considered reasonable; accordingly, a condition is included to ensure that the works are undertaken and completed within 8 months of the date of the granting of formal permission.

In respect of neighbouring amenity, whilst concerns have been raised by neighbouring residents in terms of visual impact and loss of privacy, given that the extensions remain within the parameters of the approved extension – and also taking account of the window alignments within the dwelling – it is not considered that this application will lead to a deleterious effect on the living conditions of surrounding residents, either in terms of visual impact or overlooking.

Background papers referred to during production of this report comprise all correspondence on file refs: 13/03375, 13/03731 and 17/00093, excluding exempt information.

RECOMMENDATION: PERMISSION
as amended by documents received on 01.03.2017

Subject to the following conditions:

- 1 The works to the dwellinghouse hereby approved shall be undertaken and completed within eight months after the date of this decision and these shall be permanently retained thereafter.**

Reason:In the interest of the appearance of the dwellinghouse and the character and appearance of the wider area, including the adjacent Conservation Areas, and to accord with Policies BE1, BE13 and H8 of the Unitary Development Plan; Policies 7.4 and 7.6 of the London Plan; and the National Planning Policy Framework.

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Application:17/00093/FULL6

Address: 95 Shortlands Road Shortlands Bromley BR2 0JL

Proposal: Part retrospective application for retention of existing two storey and single storey extensions and roof extensions including increase in roof height (0.3m) and east and west facing dormer windows (originally permitted under application references 13/03375 and 13/03731) - and



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SECTION '2' – Applications meriting special consideration

Application No : 17/00357/FULL1

Ward:
Bromley Common And
Keston

Address : 2 Hook Farm Road, Bromley BR2 9SX

OS Grid Ref: E: 541564 N: 167686

Applicant : Mr & Mrs P Bradbury

Objections : NO

Description of Development:

Roof extension to provide two bedroom apartment

Key designations:

Biggin Hill Safeguarding Area
Adjacent Green Belt
London City Airport Safeguarding
Smoke Control SCA 51
Smoke Control SCA 19

Proposal

Planning permission is sought for roof alterations to raise the roof height of the existing roof and first floor to create a two bedroom apartment for use as habitable accommodation and to be occupied by the owners/managers of Lemongrove Nursery on the ground floor.

The application is accompanied by a Design & Access statement which at paragraph 4.2 states that Mr & Mrs Bradbury (the applicants) do not live on site and are currently residing within the local area where private rental costs have become increasingly prohibitive. The application has been made on the basis that the site would be utilised to provide onsite managers accommodation for the sole use by Mr & Mrs Bradbury which would in turn remove the need to reduce their costs on renting.

The existing building on the site is single storey and operates as Lemongrove Nursery with provision for 43 children. The site is located on Hook Farm Rd and is bounded by Norman Park Recreation Ground to the west (which is designated Green Belt), allotments to the south and Bromley Common to the north and east.

An additional plan was received on 13th February 2017 which shows an internal ceiling height of 2.4m for the majority of the proposed dwelling in light of comments made by the Environmental Health Officer.

Consultations

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

Consultee comments

Highways

The A21 is part of the TLRN for which TfL are the highway authority. It may be that this application should be referred to them for their comment.

The site is in a location which has a PTAL rating of 2 (low) and so a degree of car ownership can be expected to be associated with the occupiers of the proposed apartment.

The Planning Statement indicates that the owners of the nursery currently commute to it by car and park on the site. As such their use of parking spaces on the site could be considered to be operational parking associated with the nursery use.

Thus, provided the proposed apartment were to be for the exclusive use of the owners/managers of the nursery, then there should be no adverse parking impact.

However, other than a reference in the Planning Statement that the proposed apartment would not be available as market/rented accommodation, I can see nothing in the application itself that confirms this.

It therefore seems to me that there would be no control on future occupiers of this unit. This could then mean that there could, in future, be a demand for both residential parking and operational parking on the site which in turn would have a knock on effect on demand for on street parking.

Clarification that this is indeed an application for a personal permission should therefore be sought.

Environmental Health (Pollution)

No objections raised.

Environmental Health (Housing)

A habitable room in an attic or loft conversion must have at least 75% of the floor area with a ceiling height at least 2.13m. Whilst there is no minimum ceiling height for the room's remaining floor area, any ceiling height below 1.53m will be excluded from a space assessment as it is not considered useable floor area.

It is noted that the ridge height has been increased by 1m, however there is no section drawing to indicate what percentage of the room height will have a ceiling height of 2.13m or more.

Drainage

No objections.

Thames Water

No objections.

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
- C1 Community Facilities
- C7 Educational and Pre-School Facilities
- G6 Land adjoining Green Belt or Metropolitan Open Land
- H8 Residential Extensions
- H9 Side Space
- T1 Transport Demand
- T2 Assessment of Transport Effects
- T3 Parking
- T18 Road Safety

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

Emerging Bromley Local Plan:

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

- Draft Policy 20 - Community Facilities
- Draft Policy 27 - Education
- Draft Policy 30 - Parking
- Draft Policy 32 - Road Safety
- Draft Policy 33 - Access for All
- Draft Policy 37 - General Design of Development
- Draft Policy 77 - Landscape Quality and Character
- Draft Policy 119 - Noise Pollution
- Draft Policy 120 - Air Quality
- Draft Policy 123 - Sustainable Design and Construction

The London Plan and National Planning Policy Framework are also key considerations in determination of this application.

