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DATE: 27 April 2017

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

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

A meeting of the Plans Sub-Committee No. 3 will be held at Bromley Civic Centre on
TUESDAY 9 MAY 2017 AT 7.00 PM

MARK BOWEN
Director of Corporate Services

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

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

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

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

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

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

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

A G E N D A

- 1 **APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS**
- 2 **DECLARATIONS OF INTEREST**
- 3 **CONFIRMATION OF MINUTES OF MEETING HELD ON 16 MARCH 2017**
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- 4 **PLANNING APPLICATIONS**

SECTION 1

(Applications submitted by the London Borough of Bromley)

Report No.	Ward	Page No.	Application Number and Address
4.1	Copers Cope Conservation Area	11 - 16	(17/01039/ADV) – Land at Junction with High Street, Rectory Road, Beckenham

SECTION 2

(Applications meriting special consideration)

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4.3	West Wickham	33 - 42	(17/00256/FULL6) - 124 Copse Avenue, West Wickham, BR4 9NP
4.4	Crystal Palace	43 - 58	(17/00435/FULL1) - Land Adjoining Grace House, Sydenham Avenue, Sydenham, London
4.5	Kelsey and Eden Park	59 - 68	(17/00884/FULL6) - 250 Upper Elmers End Road, Beckenham, BR3 3HE.

SECTION 3

(Applications recommended for permission, approval or consent)

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4.8	Chelsfield and Pratts Bottom	95 - 108	(17/00364/FULL1) - 2 Station Cottages, Station Approach, Chelsfield, Orpington BR6 6EU
4.9	Penge and Cator	109 - 124	(17/00398/DET) - 213 Kings Hall Road, Beckenham BR3 1LL
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4.11	Biggin Hill	135 - 144	(17/00569/FULL6) - 144 Sunningvale Avenue, Biggin Hill, TN16 3TW
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4.13	Shortlands Conservation Area	159 - 174	(17/00652/FULL1) - 93 Shortlands Road, Shortlands, Bromley. BR2 0JL.
4.14	Copers Cope	175 - 186	(17/00758/FULL1) - 9-10 St Clare Court, Beckenham, BR3 5BG
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4.17	Copers Cope	219 - 230	(17/01115/FULL1) - 5-8 St Clare Court, Beckenham, BR3 5BG
4.18	Plaistow and Sundridge	231 - 250	(17/01122/FULL1) - 87 Oak Tree Gardens, Bromley, BR1 5BE.

SECTION 4

(Applications recommended for refusal or disapproval of details)

Report No.	Ward	Page No.	Application Number and Address
4.19	Copers Cope	251 - 252	(17/00170/FULL1) - Footzie Social Club, Station Approach, Lower Sydenham, London, SE26 5BQ (REPORT TO FOLLOW)

5 CONTRAVENTIONS AND OTHER ISSUES

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	NO REPORTS		

6 TREE PRESERVATION ORDERS

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

PLANS SUB-COMMITTEE NO. 3

Minutes of the meeting held at 7.00 pm on 16 March 2017

Present:

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

Also Present:

Councillors Ian Dunn

24 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

An apology for absence was received from Councillor Stephen Wells.

25 DECLARATIONS OF INTEREST

No declarations of interest were reported.

26 CONFIRMATION OF MINUTES OF THE MEETING HELD ON 17 JANUARY 2017

RESOLVED that the Minutes of the meeting held on 17 January 2017 be confirmed and signed as a correct record.

27 PLANNING APPLICATIONS

SECTION 1

(Applications submitted by the London Borough of Bromley)

27.1 FARNBOROUGH AND CROFTON

(17/00287/FULL1) - Tubbenden Primary School, Sandy Bury, Orpington BR6 9SD

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

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

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

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

SECTION 2

(Applications meriting special consideration)

27.2 CRAY VALLEY EAST

(15/04610/FULL1) - North Orpington Pumping Station, East Drive, Orpington

Description of application – 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.

Oral representations in support of the application were received at the meeting. It was reported that further objections to the application had been received similar to those summarised in the Chief Planner's report and a sample had been circulated to Members.

Members having considered the report, objections and representations, **RESOLVED THAT**

PERMISSION BE GRANTED SUBJECT TO THE PRIOR COMPLETION OF A LEGAL AGREEMENT

to secure the delivery of the affordable housing, health and education contributions and a highway contribution, as recommended, and subject to the conditions and informatives set out in the report of the Chief Planner with amendments to Conditions 2, 10, 13 and 21 to read as follows:-

"2. The development hereby permitted shall be carried out otherwise that 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-FERCP01 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-FERB1- 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, H7 and H9 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 Lockesley Drive 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 1metre 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.

13. Before any part of the development hereby permitted is first occupied that part of a sight line of 43metres x 2.4metres x 43metres which can be accommodated within the site shall be provided in both directions at Lockesley Drive and with the exception of trees selected by or the Local Planning Authority no obstruction to visibility shall exceed 600mm 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.

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.”

**27.3
SHORTLANDS**

**(16/03768/OUT) - 44 Cumberland Road,
Shortlands, Bromley BR2 0PQ**

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

Oral representations in objection to and in support of the application were received at the meeting. The Chief Planner reported that two further objections to the application had been received together with photographs. Comments from Ward Member, Councillor Mary Cooke, in objection to the application, supported by Ward Member, Councillor David Jeffreys, were reported and circulated to Members. The Chairman referred to the three previous planning applications that had been refused and upheld on appeal but in particular the last appeal decision whereby the Inspector had only objected to the proximity of the entrance to an existing pedestrian crossing being prejudicial to highway safety. A Stage 1 Safety Audit had been submitted and it was noted that Highways Division had no objection with regard to the Safety Audit or safety issues.

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

“13. The development hereby permitted shall not be carried out otherwise than in complete accordance with plans references 101I; 102I; 104I & 105I (Received 18 January 2017); 103I (Received 23 January 2017); and 5313/SK/201 Rev A, unless previously agreed in writing by the Local Planning Authority.

REASON: In order to comply with Policies BE1, T3, T11 and T18 of the Unitary Development Plan and in the interest of the visual and residential amenities of

the area and the general conditions of highways safety and free flow of traffic.”

**27.4
CHISLEHURST
CONSERVATION AREA**

(16/04685/FULL6) - Copley Dene, 34 Wilderness Road, Chislehurst BR7 5EY

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

The Chairman referred to the history of the Grade II Statutory Listed building in Chislehurst Conservation Area and, in her view, although the proposed development would not compromise the structure of the building it could be viewed from Chislehurst Golf Club. It was noted that comments from the Conservation Officer had not been received. Members were also concerned with the bulk and the impact on the Statutory Listed Building and took into account the impact on the interior of the Listed Building.

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.

**27.5
CHISLEHURST
CONSERVATION AREA**

(16/04714/LBC) - Copley Dene, 34 Wilderness Road, Chislehurst BR7 5EY

Description of application – Single storey rear extension.

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

The Chairman referred to the history of the Grade II Statutory Listed building in Chislehurst Conservation Area and, in her view, although the proposed development would not compromise the structure of the building it could be viewed from Chislehurst Golf Club. It was noted that comments from the Conservation Officer had not been received. Members were also concerned with the bulk and impact on the Statutory Listed Building and took into account the impact on the interior of the Listed Building.

Members having considered the report, objections and representations, **RESOLVED that LISTED BUILDING CONSENT BE REFUSED** as recommended, for the reason set out in the report of

the Chief Planner.

**27.6
CLOCK HOUSE**

(16/04893/FULL1) - New Bowers, 1 Thornsett Road, Penge, London SE20 7XB

Description of application – 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.

The application was for a large extension to the semi-detached property and

Members were concerned that, if the application were to be approved, there would be more than double the number of child care places and a reduction in the existing playground area.

Councillor Douglas Auld had visited the site and reported there were five or six gardens in immediate proximity that would be affected by increased playground noise. Members were also concerned that two off-street parking spaces would be insufficient and there would be an increase in traffic.

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

2. The proposals would result in an over intensive use of the property and site, including the rear extension being proposed, which would be detrimental to the amenities of nearby residents and users of the host property by reason of noise and disturbance and reduced space around the building due to the rear extension thereby contrary to Policy BE1 of the Unitary Development Plan.

**27.7
COPERS COPE**

(16/05788/FULL1) - 84 Albemarle Road, Beckenham BR3 5HT

Description of application - 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.

Oral representations in support of the application were received at the meeting. The Chief Planner reported comments from the Tree Officer had been circulated

to Members.

The Chairman referred to Environmental Health comments in respect to natural light and ventilation as a result of some of the window sizes in the flats and the Chief Planner confirmed that it was not a planning concern.

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

“30. The development shall be implemented in accordance with the Tree Protection Plan (TPP) submitted and approved as part of the planning application and under the supervision of a retained arboricultural specialist in order to ensure that the phasing of the development accords with the stages detailed in the method statement and that the correct materials and techniques are employed.

REASON: To maintain the visual amenity of the area. (Policy NE7 of the Bromley Unitary Development Plan (adopted July 2006).

**27.8
WEST WICKHAM**

(17/00030/FULL6) - 18 Hayes Chase, West Wickham BR4 0HZ

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

It was noted that no objections to the application had been received and the application was a resubmission of a previously refused scheme. The Chairman said that every planning application should be considered on its merits but that as there had not been a material change she could not support the application. The excessive rearward projection was still of concern.

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

**27.9
BROMLEY TOWN
CONSERVATION AREA**

(17/00060/FULL1) - Flat 3, 17 Bromley Common, Bromley BR2 9LS

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

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

Concerns were raised with regard to the proposed number of parking and cycle spaces and the Chief Planner's representative confirmed that this would be dealt with by condition.

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

**27.10
CLOCK HOUSE**

(17/00068/FULL1) - Ripon House, 254 Croydon Road, Beckenham BR3 4DA

Description of application – 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.

Oral representations in objection to the application were received. Oral representations from Ward Member, Councillor Ian Dunn in objection to the application were received at the meeting. It was reported that four further objections to the application had been received and circulated to Members.

In Councillor Dunn's view the application was a backland overdevelopment on a small site that did not respect the character of the area and it would have an unacceptable impact on residential amenity and privacy. He was concerned with the proposed quality and design of accommodation and the impact on a chestnut tree and referred to the comments from Highways Division.

Councillor Douglas Auld had visited the site and he said there would be insufficient access to the site for an emergency vehicle.

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.

**27.11
SHORTLANDS**

(17/00093/FULL6) - 95 Shortlands Road, Shortlands, Bromley BR2 0JL

Description of application – 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.

Oral representations in objection to and in support of the application were received at the meeting. Comments from Ward Member, Councillor Mary Cooke, were reported and circulated to Members together with a letter and photographs from the objector. It was noted that objections to the colour of the render had been received.

The application sought modifications to existing extensions that were partly retrospective and, in their current form, out of character with the area.

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

“2. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order amending, revoking and re-enacting this Order) no buildings, structures, enlargements, alterations including windows or other, walls or fences of any kind permitted by any class under Part 1 and Part 2 of Schedule 2 of the 2015 Order (as amended) shall be erected or made to the host dwellings or within its curtilage without the prior approval in writing of the Local Planning Authority.

REASON: In the interest of the visual and residential amenities of the area and to prevent an overdevelopment of the site in order to comply with Policies BE1 and H8 of the Unitary Development Plan.”

**27.12
BROMLEY COMMON AND
KESTON**

**(17/00357/FULL1) - 2 Hook Farm Road, Bromley
BR2 9SX**

Description of application – Roof extension to provide two bedroom apartment.

Ward Member, Councillor Alexa Michael, reported that she had visited the site and supported the application. Members having considered the report, **RESOLVED that PERMISSION be GRANTED** as recommended, subject to the conditions and informatives set out in the report of the Chief Planner with an amendment to Condition 4 to read:-

“4. The proposed first floor flat must be ancillary to the nursery at all times and must 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 Unitary Development Plan.

SECTION 3

(Applications recommended for permission, approval or consent)

27.13 PENGE AND CATOR

(16/04027/FULL1) - Columbia International Ltd, Kangley Bridge Road, Lower Sydenham, London

Description of application – 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.

The Chief Planner's representative reported that the updated energy assessment referred to in the Chief Planner's report had not been received and would be dealt with by condition.

Members having considered the report and objections, **RESOLVED THAT PERMISSION BE GRANTED SUBJECT TO THE PRIOR**

COMPLETION OF A LEGAL AGREEMENT to secure a financial contribution to compensate the removal of street trees to facilitate the development, as recommended, and subject to the conditions and informatives set out in the report of the Chief Planner with an amendment to Condition 15 to read:-

“15. Before any part of the development hereby permitted is first occupied that part of a sight line of 43metres x 2.4metres x 43metres 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 1 metre 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.”

The Meeting ended at 8.30 pm

Chairman

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

Application No : 17/01039/ADV

Ward:
Copers Cope

Address : Land At Junction With High Street
Rectory Road Beckenham

OS Grid Ref: E: 537441 N: 169783

Applicant : Mr Antony Chubb

Objections : YES

Description of Development:

Externally illuminated flag pole sign

Key designations:

Conservation Area: Beckenham Town Centre
Smoke Control SCA 12

Proposal

Advertisement Consent is sought for a flag pole sign to be attached to the existing flag pole on the pavement outside Beckenham Junction Station. The sign will have a height of 0.9m and a length of 1.8m and will be sited 6.0m above ground level. The sign will be externally illuminated by way of a spotlight on the adjacent lamp post. The existing pole has been erected under local authority permitted development rights.

The application is submitted by the London Borough of Bromley.

Location

The site of the proposed sign is the pavement outside Beckenham Junction Station close to the junction of Rectory Road and Southend Road.

Comments from Local Residents

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

- The flag pole has no historical or cultural interest to the public at large. The proposed location is inappropriate and hindrance to the street scene and there is no reasoning to site an illuminated flag pole in this position other than advertising. It does not reflect the architectural landscape of the area which needs to be preserved; the positioning and siting of the pole will be intrusive and will negatively impact the view and general street scene of the junction.
- The proposed location of the flag pole is on a public right of way /pavement /publicly owned land therefore it cannot be permitted unless it

is in the public interest. This application is from a private individual to which the applicant has no freehold or license to occupy the section of land; the application and erection of the pole is of benefit to a private individual and contravenes the public right of way.

- The illumination will be greatly intensified at night and will definitely cause sleepless nights to my neighbours and I who live and work at 1-7 Rectory Road. It will cause nuisance.
- The pole has been erected ahead of the application's determination.

Consultations

Highways – no objections raised.

Environmental Health (Pollution) – no objections raised.

The Advisory Panel for Conservation Areas (APCA) did not inspect the application.

Planning Considerations

The Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

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

T18 Road Safety
BE11 Conservation Areas
BE21 Control of Advertisements and Signs

Emerging 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 32 - Road Safety
Draft Policy 41 – Conservation Areas
Draft Policy 102 – Advertisements

Planning History

None.

Conclusions

The main issue in this case is whether the proposed sign would be significantly harmful to the amenities and general characteristics of the area and whether the sign would impact on public safety, particularly highway safety in this instance.

Impact on the Amenities of the Area

The site lies within the Beckenham Town Centre Conservation Area where the Council will seek to preserve and enhance the special character of the area. The Beckenham Town Centre Conservation Area does not yet have a Supplementary Planning Guidance document. The previous Beckenham St Georges Conservation Area guidance makes reference to advertisements but this is more aimed at retail uses and is not particularly applicable to the current application. Therefore the proposal should be assessed on its own merits.

The proposed flag sign will be attached to the existing flagpole at the site. The additional impact on the visual amenities of the area must therefore be assessed in regards to the new flag only, and not the existing flag pole. The flag is relatively modest in respect to the entirety of the Conservation Area and there is a positive promotional message of some public benefit.

It is considered that the flag sign would be in context with the pole to which it will be attached. The sign will have a length of 1.8m and height of 0.9m and these dimensions are not considered to be excessive. The sign will be sympathetically lit with external spot illumination and this is considered an appropriate form of illumination within the Conservation Area. The associated trough lighting will also be modest in scale. It is considered on balance that the flag sign would not result in a significantly detrimental impact on the visual amenities and character of the area.

Impact on Highway Safety

The impact of the proposal on public safety, particularly highway safety, must be assessed as part of the application. In this case, the application is a Council initiative and no objections are raised by the Council's Highways Officers.

Summary

Having had regard to the above, it was considered that the development in the manner proposed is acceptable in that it would not impact detrimentally on the amenities of the area and would not impact harmfully on conditions of highway safety. Members are therefore advised to grant Advertisement Consent.

Background papers referred to during production of this report comprise all correspondence on file ref. DC/17/01039, excluding exempt information.

RECOMMENDATION: GRANT ADVERTISEMENT CONSENT

- 5 This consent shall be for a period of 5 years, beginning with the date of this decision notice.**

Reason: Regulation 13(5), Town and Country Planning (Control of Advertisements) Regulations 1992.

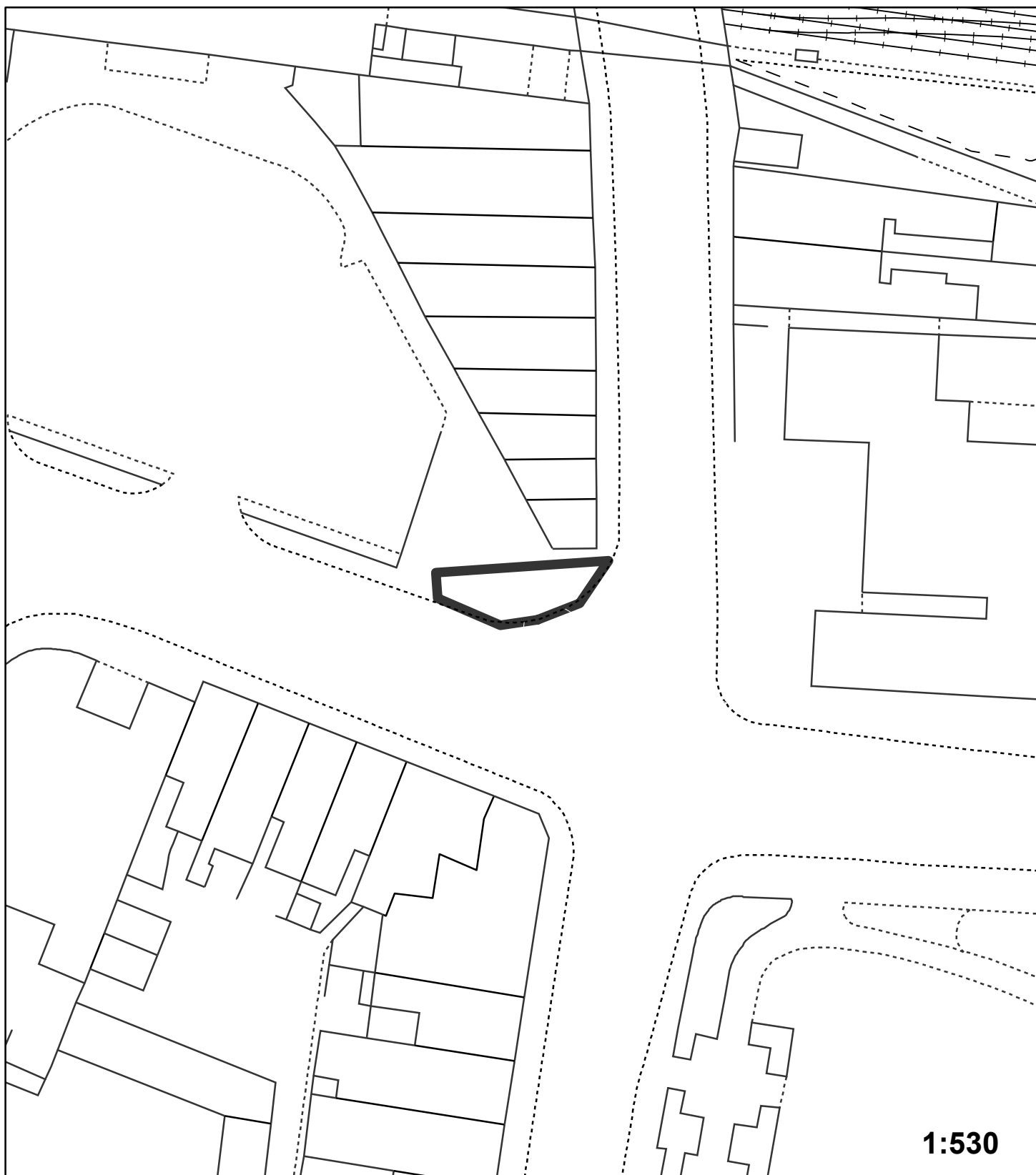
- 6 Before the external illumination becomes operational, details shall be submitted to and approved in writing by the Local Planning Authority. The approved lighting shall be orientated and screened to prevent light spillage and shall be permanently maintained as such thereafter.**

Reason: In order to comply with Policy BE21 of the Unitary Development Plan and to ensure that excessive brightness of illumination does not detract from the amenities of the area.

Application: 17/01039/ADV

Address: Land At Junction With High Street Rectory Road Beckenham

Proposal: Externally illuminated flag pole sign



"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 : 16/05881/FULL1

Ward:
Crystal Palace

Address : 4 Pleydell Avenue Anerley London SE19
2LP

OS Grid Ref: E: 533883 N: 170454

Applicant : Mr Tom Gidley

Objections : YES

Description of Development:

Construction of 2/3 storey 3-bed end of terraced dwelling

Key designations:

Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
London City Airport Safeguarding
Smoke Control SCA 6

Proposal

Planning permission is sought for the construction of a 2/3 storey 3-bed end of terraced dwelling.

The new dwelling would be located in the side garden of No. 4 Pleydell Avenue and would have a pitched roof to a maximum height of 9.15m (as viewed from the front), 5.1m wide and a maximum depth of 12.5m. The new dwelling would create a contemporary end-of-terrace dwelling taking architectural references from the adjacent Edwardian terrace including the ridge line, projecting front bay and L - shaped first floor form.

Location:

The application site is located on the north-western side of Pleydell Avenue approximately 300m south from Crystal Palace.

The site does not lie within a Conservation Area and is not a Listed Building. The surrounding area is mainly residential in nature.

The area is mixed in character with terraced dwellings and flats in the surrounding area.

Consultations

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

- Loss of privacy;
- Loss of light;
- Concern as some of the neighbouring properties are single aspect and the development would impact on light;
- Overshadowing to communal gardens and patio areas;
- Concern over Japanese Knotweed at the development site;
- The design is not in keeping with the area;
- The development is contrary to policy as would result in loss of a garden and a textbook case of garden grabbing;
- Loss of a view;
- Development is out of scale and imposing;
- Concern over the increasing in parking
- Concern over the traffic implications regarding the construction of the new house;
- There has never been a house on this site;
- Consider the design to be well thought -through in its design and would fit well within the street-scape.

Together with the above comments received images showing the sun-path from objectors windows, existing photographs of the objectors flats from the communal garden, photomontage showing the development in relations to the loss of the skyline and night time photographs showing the exiting shadow cast by No. 4 Pleydell Avenue were received. Full copies are located on the planning file.

Please note that the above is a summary of the objections received and full text are available upon request and within the planning application file.