Planning History

Under planning application ref: 16/01039 planning permission was granted to vary condition 8 of planning permission 06/02595 to care for a maximum of 43 children on the site and for children to attend from the age of 6 months.

Under planning application 15/01061 planning permission was granted under ref: 15/01061 for conversion of the existing garage to form additional accommodation as part of the nursery use.

Under planning application ref: 11/03632 planning permission was granted for a single storey outbuilding for use as a office in the rear garden and associated hardstanding with a single storey front extension for use as a nursery room.

Under planning application ref: 06/02595 planning permission was granted for a children's day nursery.

Conclusions

The main issues relating to the application are the effect that it would have on the character of the area and the adjacent Green Belt, the impact that it would have on the amenities of the occupants of surrounding residential properties and the proposed Highway and traffic implications.

Design and character of the area

Policies H8, BE1 and the Council's Supplementary design guidance seek to ensure that new development, including residential extensions are of a high quality design that respect the scale and form of the host dwelling and are compatible with surrounding development.

Policy G6 relates to land adjoining Green Belt or Metropolitan Open Land (MOL). The site adjoins the Green Belt and the Policy states that a development on land abutting either Green Belt or MOL, will not be permitted if its detrimental to the visual amenity, character or nature conservation value of the adjacent designated site.

The property is located on Hook Farm Rd, close to the main A21 Bromley Common. Lemongrove nursery is the only building located on the road that leads to Norman Park Recreation Ground. The alterations to the property would make the building more akin to the residential properties on Bromley Common which are two storey's in height. The existing single storey nursery building does not have any particular architectural merit and Members may agree that the proposed roof alterations to the property, the side gable dormer windows in particular may improve the overall design of the building.

The submitted plans show that the ridge height of the existing building would be raised by 1m and the first floor converted to provide a two bedroom apartment which would have a GIA of 86sqm, which would exceed the minimum requirement space requirement as set out in the London Plan and Mayor's Housing SPG which requires a 2 bedroom, 3 person flat to measure 61sqm.

The floorplan shows the internal layout would comprise of two bedrooms, ensuite shower, main bedroom, utility room and open plan kitchen and lounge which would have a balcony which would look out onto Norman Park. The balcony would be screened on all sides with a 1.7m screen to prevent overlooking and retain a sense of privacy for the owners.

On the flank elevation (eastern) the drawings show four dormer windows would be inserted with gabled features. On the other flank elevation (western) a series of roof windows have been proposed to provide natural light into the apartment. On the northern elevation the roof profile is hipped and a gable end design is shown on the southern elevation.

Taken as a whole the building's overall height would stand at 7.4m tall. It is the only building located on Hook Farm Road so by raising the ridge height of the building it is not considered it would look out of keeping with the nearest comparable buildings which are located on Bromley Common. The building would continue to operate as a nursery on the ground floor and the addition of a first floor flat would not be detrimental to the host dwelling.

The accompanying drawings show that the external finishes would match those of the existing building and existing concrete interlocking roof tiles would be reused along with a selection of new tiles to match the existing. White upvc windows are doors are proposed along with horizontal pre-finished boarding and face brickwork.

The development is not considered to jeopardise the open nature, character or amenity value of the adjacent Green Belt given the development is only proposing to add one additional storey to the building and will be the same height as neighbouring residential properties on Bromley Common.

Impact to nearby residents

The first floor extension is set back to an extent from the nearest property, No. 94, which fronts onto Bromley Common. The nursery has been in use for many years and has not been the subject of any noise or disturbance complaints and no letters of objections have been received regards the current application. Additional bulk and scale would be added to the existing building and the overall height would be increased but no windows are shown in the flank elevation that would give rise to overlooking or a loss of privacy. Several rooflights are proposed in the rear elevation but these are considered relatively modest skylights that would overlook the garden of No.94.

In respect of No.96 this is separated from the application site by Hook Farm Rd itself, with the existing level of vegetation at the boundary of Hook Farm Rd and No.96 that mitigates any potential impacts.

Parking and Highway Safety

The existing car parking arrangement will remain with Mr & Mrs Bradbury continuing to park their car on site. The Council's Highways Officer has raised no objections to the proposal subject to a condition attaching a personal permission that the use shall be linked to the owners/managers of the nursery to keep control over on-site parking.

Summary

The proposal to raise the roof height to provide habitable accommodation for the occupiers of the Lemongrove nursery is considered acceptable given the roof design is considered in keeping to that of the existing building and Members may even consider that the proposed changes would make the building appear more architecturally attractive. The nursery is the only building located on Hook Farm Rd but its closest neighbours are No.94 and 96 Bromley Common. Both these properties are detached and the changes proposed at No.2 would sit well within the wider streetscene. A condition can be attached to any granting of permission to ensure that the flat is forever with the current owners in the form of a personal permission.

Background papers referred to during the production of this report comprise all correspondence on file ref: 17/00357/FULL1 and 15/01061/FULL1.

RECOMMENDATION: PERMISSION

Subject to the following conditions:

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

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

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

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

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

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

- 4 The proposed first floor flat shall only be occupied by the owners/employees of the Lemongrove nursery.

REASON: To ensure the flat is ancillary to the nursery and that demand for residential and operational parking on the site would not have a knock on effect on demand for on-street parking contrary to Policy T3 and T18 of the Bromley UDP.