Highways:

Further to the recent survey carried out which indicates that there are on-street parking spaces available for additional demand during the hours of maximum residential parking demand. Also the area has a moderate PTAL rate. Therefore no objections are raised to the application subject to conditions regarding cycle parking as contained within this report.

Environmental Health: Housing

Environmental Health Housing stated that the applicant is advised to have regard to the Housing Act 2004 Part 1 - Housing Health and Safety Rating System (HHSRS).

With regards to the new development on neighbouring occupiers it is noted that the proposed new property's flank elevation will be 14.5m away from the nearest external wall of the existing low rise block of flats. The existing end-of-terrace house number 4 has a flank elevation which is 19.6m away from the nearest external wall of the existing low rise block of flats.

As such it is considered that there will be no issue with natural light as the new flank elevation will be more than 3m away. The view and outlook from the flats' windows which look out on the new flank elevation will not be affected at a distance of 14.5m. Therefore it is concluded that there is no significant impact on the occupiers of the neighbouring properties given the above.

Environmental Health: Pollution

No objections raised.

Planning Considerations

The application falls to be determined in accordance with the following policies:
National Planning Policy Framework (NPPF) (2012):

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

Chapter 6 - Delivering a wider choice of high quality homes

Chapter 7 - Requiring Good Design

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
- 5.9 Overheating and cooling
- 5.10 Urban Greening
- 5.11 Green Roofs and Development Site Environs
- 5.12 Flood Risk Management
- 5.13 Sustainable Drainage
- 5.14 Water quality and wastewater Infrastructure
- 5.15 Water use and supplies
- 5.16 Waste self-sufficiency
- 5.17 Waste capacity
- 5.18 Construction, excavation and demolition waste
- 6.5 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
- 7.14 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 (2006):

- 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
- T3 Parking
- T18 Road Safety

Supplementary Planning Guidance 1: General Design Principles

Supplementary Planning Guidance 2: Residential Design Guidance

Draft Local Plan (2016):

The Council is preparing a Local Plan and commenced a period of consultation on its proposed submission draft of the Local Plan on November 14th 2016 which closed on December 31st 2016 (under The Town and Country Planning (Local Planning) (England) Regulations 2012 as amended). It is anticipated that the draft Local Plan will be submitted to the Secretary of State in mid-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 37 General Design of Development

Draft Policy 30 Parking

Draft Policy 32 Road Safety

Planning History

There is none for this site.

Conclusions

It is considered the planning issues and considerations relate to:

- Principle of development and density;
- Design and scale;
- Neighbouring amenity;
- Standard of accommodation;
- Car parking and access;

- Cycle parking;
- Refuse;
- Trees;
- Sustainability and energy; and
- Community Infrastructure Levy

Principle of development and density

National, regional and local plan policies promote redevelopment of brownfield sites and optimising site potentials. There is however no presumption in favour of development sites created from rear gardens of residential houses. In this respect, policy 3.5 of the London Plan (2015) states that housing developments should be of the highest quality internally, externally and in relation to their context.

Section 6 of the National Planning policy Framework (NPPF) requires that the design of new housing significantly enhances its immediate setting and should be sensitive to the defining characteristics of the local area. Section 7 further states that permission should be refused where a development fails to improve the character and quality of an area. Policy H7 of the Unitary Development Plan (UDP) clearly outlines the Council's policies for new housing.

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

Policy H7 seeks to prevent unacceptable residential developments on backland and infill sites and will be expected to meet all of the following criteria:

- (i) the development complies with the density ranges set out in the density/location matrix at Table 4.2 below;
- (ii) in the interest of creating mixed and balanced communities, the development provides a mix of housing types and sizes, or provides house types to address a local shortage;
- (iii) 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;
- (iv) adequate private or communal amenity spaces are provided to serve the needs of the particular occupants;
- (v) off street parking is provided at levels no more than set out in the Table at Appendix II. These are maximum parking standards. A higher provision will be acceptable only where it can be demonstrated that complying with the maximum standards would not be in the interest of the safety of highway users, or where additional parking is required to meet the needs of particular users, such as those with disabilities;
- (vi) the layout is designed to give priority to pedestrians and cyclists over the movement and parking of vehicles; and
- (vii) security and crime prevention measures are included in the design and layout of buildings and public areas.

This is supported in London Plan Policies 3.4 and 3.5.

The application site fronts onto Pleydell Avenue and this would form the basis of its character reference for the proposal in terms of plot sizes and built pattern of development. Plots in the area are predominantly rectangular in shape with small front and rear gardens. The proposed development proposes the construction of a new 3-bed end of terraced dwelling to the south-west of No. 4 Pleydell Avenue, the area is characterised by terraced and converted units into flats, the width of the terraced plots range from 4-5m. The new house would have a plot width of 5.1m which is similar to the other terraced units in the area and as such the proposal would fit into the established pattern and would not appear shoe horned into the built environment to the detriment of the areas character.

The site has a public transport accessibility level (PTAL) of 4 on a scale where 1 is poor and 6 is excellent. In terms of density Table 3.2 of the London Plan (LP) and Policy H7 of the UDP provide a density matrix and states for urban areas with a PTAL of 4-6 the London Plan and UDP the density level should be between 200-700 hr/ha. (LP Urban - 200-700 hr/ha UDP Urban - 200-450 hr/ha). The density level at this site is proposed to be 490hr/ha. Whilst this density is within the ranges set out above, density is only one aspect of applications acceptability.

The site is currently developed for a less dense residential use. Therefore in this location the Council will consider residential replacement development provided that it is designed to complement the character of surrounding developments, the design and layout make suitable residential accommodation, and it provides for garden and amenity space. Any adverse impact on neighbouring amenity, conservation and historic issues, biodiversity or open space will need to be addressed. Therefore, the provision of the new dwellings 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. As such it is considered that the principle of development can be accepted as the development is in compliance with Policies 3.4 and 3.5 of the London Plan and Policies H1 and H7 of the UDP.

Design and Scale

London Plan Policy 7.4 requires developments to have regard to the form, function, and structure of an area, place or street and the scale, mass and orientation of surrounding buildings. Policy 7.6 also relates to architecture and how buildings should be of the highest architectural quality, be of a proportion, composition, scale and orientation that enhances, activates and appropriately defines the public realm and comprise details and materials that complement, not necessarily replicate, the local architectural character.

Policy BE1 requires a high standard of design in new development and the scale and form of new residential development to be in keeping with the surrounding area, and the privacy and amenities of adjoining occupiers to be adequately safeguarded.

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

- (i) for a proposal of two or more storeys in height, a minimum 1 metre space from the side boundary of the site should be retained for the full height and length of the flank wall of the building; or
- (ii) where higher standards of separation already exist within residential areas, proposals will be expected to provide a more generous side space. This will be the case on some corner properties.

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

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

The proposed new house would be located immediately adjacent to the northern boundary. Whilst the proposal would not provide a "minimum 1 metre space from the side boundary of the site should be retained for the full height and length of the flank wall of the building" the proposal would not result in a terracing effect given that the new house is on the corner it does not conflict with the reason for the policy and as such is compatible.

The proposed end of terraced house is designed to be a continuation of the existing terrace, however with a modern interpretation of the original terrace. The new house is shown to have a pitched roof to a maximum height of ~9.15m as viewed from Pleydell Avenue (~7.9m when viewed from the rear garden), the design of the new house and newly formed terrace are seen within the borough, the neighbouring properties are a mix of architectural styles and whilst the new property would be modern in design compared to the existing terrace it is considered that on balance it would not appear alien to the established layout, pattern and distinctive character and appearance of dwellings in the area.

Therefore, it is considered the proposed development would comply with Policy 7.6 of the London Plan and Policy BE1 of the UDP in that the dwelling does have proportion, composition and scale that enhances, activates and appropriately defines the public realm. The proposal would have regard to the form, function, and structure of the surrounding area and would not provide a positive relationship between the proposed and existing urban context.

Neighbouring Amenity

Policy BE1(v) of the UDP that new development will only be permitted where it can be demonstrated that the proposal does not cause an unacceptable loss of amenity to adjacent occupiers by reducing the amount of daylight, sunlight or privacy they enjoy or result in an un-neighbourly sense of enclosure. This is supported by Policy 7.6 of the London Plan.

The proposed new house would be located to the south-west of No. 4 Plydell Avenue and to the north-east of 49-51 Palace Square.

Concern has been raised from the residents in Palace Square regarding loss of light. A shadow study has been produced which shows the new development would not have any impact on neighbouring properties in terms of loss of light. The new dwelling would be located approximately 14.4m and whilst it is appreciated that some of the units in 49-51 Palace Square are single aspect facing towards the new development on balance given the location of the new house it is considered that this increase would not result in a significant loss of amenity in terms of light and increased sense of enclosure to any neighbouring property.

In terms of outlook, the fenestration arrangement will provide front and rear outlook for the new house overlooking the rear amenity space and street. The outlook from windows from the proposed property is considered to maintain a suitable level of privacy at the intended distances to existing neighbouring property. There is one flank window proposed, this is at first floor level and serves the bathroom. To ensure that there is no loss of privacy this window can be conditioned to be obscure glazed and fixed shut, it is also considered that the provision of the windows would add some visual interest on this otherwise blank elevation.

Standard of 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). In addition, consideration needs to be given to Policies 3.8 and 7.2 of the London Plan.

The floor space size for the new unit would be 136m². The nationally described space standard requires a minimum of 108m² for a 3-storey six person three bedroomed unit. On this basis, the floorspace provision for the unit is above the required standards and is similar to the adjoining properties and is therefore 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.

The proposed amenity space would be 37m² which includes the front and rear space. The rear space would be accessed from the ground floor and measure 26.88m² (~5.6m x ~4.8m) which on balance is considered to be acceptable for a unit of this size in this location.

Car Parking and Access

London Plan Policy 6.13 requires the maximum standards for car parking, which is supported by Policy T3 of the UDP. The proposed development would not provide any off-street parking.

The Council's Highway Officer has reviewed the current application and has not raised objections to the proposal given the sites accessibility level and the availability of on-street parking in the area.

Cycle parking

London Plan requires two cycle spaces per dwelling, no details of any lockable storage has been provided, however subject to further details required in a condition no objection is raised in this regard.

Refuse

All new developments shall have adequate facilities for refuse and recycling. The applicant has provided details of refuse storage. Further details regarding a containment structure can be conditioned as necessary.

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.

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 applicant has submitted a number of criteria to achieve a sustainable development listed in the Design and Access Statement which outlines that it will be possible for the development to meet these objectives.

Community Infrastructure Levy

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

Conclusion

Having had regard to the above, Members are asked to consider if the proposed construction of 2-bed end-of-terrace dwelling is acceptable as detailed in the report. It is considered that the development has been carefully and sympathetically designed to ensure that the proposal would not result in amenity implications that would harm the quality of life of existing surrounding.

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

Background papers referred to during production of this report comprise all correspondence on the file ref: 16/05881/FULL1 set out in the Planning History section above, excluding exempt information.

RECOMMENDATION: PERMISSION

Subject to the following conditions:

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

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

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

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

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

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

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

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

- 5 Details of the proposed slab levels of the building(s) and the existing site levels shall be submitted to and approved in writing by the Local Planning**

Authority before work commences and the development shall be completed strictly in accordance with the approved levels.

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

6 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 5.16 of the London Plan.

7 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.

8 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.

9 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.

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

Reason: In order that, in view of the nature of the development hereby permitted, the local planning authority may have the opportunity of assessing the impact of any further development and to comply with Policy BE1 of the Unitary Development Plan.

11 No windows or doors shall at any time be inserted in the first or second floor south-western elevation 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.

12 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.

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

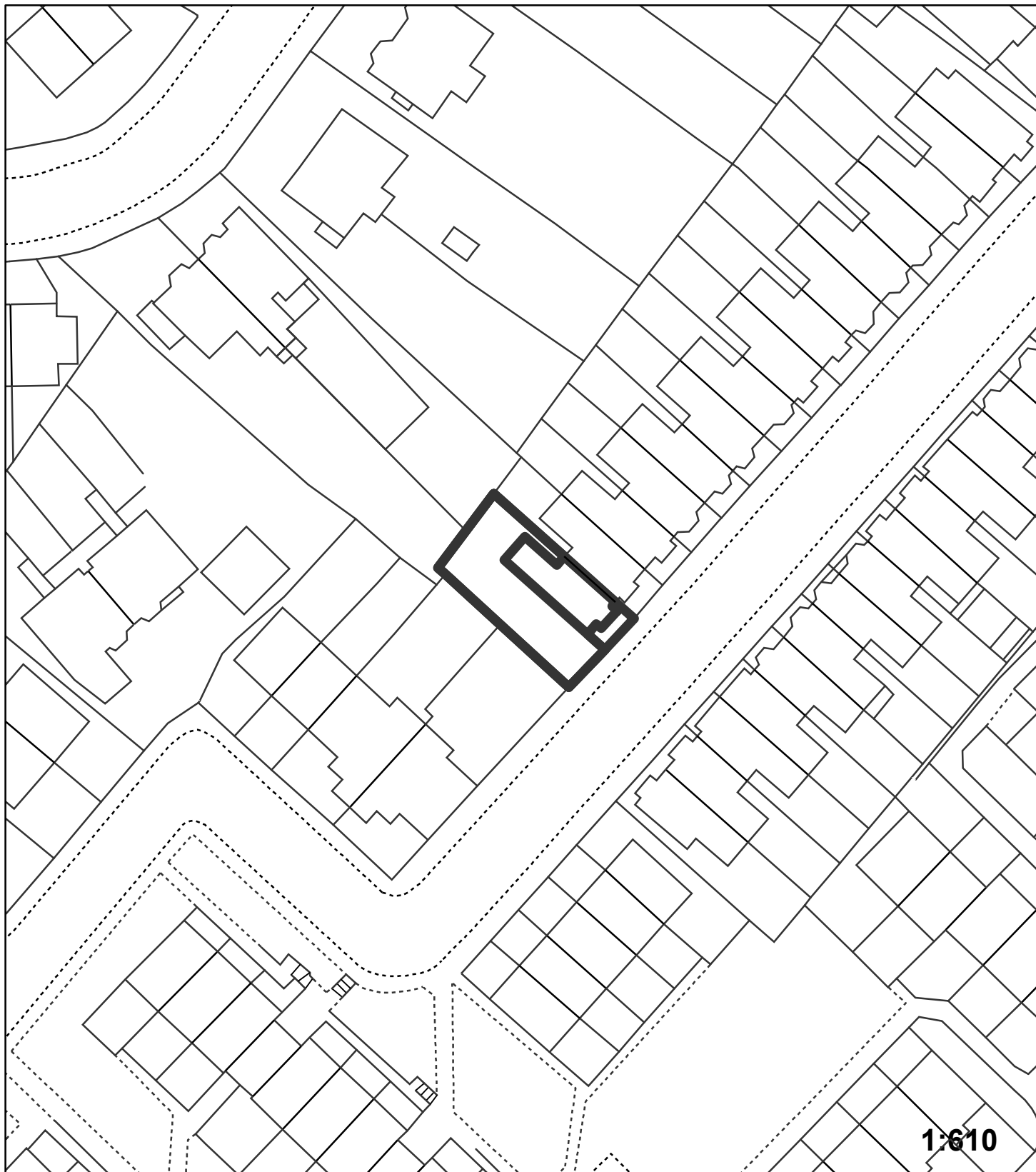
- 4 **Conditions imposed on this planning permission require compliance with Part M4 of the Building Regulations. The developer is required to notify Building Control or their Approved Inspector of the requirements of these conditions prior to the commencement of development.**
- 5 **Before works commence, the Applicant is advised to contact the Pollution Team of Environmental Health & Trading Standards regarding compliance with the Control of Pollution Act 1974 and/or the Environmental Protection Act 1990. The Applicant should also ensure compliance with the Control of Pollution and Noise from Demolition and Construction Sites Code of Practice 2008 which is available on the Bromley web site.**
- 6 **Before demolition commences, the Applicant is advised to have a full pre-demolition survey carried out to identify any asbestos containing products which may be in the building, and then contact the Health & Safety Executive to ensure compliance with all relevant legislation. The Applicant should ensure compliance with the Control of Asbestos Regulations 2012 and the Health and Safety at Work Act 1974 in relation to the safe removal of any asbestos on site prior to demolition.**
- 7 **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.**
- 8 **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.**
- 9 **Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.**

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Application: 16/05881/FULL1

Address: 4 Pleydell Avenue Anerley London SE19 2LP

Proposal: Construction of 2/3 storey 3-bed end of terraced dwelling



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

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SECTION '2' – Applications meriting special consideration

Application No : 17/00256/FULL6

Ward:
West Wickham

Address : 124 Copse Avenue West Wickham BR4
9NP

OS Grid Ref: E: 537796 N: 164877

Applicant : Mrs Angela Walters

Objections : YES

Description of Development:

Part 1/2 storey front/side/rear extensions to include elevational alterations. Roof alterations to form habitable space incorporating side dormers and rooflight.

Key designations:

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

Proposal

Planning permission is sought for a part one/part two front/side and rear extension and elevational alterations. Roof alterations to form habitable space incorporating side dormer window and roof lights.

The application is a resubmission of a similar planning application (ref: 16/03991) refused on 27th October 2016. The current application is accompanied by a Design & Access Statement.

The application site is a detached corner property located on the western side of Copse Avenue on the corner with Inchwood & Woodland Way, West Wickham.

Consultations

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

Whilst we appreciate that alterations to the original application have been made, the proposed development still represents an unacceptable impact upon our visual and residential amenities by reason of its bulk, scale and depth, contrary to policies BE1 and H8 of the Unitary Development Plan.

We have the following specific observations to make:

1. We still consider this to be an overdevelopment and overly dominant. Whilst the garage footprint has been pared down slightly, the 1st and 2nd floors have been

increased considerably. This is a very significant overdevelopment when compared to the size of the original property.

2. Whilst the proposed new plans have removed the dormers from the side facing ourselves, these have been replaced with quite dominant velux windows which will afford views straight into our property. Whereas the current roof plan includes hips and valleys allowing light into our property, the proposed roofline will be higher than the valleys [and flat] so will have a massive impact on the light entering our property at both floor levels.

3. The proposed roof plan is not in keeping with the traditional and existing pitched roof. The proposed roof is largely flat and includes a dormer at the side. We feel this would be harmful to the streetscene and character of the area.

4. The increased development at 1st floor level will further encroach on the light to our property. The size of the 1st floor development does not respect the scale and form of the original property or other properties in the surrounding area. Also the fenestration on the proposed rear elevation consists of full height doors, again havig a significant impact on our privacy.

5. The garden room extension at ground floor level would extend beyond the rear level of all neighbouring properties; other neighbours have already had restrictions imposed to ensure privacy is maintained. The proposal will not only further reduce our views of the woods but we would be left looking at a blank flank wall instead. The proposed garden room will overlook our garden and our patio privacy will be severely compromised. The height of our fence is already 6' 6" from the level of our patio and to increase it further - as suggested in the planning statement - would impact further on our rights to light at our property.

When reviewing the reasons for refusal to the 2016 application [16/03991/FULL6], it appears that points 1 and 2 have not been properly addressed. We therefore request that permission for the proposed development is refused.

Planning Considerations

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

BE1 Design of New Development
H8 Residential Extensions
H9 Side Space

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

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

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 mid-2017. These documents are a material consideration. The weight attached to the draft policies increases as the Local Plan process advances.

Draft policies of relevance to the determination of the application comprise:

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

Planning History

Under planning application ref: 16/03991 planning permission was refused for elevational alterations, first floor side extension, two storey rear extension and roof alterations to incorporate roof lights and side and rear dormers.

The application was refused for the following reasons:

1. The proposed dormer windows by reason of their bulk and design, would be an over dominate feature and have a detrimental impact upon the appearance of the host building and wider street scene, thereby contrary to Policies BE1 and H8 of the Unitary Development Plan.
2. The proposed bulk, design and depth of the two storey side and single storey rear extensions would be out of character with an detrimental to the appearance of the host building, thereby contrary to Policies BE1 and H8 of the Unitary Development Plan.
3. The proposed two storey side extension would by reason of its height, siting and lack of adequate side space would fail to comply with the requirements of Policy H9 in respect of the provision of minimum of 1m side space for the full height and length of the development, contrary to Policies BE1, H8 and H9 of the Unitary Development Plan.

Under planning application reference: 95/01726 planning permission was granted for a two storey side and single storey side and rear extension.

Under planning application reference: 06/02559 planning permission was refused for a detached garden building (retrospective application). This application was also dismissed at appeal.

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.

Following the refusal of the last application the agent has sought to redesign the scheme. The main changes include:

1. Proposed new garage has been reduced in width to be offset from the boundary by 1m to comply with Policy H9.
2. Dormer extension has been removed from the rear elevation
3. Change in the design of the dormer windows in flank elevation (facing Inchwood)
4. Double height velux windows in the flank elevation (facing the neighbours at No.122).
5. The depth of the two storey rear extension has been reduced
6. Rear single storey been reduced

Design

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

Policy H9 also requires proposals of two or more storeys in height to be a minimum of 1m from the side boundary, which has been provided in this case.

Guidance contained in SGP2 (Residential Design Guidance) at paragraph 1.4 states "The majority of buildings in Bromley have traditional pitched roof forms, contributing greatly to the streetscape and roofspace of their localities. Roof alterations should be carefully considered to ensure they respect the form and appearance of the existing roof".

The property forms a detached dwelling located at the end of Copse Avenue and the corner of Inchwood. The property in its current form retains a traditional hipped roof with a garage built up to the boundary. The property has been extended to the side with planning permission being granted in 1995. The property also benefits from off street parking with a driveway for two cars. The properties along Copse Avenue are very uniform in their design, mass and materials. It is noted that several properties have been extended, mainly to the rear.

The host property has been previously extended under planning application reference:- 95/01726 for a two storey side and single storey side and rear extensions. The current proposal seeks to reconfigure the host dwelling and add additional development to the front, sides and rear of the property.

To the front elevation a new fronted bare brick gable end is proposed in the middle of the property and a first floor extension added with roof slope to the boundary with Inchwood. The existing garage is to be made narrower to allow the development to comply with the Council's side space policy. The existing chimney is also to be relocated to allow for the proposed loft conversion. The first floor side extension (on the flank elevation with Inchwood) proposes three new sets of windows at first floor level and a large dormer window set within the newly created roofspace. To the rear a single storey rear extension is to be added adding 3.9m in depth to the property together with a first floor rear extension and additional roof slope. The first floor side extension continues to the opposite flank elevation (shared with the boundary with No.122) resulting in a new gable end and will result in the first floor increasing by another 3m in depth. Double height velux windows will be added to the roofspace.

Internally the kitchen/living/dining space to be enlarged with the main increase being the single storey element. At first floor the existing layout is to be reconfigured with one of the existing bedrooms being lost to create a library, enlarged ensuite, enlarged rear bedroom and one newly created bedroom. The loft is to be utilised to create one new bedroom, dining room, bathroom, games room and living area.

Dormer extensions are common place in the Borough however the size of the loft conversion will require the roof pitch to be raised and a large side dormer extension added to the side of the property. The dormer window on the flank elevation facing Inchwood has been moved from the rear (as proposed under the previous application) to occupy a more central position in the roof slope however the windows (8 in total) have meant a greater degree of glazing which will look out onto Spring Park.

The changes to the roof would result in changes to the host dwelling and wider street scene which on balance are considered to harm the architectural style and appearance of the host building. The side dormer extension would result in a bulky and unsympathetic form of development, which relates poorly to the form and scale of the existing property and roof slope. The proposal has not therefore overcome the previous reason for refusal and would be contrary to Policy BE1 and H8 of the Unitary Development Plan.

The proposed first floor development is also considered an overdevelopment of the property extending 3m in depth at first floor level which will elongate the property to the sides and rear. It will mean that the property will be considered bulky and will result in an unsympathetic form of development.

The proposed single-storey rear extension would measure between 2.8m - 3.9m in depth. It is noted that the rear elevation has already been significantly modified and to add further development would make the property appear overly bulky despite only being single storey.

The elevational alterations on all elevations are not considered overly sympathetic and the changes to the fenestration to the front and rear of the property in particular would be at odds with the character of the streetscene within the wider

area. The increase in glazing to the rear of the property would also be a marked increase in the number of windows which currently reside the rear elevation particularly at first floor level.

Whilst it is noted that No.120 Copse Avenue has been extended at first floor level back in 2002 under planning application reference 02/02826 the development would not be as much as that proposed by No.124. Overall, the increase in the footprint of whole of the original property in particular to the side and rear is considered bulky and an overdevelopment of the plot size.

Neighbouring amenity

Policy BE1(v) of the UDP that new development will only be permitted where it can be demonstrated that the proposal does not cause an unacceptable loss of amenity to adjacent occupiers by reducing the amount of daylight, sunlight or privacy they enjoy or result in an un-neighbourly sense of enclosure. This is supported by Policy 7.6 of the London Plan.

With the host dwelling being a corner property the sole impact is the neighbours at No.122 Copse Avenue. The neighbours has raised objections to several issues including; the proposal being an overdevelopment of the property; dominant velux rooflights; negative impact to the street scene in view of the changes to the roof; loss of light and privacy; the proposed development is a marked increase on what has been allowed to other properties in Copse Avenue.

With the property already being extended the neighbours at No.122 will see an increase in of 3m in depth at first floor and 2.8m at ground floor level. The increased bulk and mass to the property would mean the neighbours will be faced with looking at a bear flank wall located only 1m from the shared boundary. Whilst the single storey extension would be off-set from the boundary by 4.6m the total increases at ground, first and second floors would result in a loss of prospect and enclosure. The privacy of the residents of neighbours would also be impacted with the first floor in particular being located closer to the boundary and create overlooking and a loss of privacy to their rear patio/garden. The resultant overlooking and lack of privacy is considered to be unacceptable.

The resultant first floor extension and roof alterations/loft conversion are also considered to result in a loss of daylight and sunlight, as well as overshadowing and an unacceptable visual impact and loss of prospect, which is detrimental to the residential amenities the neighbouring property currently enjoys and contrary to policy H8 and BE1 of the UDP.

The agent has provided a detailed rebuttal to the neighbours comments which is available on file for Members to view.

Having had regard to the above it was considered that the development in the manner proposed is not acceptable in that it would result in a significant loss of amenity to local residents and impact detrimentally on the character of the surrounding area.

Background papers referred to during production of this report comprise all correspondence on the file ref(s) DC/17/00256 & 16/03991 as set out in the Planning History section above, excluding exempt information.

RECOMMENDATION: APPLICATION BE REFUSED

The reasons for refusal are:

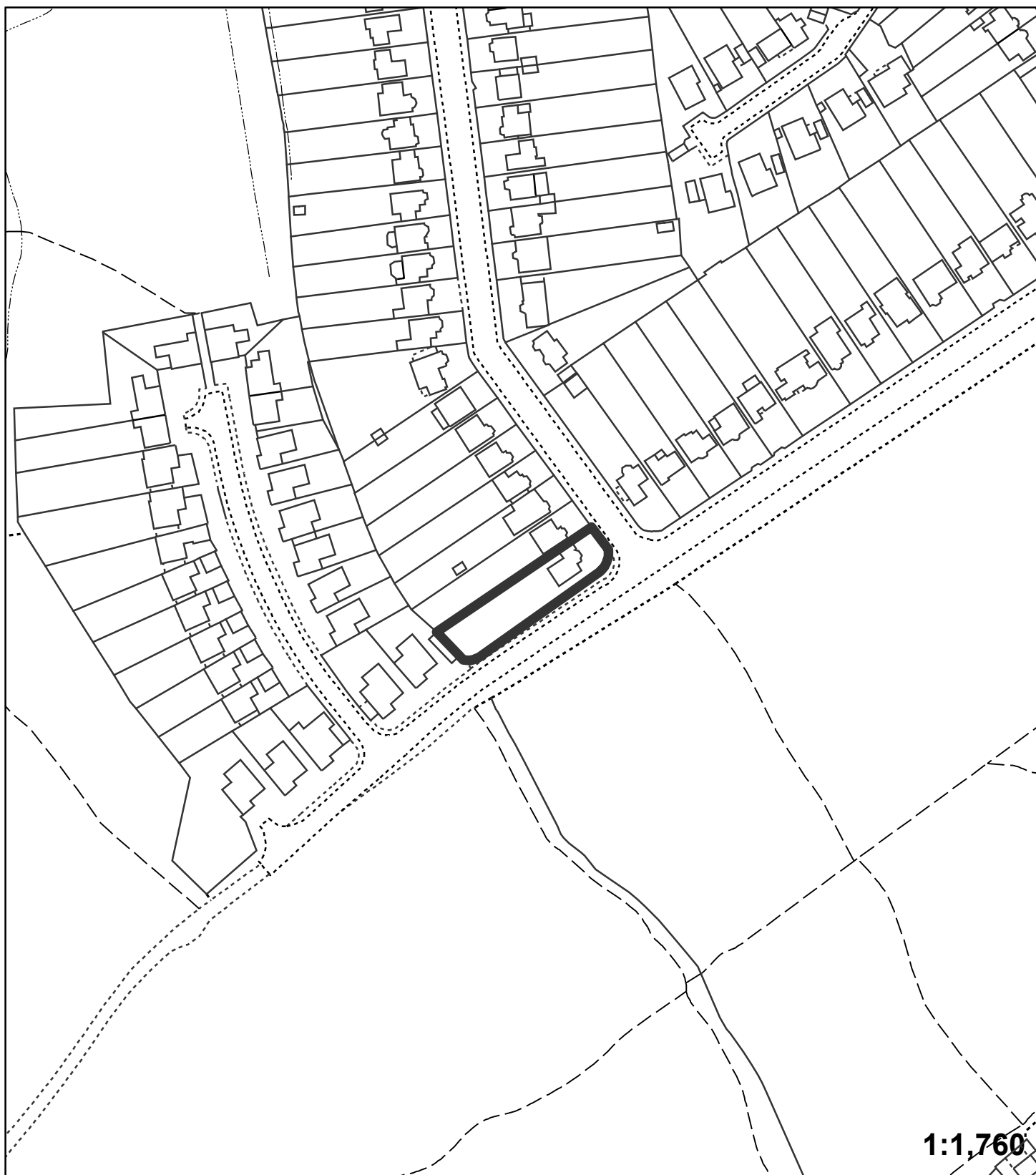
- 1. The proposed dormer window would be an over dominant feature and have a detrimental impact upon the appearance of the host building and wider street scene, thereby contrary to Policies BE1 and H8 of Unitary Development Plan.**
- 2. The proposed bulk, design and depth of the first floor side and single storey rear extensions would be out of character with and detrimental to the appearance of the host building, thereby contrary to Policies BE1 and H8 of Unitary Development Plan.**
- 3. The proposed bulk and depth of the first floor extension would mean a loss of prospect and amenity to the neighbours at No.122 Copse Avenue thereby contrary to Policies BE1 and H8 of the Unitary Development Plan.**

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Application:17/00256/FULL6

Address: 124 Copse Avenue West Wickham BR4 9NP

Proposal: Part 1/2 storey front/side/rear extensions to include elevational alterations. Roof alterations to form habitable space incorporating side dormers and rooflight.



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SECTION '2' – Applications meriting special consideration

Application No : 17/00435/FULL1

Ward:
Crystal Palace

Address : Land Adjoining Grace House Sydenham
Avenue Sydenham London

OS Grid Ref: E: 534881 N: 171145

Applicant : Mr Anthony Montague

Objections : YES

Description of Development:

Erection of 4 semi-detached houses with associated parking, landscaping and cycling and refuse storage

Key designations:

Biggin Hill Safeguarding Area
London City Airport Safeguarding
Smoke Control SCA 25

Proposal

The site lies to the eastern side of Sydenham Avenue. The site appears to be currently an amenity area for Grace House. This is a 0.123ha plot of land adjacent to Grace House. Grace House is a 3 storey flatted building. The site lies within a predominantly residential area. Grace House being a block of flats, in addition are houses to the South at Cobden Mews and to the East a new residential development site is being built at the Haven.

The site is not in a conservation area and there are no Listed buildings in the immediate vicinity. The site is in a poor area of public transport accessibility (PTAL 2).

The application is accompanied by a Transport Statement and an Arboricultural Report.

The development proposes to erect 2 pairs of 4 bedroomed, 3 storey semi-detached townhouses. Other works include the creation of a new vehicular access. This would lead to an existing access that would be shared with residents of Grace House and Cobden Mews. The application also proposes to create 8 parking spaces. The town houses would have a traditional appearance and would incorporate a palate of quality materials and appropriate architectural detailing.

Consultations

There has been around 20 letters of objection to this application.

The comments include the following:

- Potential Drainage collapse posing health risks

The plans to connect to drains in Cobden Mews will cause significant inconvenience to the residents of Cobden Mews due to the fact that presumably the existing driveway and landscaping will have to be disturbed and there will be restricted access for residents. Should the drain wall outside of No.7 collapse as a result of the additional strain, the Mews and surrounding areas will once again be overrun with sewage and vermin as happened a few years ago when the drainage wall outside No.4 collapsed. This poses significant health risks to residents and surrounding areas. As driveway areas outside the houses in Cobden Mews are private land, permission would need to be sought from the residents before commencement of any works encroaching on that land.

- Inadequate Fire Tender Plans putting lives at risk

The current plans indicate that in order for a fire truck to access the houses it would need to perform a reversing procedure to gain entry into the planned driveway to be built. However in reality the current narrow access and the existing parking arrangements of residents does not support this plan effectively and I am concerned that lives will be put at risk if a fire access assessment is not fully considered.

- Disturbance and possible irreversible damage to existing protected Redwood Tree and other protected trees bordering the Mews and Grace House as a result of over development.

It is of great concern that compensatory planting will not be able to offset any damage that might occur to the roots of these mature trees which may result in the lopping or felling of these trees post construction. This would be detrimental to the surrounding area and increase the likelihood of light pollution within the triangle of Grace House and Cobden Mews.

- Contravention of existing ASSET protection agreements regarding the Railway Tunnel running under the site by attempting to build something of that scale directly over the Tunnel.

There is NO precedent for building to that scale over the Tunnel in this area and surrounding areas. Development would be breaking the zone of influence surrounding the railway line which must be kept free of building development. Even the Haven/Rookstone development adjacent to Cobden Mews and this site have been careful to respect this zone in their building plans.

- Loss of privacy

The roof terrace plans will undoubtedly result in a significant loss of privacy for No.6, No.7 and No.8 Cobden Mews due to the fact that bedrooms will be directly overlooked from the terraces.

- Continued disturbance and potential damage to existing wildlife

This development will continue to cause disturbance to existing wildlife and may even result in loss of existing habitats within the area; as has happened with the bats that were on the Haven/Rookstone development.

- Increased risk of subsidence to Cobden Mews

There is increased risk of subsidence to Cobden Mews and other adjacent property with the increase in the water table and compression of soil in the construction process.

- use the private access road of Cobden Mews-causing danger to pedestrians and cars entering and leaving Cobden Mews
- cause noise pollution by bringing cars to the area just behind the front fence of Cobden Mews.
- Place refuse bins right by the pedestrian/vehicle entrance of Cobden mews thus risking vermin/odours.
- Risk the safety of pedestrians and vehicles on the private slip road from Sydenham Avenue to the gate of Cobden Mews.
- Risk flooding in Cobden Mews by replacing the garden/grass in the land adjoining grace house with paving.
- Risk flooding in Cobden mews by adding to the sewage without due planning and care and attention or permission.
- The development would very badly affect the quality of life of the residents of Cobden mews and the residents of Grace House and the residents of Brooklyn Cottage
- Impact of electronic gates
- Slip road is part owned by Cobden Mews
- Connection to Foul and surface water not been agreed.

There has been one letter of support.

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

Highways

The site is located in an area with poor PTAL rate of 2 (on a scale of 1 - 6, where 6 is the most accessible). The developer had reduced the number of units from 6 to 4. The applicant is providing 8 car parking spaces.

The parking area has been amended as the applicant has increased the distance between end corner bays and I have now seen the swept path analysis for parking bays and am satisfied.

The developer is providing cycle storage facility to store minimum 2 cycles per dwelling which is satisfactory.

Bins storage facilities are shown next to the gate which is good but please consult LBB Waste Service regarding refuse storage and servicing of the units.

The adjoining Grace House building is cantilevered over RPZ allowing clearance for airflow and moisture to penetrate the ground so Network Rail should also be consulted as it appears that this site is on top of a rail tunnel.

The applicant was asked to demonstrate how the gates would operate i.e. manual or remote controlled and how two cars will pass each other at the entrance and how emergency services will access the site i.e. a Swept Path Analysis using AutoTrack Road software etc. I have now seen the swept path analysis (drawing number 001 Rev A03) and am satisfied with Remote Controlled Automated Sliding Gate which is more practical and has created more manoeuvring space for vehicles. Subject to the following conditions

Condition

H03 (Satisfactory Parking)

H18 (Refuse storage)

Drainage:

No objections raised information from the applicant subject to the following condition.

The surface water drainage scheme hereby permitted shall be implemented in full accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority. The following approved report/plans shall be complied with:

- "Drainage Services Site Layout External Drainage Layout" Plan DRW No. PL/100 Dated 20/04/2017.
- "Aquaflow Permeable Paving Formation & Construction Details" Plan DRW No. D100 Rev B dated 06/03/2017.
- "Aquaflow Permeable Paving Layout for Parking Area & Access Road" DRW No. D1 Rev B dated 06/03/2017.
- Micro Drainage Calculations.

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

Trees

The Tree officer advises that the revisions to the proposed development remove parking bays from beneath nearby tree canopy cover. The Arboricultural Report outlines tree protection measures and other techniques to reduce the impact of the proposed development on the retained trees. The low invasive construction of the access drive within Root Protection Areas (RPA) is the main reason I am able to recommend conditional permission.

I would recommend permission in line with the following condition:

1. The development shall be implemented in accordance with the Arboricultural Report (30/01/17) approved as part of the planning application, under the supervision of a retained arboricultural specialist in order to ensure that the correct materials and techniques are employed.

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

Rail Tunnel

The applicant advises that in relation to the rail tunnel. Our understanding after consulting Network Rail Asset Protection is that development over the Penge Tunnel is possible providing we follow the correct development protocol which in summary is the following :-

1. That all site works, soil tests, ground works and excavations meet with your standards and are approved and authorised by your team prior to commencement of works.
2. That our foundation designs are approved by your structural and civil engineering team.
3. That we conduct our development under the jurisdiction of the Network Rail Basic Asset Protection Agreement (BAPA - see attached).

Network Rail has agreed this position. Scheme Project Manager at Network Rail for this project has confirmed that they are working in alliance with the developers in all aspects with regards to this project.

Planning Considerations

Relevant Policies

The proposals fall to be considered with regards to the following policies of the 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)
T18 (Road safety)

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

The Council is preparing a Local Plan and commenced a period of consultation on its proposed submission draft of the Local Plan on November 14th 2016 which 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 mid-2017. These documents are a material consideration. The weight attached to the draft policies increases as the Local Plan process advances.

The relevant policy is as follows:

Draft policies relevant to this scheme include:

- Draft Policy 1 - Housing Supply
- Draft Policy 4 - Housing Design
- Draft Policy 30 - Parking
- Draft Policy 32 - Road Safety
- Draft Policy 37 - General Design of Development
- Draft Policy 113 - Waste Management in New Development
- Draft Policy 116 - Sustainable Urban Drainage Systems (SUDS)
- Draft Policy 117- Water and Wastewater Infrastructure Capacity
- Draft Policy 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

The development proposals would also fall to be considered under the following policies contained within the London Plan:

- 3.3 Increasing Housing Supply
- 3.4 Optimising housing potential
- 3.5 Quality and design of housing development
- 5.3 Sustainable design and construction
- 5.13 Sustainable drainage
- 7.3 Designing out crime
- 7.4 Local Character
- 7.8 Heritage assets and archaeology

The National Planning Policy Framework is also a key consideration in the determination of applications.

Planning History

There was an application at the site under 87/03612/OUT for two dwellings this was refused and dismissed on appeal. The Inspector considered that the proposal was a backland site and was unacceptable at that time. This case is still a material consideration to any decision made at this site. It is noted that this application was 30 years ago and subsequently the adjacent site at Cobden Mews was granted permission at appeal for 8 units. The Planning Inspector resolving that this site was in character with the area and not a backland site.

Conclusions

The main issues in a proposal of this nature are considered to be:

- Principle of development
- The impact of the proposal on the visual amenities of the area
- The impact of the proposal on the residential amenities of neighbouring properties
- Future residential amenity and the extent to which the proposal would provide accommodation of a satisfactory level of amenity for prospective occupants
- Highways and parking issues
- Trees
- Other matters

Principle of residential 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 NPPF at paragraph 53 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.

It is considered that the host site makes a positive contribution to the character and visual amenities of the area and any proposed development should seek to retain

significant space between buildings and a suitably soft landscaped setting. Any adverse impact on neighbouring amenity, conservation and historic issues, biodiversity or open space will need to be addressed. Therefore the provision of an additional dwelling units on the land appears 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.

As stated above the London Plan Policy 3.4 states that development should optimise housing output for different types of location taking into account local context and character, design principles and public transport capacity.

Impact upon the setting of the adjacent buildings and the character and appearance of the area

In terms of the visual impact of the proposal, the relationship between the proposed buildings and neighbouring buildings is considered acceptable, in view of the retention of separation provided to the formed boundaries of the site. While the proposal would result in the loss amenity space associated with the host block of flats it is considered that adequate space would be retained around that building to provide an appropriate setting and usable amenity space.

In terms of the plot size and the scale of the development it is considered the proposals are acceptable in terms of their relationship with the pattern of development in the locality.

There are a number of mature trees within and adjacent to the site which contributes to the visual amenities of the area and the landscape setting. It is considered that the impact on the trees is acceptable following on from the submitted information.

Impact of the proposal on the residential amenities of the area

It is noted that the site is surrounded by other residential properties. However, it would appear that the separation between the proposed dwellings and these properties would be acceptable to limit the impact of the proposal in terms of overlooking and loss of privacy. Each property would have its own roof terrace. However, this would be sited behind the parapet wall of each dwelling, with a further setback of 1.7m. The roof terraces would also be enclosed by glazing that would present a light-weight appearance. A frontage setback and the provision of 1.8m high privacy screens would effectively restrict any overlooking into the gardens or windows of neighbouring properties. However, due to its location it is unlikely that this element would result in undue harm locally.

Density

With regard to the density of the proposed development, Table 3.2 of Policy 3.4 (Optimising Housing Potential) of the London Plan gives an indicative level of density for new housing developments. In this instance, the proposal represents a density of 195 rooms per hectare with the table giving a suggested level of 150 -

250 per hectare in suburban areas with a 2 PTAL location. The proposals would therefore result in an intensity of use of the site that would be within the thresholds in the London Plan, however, they need to be assessed against the wider context in terms of the character, spatial standards and townscape value of the surrounding area.

Future residential amenity

Policy 3.5 of the London Plan (2015) Quality and Design of Housing Developments 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 UDP states that the development should respect the amenity of occupiers of future occupants.

The floor space size of each unit shown on the illustrative plans would exceed the minimum baseline requirement of room standards as found within the London Plan (2015), and would be considered acceptable.

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

Highways

No objections to the proposal

Trees

The Tree officer advises that the revisions to the proposed development remove parking bays from beneath nearby tree canopy cover. The Arboricultural Report outlines tree protection measures and other techniques to reduce the impact of the proposed development on the retained trees. The low invasive construction of the access drive within Root Protection Areas (RPA) is the main reason I am able to recommend conditional permission.

Drainage:

No objections raised information from the applicant subject to the following condition

Other matters

The applicant advises that in relation to the rail tunnel. Our understanding after consulting Network Rail Asset Protection is that development over the Penge Tunnel is possible providing we follow the correct development protocol which in summary is the following :-

1 That all site works, soil tests, ground works and excavations meet with your standards and are approved and authorised by your team prior to commencement of works.

2 That our foundation designs are approved by your structural and civil engineering team.

3 That we conduct our development under the jurisdiction of the Network Rail Basic Asset Protection Agreement (BAPA - see attached).

Network Rail has agreed this position.

Nearby residents in their comments have mentioned seeking permission to access private land, this is a civil matter and is one that the Local Planning Authority will not become involved.

Design out crime

The applicant would be willing to agree to an appropriately worded condition to ensure the development would meet secure by design principles

Conclusions

It is clear that the proposals will impact on the adjacent properties as a result of this proposal and a judgement needs to be made about the whether the impact is unduly harmful. Accordingly, Members will need to take account of the plans that have been submitted for this site and the comments made by residents during the consultation period.

The development will deliver 4 new family sized homes. The siting scale and design of the development would be similar to neighbouring infill developments. The development would not unduly harm conditions of amenity for surrounding occupiers, nor would it harm the protected trees that are sited along the neighbouring boundaries of the site.

Bearing in mind the issues in this case and the concerns made during the consultation of this application is presented on list 2 of the agenda.

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: 17/00435/FULL1 set out in the Planning History section above, excluding exempt information

**as amended by documents received on 21.04.2017 13.03.2017 09.03.2017
RECOMMENDATION: PERMISSION**

Subject to the following conditions:

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

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

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

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

3 Details of the 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 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.

6 The surface water drainage scheme hereby permitted shall be implemented in full accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority. The following approved report/plans shall be complied with:

- "Drainage Services Site Layout External Drainage Layout" Plan DRW No. PL/100 Dated 20/04/2017.
- "Aquaflow Permeable Paving Formation & Construction Details" Plan DRW No. D100 Rev B dated 06/03/2017.
- "Aquaflow Permeable Paving Layout for Parking Area & Access Road" DRW No. D1 Rev B dated 06/03/2017.

- **Micro Drainage Calculations.**

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

- 7 The development shall be implemented in accordance with the Arboricultural Report (30/01/17) approved as part of the planning application, under the supervision of a retained arboricultural specialist in order to ensure that the correct materials and techniques are employed.

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

- 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 order that, in view of the nature of the development hereby permitted, the local planning authority may have the opportunity of assessing the impact of any further development and to comply with Policy BE1 of the Unitary Development Plan.

- 9 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.

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

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

- 11 Before any work is commenced details of parking spaces and/or garages 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) 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.

12 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.