You are further informed that :

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

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

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Application:17/00357/FULL1

Address: 2 Hook Farm Road Bromley BR2 9SX

Proposal: Roof extension to provide two bedroom apartment



1:1,230

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

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SECTION '3' – Applications recommended for PERMISSION, APPROVAL or CONSENT

Application No : 16/04027/FULL1

Ward:
Penge And Cator

Address : Columbia International Ltd, Kangley
Bridge Road, Lower Sydenham, London

OS Grid Ref: E: 536684 N: 171175

Applicant : Mr S March

Objections : YES

Description of Development:

Erection of a building comprising 2,323 square metres for use as a trade only builders merchant with associated parking, servicing, boundary treatment and landscaping.

Key designations:

Biggin Hill Safeguarding Area
London City Airport Safeguarding
Smoke Control SCA 2
Business Area

Proposal

Planning permission is sought for the erection of a rectangular building measuring 57.5m wide by 36m deep and 11.3m high on this 0.49ha site. The building will be constructed in profiled steel cladding.

The building will provide 2072 sqm gross external area (GEA) plus a mezzanine with a GEA of 331 sqm (total 2403 sqm GEA). The applicant is applying for the use of the building as a trade only builders merchant falling within Class B8 (storage and distribution) of the Use Classes Order 1987 (as amended).

Internally the building will provide a net internal area (NIA) of 1862 sqm of customer space with 430sqm for staff only (total 2292 sqm). There will be a trade counter adjacent to the entrance with a warehouse/sales area beyond with customer access to this space.

The building will be located to the rear of the site adjacent to industrial units forming part of the Laker Industrial Estate. The customer entrance to the building will be via the southern side of the building with a service entrance facing Kangley Bridge Road.

In front of the building (on the eastern side) there will be a service yard and storage yard. The storage yard consists of storage racking that will be 5.5m high storing goods up to 6m high. To the side of the building (south), 21 customer car parking

spaces including 2 disabled spaces will be provided with a turning head to allow vehicles to enter and leave the site forwards. In addition a cycle rack providing 10 spaces will be provided adjacent to the substation that will be retained.

The plans show the site boundary to be a new 2.4m palisade fence.

A total of 7 trees will be removed; 5 on the site and 2 street trees.

The applicant has submitted the following documents to support the application:

- Planning, Design and Access Statement
- Transport Characteristics of a Selco Builders Warehouse
- Desk Study Report (for remedial contamination requirements)
- Sustainable Energy and Drainage Statement
- Covering letter dated 3.1.2017

Planning, Design and Access Statement

This statement sets out the applicant's assessment of the site and surrounding area and the rationale for the proposal having regard to relevant development plan policies. The statement confirms the amount of development proposed, parking, cycling and refuse provision and assessment of the highways impact and visual impact of the proposal

Transport Characteristics of a Selco Builders Warehouse

This report sets out details of a knowledge base of the transport characteristics relating to a typical SELCO store including trip generation and car parking analysis based on transport characteristics from other stores. The principles are then applied to the application site providing information about traffic movements, car parking demand and provision and servicing requirements and provision.

Sustainable Energy and Drainage Statement

At the time of writing the report a revised Energy Statement is expected and the assessment of this will be reported verbally to Members.

Covering letter

This provides further information to support the change of use to B8 in terms of planning policy application and providing details of other similar applications which have been successful in other local authorities.

Location

The site is located within Kangley Bridge Business Area (Lower Sydenham) on the eastern side of Kangley Bridge Road. To the north is the Orchard Business Centre with Stanmore Steel and Fabrication to the south and Laker Industrial Estate to the east. On the opposite side of Kangley Bridge Road is the London Recycling Centre and a second site for Stanmore Steel and Fabrication.

The site is currently vacant with buildings previously occupied by Columbia Ribbons (Class B2), which were demolished in 2013.

The site lies within the Lower Sydenham Business Area as designated in the Unitary Development Plan. In the draft Bromley Local Plan the site is within the proposed Lower Sydenham Locally Significant Industrial Site (LSIS). The site has a PTAL of 2.

Consultations

Comments from Local Residents

Nearby properties were notified and 1 representation has been received objecting to the proposal on the following grounds:

- Existing parking on Kangley Bridge Road means it is difficult to manoeuvre coaches in and out of the objectors site and to negotiate parked traffic on the highway.
- The proposal will increase the amount of traffic along the road leading to more congestion on a busy road.

Comments from Consultees

Highways

The details for customer's car parking and servicing looks satisfactory. Please include the following with any permission:

Conditions:

H03 (Satisfactory Parking)

H08 (Turning area)

H10 Sight lines of 43m x 2.4m x 43m

H12 Pedestrian Visibility....3.3 x 2.4 x 3.3m visibility splays and no obstruction to visibility in access of 1m in height...

H16 (Hardstanding for wash-down facilities)

H19 (Refuse storage)

H21 (Car parking to be for customers/employees)

H22 (Cycle parking)

H23 (Lighting scheme for access/parking)

H24 (Stopping up of access)

H29 (Construction Management Plan)

H32 (Highway Drainage)

Non Standard Condition

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

Informative

DI16 (Crossover)

DI26 (Gates)

Non standard informative

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

Drainage Officer:

Please advise the applicant that discharging surface water run-off to public surface water sewer without attenuation is not acceptable.

Please impose D02 & D06.

Environmental Health Officer:

I have looked at this application, in particular the Desk Study Report prepared by ACS Testing Ltd to determine the likelihood of ground contamination. The Report recommends an intrusive ground investigation, with which I concur.

In principle I would have no objections to permission being granted however I would 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.