You are further informed that :

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

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

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

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

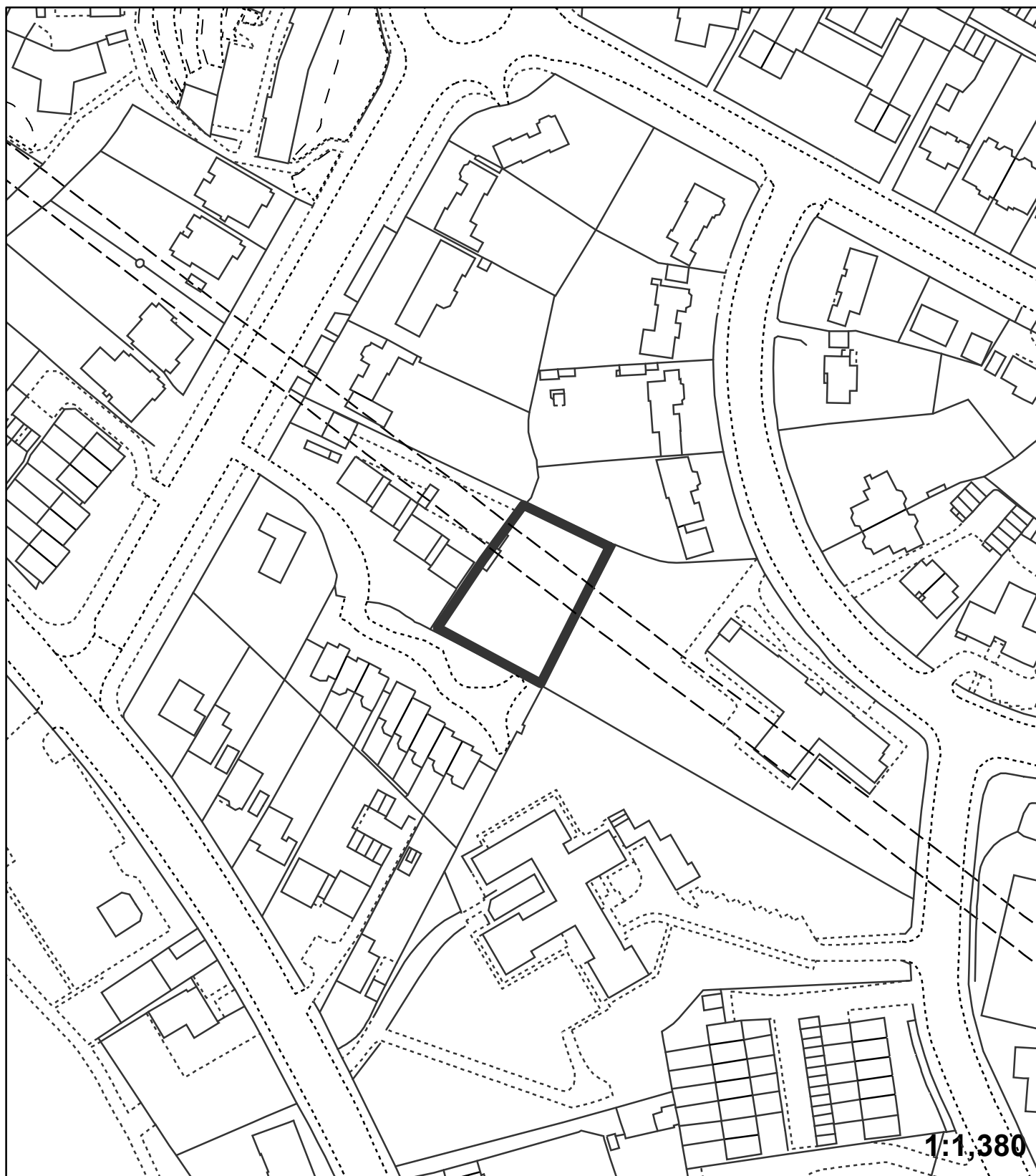
3 Conditions imposed on this planning permission require compliance with Part M4 of the Building Regulations. The developer is required to notify Building Control or their Approved Inspector of the requirements of these conditions prior to the commencement of development.

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Application:17/00435/FULL1

Address: Land Adjoining Grace House Sydenham Avenue Sydenham London

Proposal: Erection of 4 semi-detached houses with associated parking, landscaping and cycling and refuse storage



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

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SECTION '2' – Applications meriting special consideration

Application No : 17/00884/FULL6

Ward:
Kelsey And Eden Park

Address : 250 Upper Elmers End Road
Beckenham BR3 3HE

OS Grid Ref: E: 536791 N: 167703

Applicant : Mr Terry Reeves

Objections : YES

Description of Development:

Elevational alterations and single storey extension to garage and conversion of resultant building to 2 bedroom annexe for use by a family member with disability

Key designations:

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

Proposal

It is proposed to substantially alter the existing detached garage at the host property in order to provide a self-contained 2 bedroom detached residential annexe. The existing garage lies at the end of the residential garden and is accessed via a track leading from Lodge Gardens. It is proposed to erect a single storey extension to the garage which would wrap around the northern and western sides of the garage with a footprint that would follow the shape of the site at the rear, retaining a minimum side space of 1m to the north western boundary with the rear garden of No. 7 Asprey Mews. The existing lean to and separate shed adjacent to the garage would be removed.

The extension would incorporate a flat roof and would be 3.15m high. Windows are proposed to be provided in the northern, north western and western elevations serving, respectively, bedroom 1, a bathroom, a kitchen and bedroom 2. The converted/extended garage would also provide a reception room which would face towards the retained 2 car parking spaces. The total internal floor space of the resultant building would be approx. 60.06m².

The application is supported by a statement from the agent on behalf of the applicants which states that the purpose of the annexe is to provide supervised quasi-independent living quarters for a family member, the son of the applicants, who has special needs. Additional supporting information includes a copy of an Education, Health and Care Plan prepared with the London Borough of Bromley.

The covering document states:

"the purpose of this building is to prepare and provide... the applicant's son with secure, affordable and supervised independent living accommodation. The provision of this accommodation...will take away the probable future burden of responsibility from Bromley Council."

The statement details the level of supervision needed for food preparation and overnight, explaining that the transition from the young adult concerned having live in night-time support from a parent to living independently will be a long process. It is for this reason that the scheme has been designed to include a second bedroom.

The statement goes on to say that the applicants would be willing to enter into a legal agreement to prevent the possible future severance of the plot from the main house, in respect of their and future owner's occupancy.

The application form refers to the arrangement of access, household waste and postal services being via the main house.

Location

The host dwelling comprises an end of terrace dwelling with a long rear garden which widens at the end where the vehicular access from Lodge Gardens abuts the site and where the site boundary with the rear of Asprey Mews follows a curved line. The rear drive leading from Lodge Gardens provides vehicular access to the number of detached garages sited at the end of the residential gardens of dwellings fronting Upper Elmers End Road as well as serving the rear gardens of dwellings fronting Lodge Gardens.

To the west/north west of the site is the triangular plot of No. 7 Asprey Mews. To the south is the rear garden of 13 Holly Crescent. To the east is the rear garden of 252 Upper Elmers End Road and the vehicular driveway. The garage is sited approx. 27m from the rear of the host dwelling.

The surrounding area is residential, characterised by two storey terraced dwellings set, with the exception of the more modern development at Asprey Mews, within quite deep/large plots. Detached garages at the rear are common in the locality where dwellings back onto a quite wide rear vehicular access way. Off-street parking at the front facing Upper Elmers End Road is rare, and vehicles predominantly park on street.

Consultations

Local Representations

Nearby owners/occupiers were notified of the application and a letter of representation was received stating that there are no objections to the plans as they currently stand, with the annex/dwelling being accessed via the host property. If the access rights were to be changed at a later date (i.e. for visitor parking, postal deliveries/services, waste management) affecting the rear service road this would not be in accordance with the permission sought. The annexe would be sited

in close proximity to an area which provides regular vehicular access to a number of neighbouring properties.

Technical comments

From a technical highways perspective it is noted that the development will result in the loss of one parking space by partial conversion of the garage to habitable accommodation. However, there are spaces available within the site's curtilage which would be utilised for parking and on balance as the development is small there are no objections to the proposal.

Planning Considerations

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

BE1 Design of New Development
H8 Residential Extensions

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.

Draft Policy 6 Residential Extensions
Draft Policy 7 Additional Accommodation for Family Members
Draft Policy 37 General Design of Development

The London Plan

Policy 3.5 - Quality and design of housing development
Policy 7.4 - Local Character
Policy 7.6 - Architecture

Mayor of London Housing Supplementary Planning Guidance.

The National Planning Policy Framework is also a key consideration in the determination of this application.

Planning History

Under reference 06/02974 planning permission was granted for a single storey rear extension.

Planning permission was refused under reference 16/04532/FULL6 for "single storey and first floor extensions to existing garage in rear garden of 250 Upper Elmers End Road and conversion to form ancillary residential accommodation for a family member with special needs." Permission was refused on the grounds:

"The proposal by reason of its height, size and siting would be out of character with and detrimental to the visual and residential amenities of the area, and would be capable of severance to form a separate self-contained residential dwelling resulting in a retrograde lowering of the spatial standards of the area, thereby contrary to Policies BE1 and H8 of the Unitary Development Plan, Policies 3.5 and 7.4 of the London Plan and the National Planning Policy Framework."

This current application seeks to overcome the previous ground for refusal.

Conclusions

It is helpful to summarise the differences between this current application and the previously refused scheme (16/04532). The previous proposals incorporated first floor accommodation and the height of the resultant building was proposed to be 7.2m to ridge height and 5/4.2m to asymmetric eaves. In comparison, the current proposal would retain the height of the garage as existing, with the extension wrapping around the north-western corner of the garage footprint having a maximum height of 3.15m.

The footprint is slightly enlarged in order to provide the same room configuration (with smaller individual room sizes) within the extended and converted garage, and the proposal still provides 2 separate bedrooms along with a self-contained kitchen and bathroom. This current application has been submitted with more detailed information regarding the need for the annexe and the applicant's agent has stated that the applicant would be willing to enter into any legal agreement deemed necessary by the Council to prevent the potential severance of the annexe to form a self-contained dwelling.

The main issues in the determination of this application are considered to be the impact of the proposal on the residential amenities of neighbouring properties, the visual amenities and character of the area and the extent to which this current application addresses and overcomes the ground for refusal of planning permission under reference 16/04532.

Impact of the proposal on the residential amenities of neighbouring properties.

The current proposal represents a significant improvement over the previous scheme in terms of its height and bulk, such that it is not considered that the proposal would if used entirely as proposed, as an annexe to the host dwelling have a detrimental impact on the residential amenities of the occupiers of neighbouring dwellings. Where a separate dwelling would result in the concentration of all the normal activities of a household within a cramped plot and in a backland position, if used as an annexe and taking into account the proportions of the site it is not considered that the proposal would have an adverse

impact on neighbouring amenity. The height and design/appearance of the resultant building would be satisfactory in terms of its relationship to neighbouring residential dwellings and gardens.

Impact of the proposal on the visual amenities and character of the area.

The scale, height and siting of the built development is not considered to be detrimental to the visual amenities and character of the area. The modest height of the proposed extension and its relationship with the large existing garage would not result in the development appearing unduly bulky or prominent. In view of the siting of the resultant building within what is a generously deep plot, the proportions of the building would not result in a cramped development. The principal concern relating to the proposal in terms of its impact on the visual amenities and character of the area relates to the use and function of the building, and in particular the extent to which it could be severed to form a separate self-contained dwelling in an unsatisfactory backland position.

Policy H8 of the Unitary Development Plan relates to residential extensions. Para 4.47 states that residential extensions (so called "granny annexes") can provide accommodation which enables care for an elderly or disabled relative. However, it states that problems can arise where a development constitutes a self-contained unit which could potentially be severed from the main dwelling. The policy further states that the severance of the dwelling can result in substandard accommodation with inadequate privacy, access provision, parking and amenity space which is likely to be out of scale with the surrounding area and detrimental to neighbouring amenity. It is stated that these types of development should be designed to form an integral part of the main dwelling.

The proposed outbuilding features all of the requirements for self-contained living accommodation -- two bedrooms, a bathroom and kitchen and a separate living area. The proposed annexe has not been designed to form an integral part of the main dwelling, would have potential to be accessed entirely from the rear vehicular access way and would be orientated to face in that direction.

If severed, the resultant plot size, concentration of the noise and disturbance associated with a separate household and the space retained about the building would be out of character with the prevailing pattern of development in the locality and the spatial standards of the area. In view of the common pattern of large garden buildings/garages at the side of the vehicular access from Lodge Gardens the proposal would also set a precedent for similar such development in the locality which could lead to a retrograde lowering of the spatial standards of the area.

It is acknowledged that the built form would be sited to some extent in the context of the two storey dwellings at Asprey Mews, but importantly, would be positioned entirely behind buildings which front adjacent streets, comprising backland development, and would not form part of a planned layout of development.

Special circumstances

The application seeks to provide residential accommodation for a family member with special needs and the detailed circumstance and the information provided by the applicants, including the statement that the applicants would be willing to enter into an agreement deemed appropriate by the Council to prevent the potential future severance of the unit from the main host dwelling fall to be carefully considered along with the issues identified above.

It is considered that the proposal would result in the provision of a potentially self-contained unit of accommodation within the residential curtilage of the host dwelling which could be easily severed to form a separate unit of accommodation. In view of the siting of the building such a severance would be difficult to detect. The use of a planning condition to restrict the use of the building to ensure ancillary residential accommodation is provided rather than a separate residential unit would not be appropriate.

Paragraph 206 of the NPPF relates to planning conditions and states:

"Planning conditions should only be imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects."

In the case of a condition intended to prohibit the potential severance of the unit from the main residential curtilage it is considered that such a condition would fail to meet the test of enforceability. Assessing whether the unit has been severed would place an unacceptable burden on the Local Planning Authority to implement periodic surveillance for the foreseeable future. Non-compliant use of the building as a self-contained/severed unit of accommodation would not be easy to discern and would only have to be implemented for a period of 4 years before comprising an established severed residential dwelling. The resultant impact of the severance of the site could be to result in substandard accommodation out of scale and character with the surrounding area.

The applicant has expressed a willingness to enter into a legal agreement to prevent the future severance of the plot. Such a legal agreement would be associated with the title property rather than the individual owners, applying not only to the existing owners but also to future owners of the property title. In the absence of concerns relating to the scale and siting of the development and the impact of the proposal if used entirely as stated within the application as an annexe to the host dwelling, it falls for Members to carefully consider whether a Section 106 agreement to prohibit future severance would address concerns relating to potential impact associated with that severance.

Summary

The scale and siting of the building would not result in a visually dominant development and would not be detrimental to the visual and residential amenities of the area.

The extended/converted garage could readily be severed to provide a separate sub-standard unit of residential accommodation within a backland setting, out of

character with the pattern of development in the locality and detrimental to the distinctive residential quality of the area. As such the proposal would not comply with the requirements of Policy H8 (and draft Policy 7) in respect of residential annexes. It is noted that in view of the width of the host end-of-terrace dwelling and the plot width at the immediate rear of the house, it would be difficult to provide an attached annexe of commensurate value in terms of achieving the aim of quasi-independent living at the immediate rear of the dwelling. It falls to be considered whether this factor weighs in favour of the development, along with the additional information which has been provided to justify the proposal in terms of its benefits to the applicant's family member.

If Members are minded to grant planning permission it is considered appropriate that this should be subject to the prior completion of a legal agreement which would stipulate that the residential annexe be occupied only by dependent relatives of the host dwelling at No. 250 Upper Elmers End Road, tying the occupation of the annexe to the existing dwelling and ensuring that it is not severed to form a separate independent dwelling by current or future owners.

Background papers referred to during production of this report comprise all correspondence on file ref(s).16/04532 and 17/00884, excluding exempt information.

as amended by documents received on 19.04.2017

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

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

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

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

You are further informed that:

- 1** This planning permission is subject to the prior completion of a Legal Agreement which shall require that the residential annexe be occupied only by dependent relative of the occupiers of the host dwelling at No. 250 Upper Elmers End Road and shall not be severed at any time to form a separate independent dwelling by current or future owners/occupiers of that property.

Application:17/00884/FULL6

Address: 250 Upper Elmers End Road Beckenham BR3 3HE

Proposal: Elevational alterations and single storey extension to garage and conversion of resultant building to 2 bedroom annexe for use by a family member with disability



"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 : 16/05229/FULL1

Ward:
Crystal Palace

Address : 130 Croydon Road Penge London SE20
7YZ

OS Grid Ref: E: 534905 N: 169438

Applicant : Jacqueline Chenoweth

Objections : NO

Description of Development:

Construction of a four storey residential block comprising 8 two bedroom self contained units with basement car parking, landscaping, cycle and refuse stores.

Key designations:

Biggin Hill Safeguarding Area
London City Airport Safeguarding
Smoke Control SCA 32
Urban Open Space

Proposal

Planning permission is sought for the construction of a four storey residential block comprising 8 two bedroom self-contained units with car parking, landscaping, cycle and refuse stores.

The building footprint will measure approximately 10.2m width and 16.8m depth at its maximum extents. The height of the building will be approximately 13.7m at the highest ridge point. The footprint of the building has been arranged with a 1m gap to the boundary with No132 and adjacent to the boundary with No128.

At the front of the building there will be 4 car parking spaces and bin/recycling storage. The cycle parking storage for 16 cycles is located within the rear curtilage. Pedestrian access to the building is from the front via a side entrance door.

At the rear, communal gardens are provided for the flats accessed along the side of the building via the front entrance.

The proposed materials are indicated to reflect the local character and match neighbouring buildings with feature bay windows to the front elevation and brick band detailing.

Location

The site is situated on the north-west side of Croydon Road and comprises a vacant site with the original building having been demolished approximately 12 years ago. The original building was a detached dwellinghouse and was of the same form and construction as No132 and the line of properties south west of the site. To the north east are four storey semi-detached properties with raised upper ground floor stepped entrances and an overall taller height than the original dwelling on site. Roof structures are general hipped in the vicinity with some feature front gables. Croydon Road slopes upwards at a noticeable amount from south east to north-west giving prominent views when looking north-west to flank elevations.

The site is not located within a Conservation Area.

Consultations

Nearby owners/occupiers were notified of the application and one representations was received in support of the development stating that the proposal is designed to complement the existing buildings.

Internal Consultations

Highways:

The development is located on the northern side of Croydon Road. Croydon Road, Penge (A213) is a London Distributor Road (LDR). Also, the site is located within a moderate PTAL area of 3/4.

The highways department is prepared to accept their proposal of 4 off street parking spaces with one on street car club space. Subject to the applicant providing the first residents 4 years annual membership of a Car Club.

Cycle parking -16 spaces are required.

Refuse store - this is acceptable.

Environmental Health - Pollution:

Environmental Health has previously provided comments on similar applications at this site (Refs. 15/03789/FULL1 and 16/01266/FULL1). The site is on a fairly busy road so I would recommend we request an acoustic assessment in advance of determination to establish ambient noise levels and determine whether specialist acoustic glazing was necessary. I would also recommend that conditions are attached in relation to air quality.

External consultations

Transport for London:

TfL has previously provided comments on similar applications at this site (Refs. 15/03789/FULL1 and 16/01266/FULL1) on 14/10/2015. However considering the scale, nature and location of the proposals, TfL has no objections.

TfL welcomes the commitment to providing 16 cycle parking spaces, as previously requested. TfL notes the applicant proposes 4 car parking spaces, which is considered to be in compliance with London Plan standards which require less than 1 space to be provided per 1-2 bedroom units.

Thames Water:

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

Planning Considerations

National Planning Policy Framework (NPPF) (2012):

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

Chapter 6 - Delivering a wider choice of high quality homes

Chapter 7 - Requiring Good Design

London Plan (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.
- 8.3 Community Infrastructure Levy

Housing: Supplementary Planning Guidance. (March 2016)

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

Unitary Development Plan (2006):

- BE1 Design of New Development
- BE7 Railings, Boundary Walls and Other Means of Enclosure
- ER7 Contaminated Land
- H1 Housing Supply
- H7 Housing Density and Design
- H9 Side Space
- T3 Parking
- T5 Access for People with Restricted Mobility
- T6 Pedestrians
- T7 Cyclists
- T16 Traffic Management and Sensitive Environments
- T18 Road Safety

Supplementary Planning Guidance 1: General Design Principles

Supplementary Planning Guidance 2: Residential Design Guidance

Draft Local Plan (2016):

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

Daft Policy 37 General Design of Development

Draft Policy 30 Parking

Draft Policy 32 Road Safety

Planning History

03/00345/FULL1: Part one/two storey rear and second and third floor extensions and conversion into 2 one bedroom and 4 two bedroom flats. Approved 19.03.2003

03/00858/OUT: Four storey block comprising 8 two bedroom flats with 8 car parking spaces (including in basement) OUTLINE. Approved 09.06.2003

03/02957/CONDIT: Details of design, appearance, landscaping , boundary enclosures, external materials, surface water and foul water drainage, refuse storage and bicycle parking pursuant to conditions 1, 2, 3, 4, 5, 6, 8 and 9 of outline permission ref. 03/00858 granted for 4 storey block comprising 8 two bedroom flats with underground parking for 4 car. Approved 07.10.2003

15/03789/FULL1: Construction of a four storey residential block comprising 8 two bedroom self-contained units with basement car parking, landscaping, cycle and refuse stores. Refused 27.10.2015

The refusal reasons related to the prominent siting, scale, massing, design, and relationship to the adjacent dwellings in the locality in this prominent location, representing an overdevelopment of the site which would appear detrimental to and out of character with surrounding development and harmful to the visual amenities of the area. A second reason detailed an unsatisfactory layout and standard of good quality accommodation for future occupiers by reason of its single aspect internal layout and poorly identifiable entrance approaches. A third reason related to a cluttered front curtilage arrangement which would have appeared detrimental to and out of character with surrounding development and harmful to the visual amenities of the area.

16/01266/FULL1: Construction of a four storey residential block comprising of 8 two bedroom self-contained units with basement car parking, landscaping, cycle and refuse stores. Approved 04.07.2016 subject to conditions.

Conclusions

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

- Principle of development
- Housing Density
- The design and appearance of the scheme and the impact of these alterations on the character and appearance of the area and locality
- The quality of living conditions for future occupiers
- Access, highways and traffic Issues
- Impact on adjoining properties
- Sustainability and energy; and
- Community Infrastructure Levy

Principle of development

Housing is a priority use for all London Boroughs. Policy 3.3 Increasing housing supply, Policy 3.4 Optimising housing potential and Policy 3.8 Housing choice in the London Plan (2015) generally encourage the provision of small scale infill

development in previously developed residential areas provided that it is designed to complement the character of surrounding developments, the design and layout make suitable residential accommodation, and it provides for garden and amenity space.

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

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

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

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

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

Density

The density of the proposal would be 117 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 55-145 u/ha.

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

Design, character and appearance

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

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

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

In 2003 as detailed above, a scheme was approved on this site in Outline by Members with subsequent Reserved Matters also approved that closely resembled the scheme now under consideration in terms of footprint location on site and proximity of the footprint to property boundaries. Following this in 2016 under ref: 16/01266/FULL1 a similar scheme was approved. Neither of these schemes were implemented.