Thames Water:

Raise no objections in terms of water and sewerage infrastructure capacity as set out below:

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. The contact number is 0800 009 3921. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

Thames Water recommend the following informative be attached to any planning permission: There is a Thames Water main crossing the development site which may/will need to be diverted at the Developers cost, or necessitate amendments to the proposed development design so that the aforementioned main can be retained. Unrestricted access must be available at all times for maintenance and repair. Please contact Thames Water Developer Services, Contact Centre on Telephone No: 0800 009 3921 for further information.

Street Trees Officer:

With regard to the street trees, the Council's Arboricultural Officer advises that having inspected the trees on Kangley Bridge Road that the applicant proposes to remove to facilitate the development, we would be willing to allow this on the condition that the applicant compensates LBB for the loss of two valuable assets. We have used a tree valuation system called CAVAT which is a valuation system designed to attach a monetary value to a tree which encompasses the amenity value as well as the cost of planting, maintenance etc. It is a nationally recognised system, widely used by local authorities and is admissible in court. The total comes to £3,412.37.

Planning Considerations

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

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

T2 Assessment of Transport Effects
T3 Parking
T7 Cyclists
T17 Servicing of Premises
T18 Road Safety
BE1 Design of New Developments
NE7 Development and Trees
EMP4 Business Areas

Bromley's Proposed Submission Draft Local Plan:

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

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

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

- the degree of consistency of the relevant policies in the emerging plan to the policies in this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given)."

Current draft Policies relevant to this application include:

Policy 30 Parking
Policy 31 Relieving Congestion
Policy 32 Road Safety
Policy 33 Access to services for all
Policy 37 General Design of Development
Policy 73 Development and Trees
Policy 82 Locally Significant Industrial Site (LSIS)
Policy 116 Sustainable Urban Drainage Systems
Policy 118 Contaminated Land
Policy 123 Sustainable design and construction
Policy 124 Carbon reduction, decentralised energy networks and renewable energy

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

2.6 Outer London: vision and strategy
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
5.21 Contaminated Land
6.9 Cycling
6.12 Road network capacity
6.13 Parking
7.2 An inclusive environment
7.4 Local character
7.21 Trees and woodlands

Parking Standards: Minor Alterations to the London Plan 2016

3. The National Planning Policy Framework 2012 (NPPF) is relevant as follows:

Paragraph 14: Achieving sustainable development
Para 17: Core planning principles
Paras 29 - 41: Promoting sustainable transport
Paragraph 32: Highway impacts
Paras 56 - 66: Requiring Good Design
Paras 93-103: Meeting the challenge of climate change & flooding
Paras 188-195: Pre-application engagement
Paras 196-197: Determining applications
Paras 203-206: Planning conditions and obligations
Paras 215: Consistency of local plans with NPPF

National Planning Practice Guidance (NPPG) is also relevant.

Planning History

The site has been the subject of numerous previous relevant applications as follows:

DC/93/03028: Installation of 2 underground solvent storage tanks 1 and interceptor unit and erection of enclosure to pump. Approved 27.04.1994

DC/94/01899: Increase in height of retaining wall chain link fence with gates and vent pipes. Approved 21.09.1994

Conclusions

It is considered that the main planning issues relating to the proposed scheme are as follows:

- Principle of Development
- Scale, Siting, Massing and Appearance
- Impact on Neighbour Amenity
- Highways and Traffic Matters (including Cycle Parking and Refuse)
- Trees and Landscaping
- Other technical matters

Principle of Development

It is Council policy to safeguard a supply of business land for the future growth and development of business and industry. Retaining existing employment land around the Borough has significant sustainable development advantages in terms of providing both local employment opportunities and local services.

The relevant UDP policy to assess the principle of the proposed use is Policy EMP4 which advises that only the following uses will be permitted in Business Areas:

- (i) Class B1, provided that the use does not impede effective operation of neighbouring businesses and large office meet provisions of policy EMP1;*
- (ii) Class B2; or*
- (iii) Class B8; large scale warehousing development over 1000sqm will be permitted only in the St Mary Cray Business Area.*

The supporting text at paragraph 10.18 states that The Business Areas consist largely of land with established light industrial and warehousing uses. The Council wishes to safeguard a supply of such land in the Borough to provide for the growth and development of business and industry. Consequently, proposals in the Business Areas for uses not within Use Classes B1 to B8 will not normally be permitted. Paragraph 10.23 states that warehousing and distribution perform an important role in the local economy, but recognises that the traffic generated can

cause local environmental problems. Good connections to the strategic road network are needed to enable heavy goods vehicles to avoid passing through residential and shopping areas. The St Mary Cray Business Area, with its links to the M25 and its position on the edge of the urban area, is the only location in the Borough that meets these criteria.

In addition, the Proposed Submission Draft Local Plan includes Policy 82 which identifies this site as a Locally Significant Industrial Site where the following uses will be permitted in the LSIS:

- a. Class B1(a), provided that the use is consistent with relevant Office and Town Centre Policies and does not impede effective operation of neighbouring business or the broader LSIS,*
- b. Class B1(b) and B1(c),*
- c. Class B2, and*
- d. Class B8, providing that the scale and design of the premises are congruous with adjoining premises and the LSIS as a whole.*

The supporting text states that LSIS's provide a wide range of premises for Class B uses and should be afforded protection where there is a demand for such uses. It is important to avoid the long-term safeguarding of land for a particular purpose where there is no reasonable prospect of sites being used for that purpose (as per paragraph 22 of the National Planning Policy Framework). The Council will support refurbishment, redevelopment and intensification of sites that incorporate a flexible design, in order to readily accommodate a range of Class B uses for the medium and long term. Larger scale development, in particular for Class B8 uses, are better suited to the Cray Business Corridor Significant Industrial Location.