The scheme now submitted represents a similar footprint and siting to the approved 2016 scheme. The scheme also occupies a similar footprint to the original building on site in terms of its width and spatial gaps to boundaries. While not complying with Policy H9 directly, in a report to Planning Committee in 2003 and 2016 this fact was reported. At the time by granting approval Members agreed with the siting of the building. The current building follows this rationale and given the original buildings footprint position, it is still considered that the spatial relationship on site to adjacent buildings is acceptable.

The predominant urban character of this part of Croydon Road is one of large Victorian Villas, many of which having been converted to flats over the years but retaining the original form of the buildings to the streetscene.

The current scheme seeks material alterations to the previous approved scheme and will be slightly larger in terms of height, width and depth. The scheme still takes account of the taller buildings at No128 and lower buildings at No132 and beyond and proposes a pitched roof style on all elevations which reduces the scale of the building and relates well to the roofscape of adjacent property. The double

fronted bays and brick band detailing are complimentary to the design vernacular of adjacent buildings. Therefore, it is considered that the proposed design and scale creates a good transition between properties to the north east and the original lesser height detached properties to the south east.

It is noted that a vehicular parking is to be located in the front garden which takes up a large part of the front curtilage. However, with suitable landscaping mitigation as indicated in the submitted plans, on balance Officers consider that the visual amenity of the streetscene will not be detrimentally affected.

Residential Amenity - Standard of Residential Accommodation

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

The floor space size of each of the 8 units ranges between 61m² and 63m² respectively. The nationally described space standard requires 61m² in terms of total flat size for internal areas in relation to a three person two bedroom unit. On this basis, the floorspace provision for all of the units is considered compliant with the required standards and is considered acceptable.

The shape and room sizes in the proposed building are considered satisfactory. None of the rooms would have a particularly convoluted shape which would limit their specific use.

Amenity Space

In terms of amenity space, an extensive communal garden area is indicated to the rear to be landscaped for use by all residents of the two bedroom flats. While it is noted that no separate private provision in the form of balconies is provided, given the close proximity of Betts Park, the provision is broadly acceptable at this location.

Car parking

The proposed development provides 4 off-street parking spaces. The Council's Highway Officer has reviewed the current application and has not raised objections to the proposal given the sites accessibility level and the availability of on-street parking in the area subject to a condition regarding the developer entering into an agreement regarding a Car Club.

Cycle parking

Cycle parking is required to be 1 space per studio and 1 bedroom flats and 2 spaces for all other dwellings. The applicant has provided details of a secure and lockable storage area cycle storage for each unit comprising of 16 spaces. Further details regarding a containment structure can be conditioned as necessary.

Refuse

All new developments shall have adequate facilities for refuse and recycling. The applicant has provided details of refuse storage for the units within the front curtilage. The location point is considered acceptable and within close proximity of the highway for collection services. Further details regarding a containment structure can be conditioned as necessary.

Impact on Adjoining Properties

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

In terms of outlook, the fenestration arrangement will provide mainly front and rear outlook for each unit overlooking amenity space or overlooking the street. Secondary outlook is additionally provided midway within the flanks of the building looking into a small recessed area within the flank elevations between rooms within each flat.

Therefore, it is considered that a suitable level of privacy at the intended distances to existing neighbouring property will be maintained generally.

Sustainability and Energy

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

The Design and Access Statement has indicated appropriate sustainability measures to ensure that the development strives to achieve these objectives.

Landscaping

An indicative landscaping layout has been submitted as shown on the proposed ground floor site plan drawing that details the areas given over to garden for external amenity for future occupiers. No objections are raised in this regard. Notwithstanding this full detail of hard and soft landscaping and boundary treatment can be sought by condition.

Community Infrastructure Levy

The Mayor of London's CIL is a material consideration. CIL is payable on this application and the applicant 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, subject to suitable conditions. It is considered that the density and tenure of the proposed housing is acceptable and that the development would not be detrimental to the character of the area. The standard of the accommodation that will be created will be good. The proposal would not have an adverse impact on the local road network or local parking conditions. The proposal would be constructed in a sustainable manner and would achieve good levels of energy efficiency. It is therefore recommended that planning permission is granted subject to the imposition of suitable conditions contained within this report.

Background papers referred to during production of this report comprise all correspondence on the file ref: 16/01266/FULL1 and 16/05229/FULL1 set out in the Planning History section above, excluding exempt information.

RECOMMENDATION: PERMISSION

Subject to the following conditions:

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

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

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

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

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

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

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

is the sooner. Any trees or plants which within a period of 5 years from the substantial completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species to those originally planted.

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

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

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

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

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

- 7** 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.

- 8** 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.

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

Reason: To reduce the impact of flooding both to and from the proposed development and third parties and to accord with Policy 5.13 of the London Plan (2015)

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

Reason: The proposed works will be in close proximity to underground sewerage utility infrastructure and to accord with Policy 5.14 of the London Plan (2015)

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

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

12 An acoustic assessment shall be submitted to the Local Planning Authority for approval in writing prior to commencement of the development. The assessment shall determine the worst case day time and night time ambient background noise levels affecting this location and predict the internal levels in the proposed residential dwelling. A scheme of mitigation, as necessary in light of the results of the assessment, (covering façade, glazing and ventilation specifications to achieve suitable internal noise levels in line with guidance in BS8233:2014) shall be submitted to the Local Planning Authority for written approval prior to commencement of the development and once approved shall be installed fully in accordance with the approved scheme and permanently maintained thereafter.

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

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 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.

15 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 to accord with Policy 7.14 of the London Plan

16 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 to accord with Policies 6.13 and 7.14 of the London Plan.

17 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.

18 The whole of the amenity space as shown on Drawing No 038 Revision A hereby approved shall be retained permanently for the benefit of the occupiers of the residential units hereby permitted.

Reason: In order that the local planning authority may be satisfied as to the amenity space provision in the scheme and to comply with Policy BE1 and H7 of the Unitary Development Plan.

19 No part of the development hereby permitted shall be occupied until details have been submitted to and approved in writing by the Local Planning Authority of arrangements for establishment of a car club to

serve the development. The approved arrangements for the car club shall be in operation before first occupation of any part of the development and shall be permanently retained thereafter.

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

You are further informed that :

- 1 The applicant is advised that any works associated with the implementation of this permission (including the demolition of any existing buildings or structures) will constitute commencement of development. Further, all pre commencement conditions attached to this permission must be discharged, by way of a written approval in the form of an application to the Planning Authority, before any such works of demolition take place.
- 2 You should consult the Land Charges and Street Naming/Numbering Section at the Civic Centre on 020 8313 4742 or e-mail: address.management@bromley.gov.uk regarding Street Naming and Numbering. Fees and application forms are available on the Council's website at www.bromley.gov.uk
- 3 You are advised that this application may be liable for the payment of the Mayoral Community Infrastructure Levy under the Community Infrastructure Levy Regulations (2010) and the Planning Act 2008. The London Borough of Bromley is the Collecting Authority for the Mayor and this Levy is payable on the commencement of development (defined in Part 2, para 7 of the Community Infrastructure Levy Regulations (2010)). It is the responsibility of the owner and /or person(s) who have a material interest in the relevant land to pay the Levy (defined under Part 2, para 4(2) of the Community Infrastructure Levy Regulations (2010)). If you fail to follow the payment procedure, the collecting authority may impose surcharges on this liability, take enforcement action, serve a stop notice to prohibit further development on the site and/or take action to recover the debt. Further information about Community Infrastructure Levy can be found on attached information note and the Bromley website www.bromley.gov.uk/CIL
- 4 Any repositioning, alteration and/ or adjustment to street furniture or Statutory Undertaker's apparatus, considered necessary and practical to help with the modification of vehicular crossover hereby permitted, shall be undertaken at the cost of the applicant.
- 5 Before works commence, the Applicant is advised to contact the Pollution Team of Environmental Health & Trading Standards regarding compliance with the Control of Pollution Act 1974 and/or the Environmental Protection Act 1990. The Applicant should also ensure compliance with the Control of Pollution and Noise from Demolition and Construction Sites Code of Practice 2008 which is available on the Bromley web site. If during the works on site any suspected contamination is encountered, Environmental Health should be contacted immediately. The contamination shall be fully assessed and an appropriate remediation scheme submitted to the Local Authority for approval in writing.

- 6** A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing wwqriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality.
- 7** The applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0800 009 3921. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.
- 8** Legal changes under The Water Industry (Scheme for the Adoption of private sewers) Regulations 2011 mean that the sections of pipes you share with your neighbours, or are situated outside of your property boundary which connect to a public sewer are likely to have transferred to Thames Water's ownership. Should your proposed building work fall within 3 metres of these pipes we recommend you contact Thames Water to discuss their status in more detail and to determine if a building over / near to agreement is required. You can contact Thames Water on 0800 009 3921 or for more information please visit our website at www.thameswater.co.uk
- 9** Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

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Application:16/05229/FULL1

Address: 130 Croydon Road Penge London SE20 7YZ

Proposal: Construction of a four storey residential block comprising 8 two bedroom self contained units with basement car parking, landscaping, cycle and refuse stores.



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

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

Application No : 17/00232/FULL6

Ward:
Plaistow And Sundridge

Address : 6 Lawn Close Bromley BR1 3NA

OS Grid Ref: E: 540708 N: 170490

Applicant : Mr Raymond Duncan

Objections : YES

Description of Development:

Demolition of existing porch and erection of single storey front extension

Key designations:

Biggin Hill Safeguarding Area
London City Airport Safeguarding
Smoke Control SCA 7

Proposal

The site is a detached two storey dwelling house located on the west side of the Lawn Close cul-de-sac. A railway line runs to the rear of the site and the site, at its southern tip, lies adjacent to Garden Road Conservation Area. This application proposes the demolition of existing porch and erection of single storey front extension.

Consultations

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

- Bulk and size - detrimental to present building and to character and appearance of the Close
- Not in keeping, incompatible
- Out of proportion
- Overlooking
- Overdevelopment
- Impact on parking
- Appeal decision rejected front extension
- Affect amenity and use of sitting room
- Concerns a porch would be added to any forward extension - can this be guarded against

Any additional comments in respect of revised neighbour notifications will be reported verbally to Committee.

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

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

London Plan Policy 7.4

The planning history includes permission reference 02/02500 for two storey side and rear extension and canopy to front elevation.

Application, reference 15/05295, was refused permission for single storey front and rear extensions, Roof alterations to form habitable room incorporating rear dormer and elevational alterations. It was refused for the following reasons:

"The proposed development by reason of its size, siting, design, the context within which it sits and relationship to the adjacent dwelling at No 7 would result in a cramped, overbearing form of development harmful to neighbouring amenity, the appearance of the host dwelling and to the street scene generally, contrary to Policies H8 and BE1 of Bromley's Unitary Development Plan and Policy 7.4 of the London Plan.

The proposal would result in an overdevelopment of the site and be out of scale and form of adjacent buildings detrimental to the host dwelling, the street scene and character of the area thereby contrary to Policies H8 and BE1 of Bromley's Unitary Development Plan and Policy 7.4 of the London Plan".

Planning application reference 16/01247, single storey front and rear extensions, roof alterations to form habitable accommodation incorporating rear dormer, was refused for the following reasons:

"The proposed development by reason of its size, siting, design, the context within which it sits and relationship to the adjacent dwelling at No 7 would result in a cramped, overbearing form of development harmful to neighbouring amenity, the appearance of the host dwelling and to the street scene generally, contrary to Policies H8 and BE1 of Bromley's Unitary Development Plan and Policy 7.4 of the London Plan.

The proposal would result in an overdevelopment of the site and be out of scale and form of adjacent buildings detrimental to the host dwelling, the street scene and character of the area thereby contrary to Policies H8 and BE1 of Bromley's Unitary Development Plan and Policy 7.4 of the London Plan".

This application, 16/01247, was part allowed on appeal. The appeal decision, dated 29th November 2016, was a split decision and granted planning permission for the erection of single storey rear extension, replacement of existing roof structure, loft conversion and erection of rear dormer extension. The appeal was dismissed as it related to the erection of a single storey front extension.

Application ref 16/03358 for single storey front and rear extension was refused for the following reason:

"The proposal by reason of its siting would result in an overdevelopment of the site and be out of scale and form of adjacent buildings detrimental to the host dwelling, the street scene, character of the area and neighbouring residential amenity thereby contrary to Policies H8 and BE1 of Bromley's Unitary Development Plan and Policy 7.4 of the London Plan".

Conclusions

Given the planning history the main consideration in this case is to consider if the proposed front extension is acceptable in terms of its impact on the streetscape and the character and appearance of the area. The Inspector noted that the streetscape is sensitive to the effects of alterations to the frontages of houses.

A number of neighbour objections have been received and are referred to above. Revised notification has been sent to adjoining and nearby owner/occupiers to clarify that this application solely relates to the proposed front extension. It is noted from the planning history that the appeal decision granted planning permission for roof extension and rear dormer and single storey rear extension.

In respect of the hipped roof front extension the Inspector opined that whilst it would appear more noticeable than the existing porch it would not result in the occupiers of No 7 experiencing a greater degree of enclosure than that which already exists. Given the design, size and siting of that now proposed there is no reason to take a different view with this particular scheme.

Objections include a concern that a porch would be added to any forward extension. Given the sensitivities of front extensions in this location and in order to consider impacts on neighbouring amenity, it would be considered appropriate, in the event of a planning permission, to restrict permitted development rights (Class D).

The appeal decision noted that '... existing properties either have modest, glazed, flat roof porches projecting to the front, as the appeal site does, or glazed lobbies adjacent to garages which appear integral to their host buildings' frontages and that the front extension would contrast harmfully with the established pattern of frontages of buildings around Lawn Close.

The existing porch is c 2.3m high x 3.2m wide and 0.9m deep. It is of flat roof design, glazed PVCu and of modest appearance. The proposed development

moves away from a glazed porch structure and will provide a front extension with the main front door leading straight into the enlarged entrance hall. It will be 2.7m high x 4m wide x 0.9m deep. The materials proposed are timber, bricks and stone and white PVCu windows to match existing.

The revised design of the proposed front extension references that of the existing porch in respect of the flat roof design and depth of projection. It will be c 0.4m higher and c 0.8m wider and the proposed materials will signify that this is clearly a front extension as opposed to a front porch. The sensitivities of effects on the streetscape to alterations to the front of houses in this location are already well documented. It is now for careful consideration as to whether the revised proposal is acceptable in this respect.

A front extension in this location is the exception. When considering the merits of the scheme and taking into account: the proposed design; the use of materials to match the host building; that the existing porch (given its use of white PVCu appears as quite a prominent feature) is to be replaced; and subject to the restriction of Permitted Development Rights, that, on balance, the impacts on the street scene will not be so detrimental and it would not result in such a significant loss of amenity to local residents as to warrant a planning refusal.

Background papers referred to during production of this report comprise all correspondence on the file ref(s) 17/00232 and any other applications on the site set out in the Planning History section above, excluding exempt information.

as amended by documents received on 28.03.2017

RECOMMENDATION: PERMISSION

Subject to the following conditions:

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

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

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

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

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

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

- 4** 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 D of Part 1 of Schedule 2 of the 2015 Order (as amended), shall be erected or made within the curtilage(s) of the dwelling(s) hereby permitted without the prior approval in writing of the Local Planning Authority.

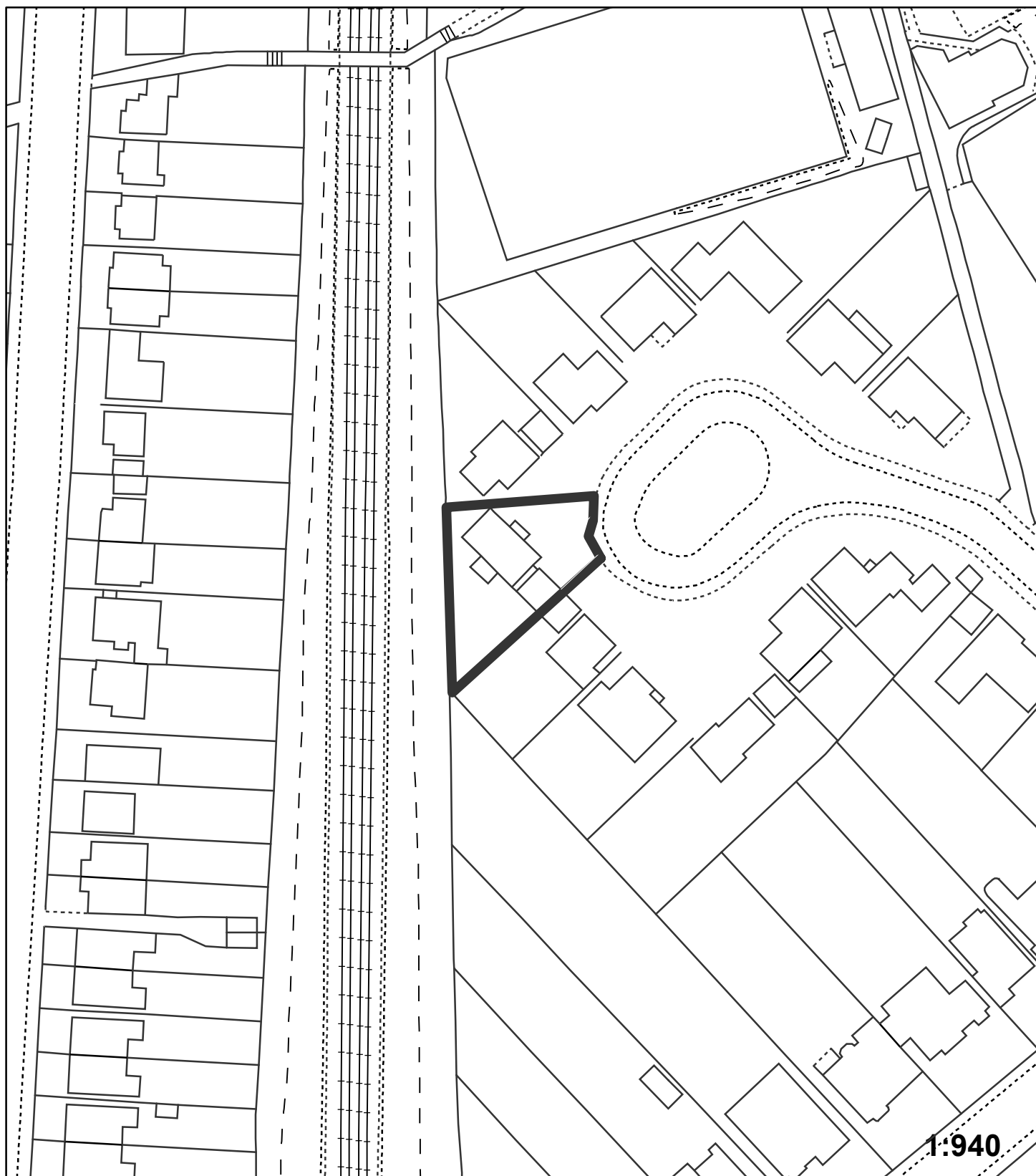
Reason: In the interest of nearby residential amenity and in the interest of the visual amenities of the area and in order to comply with Policies BE1 and BE8 of the Unitary Development Plan and London Plan Policy 7.4.

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Application:17/00232/FULL6

Address: 6 Lawn Close Bromley BR1 3NA

Proposal: Demolition of existing porch and erection of single storey front extension



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

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

Application No : 17/00364/FULL1

Ward:
Chelsfield And Pratts
Bottom

Address : 2 Station Cottages Station Approach
Chelsfield Orpington BR6 6EU

OS Grid Ref: E: 546832 N: 163994

Applicant : Mr Matthew Moore

Objections : YES

Description of Development:

Erection of detached two storey 5 bedroom dwelling with integral double garage on land adjacent to 2 Station Cottages, and provision of 2 car parking spaces for use by 2 Station Cottages

Key designations:

Biggin Hill Safeguarding Area
London City Airport Safeguarding
Open Space Deficiency
Smoke Control SCA 28

Proposal

Permission is sought for the erection of a detached two storey 5 bedroom dwelling on this site which would have an integral double garage, and would be accessed via an existing access road from Windsor Drive. The dwelling would have a width of 20m, and would be set in line with the adjoining semi-detached dwellings at Nos.1 and 2 Station Cottages. A separation of 2m would be provided to the western flank boundary with No.2, whilst the dwelling would be set back 5m from the eastern flank boundary with the rear garden of No.13 The Woodlands. A 14m deep rear garden would be provided.

The application is accompanied by an Access Appraisal, which was further updated in response to initial comments made on the scheme by the Council's Highways Officer.

Location

The site is located at the southern end of the access driveway off Windsor Drive which serves Nos.1 and 2 Station Cottages, and comprises a large area of garden land to the side of No.2. The site slopes upwards towards the side and rear, and backs onto detached dwellings in The Meadway to the south, and a detached bungalow to the east at No.13 The Woodlands.

To the north of the site lies townhouses in Station Approach, whilst the access driveway runs along the rear boundaries of properties in Station Approach and The Meadway.

Consultations

Letters have been received from nearby residents which raise the following main concerns:

- * overdevelopment of the site
- * the access road is too narrow to allow more cars to use it
- * the level of car usage as a result of the development has been underestimated
- * lack of lighting to access road
- * noise pollution from additional cars
- * noise and disturbance during construction works
- * loss of light, privacy and outlook to neighbouring properties
- * the development should be restricted to one dwelling only to prevent subdivision or additional properties
- * proposals may impact on right of access to garage at 13 The Woodlands (this is a private matter)
- * inadequate access for emergency vehicles.

A letter in support of the proposals has also been received.

Comments from Consultees

The Council's Highways Officer has commented as follows:

In granting the 2011 application for 4 new houses on appeal, the Inspector imposed a number of pre-commencement conditions on the application, one of which was the provision of a passing bay on the access road and another required lighting of the accessway.

There were lengthy discussions about the provision of the passing bay, but no resident whose land backs onto the access has agreed to offer their land for one. Following legal advice, the Council had no choice but to agree that a small part of the green area at the beginning of the access, which is both highway and owned by the Council, could be used for the bay. However, it emerged that the low retaining wall along the side of the access was in private ownership, and therefore the Council could not carry out the necessary works to it.

The junction of Warren Road and Windsor Drive is being remodelled. Windsor Drive is being reduced in width which means Station Approach is being extended forward, and so the access to this site will now come out into Station Approach.

The current proposals are for one 5 bedroom house on the site, and an Access Appraisal (AA) document was submitted with the application. The access currently serves two properties (Nos.1 and 2 Station Cottages) although No.13 The

Woodlands also has a rear access here but also has another access to The Woodlands at the front.

The Inspector previously considered that the passing bay was necessary in the interests of highway safety. There is now a reduction in the number of units proposed from 4 to 1, although it would be a large dwelling. The proposals would still increase the chances of conflicts between vehicles using the accessway, although to a lesser extent than the previous proposal for 4 dwellings, but given the alterations to the road layout which means that the access will now come out onto Station Approach rather than Windsor Drive, it would be difficult to sustain a reason for requiring the passing bay. If a future application was submitted for 2 or 3 houses, a passing bay condition may well still be considered appropriate.

Policy T6 of the UDP requires development proposals to make adequate provision for pedestrians, and good standards of lighting are essential to provide a safe walking environment. The previous lighting condition would therefore still seem appropriate.

The proposed dwelling has a double garage which is slightly shorter than the normally required length (5.5m rather than 6m), but there is parking for at least two vehicles on the frontage.

A condition requiring a construction management plan would be appropriate in this location. The construction phase is likely to generate the most traffic.

No objections are raised in principle from a drainage viewpoint, and Thames Water has no concerns.

Planning Considerations

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

BE1 Design of New Development
H7 Housing Density and Design
H9 Side Space
T3 Parking
T6 Pedestrians
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 mid-2017. These documents are a material consideration. The weight attached to the draft policies increases as the Local Plan process advances. The relevant policies are as follows:

Draft Policy 4 - Housing Design

Draft Policy 8 - Side Space
Draft Policy 30 - Parking
Draft Policy 32 - Road Safety
Draft Policy 33 - Access for All
Draft Policy 37 - General Design of Development

London Plan (2015) Policies:

Policy 3.3 Increasing Housing Supply.
Policy 3.4 Optimising Housing Potential
Policy 3.5 Quality and design of housing developments
Policy 3.8 Housing choice
Policy 5.1 Climate change mitigation
Policy 5.2 Minimising carbon dioxide emissions
Policy 5.3 Sustainable design and construction
Policy 5.7 Renewable energy
Policy 5.9 Overheating and cooling
Policy 5.10 Urban greening
Policy 5.11 Green roofs and development site environs
Policy 5.12 Flood risk management
Policy 5.13 Sustainable drainage
Policy 5.14 Water quality and wastewater Infrastructure
Policy 5.15 Water use and supplies
Policy 5.16 Waste net self-sufficiency
Policy 5.17 Waste capacity
Policy 5.18 Construction, excavation and demolition waste
Policy 6.5 Funding Crossrail and other strategically important transport infrastructure
Policy 6.9 Cycling
Policy 6.13 Parking
Policy 7.2 An inclusive environment
Policy 7.3 Designing out crime
Policy 7.4 Local character
Policy 7.6 Architecture
Policy 7.14 Improving Air Quality
Policy 8.2 Planning obligations
Policy 8.3 Community infrastructure levy

Housing Supplementary Planning Guidance (2016)

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

Planning History

Permission was refused in July 2011 (ref.11/01628) for 4 semi-detached two storey three bedroom dwellings with associated car parking and refuse store, and a part two storey/first floor rear extension and elevational alterations to No.2 Station Cottages, on grounds relating to the unsatisfactory subdivision of the plot, the detrimental impact on the spatial standards of the area, the overdevelopment of the site, the detrimental impact on the visual amenities of the area and on the

amenities of neighbouring residential properties by reason of vehicular disturbance and loss of outlook and privacy, and the narrow vehicle access and inadequate on-site turning facilities which would be prejudicial to highway safety due to the unsuitable access for service and emergency vehicles and waste collection.

The subsequent appeal was allowed in February 2012. In granting the appeal, the Inspector imposed conditions inter alia requiring the provision of a parking bay along the access drive (condition 3), and the lighting of the access drive (condition 4), however, implementation of the scheme was delayed by legal issues relating to compliance with conditions 3 and 4, and the permission expired.

Permission was then granted in September 2015 (ref.15/01397) for essentially the same scheme, subject to conditions including the provision of a passing bay on the access driveway (condition 12), and the submission of a scheme for lighting the access driveway (condition 13). This permission is still extant.

Conclusions

The main issues in this case are the impact of the proposals on the character and appearance of the surrounding area, the amenities of neighbouring properties, and on road safety, with particular reference to the increased use of the accessway.

Character and appearance of the area

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

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

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

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

Policy H7 of the UDP sets out criteria to assess whether new housing developments are appropriate subject to an assessment of the impact of the

proposal on the appearance/character of the surrounding area, the residential amenity of adjoining and future residential occupiers of the scheme, car parking and traffic implications, community safety and refuse arrangements.

Density

With regard to the density of the proposed development, Table 3.2 of Policy 3.4 (Optimising Housing Potential) of the London Plan gives an indicative level of density for new housing developments. In this instance, the proposal represents a density of 10 dwellings per hectare with the table giving a suggested level of 35-95 dwellings per hectare in suburban areas with a 2 PTAL location. The proposals would therefore result in an intensity of use of the site that would be below the thresholds in the London Plan, however, they need to be assessed against the wider context in terms of the character, spatial standards and townscape value of the surrounding area.

Size, scale and design

Policy 3.4 of the London Plan 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.

Policies 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.

In granting the 2011 scheme for 4 semi-detached two storey dwellings on the site, the Inspector found that the proposals would not be out of character with the surrounding pattern of development which included semi-detached and terraced dwellings along with detached dwellings set within larger plots to the south and east of the plot. The current scheme is now for a larger single detached two storey dwelling set within a generous plot which is characteristic of the southern and eastern areas, and accords with the pattern of development in the area.

The dwelling would be in a similar position on the site as the two pairs of semi-detached dwellings previously permitted, but would cover a smaller footprint, and would provide greater separations to the flank boundaries. The height of the building would be the same as or slightly lower than the permitted dwellings, and the roof would be hipped to the sides and rear to minimise its bulk.

The proposals are not therefore considered to result in an overdevelopment of the site, and would not cause harm to the spatial standards and character of the surrounding area.

Future residential amenity

Policy 3.5 of the London Plan (2015) Quality and Design of Housing Developments 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 UDP states that the development should respect the amenity of occupiers of future occupants.

The floor space size of the dwelling would exceed the minimum requirement of room standards as found within the London Plan (2015), and would be considered acceptable.

Confirmation has been sought from the applicant as to whether the proposals would comply with Part M4(2) of the Building Regulations "accessible and adaptable dwellings", and would therefore comply with Policy 3.8 of the London Plan 2015 and the Mayors Housing Supplementary Planning Guidance 2016.

Impact on neighbouring residential amenity

With regard to the impact on residential amenity, the previous Inspector did not consider that the scheme for 4 dwellings would unacceptably harm the living conditions of neighbouring residential properties in terms of loss of outlook or privacy, and determined that the levels of noise disturbance from the increased use of the accessway would not be unduly harmful.

The current scheme for a single dwelling would result in reduced activity to and from the site, and the building would not cause any greater impact on the amenities of neighbouring residents in terms of light, privacy and outlook than the permitted scheme.

Impact on highway safety

With regard to highways matters, the previous Inspector considered that the proposed development for 4 houses would not adversely affect highway safety, subject to the provision of a passing place and the lighting of the access driveway.

Since the appeal decision, there have been lengthy discussions between the applicant and the Council regarding the provision of the passing bay and lighting to the access road, and although the Council have permitted the construction of a

passing bay on an adjoining area of Council-owned land, the owners of the kerb have, according to the applicant, refused to enter into negotiations to permit the lowering of the kerb. The applicant has now therefore submitted this reduced scheme comprising a single dwelling in order to overcome these legal issues, and he considers that conditions requiring a passing bay and the lighting of the access are not now required.

The advice of the Council's Highways Officer is that it would be difficult to insist on the provision of a passing bay in the access road due to the reduced number of dwellings in the current scheme and the changes being made to the road layout in Windsor Drive and Station Approach, but that the provision of lighting to the access road should still be required by condition.

Conclusion

The proposals are therefore considered to result in an acceptable form of development on the site which would not be harmful to the character and spatial standards of the area, the amenities of neighbouring properties or road safety.

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

as amended by documents received on 20.03.2017

RECOMMENDATION: PERMISSION

Subject to the following conditions:

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

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

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

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

- 3 Before any part of the development hereby permitted is first occupied boundary enclosures of a height and type to be approved in writing by the Local Planning Authority shall be erected in such positions along the**

boundaries of the site(s) as shall be approved and shall be permanently retained thereafter.

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

- 4** No trees 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 removed or which die through lopping, topping or pruning 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.

- 5** No demolition, site clearance or building works (including trenches, pipelines for services or drains) shall be undertaken until Chestnut Pale fencing not less than 1.2 metres in height has been erected around every tree or tree group on the site shown to be retained on the submitted drawings at the furthest extent of the spread of the canopy of any tree or tree group except where development is hereby permitted within this area. The fence shall be placed so as to exclude the site of the said development but otherwise as far as possible from the trees. The areas enclosed by fencing shall not be used for any purpose and no structures, machinery, equipment, materials or spoil shall be stored or positioned within these areas. Such fencing shall be retained during the course of the building work hereby permitted

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

- 6** No bonfires shall take place within 6 metres of the furthest extent of the spread of the canopy of any tree or tree group shown to be retained on the submitted drawings.

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

- 7** No trenches, pipelines for services or drains shall be sited under the spread of the canopy of any tree or tree group shown to be retained on the submitted plans without the prior agreement in writing by the Local Planning Authority.

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

- 8** 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

- 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** 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.

12 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.

13 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.

14 No development shall take place until a scheme for the lighting of the access driveway has been submitted and approved in writing by the Local Planning Authority, and the scheme shall be carried out and completed as approved before any part of the development hereby permitted is first occupied, and permanently maintained thereafter.

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

15 No development shall take place until full details of a sprinkler system and an automatic fire detection system have been submitted to and approved in writing by the Local Planning Authority and these systems shall be installed as approved and permanently retained thereafter.

Reason: In the interests of the safety of future occupiers of the development.

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

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

You are further informed that:

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

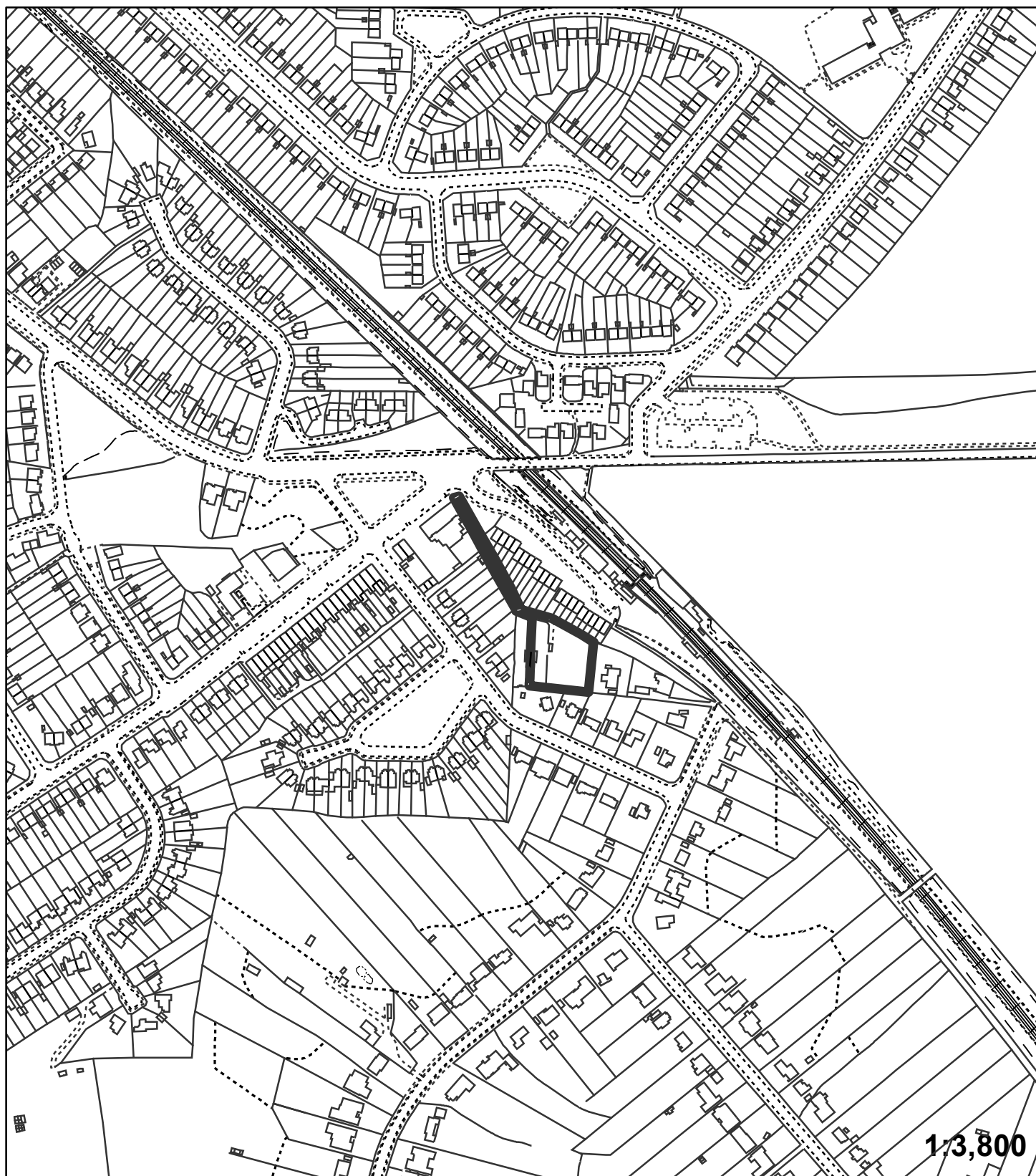
of the Community Infrastructure Levy Regulations (2010). If you fail to follow the payment procedure, the collecting authority may impose surcharges on this liability, take enforcement action, serve a stop notice to prohibit further development on the site and/or take action to recover the debt. Further information about Community Infrastructure Levy can be found on attached information note and the Bromley website www.bromley.gov.uk/CIL

- 2 You should liaise with the owners of the access road prior to the start of the construction phase regarding the condition of the road surface, and agree any repairs should damage be caused during the construction phase.**

Application:17/00364/FULL1

Address: 2 Station Cottages Station Approach Chelsfield Orpington
BR6 6EU

Proposal: Erection of detached two storey 5 bedroom dwelling with integral double garage on land adjacent to 2 Station Cottages, and provision of 2 car parking spaces for use by 2 Station Cottages



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

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

Application No : 17/00398/DET

Ward:
Penge And Cator

Address : 213 Kings Hall Road Beckenham BR3
1LL

OS Grid Ref: E: 536597 N: 170331

Applicant : Brookworth Homes Limited

Objections : YES

Description of Development:

Details of scale, appearance and landscaping of development granted planning permission on appeal (LBB ref. 15/04458/OUT) for the introduction of an access road and erection of three detached dwellings, each with a double garage, parking and associated landscaping.

Key designations:

Biggin Hill Safeguarding Area
London City Airport Safeguarding
Smoke Control SCA 25

Proposal

Outline planning permission was granted on appeal under reference 15/04458/OUT for the introduction of an access road and erection of three detached dwellings, each with a double garage, parking and associated landscaping. The scale, appearance and landscaping of the development were reserved matters.

This application seeks approval for the reserved matters - scale, appearance and landscaping. It is proposed to provide three detached dwellings which would be sited in positions commensurate with the outline approval of layout, accessed via a roadway leading between No. 215 and 217 Kings Hall Road.

The access road runs parallel to and approx. 3.5m from the flank boundary with No. 217 for a length of approx. 60m before the roadway curves to lead to the formed cul-de-sac of three dwellings known as Plot 1, Plot 2 and Plot 3.

The flank elevation of the dwelling at Plot 1 is located 3m from the eastern boundary of the site with the rear gardens of Nos. 211 and 213 Kings Hall Road. The 5 bedroom property includes an attached garage set beneath a pitched roof with central apex. The dwelling would be 8.87m high to the top of the crown roof, with an eaves height of 5.1m. The dwelling incorporates a central front bay with gable roof and a double height window which would face towards the northern

boundary of the site some 19.4m distant. The front elevation incorporates a single storey element set beneath a pitched roof. The width of the dwelling would be 12.5m excluding the double garage which is positioned to the rear of the western flank elevation of the dwelling. Two parking spaces are shown to be provided between the western flank elevation of the dwelling and the landscaping which is shown to separate Plots 1 and 2.

To the west of Plot 1 and separated by the width of two attached single storey double garages and a side space of 2.4m is Plot 2 which would host a 5 bedroom dwelling. This dwelling would be broadly L-shaped with a front gable feature and an attached double garage a crown roof accommodating a first floor en-suite and dressing room, with the rear elevation of the garage aligning with the rear elevation of the dwelling, set back from the adjacent front projecting gable feature by approx. 6.5m. The garage would be 6m high to the top of the crown roof, and 3.3m high to the eaves. The main dwelling would be 9.26m high to the top of the crown roof and 5.1m high to the eaves level, with the roof incorporating a deep pitched profile below the flat roofed 'crown' element. Two car parking spaces are shown to be provided in front of the double garage, adjacent to the eastern flank elevation of the dwelling.

The dwelling at Plot 3 lies to the north-west of Plot 2 and is set at a right angle to the Plot 2 dwelling to face east along the access road and to the boundary of the site with the rear gardens of dwellings fronting Kings Hall Road. The main bulk of the 5 bedroom dwelling is separated from the boundary with the rear gardens of dwellings fronting Lennard Road by the attached double garage which incorporates first floor accommodation set within the crown roof of the garage, in addition to side space. The main dwelling would be 9.25m high to the top of the crown roof and 5.1m high to eaves height, and the garage would be 3.3m high to the eaves and approx. 6m high to the top of the crown roof.

In terms of the landscaping details provided, the tarmac access road would lead to 2 parking spaces associated with No. 215 Kings Hall Road before running parallel to the boundary with No. 217 and the rear boundary of 189 and 191 Lennard Road before curving into the site to provide access to the three residential plots. Areas of shrub planting would be provided adjacent to the access road and driveways and between the road and the northern boundary, along with tree planting along the northern landscaping strip between the application site and the dwellings fronting Lennard Road and hedge planting along the rear boundary with No. 215 Kings Hall Road and part of the rear boundary of No. 213. Additional birch trees would be planted along the boundary between Plot 1 and the rear gardens of Nos. 207 and 209 Kings Hall Road. Patio paving would be provided immediately adjacent to the proposed dwellings with block paving for the parking bays in front of the garages.

The existing woodland area to the western boundary of the site would be retained and the existing woodland tree screen to the southern boundary would also be retained. The submitted landscaping plan also includes boundary annotations to show the provision of a 1.8m high acoustic fence along the northern side of the straight section of access road (adjacent to 217 Kings Hall Road) and 1.8m high close boarded fencing along the western, eastern and southern boundaries of the site.

Location

The application site is a large parcel of residential garden land to the rear of No's 207-215 Kings Hall Road, currently serving No.213. The site adjoins residential gardens to the north and east belonging to properties in Lennard Road and Kings Hall Road respectively with the area being predominantly residential in nature, although the ground floor of No213 is currently used as offices. The site has no designation in the adopted UDP but it is bounded by Metropolitan Open Land (MOL) to the south and Pool River to the west.

The site falls within Flood Zone 2 and the far western edge is covered by a Tree Preservation Order (TPO).

The site does not lie in a designated Conservation Area.

Consultations

Comments from local residents

- The houses proposed would have flattened apex roofs whereas the indicative drawings considered by the Inspector had fully pointed apex roofs. The planning Inspector referred to plan C401B which was a site layout drawing which included within it the siting of the proposed houses which were shown on the plan to include fully pitched roofs. The proposed dwellings would appear three storey in height. The Inspector imposed conditions which would show no flattened roof design and only two storey buildings with single garages
- Concern is expressed regarding the strip of land to be retained behind 211 - 215 Kings Hall Road and it is requested at assurance be provided that the site layout will be maintained in the future, with covenant being a suggested means of achieving this outcome
- The proposed dwellings would not look similar to the surrounding area and the materials do not complement the existing residential development on Kings Hall Road.
- The garage heights have increased
- The manoeuvring of the refuse truck appears tight and to encroach on the landscaping
- Concern regarding the position of the car parking in front of the garages
- The footprints of the buildings are not what was approved and the development would appear intrusive and ugly
- The plot numbering has been reversed in an attempt to confuse
- The appearance of the proposed dwellings is quite different to that which was indicated in the appeal
- The windows in the proposed dwellings would be too large and would appear intrusive to properties in Lennard Road
- The planting adjacent to 181 Lennard Road would not effectively screen the development
- The gates to the development should be moved level with the frontage of 215 Kings Hall Road for security reasons

- Potential for noise and disturbance and it is therefore essential that the acoustic fence be provided to protect the boundaries with all neighbouring properties in Lennard Road
- The proposed landscaping would afford views from plot 3 towards the rear of Lennard Road
- The dwelling at Plot 3 would butt up against the garden fences of dwellings fronting Lennard Road. There should be frosted glass in the first floor windows looking over the Lennard Road gardens and a prohibition of third floor development in line with the Inspector's requirements
- The roadway and landscaping alignment to the north side of Plot 1 differs from that in the approved plans and Plot 2 appears to extend south of the approved plan position
- Tree Preservation Orders should be made on the trees identified on the landscaping plans approved by the Inspector and a condition should be imposed to prevent the subdivision of the residential sites

Technical Comments

Highways

Revised plans have been submitted to show a Swept Path Analysis for a refuse vehicle manoeuvre within the site and repositioning the access gates closer to the front access point. There are no technical objections to the revised proposals. A number of conditions have been recommended.

Trees and Landscaping

The Council's Principal Tree Officer raises no objections, stating that the details in respect of landscaping are satisfactory.

Environmental Health

The applicant is advised to have regard to the Housing Act 1985's statutory space standards, contained within Part X of the Act and the Housing Act 2004's housing standards, contained within the Housing Health and Safety Rating System under Part 1 of the Act.

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
 NE3 Wildlife Features
 NE7 Development and Trees
 NE8 Conservation and Management of Trees and Woodland

ER10 Light pollution
T3 Parking
T7 Cyclists
T18 Road Safety

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:

Policy 37 General Design of Development
Policy 1 Housing Supply
Policy 4 Housing Design
Policy 8 Side Space
Policy 70 Wildlife Features
Policy 73 Development and Trees
Policy 74 Conservation and Management of Trees and Woodlands
Policy 30 Parking
Policy 32 Road Safety
Policy 122 Light Pollution
Policy 119 Noise Pollution

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 (July 2011)

Policy 3.3 Increasing Housing Supply.
Policy 3.4 Optimising Housing Potential
Policy 3.5 Quality and design of housing developments
Policy 3.8 Housing choice
Policy 5.1 Climate change mitigation
Policy 5.2 Minimising carbon dioxide emissions
Policy 5.3 Sustainable design and construction
Policy 5.7 Renewable energy
Policy 5.9 Overheating and cooling
Policy 5.10 Urban greening
Policy 5.11 Green roofs and development site environs
Policy 5.12 Flood risk management
Policy 5.13 Sustainable drainage
Policy 5.14 Water quality and wastewater Infrastructure
Policy 5.15 Water use and supplies
Policy 5.16 Waste self-sufficiency
Policy 5.17 Waste capacity

Policy 5.18 Construction, excavation and demolition waste
Policy 5.21 Contaminated land
Policy 6.5 Funding Crossrail and other strategically important transport infrastructure
Policy 6.9 Cycling
Policy 6.13 Parking
Policy 7.2 An inclusive environment
Policy 7.3 Designing out crime
Policy 7.4 Local character
Policy 7.6 Architecture
Policy 8.2 Planning obligations
Policy 8.3 Community infrastructure levy

London Plan Supplementary Planning Guidance (SPG)

Housing: Supplementary Planning Guidance. (November 2012)

Planning History

14/01561/OUT

Planning permission was refused and a subsequent appeal against the refusal of outline planning permission was dismissed for the introduction of access road and erection of 6 dwellings comprising 3 pairs of semi-detached houses, parking and landscaping.