In this case the proposal is for a trade only builders merchant and the applicant has provided supporting information to demonstrate that the proposed use falls within Class B8 (storage and distribution) as follows:

- The submitted plans show the unit will be almost entirely storage with a small trade counter. Customers will have full access to the storage area. There is an additional area for external storage.
- In order to be accepted as a trade only customer every applicant has to provide a business letterhead and proof of business including bank details, copy trade invoices or trade references.
- Each customer is registered and has an admission card and individual registration number which is used for all transactions. The customer accounts have a list of authorised signatories that can collect goods and a credit limit. Customers also have to sign in when entering the premises.
- Most of the goods are presented in bulk and are to trade standards and the pricing of goods is excluding VAT in view of restricted customer base.
- There is external signage stating that general public are not admitted to the premises.
- Numerous other stores operated by Selco under the same format as described above have been accepted as Class B8 use including premises in Barking, Sidcup, Brent, Greenwich, Havering, Wimbledon and Croydon.

- Details of other planning applications which have approved trade only uses that comply with the Class B8 definition are submitted to demonstrate consistency of the proposed development with approved schemes.
- The proposed use will generate 40 to 50 full-time equivalent jobs.
- It is envisaged that there will be 150 customers per day initially rising to 250 customers per day
- The premises have been vacant for some time and are not adding vitality to the employment area. The proposal will bring the site back into use and accord with economic prosperity objectives.
- The definition of Class B8 does not preclude the sale of products, especially where the sales are not to the general public. The trade counter is ancillary to the main use of the premises for storage and warehousing.
- Whilst the amount of proposed floorspace exceeds the limit in EMP4 (iii), the proposed use is Class B8 and complies with Policy EMP4 in this respect.
- The applicant is willing to accept a condition limiting the use of the site to Class B8, trade only with no retail sales.

In assessing the principle of the use, Policy EMP4 of the UDP provides the most up to date guidance in respect of this proposal. The primary consideration is whether the proposed use meets the definition of Class B8 (storage and distribution) of the Use Classes Order and is, therefore, policy compliant. It is noted that Policy EMP4 and draft Policy 82 seek to direct large scale Class B8 uses towards the Cray Valley, however in this case the site is well connected to strategic routes serving South London and there is limited residential development in the immediate vicinity of the site.

The applicant has identified the characteristics of the proposed use that they consider demonstrates that the operation of the site falls within Class B8. These are listed above and include restricting the use to trade only in the description of development, restricting access to trade customers through the use of a condition to this effect, requirements in terms of registration details, provision of pre-packaged materials in bulk format that are of trade standards and the ancillary nature of the trade counter.

In terms of the 'ancillary' nature of the trade counter element, there is no clear guidance in the UDP or the London Plan as to the definition of 'ancillary' and there is no evidence to doubt the applicant's assertion that the trade counter element of the proposal will not be ancillary to the storage/warehousing use. The building will store and distribute goods to approved 'members' and online customers and as many of the goods on display will be offered in bulk, in a form that is unsuitable for general customers for DIY purposes, it is considered that the use would fall within the definition of storage and distribution.

The applicant has submitted numerous examples of schemes for trade only builder's merchants that have been approved. In the majority of these cases, the proposal has been accepted subject to conditions restricting the use of the approved premises to trade only with no retail use of the premises. This ensures that initial and any subsequent occupants will have their operations limited to ensure that 'retail creep' to Class A1 (retail) is avoided.

The site was previously used for Class B2 purposes and the previous premises were demolished in 2013. The site has remained vacant since that time. The NPPF discourages the long term protection of sites allocated for employment use. In this instance the proposal will generate approximately 40-50 jobs which represents a significant number of employment opportunities.

As previously stated it is considered that the site should be protected for uses that fall within the Class B uses as identified in the UDP and the Proposed Submission Draft Local Plan policies. Bringing sites back into use to provide employment opportunities and retain the essential industrial nature of the LSIS is encouraged. It is considered that the operation of the store would offer a use that comprises primarily storage and distribution and, therefore, falls within Class B8. To ensure that the site does not stray into a Class A (retail use), it is recommended that conditions restricting the proposed use to trade only and precluding Class A use are applied.

Design, Layout and Appearance

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

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

UDP Policy BE1 sets out specific policy requirements relating to the standard of development that is expected in the borough. These policies refer to the design of new development, the standard that the development is expected to meet and the impact on the amenities of future occupants of the development and occupants of nearby properties.

The proposed building is located within a Business Area and will have an industrial appearance not dissimilar to other properties in this area. The height of the building is similar to the buildings on the northern boundary that form Orchard Business Centre. To minimise the visual impact of the building it has been set back between 23.5m and 30m from the back edge of pavement. The frontage space will be partly

used for a storage area with 5.5m high racking which will remain visually open with a palisade boundary treatment. On either side of this, there will be an open service yard and car parking with 2 small areas of landscaping. The site will be secured by a 2.4m palisade fencing which is similar to the form of enclosure on the neighbouring site.

The proposed plans do not specify the colour of the steel cladding that forms the elevations; the window and door frames are shown to be royal blue. It is expected that the materials to be used can be muted to further reduce the visual impact of the building and a condition is recommended seeking submission and approval for details and samples of external materials for the building.