The ground for refusal was:

"The proposed development by reason of the restricted plot size and amenity space would be an overdevelopment of the site which would not accord with the spatial standards prevailing in the locality, and the proposal would therefore not be sensitive to the character of the surrounding residential area. Traffic accessing the site will harm the amenities of adjoining residential properties by reason of fumes, noise and disturbance. The proposal is therefore contrary to Policies BE1 and H7 of the Unitary Development Plan."

The Inspector commented that in terms of the relationship with the surrounding properties that there would be no significant overshadowing of the adjoining houses and gardens. It was also commented that the outlook of surrounding residents would evidently change from the view over the existing extensive garden area and orchard, but there would be sufficient separation for the proposed houses not to be overbearing in views from the neighbouring dwellings.

In terms of traffic accessing the site it was not considered that there would be likely to be excessive noise and disturbance for existing occupiers. Similarly with regard to drainage with implementation of a suitable SUDS scheme there was no evidence that a satisfactory drainage scheme could not be devised.

15/00357/OUT

Outline planning permission was refused for the construction of 5 dwellinghouses comprising 2 pairs of semi-detached and 1 detached property, access road, parking and associated landscaping. A subsequent appeal against the refusal of planning permission was dismissed.

The reason for refusal of outline planning permission was:

"The proposed development by reason of the restricted plot size and amenity space would be an overdevelopment of the site which would not accord with the spatial standards prevailing in the locality, and the proposal would therefore not be sensitive to the character of the surrounding residential area. The proposal is therefore contrary to Policies BE1 and H7 of the Unitary Development Plan."

In dismissing the appeal the Inspector concluded that the proposal would appear cramped and out of keeping with the area. The Inspector also commented that at present there are open views above the extension and garage between Nos 215 and 217 Kings Hall Road to mature landscaping within the existing garden area and to the land beyond which contains a number of large mature trees which add to the verdant and open character of the area. The Inspector was not convinced that the indicative landscaping proposal would be capable of screening the proposal to such an extent that the impact on the open character and appearance of the area would be acceptable.

15/04458/OUT

Outline planning permission was refused for the access and layout of a development comprising the introduction of an access road and the erection of three detached dwellings, each with a double garage, parking and associated landscaping. The application was in outline, with details of the scale, appearance and landscaping of the development being reserved matters. Outline permission was refused on the ground:

"The revised proposals constitute an overdevelopment of the site which would have a detrimental impact on the spacious and open character and appearance of the surrounding area, and would therefore be contrary to Policies BE1 and H7 of the Unitary Development Plan."

A subsequent appeal against the Council's refusal of planning permission was allowed. The Inspector considered that the main issue in the case was the effect of the development on the character and appearance of the area. The Inspector considered that the orientation of the dwelling on Plot 1 (which corresponds to the current Plot 3) was such that the garage would be closest to the northern boundary, reducing the height of the development in direct views down the access road. The landscaping in front and behind the dwelling would soften views of the dwelling and allow retained views over and beyond the plot to the area of woodland behind. Landscaping to the southern and eastern site boundaries would also provide landscaped views between existing dwellings and would assist in screening the development from the rear of neighbouring properties. In respect of the concern that the development would result in an overdevelopment of the site, it was considered that the density of development would be appropriate in the

location and that the proposal would not form overdevelopment. Having regard to the spacious size of the plots, the footprint of the dwellings and the retention and enhancement of the landscaping, it was not considered that the proposal would be out of keeping with the character and appearance of the area.

The Inspector considered the impact of the proposal on the living conditions of neighbouring dwellings, highways matters, drainage, flood risk, ecology and sustainable design and construction and in all these matters agreed with the Council that there were no concerns in respect of these matters. With regards to the concerns expressed by neighbouring residents regarding impact on visual amenity, security and light and noise pollution the Inspector concluded that there was no evidence to suggest that the proposal would result in security issues or pollution such that would cause material harm to the amenity of nearby residents and that the landscaping proposed would soften the visual impact of the development.

The Inspector allowed the appeal and granted outline planning permission subject to a number of conditions, including Condition 10 which stated that the dwellings should not be more than 10m in height, with this condition considered necessary in order to protect the character and appearance of the surrounding area and the amenity of neighbouring residents.

At outline stage the applicant provided indicative elevations although the appearance and scale of development were reserved matter, as was landscaping. The indicative elevations which formed part of the application considered at appeal showed the dwelling at Plot 1 (now Plot 3) having a pitched roof approx. 9.8m high to the ridgeline and 5.6m high to the eaves, with the attached garage 4.8m to the ridge and approx. 2.5m to eaves height.

Conclusions

The principle of the redevelopment of this site for three detached dwellings with double garages has already been established through the granting of the outline permission on appeal through reference: APP/G5180/W/16/3149502 (Council ref:15/05584/OUT). Access and layout were also approved under the outline permission. The applicant now seeks approval for the following reserved matters: appearance, landscaping and scale.

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 surrounding residential properties.

Design, appearance and scale

The overall size and elevational proportions of the proposed dwellings are similar to the illustrative details submitted at outline stage although the bulk of the roof design has changed to incorporate crown roofs rather than the traditional pitched roof design. While this roof form could potentially appear more dominant than a traditional pitched roof, there are limited vantage points from outside of the site where a perspective view would exist that would allow the appreciation of the

treatment of the top of the roof. In views from outside of the site and from street or ground level, the appearance of the roofs would be predominantly of the pitched roof slopes and the overall height of the buildings would not exceed the 10m threshold imposed by the Inspector in granting the outline planning permission that this application follows. If the details of the appearance/scale of the dwellings are approved it would be appropriate in view of the proportions of the buildings and in the interest of visual and residential amenity to impose a condition restricting the permitted development rights associated with development in the roof to afford the Council the opportunity to consider the merits of such development should it be proposed in the future.

The dwellings proposed would be appreciably two storey, with the garages having a single storey appearance albeit somewhat higher to eaves and apex of the roofs. It is noted that the height of the garages to eaves and to the top of the pitched element has increased slightly from 2.5m and 5.6m at eaves and apex respectively to 3.3m and 6m in the current proposal (Plot 1/Plot3 comparison). The roof design proposed in this application would allow the provision of additional living accommodation above the garages of Plots 2 and 3. That there is accommodation (en-suite bathroom and dressing room) in the roofspace would not be immediately apparent from outside the site and from neighbouring properties taking into account the lack of fenestration in the roof slopes, the landscaping along the boundaries of the site and the separation to the first floor windows of neighbouring residential dwellings.

As in the outline application, views from Kings Hall Road would be of the dwelling at the head of the access, with landscaping in front and behind. The modest increase in the height of the garage in comparison with the illustrative scheme previously indicated would not result in a significantly adverse impact on views from Kings Hall Road.

It is acknowledged that the illustrative elevations in outline application 15/04458 showed a more traditional design and detailing of development. The concerns expressed by neighbouring residents regarding the appearance and scale of the proposed dwellings in relation to the illustrative drawings submitted under ref. 15/04458 are noted, including the concerns relating to the window design and proportions.

The elevations provided in the previous application were submitted for illustrative purposes only - to demonstrate how such a development could look, and the appeal was considered on this basis. The fact that the current scheme does not exactly match those illustrative details previously provided is not in itself a ground for withholding approval of the details currently under consideration.

The elevations of the proposed dwellings incorporate gables and single storey elements that add interest to the design and while the proposal would not replicate existing development adjacent to the site, the appearance of the dwellings is nonetheless considered acceptable in view of the standalone siting of the houses and the extent to which views of the houses in direct comparison with existing dwellings would be limited. The fenestration proposed would provide visual interest and would be appropriate in the more contemporary appearance of the

development proposed in this details application. It is considered appropriate to secure material samples in order to ensure a high quality execution of the proposals and that the materials used for the external surfaces of the buildings complement the palette of materials used in existing development in the locality.

Impact on Neighbouring Amenity

In terms of impact on neighbouring amenity, representations have been received in this regard from neighbouring residents. When allowing the appeal the Inspector stated that she was satisfied that the proposal would not be detrimental to the residential amenities of the locality.

It is not considered that the alterations to the scheme proposed as part of this details application materially alter the comments of the Inspector as the dwellings are located in a position replicating that considered by the Inspector, adequate separation is retained to the boundaries of the site and the landscaping proposed will soften the visual impact of the development.

The flank elevations of the proposed dwellings would incorporate first floor windows which would serve either dressing rooms or en-suite bathrooms. It is appropriate in the interest of the residential amenities of both existing and prospective residents to impose a condition to ensure that these windows would be obscure glazed, since in the outline application assessment of the elevations was a reserved matter.

On balance and in light of the Inspectors comments, the scheme is not considered to unacceptably impact upon neighbouring residential amenity to a detrimental degree.

Layout

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).

With regard to the above it appears that the size of the dwellings would exceed the minimum standards. The internal layout of the proposed dwellings and the size and orientation of the rear gardens/patios would provide a good standard of amenity for prospective occupants

Landscaping

Concerns have been expressed by neighbouring residents regarding the retained strip of land behind 211 - 215 Kings Hall Road and its future retention, the limitations of the landscaping in terms of the screening of views to Lennard Road and the retention of protected trees. With regards to the planting plan, it has been noted that the schedule refers to the planting of container grown trees and that these will take a considerable time to establish. These concerns are acknowledged. However no objections have been raised to the proposals by the

Council's Trees Officer and on balance, taking into account retained and proposed planting along the boundaries of the site, it is considered that in terms of softening the appearance of the development and screening it from outside the site the landscaping proposed would be acceptable. When established the birch trees which are proposed to be planted between Plot 1 and the rear boundaries of dwellings fronting Kings Hall Road, and the remaining planting upon the site, will provide a satisfactory mix of shrubs and trees so as to enhance the landscaping along the northern boundary of the site. The gardens at the rear of the dwellings fronting Kings Hall Road are generally in excess of 40m deep and the existing/proposed landscaping and planting would in conjunction with the separation between existing and proposed dwellings be satisfactory.

With regards to the hard landscaping proposed upon the site, the tarmac access road and manoeuvring space would be of a width and extent that allows the provision of soft landscaping around the road to enhance the appearance of the development. Paving at the rear/side of the proposed dwellings would not be disproportionate in relation to the overall extent of the gardens provided around the houses and it is considered that the landscaping proposed would provide a satisfactory level of amenity for prospective occupants as well as presenting a suitable balance between hard and soft surfaces as perceived from outside the application site.

Conditions relating to the health and long term retention of trees during and after construction were imposed by the Inspector and would fall to be complied with prior to the commencement of development.

Overall the proposed hard and soft landscaping would provide adequate amenity space for occupiers of the development and as well as a suitably attractive setting for the development.

Highways and Traffic Issues

Whilst access and layout have already been approved as part of the Outline Permission it is appropriate to consider any highways impacts arising from the detailed submission.

In this instance there are no changes that would affect the assessment made of highways impact at outline stage. No technical highways objections are raised to the details submitted.

Other matters

It is noted that concerns have been expressed regarding the siting of the proposed access gates and the impact that these might have in terms of security to the rear of the dwellings fronting Kings Hall Road. In allowing the appeal the Inspector assessed that there was no evidence to suggest that the outline proposal would have an adverse impact on security.

It has also been suggested that the acoustic fencing along the northern boundary of the site be extended for the full length of the boundary with dwellings fronting

Lennard Road. In view of the relationship between the access road and the flank boundary of No. 217 it is considered appropriate to provide an acoustic fence along the straight section of the roadway, but it is noted that the access curves away from the rear boundary of the properties fronting Lennard Road and that the site at that location would be more generously screened by existing and enhanced boundary landscaping.

Comments have also been submitted to state that the layout of the development does not accord with that granted outline planning permission. However, the submitted site layout (roof level) does not materially change the siting or footprint of the dwellings proposed and the relationship between these buildings and the boundaries of the site.

Summary

The principle of the development, including layout and access has already been deemed acceptable through the granting of the outline permission. The assessment above considers the reserved matters relating to scale, appearance and landscaping and the impacts associated with the development in terms of amenity for future occupiers, the amenity of the occupants of nearby buildings, and trees.

It is considered that the development would not be detrimental to the character and appearance of the area, with the scale and form of the development being appropriate for the location and size of the site and a residential density appropriate for the area. The proposed accommodation would provide a good standard of amenity for future occupiers of the development.

The proposed landscaping has also been considered and would provide an attractive setting for the development as well as softening the appearance of the development and screening views of the site from surrounding curtilages.

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

as amended by documents received on 27.03.2017 07.03.2017

RECOMMENDATION: APPROVAL

subject to the following conditions:

- 1 The development to which this permission relates must be begun not later than the expiration of 2 years, beginning with the date of this decision notice.**

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

- 2 Details and samples of all external materials, including roof cladding, wall facing materials and cladding, window glass, door and**

window frames, decorative features, rainwater goods and paving where appropriate, shall be submitted to and approved in writing by the Local Planning Authority before any above ground works are commenced. The development shall be carried out in accordance with the approved details.

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

- 3** The development shall be carried out strictly in accordance with the application plans, drawings and documents hereby approved and as detailed below:

13121/P504/J - Plot 1
13121/P505/J - Plot 2
13121/P506/H - Plot 3
13121/P501/K - Site Layout - Roof Level

Reason: In the interest of the visual and residential amenities of the area and to accord with Policies BE1 and H7 of the Unitary Development Plan.

- 4** Prior to the first occupation of the dwellings the flank first floor windows of the dwellings shall be obscure glazed in accordance with details to be submitted to the Local Planning Authority and approved in writing. The windows shall be permanently retained as such thereafter.

Reason: In the interest of the residential amenities of the dwellings and neighbouring properties and to accord with Policies BE1 and H7 of the Unitary Development Plan.

- 5** 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 B or C of Part 1 of Schedule 2 of the 2015 Order (as amended) shall be erected or made within the curtilage(s) of the dwelling(s) hereby permitted without the prior approval in writing of the Local Planning Authority.

Reason: In the interest of the visual residential amenities of the area and the appearance of the host dwellings, to accord with Policies BE1 and H7 of the Unitary Development Plan.

- 6** The development shall be carried out strictly in accordance with the application plans, drawings and documents hereby approved and as detailed below:

13121/P504/J - Plot 1
13121/P505/J - Plot 2

**13121/P506/H - Plot 3
13121/P501/K - Site Layout - Roof Level**

Reason: In the interest of the visual and residential amenities of the area and to accord with Policies BE1 and H7 of the Unitary Development Plan.

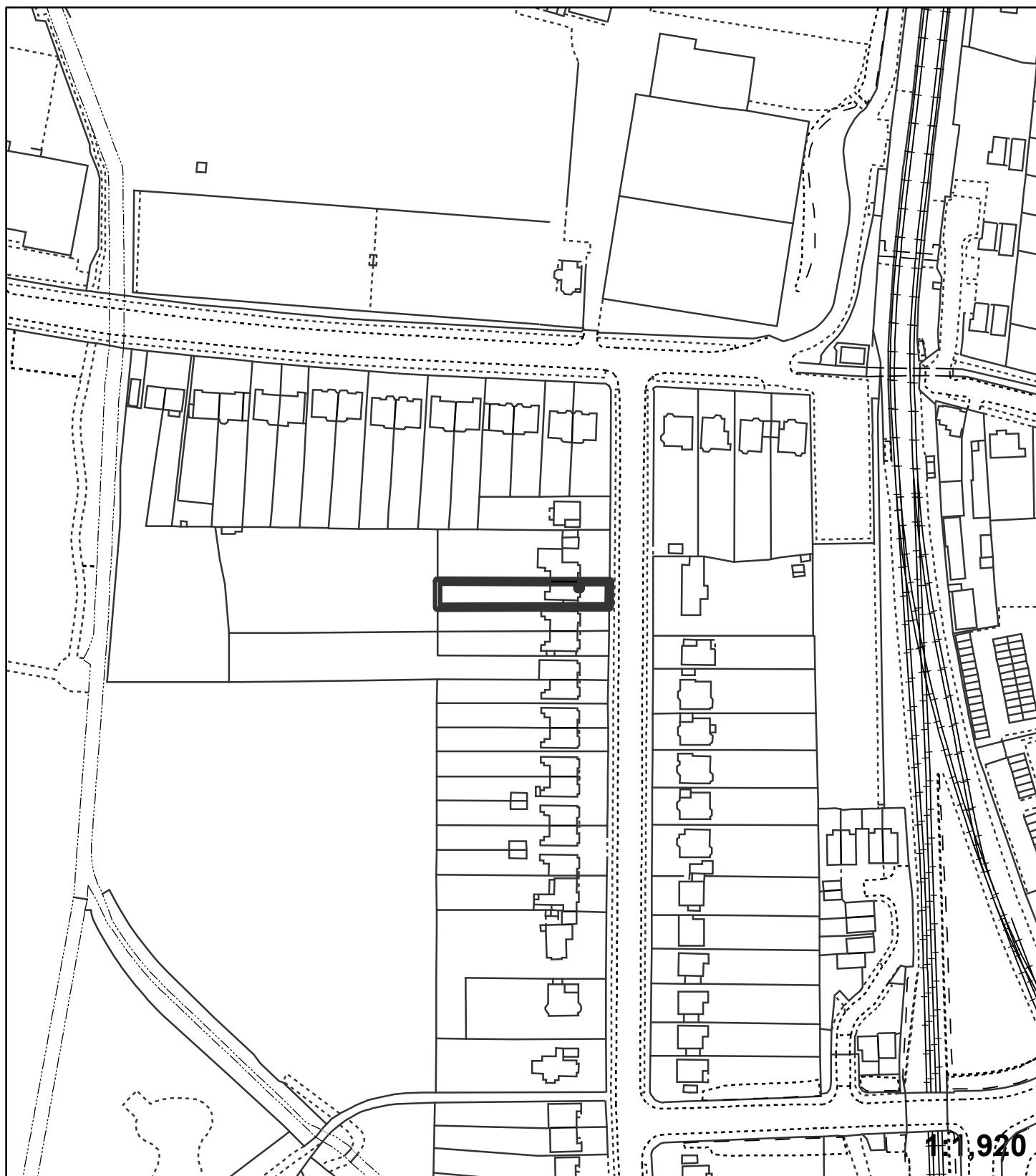
You are further informed that :

- 1 You are advised that this application may be liable for the payment of the Mayoral Community Infrastructure Levy under the Community Infrastructure Levy Regulations (2010) and the Planning Act 2008. The London Borough of Bromley is the Collecting Authority for the Mayor and this Levy is payable on the commencement of development (defined in Part 2, para 7 of the Community Infrastructure Levy Regulations (2010)). It is the responsibility of the owner and /or person(s) who have a material interest in the relevant land to pay the Levy (defined under Part 2, para 4(2) of the Community Infrastructure Levy Regulations (2010)). If you fail to follow the payment procedure, the collecting authority may impose surcharges on this liability, take enforcement action, serve a stop notice to prohibit further development on the site and/or take action to recover the debt. Further information about Community Infrastructure Levy can be found on attached information note and the Bromley website www.bromley.gov.uk/CIL**
- 2 You should consult the Land Charges and Street Naming/Numbering Section at the Civic Centre on 020 8313 4742 or e-mail: address.management@bromley.gov.uk regarding Street Naming and Numbering. Fees and application forms are available on the Council's website at www.bromley.gov.uk**
- 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 Any repositioning, alteration and/or adjustment to street furniture or Statutory Undertaker's apparatus considered necessary and practical to help with the modification of the vehicular crossover hereby permitted shall be undertaken at the cost of the applicant.**
- 5 You are reminded that the conditions of the outline permission still apply and must be complied with.**

Application:17/00398/DET

Address: 213 Kings Hall Road Beckenham BR3 1LL

Proposal: Details of scale, appearance and landscaping of development granted planning permission on appeal (LBB ref. 15/04458/OUT) for the introduction of an access road and erection of three detached dwellings, each with a double garage, parking and associated landscaping.



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

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

Application No : 17/00471/FULL6

Ward:
Mottingham And Chislehurst
North

Address : 220 Mottingham Road Mottingham
London SE9 4SZ

OS Grid Ref: E: 542788 N: 172071

Applicant : Vodev

Objections : NO

Description of Development:

Two storey side extension, single storey front extension and elevational alterations

Key designations:

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

Proposal

Planning permission is sought for the construction of a two storey side extension, and front porch. The proposal can be divided into 2 elements:

1. Two storey side extension: This would measure 2.7m wide, 6.8m in length and set back from the front elevation by 0.2m. The extension is to have a hipped pitched roof to a maximum height of 8m (eaves 5.8m). The ridge of the extension would be 0.2m lower than the main ridge. The extension would provide an additional bedroom at first floor and enlarged living area and bathroom on the ground floor.
2. Front porch: This would project 1m and 4.3m wide with a pitched roof to a maximum height of 3.7m (eaves 2.85m),

The new extensions will be finished in facing brickwork to match the host building.

Location

The application site is a semi-detached two storey dwelling located on the western side of Mottingham Road.

The site does not lie within a conservation area and is not a Listed Building. The surrounding area is mainly residential in nature.

Consultations

Nearby owners/occupiers were notified of the application and no representations were received. Any comments received after the publication of the report will be reported verbally to committee.

Highways:

There are no objections to the proposal subject to conditions contained within this report.

Planning Considerations

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

National Planning Policy Framework (NPPF) (2012)

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

Chapter 7 - Requiring Good Design

The London Plan (2015):

Policy 7.4 Local Character

Policy 7.6 Architecture

Unitary Development Plan (2006):

BE1 Design of New Development

H8 Residential Extensions

H9 Side Space

Other Guidance:

Supplementary Planning Guidance 1 - General Design Principles

Supplementary Planning Guidance 2 - Residential Design Guidance

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

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

NPPF paragraph 216 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 8 Side Space

Draft Policy 37 General design of development

Planning History

16/02721/FULL6 - Planning application for roof alterations to incorporate rear dormer, two storey side extension, single storey front and rear extensions with steps and elevational alterations was withdrawn 30.01.2017.

16/05398/HHPA - Prior Approval application was submitted for a single storey rear extension, extending beyond the rear wall of the original house by 6m, for which the maximum height would be 4m, and for which the height of the eaves would be 3m. (42 Day Notification for Householder Permitted Development). This was approved on 04.01.2017.

Conclusions

It is considered the planning issues and considerations relate to:

- Design and bulk
- Side space
- Neighbouring amenity
- Mayoral CIL

Design and Bulk:

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

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

The extensions are sympathetically designed to complement the host building, the first floor is set back and the ridge height lower than the host building as such it is considered that the extension would not appear overly bulky or dominant within the street scene, and would not detract from the character and appearance of area generally.

The front porch would have a pitched roof located to the northern side of the plot. It is considered that its modest scale and design are considered to compliment the host building and the adjoining neighbouring property.

The proposal would be considered to complement the character and appearance of the host dwelling and adjoining terrace and for these reasons, it is considered that the proposed development is acceptable and complies with policy on design.