In terms of the design, layout and siting, it is considered that the site will have an industrial appearance which is expected in this Business Area. However the appearance of the building in the streetscene is acceptable due to its set back location leaving the frontage area open apart from the storage yard area. It is considered that the proposal will respect the local character of the area and will not have an adverse impact on the visual appearance of the area.

Impact on Neighbour Amenity

The relevant UDP policy relating to the impact of development on the amenity of the residents of adjoining properties is Policy BE1: Design of New Development. It should be noted that there are no residential properties in the vicinity of this site.

The previous use of this site fell within Class B2 (heavy industrial) and the current proposal will fall within Class B8: storage and distribution. The site is surrounded by other Class B1 and B2 uses and it is considered that the operation of the proposed use will not have an adverse impact on the amenities and operation of businesses in the vicinity of the site.

Highways and Traffic Matters (including Cycle Parking and Refuse)

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

The document assesses the operation of existing Selco stores to provide characteristics of operational stores that can be applied to the application site. The survey data was collected during May 2016. In terms of vehicle arrivals and departures the report identifies daily traffic flow for the general car park and for the service yard and looks at the peak times of this traffic flow.

Based on these observations, the peak flows are found to be outside the normal traffic peak experienced on the highway network and daily arrivals and departures are estimated at 24 vehicles per hour.

In terms of car parking the observations of other stores reveals that, apart from 1 store in Essex, all of the car parks operate within the parking capacity of the site. The car parking ratio has been calculated at 1 space per 83.6 sqm which generates a need for 28 car parking spaces. The proposal provides 21 spaces large enough for cars and small vans.

In terms of servicing it is expected that there will be 10-12 deliveries to the site each day usually between 06.30 and 10.00.

The Council's Highways Officer has advised that the details for customer car parking and servicing appears satisfactory. Numerous conditions have been recommended relating to car parking layout, sufficient turning area, sight lines and visibility splays, hardstanding for wash-down facilities during construction, refuse storage, car parking for customers and employees, cycle parking, lighting for parking area, satisfactory servicing facilities, Construction Management Plan, stopping up of the existing access and highway drainage.

Trees and Landscaping

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

Policy NE7 requires new development to take particular account of existing trees on the site which, in the interests of visual amenity and wildlife habitat, are considered desirable to retain. Tree Preservation Orders will be used to protect trees of environmental importance and visual amenity. Where trees have to be felled, the Council will seek suitable replanting.

A total of 7 trees are shown on the plans for removal. Five trees lie within the site on the northern and western boundaries and 2 lie within the public highway. The trees within the site provide limited public value to the local streetscene and their loss is considered to be acceptable.

With regard to the street trees these need to be removed to provide facilitate the new development and they are in poor condition due to their location on a busy road used by a high volume of heavy goods vehicles. The removal of the trees is considered to be acceptable subject to the payment of a financial sum to compensate the Council for the loss of the 2 trees amounting to £3,412.37.

The applicant confirms that the payment of the fee is acceptable and this can be recovered by the signing of a planning legal agreement.

In terms of landscaping the submitted plans show 2 areas on the frontage that would provide opportunities for planting and replacement and a condition seeking details of landscaping and replacement tree planting is recommended.

On this basis, the loss of the existing trees on the site is considered acceptable and would not result in the loss of trees with significant amenity value.

Other Technical Matters

- Sustainability and Energy

At the time of writing the report a revised Energy is expected and the assessment of this will be reported verbally to Members.

- Drainage and Sustainable Urban Drainage Systems

The site lies within Flood Zone 1. The Council's Drainage Officer has reviewed that proposed development and recommended the submission of conditions for a surface water drainage system and a sustainable drainage system.

- Contaminated Land

The Council's Environmental Health Officer concurs with the need for an intrusive investigation of the ground conditions and recommends the submission of a standard condition requiring details of further land assessment to control this aspect.

- Mayoral Community Infrastructure Levy

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

Overall conclusion

The proposal for consideration involves the erection of a building on this vacant site that would be used as a trade only builders merchant. Local Plan policies identify this site as being within a Business Area and, as such, uses falling within Class B1, B2 and B8 are encouraged and other uses are discouraged.

The applicant has submitted detailed information about the operation of the use and, in particular, the trade only element of the proposal to demonstrate that the proposed use falls within Class B8 (storage and distribution) and not within Class A1 (retail).

The proposal comprises a substantial building in the business area and will generate significant employment opportunities. The applicant seeks to control the use of the property by providing trade standards goods that are primarily available in bulk and through a membership scheme that precludes visiting general public from purchasing goods from the premises. In order to control this, the applicant is agreeable to a condition requiring the use of the premises for trade only, for Class B8 use only and no retail sales under Class A1.

The proposed building and ancillary customer yard, service yard and car and cycle parking will fit satisfactorily on the site and will not have an adverse impact of the amenity of adjoining businesses and the character of the area and the streetscene.

The loss of the trees to facilitate the development is acceptable as there trees do not significantly contribute to the character of the area and there is the opportunity to provide replacement planting within the landscaped areas within the site. Compensation for the loss of the street trees has been agreed with the applicant and can be secured by a legal agreement.

From a highways perspective the proposed development is considered satisfactory in terms of the impact on the highway network and Kangley Bridge Road from the anticipated traffic flow associated with the use of the site.

On this basis, and subject to the recommended conditions set out below, it is considered that the proposal meets the policy requirements and is acceptable.

Background papers referred to during the production of this report comprise all correspondence on file ref: 16/0402, excluding exempt information.

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

and the following conditions:

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

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

- 2 The development hereby permitted shall only be carried out in complete accordance with the details shown on the submitted plans and documents, as follows:**

Plans

173-PO1 Rev A Location Plan

173-PO21 Rev B Block Plan and Roof Plan as existing

173-PO3 Rev A Ground Floor and Site Plan as existing

173-PO4 Rev A Elevation and Sections as existing

173-PO5 Rev B Block Plan as proposed

173-PO7 Rev A Ground Floor, Site Plan and Mezzanine as proposed

173-PO8 Rev A Elevations and Sections as proposed Sheet 1 of 2

173-PO9 Elevations and Sections as proposed Sheet 2 of 2

173-PO10 Service Yard Vehicle Tracking Sheet 1 of 2 (for service vehicle tracking details only and no other purpose)

173-PO11 Service Yard Vehicle Tracking Sheet 2 of 2 (for service vehicle tracking details only and no other purpose)

Documents

**Planning, Design and Access Statement
Transport Characteristics of a Selco Builders Warehouse by Grafton
Group dated July 2016
Letter from Allen Planning Ltd dated 3.1.2017**

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

- 3 Details and sample boards of all external materials to be used for the development, including roof cladding, wall facing materials and cladding, windows and door frames, window glass, decorative features, rainwater goods and any parts of the site not covered by buildings, 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 Bromley Unitary Development Plan and in the interest of the appearance of the building and the visual amenities of the area.

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

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

- 5 Before commencement of the development hereby permitted details of turning area(s) within the site shall be submitted to and approved in writing by the Local Planning Authority. The turning area(s) shall be provided before any part of the development is first occupied and shall be permanently retained thereafter.**

Reason: In order to comply with Policies T3 and T18 of the Unitary Development Plan and to enable vehicles to enter and leave the site in a forward direction, in the interest of pedestrian and vehicular safety.

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

Reason: In order to seek to achieve compliance with the Mayor of London's Energy Strategy and to comply with Policy 5.2 and 5.7 of the London Plan 2015.

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

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

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

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

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

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

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

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

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

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

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

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

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

c) A site investigation report detailing all investigative works and sampling on site, together with the results of analysis, risk assessment to any receptors, a proposed remediation strategy and a quality assurance scheme regarding implementation of remedial works, and no remediation works shall commence on site prior to approval of these matters in writing by the Authority. The works

shall be of such a nature so as to render harmless the identified contamination given the proposed end-use of the site and surrounding environment.

d) The approved remediation works shall be carried out in full on site in accordance with the approved quality assurance scheme to demonstrate compliance with the proposed methodology and best practise guidance. If during any works contamination is encountered which has not previously been identified then the additional contamination shall be fully assessed and an appropriate remediation scheme submitted to the Authority for approval in writing by it or on its behalf.

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

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

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

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

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

12 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 1995 (or any Order amending, revoking and re-enacting this Order) or not shall be carried out on the land or garages indicated or in such a position as to preclude vehicular access to the said land or garages.

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

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

- 13 Details of a scheme of landscaping, which shall include the materials of paved areas and other hard surfaces and replacement tree planting, shall be submitted to and approved in writing by the Local Planning Authority before the first occupation 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.

- 14 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 occupied 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.

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

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

- 16 Before the access hereby permitted is first used by vehicles, it shall be provided with 3.3m x 2.4m x 3.3m visibility splays and there shall be no obstruction to visibility in excess of 1m in height within these

splays except for trees selected by the Local Planning Authority, and which shall be permanently retained thereafter.

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

- 17 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.

- 18 The car parking area hereby permitted shall be used only by customers and employees of the premises at the application site and for servicing of the said premises hereby permitted.

Reason Development without adequate parking or garage provision is likely to lead to parking inconvenient to other road users and to be detrimental to amenities and prejudicial to road safety and would not comply with Policy T3 and Appendix II Unitary Development Plan.

- 19 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.

- 20 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 first used. 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.

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

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

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

Reason: In the interests of the visual appearance and the safety of road users and to accord with policies BE1 and T18 of the Unitary Development Plan

23 The boundary enclosures indicated on the approved drawings shall be completed in accordance with the approved plans before any part of the development hereby permitted is first occupied 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.

24 The applicant should ensure that storm waters are attenuated or regulated into the receiving public network through on and off site storage. When it is proposed to connect to a combined sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required.

Reason: In the interests of the protection of the sewerage system and to comply with Policy 5.14 of the London Plan.

25 The application premises shall only be used as a trade only building merchants warehouse within Class B8 of the Town and Country Planning (Use Classes) Order (as amended) 1987 and no part shall be used for retail sales under Class A1 of the Town and Country Planning (Use Classes) Order (as amended) 1987.

Reason: To safeguard the Kangley Bridge Business Area and prevent an unacceptable retail use in accordance with Policy EMP4of the Unitary Development Plan.

- 26 The storage racking in the customer yard shall not exceed 5.5m and goods shall be stacked no higher than 6m.**

Reason: To safeguard the visual amenities of the Kangley Bridge Business Area and to accord with the requirements of Policy BE1 of the Unitary Development Plan.

You are further informed that :

- 1 You are advised that this application may be liable for the payment of the Mayoral Community Infrastructure Levy under the Community Infrastructure Levy Regulations (2010) and the Planning Act 2008. The London Borough of Bromley is the Collecting Authority for the Mayor and this Levy is payable on the commencement of development (defined in Part 2, para 7 of the Community Infrastructure Levy Regulations (2010)). It is the responsibility of the owner and/or person(s) who have a material interest in the relevant land to pay the Levy (defined in Part2, para 4(2) of the Community Infrastructure Levy Regulations (2010))**

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

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

- 2 You should consult Street Naming and Numbering/Address Management at the Civic Centre on 020 8313 4742, email address.management@bromley.gov.uk regarding Street Naming and Numbering.**
- 3 You should contact extension 4621 (020 8313 4621 direct line) at the Environmental Services Department at the Civic Centre with regard to the laying out of the crossover(s) and/or reinstatement of the existing crossover(s) as footway. A fee is payable for the estimate for the work which is refundable when the crossover (or other work) is carried out. A form to apply for an estimate for the work can be obtained by telephoning the Highways Customer Services Desk on the above number.**
- 4 You are advised that it is an offence under Section 153 of the Highways Act 1980 for doors and gates to open over the highway.**
- 5 Any repositioning, alteration and/ or adjustment to street furniture or Statutory Undertaker's apparatus, considered necessary and**

practical to help with the modification of vehicular crossover hereby permitted, shall be undertaken at the cost of the applicant.

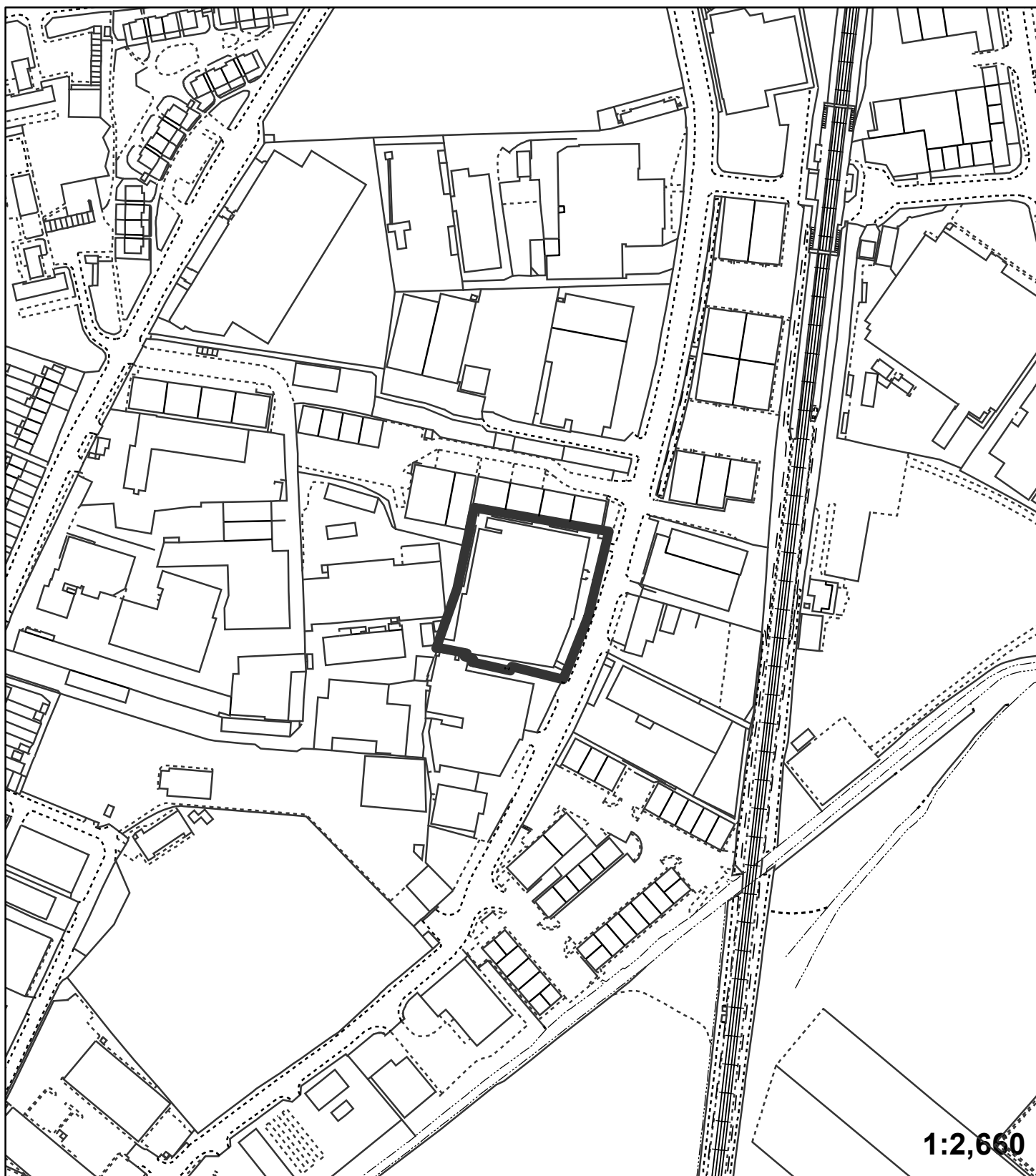
- 6 There is a Thames Water main crossing the development site which may/will need to be diverted at the Developers cost, or necessitate amendments to the proposed development design so that the aforementioned main can be retained. Unrestricted access must be available at all times for maintenance and repair. Please contact Thames Water Developer Services, Contact Centre on Telephone No: 0800 009 3921 for further information.**

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Application:16/04027/FULL1

Address: Columbia International Ltd Kangley Bridge Road Lower Sydenham London

Proposal: Erection of a building comprising 2,323 square metres for use as a trade only builders merchant with associated parking, servicing, boundary treatment and landscaping.



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

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