Side Space:

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

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

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

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

The proposed two storey side extension would be located immediately adjacent to the northern boundary with Mottingham Primary School. Whilst the proposal would not provide a "minimum 1 metre space from the side boundary of the site should be retained for the full height and length of the flank wall of the building" the proposal would not result in a terracing effect between the extension and any neighbouring property, the proposed extension would also not cause a cramped appearance within the wider streetscene given that the extension is adjacent to the playing fields of the school. It is considered the separation distance retained allows for high spatial standards and a high level of visual quality to be maintained. Therefore does not conflict with the reason for the side space policy.

Neighbouring Amenity:

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

The two storey side extension is located adjacent to the northern boundary with Mottingham Primary School; as such it is considered that it would not result in any un-neighbourly sense of enclosure and loss of daylight / sunlight, to the detriment of the neighbouring occupiers.

Two windows are proposed in the first floor flank elevation; this is to serve the new bedroom, however these are secondary windows as such to ensure no loss of privacy would result from these windows a condition has been attached requiring the glazing to be obscured and high level opening only.

The proposed porch is located adjacent to the northern boundary and therefore given its location would not result in any un-neighbourly sense of enclosure and loss of daylight / sunlight, to the detriment of the neighbouring occupiers.

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

Summary:

Having regard to the relevant provisions of Policies 7.4 and 7.6 of the London Plan 2015, Policies BE1, H8 and H9 of the Unitary Development Plan, 2006, the Council's Supplementary Planning Guidance on General Design Principles and Residential Design Guidance and other material considerations; it is considered that the proposed development would not materially harm the character or appearance of the area, nor would result in a terracing affect or the amenity of the surrounding occupiers.

As such, it is recommended that planning permission should be granted with the conditions set out in this report.

Background papers referred to during production of this report comprise all correspondence on the file ref: 17/00471/FULL6 set out in the Planning History section above, excluding exempt information.

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- 1 The development to which this permission relates must be begun not later than the expiration of 3 years, beginning with the date of this decision notice.
REASON: Section 91, Town and Country Planning Act 1990.**

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

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

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

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

- 4 Before the development hereby permitted is commenced, the proposed window in the first floor northern flank elevation shall be obscure glazed in accordance with details to be submitted to and approved in writing by the Local Planning Authority and shall subsequently be permanently retained as such.

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

- 5 No additional windows shall at any time be inserted in the first floor northern flank elevation, without the prior approval in writing of the Local Planning Authority.

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

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

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

- 7 Surface water from private land shall not discharge on to the highway. Details of the drainage system for surface water drainage to prevent the discharge of surface water from private land on to the highway shall be submitted to and approved in writing by the Local Planning Authority prior

to commencement of works. Before any part of the development hereby permitted is first occupied, the drainage system shall be completed in accordance with the approved details and shall be retained permanently thereafter.

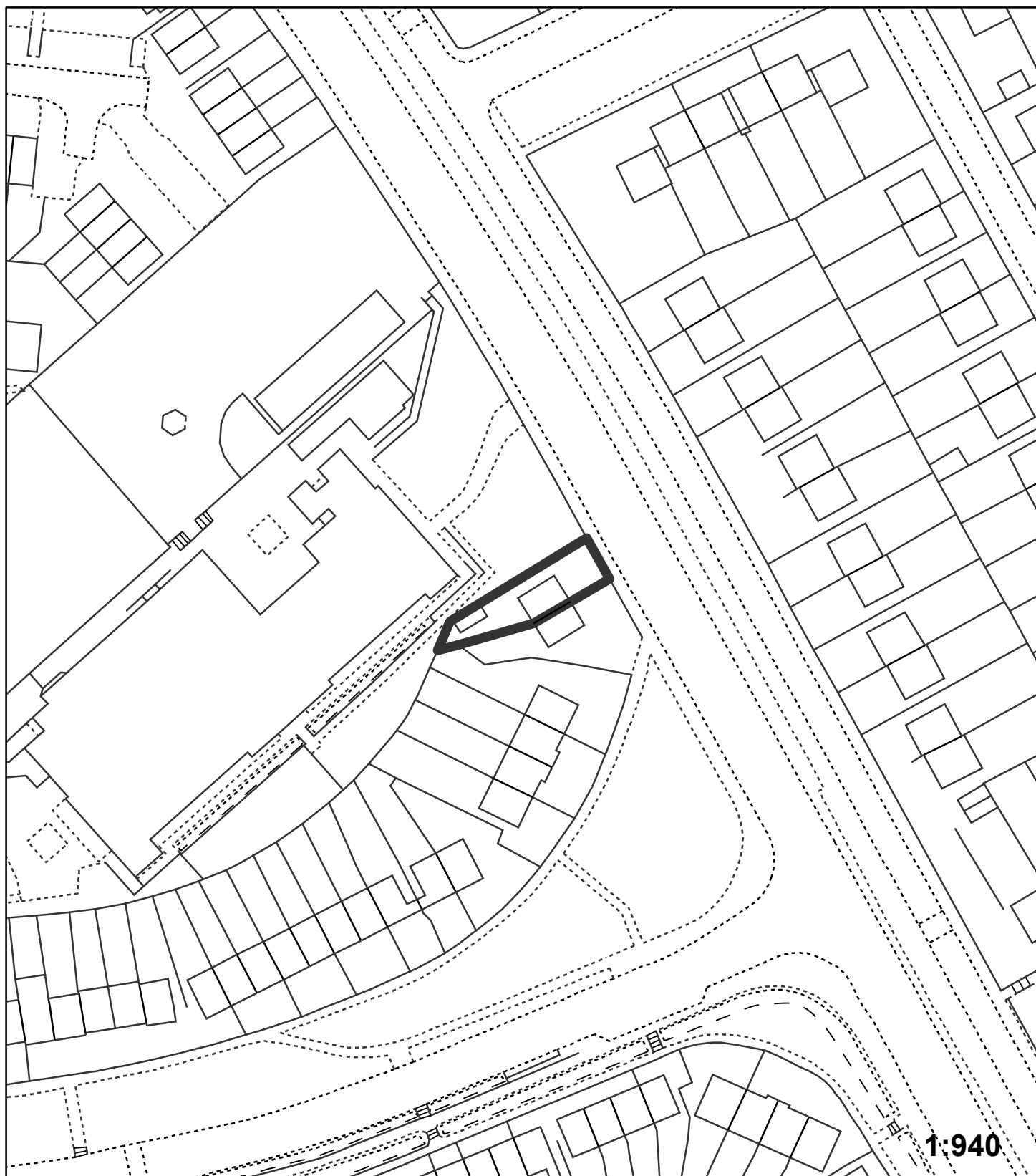
REASON: To ensure a satisfactory means of surface water drainage and to accord with Policy 5.16 of the London Plan.

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Application:17/00471/FULL6

Address: 220 Mottingham Road Mottingham London SE9 4SZ

Proposal: Two storey side extension, single storey front extension and elevational alterations



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

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

Application No : 17/00569/FULL6

Ward:
Biggin Hill

Address : 144 Sunningvale Avenue Biggin Hill
TN16 3TW

OS Grid Ref: E: 541568 N: 158539

Applicant : Mr Phillip Georghoudis

Objections : NO

Description of Development:

Single storey side and rear extensions, formation of front porch, loft alterations to form habitable space incorporating side dormers and rooflights and associated elevational alterations.

Key designations:

Biggin Hill Safeguarding Area
London City Airport Safeguarding
Open Space Deficiency
Smoke Control SCA 24

Proposal

The application proposes a single storey side and rear extension, front porch, alterations to the roof inclusive of a partial rear hip to gable extension and full front hip to gable extension, two side facing dormer windows and roof lights with associated elevational alterations.

The application site is a detached single storey dwelling house on the southern side of Sunningvale Avenue, Biggin Hill.

Consultations

Nearby owners/occupiers were notified of the application however no comments were received.

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
H8 Residential Extensions
H9 Side Space

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

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

Planning history

Under reference 15/02971 an application for the enlargement of the roof to provide first floor accommodation including front and side dormers and single storey rear and side extension, was refused on the following ground:

"The proposal, by reason of its size and massing and, in the absence of a minimum 1 metre side space to be maintained in respect of the eastern boundary, 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, H8 and H9 of the Unitary Development Plan."

Under reference 15/04652 an application for the enlargement of the roof to provide first floor accommodation including front and side dormers and single storey rear and side extension, was refused on the following grounds:

"The proposal, by reason of its size and massing and, in the absence of a minimum 1 metre side space to be maintained in respect of the eastern boundary, 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, H8 and H9 of the Unitary Development Plan"

"The proposal is considered to be overbearing and have an unacceptable impact on the amenities of No.146 Sunningvale Avenue by reason of loss of outlook and prospect. It will result in an unacceptable degree of overlooking to No.146 and is thereby contrary to policies H8 and BE1 of the Unitary Development Plan".

Under reference 16/01128, a lawful development certificate was granted for a single storey side, front and rear extension and roof alterations including hip to gable extension.

Under reference 16/01512 an application for the enlargement of roof to provide first floor accommodation including rear dormer and rooflights, single storey front, side and rear extension was refused on the following grounds:

"The proposal is considered to be overbearing and have an unacceptable impact on the amenities of No.146 Sunningvale Avenue by reason of loss of outlook and

prospect and is thereby contrary to policies H8 and BE1 of the Unitary Development Plan".

"The proposal, by virtue of its design, appears obtrusive and unbalanced within the wider street scene allowing for an incongruent form of development contrary to policies BE1 and H8 of the Unitary Development Plan".

Under reference 16/04490/PLUD, a lawful development certificate was granted for a loft conversion, porch, side extension and rear extension.

Conclusions

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

The application dwelling forms part of a small group of bungalows along Sunningvale Avenue, immediately to the east of its junction with Swievelands Road (the wider streetscene containing a wider array of one- and two-storey houses of varied design). The properties to the west comprise a pair of semi-detached bungalows (Nos. 140 and 142) which maintain a similar building line, whilst the dwelling to the east comprises a detached bungalow (No 146) which is set well back in relation to the application dwelling with its front elevation almost in line with the rear of No 144. In terms of boundary separation, the application dwelling maintains a gap of approximately 1m to the western boundary and 0.7m to the eastern boundary.

In comparison to the scheme refused permission under reference 16/01512/FULL6 the design of the proposal has been modified in order to seek to address the grounds of refusal in the following ways:

- Removal of the barn-hip side extension and replacement with two side facing dormers
- Decrease in separation to the western boundary from 1m to 0m
- Introduction of glazing to the front elevation within the roof space
- Reduction in the width of the ridge extension by 2.5m
- Fenestration alterations

The design of the scheme has been comprehensively changed, with a reduction of height, dormer windows and amendments to the fenestration arrangement.

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

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

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

It is noted that the dwelling as proposed is to be sited along the common side boundary with number 142 and retains a separation of 0.7m along the boundary with number 146. The dwelling as existing is a single storey structure however as a result of the roof space accommodation proposed, will increase the habitable accommodation over two floors.

East facing side dormer windows were also proposed within the refused application ref: 15/04652/FULL6, in which the Case Officer noted that the application was 'considered overly bulky and likely to result in a cramped form of development that will result in a retrograde lowering of the spatial standards to which the area is at present developed contrary to H9'. The Officer then went on to state 'As a result of the fact that the existing flank elevation is set within 0.7m to the boundary line, the applicant remains unable to comply with the requirements of Policy H9. The revised proposal seeks to address this by the introduction of dormers instead of a gable, but this is not considered to reduce the bulk or overbearing nature of the proposal sufficiently to address the grounds of refusal'.

It is the case with regard to this application that side facing dormer windows are proposed to the east and west elevations with a front and rear facing hip to gable extensions which would allow for accommodation within the roof space. Whilst the comments of the previous Case Officer are acknowledged, the dormers proposed in this case are set to the rear of the property and there would be no overall increase in ridge height of the application over or above the current maximum. Whilst the ridge is to be extended to provide the additional habitable accommodation, Officers do not consider this to appear overtly overbearing in nature nor result in a cramped form of development given the siting of the neighbouring dwellings away from the host property. As such, Members may consider that whilst the proposed development may be considered technically in breach of H9, the works are not considered to result in any harmful terracing or overdevelopment of the site which this policy seeks to prevent.

Design

In terms of design, concern was previously raised as to the unbalancing impact of the extensions and the bulk of the proposal exacerbated by the absence of a set down from the ridge and the partial barn hip roof profile. Since this refusal, a lawful development certificate was submitted and approved which included a partial hip to gable extension, side facing dormer windows, rear and side extensions and a front porch. It is acknowledged by Officers that this scheme is the fall-back position of the Applicant and significant weight is given to this within the overall planning balance.

It is noted that the two dormer windows are as permitted under the lawful development certificate however now include a hipped roof profile. The front and side extensions are also as permitted under the lawful development certificates with the inclusion of hipped roof profiles. Whilst side facing dormers are not a

feature of the wider area, given that they can be built out utilising the dwellings permitted development rights, the changes in terms of the roof profiles are considered a betterment aesthetically to that as previously permitted and considered acceptable. Members may also consider that the amendments to the roof profile of the front and side extensions a betterment to the flat roof extensions that could currently be built out. Whilst the hipped roof additions would increase the prominence of the additions to a greater extent, this is not considered to be so detrimental to warrant refusal of the application and are considered of a more holistic appearance with the pitched roof of the dwelling house.

Included within this application that was not considered under the planning certificate is the introduction of a triangular glazing panel within the front elevation of the dwelling. Whilst this feature is unusual, it would match that considered permitted development to the rear of the property and Members may consider that given the variance in the appearance of dwellings along the street scene that the introduction of this is acceptable.

Impact on Neighbouring Amenity

No 146 is set significantly further back in its plot than the application dwelling. Whilst No.146 enjoys substantial vegetative screening to the front and eastern boundaries, the screening to the western boundary is more limited. Previous concerns have been raised as to the impact of dormers within the eastern roof slope on the amenity of number 146 in terms of loss of privacy and overbearing impact. Members may note that following the grant of a lawful development certificate, the insertion of a dormer of the size and scale proposed within this application within the eastern roof slope was found to be permitted development, as such given the fall back position of the Applicant, Officers no longer raise concern as to the impact of this.

The application also proposes a front and rear hip to gable extension which is included to increase the usability of the loft accommodation; the rear hip to gable was considered under the previous lawful development certificate and found to be permitted development. Officers note that previous concern was raised as to the impact upon the increased width of the roof on the outlook from number 146, however since the previous refusal the extension to the length of the ridge has been reduced by 2.5m. The front facing hip to gable extension located 9.4m from the front elevation of number 146, which is considered acceptable to prevent any harmful over-bearing. Taking the cumulative impact of the front and rear hip to gable extensions into account, Officers consider that whilst there would be some visual incursion, given the orientation of the dwelling and the fall back position of the Applicant, no objections to this are raised.

In terms of number 142, the main impact of the proposed development would result from the overlooking of the neighbouring side amenity space from the side facing dormer window which is to serve a study and bedroom. However, whilst this would cause a detrimental degree of overlooking, a dormer window of this size and scale was considered under the previous lawful development certificate application and found to be permitted development. Members may therefore consider that the impact from this opening to be acceptable. The extensions, whilst visible from the

rear door of the neighbouring property, are of a sufficient distance away to prevent harm in terms of residential amenity, this is further mitigated by the size and scale of the neighbouring rear amenity space.

The proposed development is considered to have an acceptable impact on the residential amenities of No.146 and 142 Sunningvale Avenue and is now considered to be of an appropriate design and scale compliant with policies H8 and BE1 of the Unitary development Plan.

RECOMMENDATION: PERMISSION

Subject to the following conditions:

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

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

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

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

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

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

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

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

5 No windows or doors shall at any time be inserted in the 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 Policies BE1 of the Unitary Development Plan and in the interest of the amenities of the adjacent properties.

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Application:17/00569/FULL6

Address: 144 Sunningvale Avenue Biggin Hill TN16 3TW

Proposal: Single storey side and rear extensions, formation of front porch, loft alterations to form habitable space incorporating side dormers and rooflights and associated elevational alterations.



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

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

Application No : 17/00607/FULL1

Ward:
Darwin

Address : Trowmers Luxted Road Downe
Orpington BR6 7JS

OS Grid Ref: E: 543102 N: 161551

Applicant : Mr E Bullion

Objections : YES

Description of Development:

Detached dwelling with integral garage on land adjacent to Trowmers with vehicular access from Cudham Road (Revisions to permission ref 15/04895 comprising dormer extensions and a front gable to incorporate rooms within the roof)

Key designations:

Conservation Area: Downe Village
Areas of Archeological Significance
Biggin Hill Safeguarding Area
Green Belt
London City Airport Safeguarding

Proposal

Permission was granted in March 2016 (ref.15/04895) for the erection of a detached two storey dwelling with integral garage on this infill site which lies between the existing dwelling at Trowmers and The Downe Baptist Church Manse to the north-east. The permitted vehicular access to the new property was from an existing rear access to Trowmers from High Street/Cudham Road.

The dwelling was designed so that the front elevation would face the south-east over the rear gardens of Trowmers, whilst the rear elevation would back onto Luxted Road.

The current application has been submitted in order to provide accommodation within the roof space, and would include the addition of front, side and rear dormers along with a front gable extension. An additional 49sq.m. floorspace would be created at second floor level to provide a bedroom, an office and a bathroom.

Location

The application site is located on the south-eastern side of Luxted Road within Downe Village Conservation Area. It falls within an Area of Archaeological Significance and also lies within the Green Belt. The site currently forms part of the

side garden of Trowmers, a locally listed building, and would have a frontage onto Luxted Road of approximately 13m, and a depth of 54m.

To the front of the site is a 2.5m high flint wall, whilst the rear of the site is bounded by the substantial gardens of Trowmers.

Consultations

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

- * contrary to the Design and Access Statement, the new house will be seen from a number of public viewpoints
- * increased floorspace would be contrary to Green Belt policy
- * overlooking of the gardens of The Manse and the 4 flats at Forgecroft
- * would the boundary Leylandii trees remain?
- * the boundary now allows no access to the rear entrance to the Trowmers garage.

A letter of support has also been received to the proposals.

Comments from Consultees

The Council's Highways Officer raises no objections to the increase in the number of bedrooms from 4 to 5/6 as it is unlikely to give rise to any additional highway impact over the approved scheme, and in any case, there would be sufficient space within the site to accommodate any additional parking demand.

The application was not considered by the Advisory Panel for Conservation Areas.

Planning Considerations

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

G1 The Green Belt
G4 Dwellings in the Green Belt
BE1 Design of New Development
BE10 Locally Listed Buildings
BE11 Conservation Areas
H7 Housing Density & Design
H9 Side Space
T3 Parking
T18 Road Safety
NE7 Development and Trees

The Council is preparing a Local Plan and commenced a period of consultation on its proposed submission draft of the Local Plan on November 14th 2016 which closed on December 31st 2016 (under The Town and Country Planning (Local

Planning) (England) Regulations 2012 as amended). It is anticipated that the draft Local Plan will be submitted to the Secretary of State in mid-2017. These documents are a material consideration. The weight attached to the draft policies increases as the Local Plan process advances. The relevant policy is as follows:

- Draft Policy 4 - Housing Design
- Draft Policy 8 - Side Space
- Draft Policy 30 - Parking
- Draft Policy 32 - Road Safety
- Draft Policy 37 - General Design of Development
- Draft Policy 39 - Locally Listed Buildings
- Draft Policy 41 - Conservation Areas
- Draft Policy 49 - The Green Belt
- Draft Policy 51 - Dwellings in the Green Belt
- Draft Policy 73 - Development and Trees

London Plan (2015) Policies:

- Policy 3.3 Increasing Housing Supply.
- Policy 3.4 Optimising Housing Potential
- Policy 3.5 Quality and design of housing developments
- Policy 3.8 Housing choice
- Policy 5.1 Climate change mitigation
- Policy 5.2 Minimising carbon dioxide emissions
- Policy 5.3 Sustainable design and construction
- Policy 5.7 Renewable energy
- Policy 5.9 Overheating and cooling
- Policy 5.10 Urban greening
- Policy 5.11 Green roofs and development site environs
- Policy 5.12 Flood risk management
- Policy 5.13 Sustainable drainage
- Policy 5.14 Water quality and wastewater Infrastructure
- Policy 5.15 Water use and supplies
- Policy 5.16 Waste net self-sufficiency
- Policy 5.17 Waste capacity
- Policy 5.18 Construction, excavation and demolition waste
- Policy 6.5 Funding Crossrail and other strategically important transport infrastructure
- Policy 6.9 Cycling
- Policy 6.13 Parking
- Policy 7.2 An inclusive environment
- Policy 7.3 Designing out crime
- Policy 7.4 Local character
- Policy 7.6 Architecture
- Policy 7.14 Improving Air Quality
- Policy 8.2 Planning obligations
- Policy 8.3 Community infrastructure levy

Housing Supplementary Planning Guidance (2016)

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

Planning History

Outline permissions were refused in 1985 (ref.85/02568) and 1994 (ref.94/02057) for residential schemes involving land at Trowmers, and the subsequent appeals were dismissed.

Permission was refused in January 2014 (ref.13/03906) for the erection of a detached dwelling on part of the rear garden of Trowmers with access from Cudham Road, on grounds relating to inappropriate development in the Green Belt, detrimental impact on the character and spatial standards of Downe Village Conservation Area, and detrimental impact on neighbouring properties. The subsequent appeal was dismissed in June 2014 on grounds related to inappropriate development and detrimental impact on the openness of the Green belt. The dwelling proposed in this application was situated to the rear of The Manse, and not adjacent to Trowmers as in the current application.

An appeal was lodged against the non-determination of ref.14/04878 submitted for the erection of a detached two storey 4 bedroom dwelling with attached double garage and vehicular access from Luxted Road on the part of the site which lies between Trowmers and The Manse. The subsequent appeal was dismissed in September 2015 on grounds relating to the impact of the large forward-projecting linked garage on the character and appearance of the Conservation Area, and the impact of removing part of the flint wall fronting Luxted Road and lowering the height of a further part of the wall to 1m in order to provide vehicular access and sightlines on the character and visual amenities of the streetscape and the Conservation Area.

The proposals were not considered by the Inspector or the Council to be inappropriate development in the Green Belt as they would comprise limited infilling in Downe village which is considered to be appropriate development as set out in paragraph 89 of the NPPF.

Permission was subsequently granted in March 2016 (ref.15/04895) for a smaller dwelling which did not include the forward-projecting garage, and would gain access from High Street/Cudham Road rather than from Luxted Road thereby retaining the flint wall.

Conclusions

The main issues relating to the application are; whether the revised proposals constitute inappropriate development in the Green Belt, and if so, whether very special circumstances exist that outweigh the harm by reason of inappropriateness; the impact on the openness of the Green Belt; the impact on the character and appearance of Downe Village Conservation Area; and the impact on the amenities of the occupants of surrounding residential properties.

In granting planning permission for a new dwelling on the site under ref.15/04895, it was accepted that the proposal would comprise limited infilling in Downe Village,

and would therefore result in appropriate development in the Green Belt. The proposal now under consideration would occupy the same footprint and position as the permitted dwelling between Trowmers and the Manse, and it is still considered to comprise limited infilling in Downe Village, thereby resulting in appropriate development in the Green Belt.

In terms of the impact on the openness of the Green Belt, the Inspector in the 2014 appeal considered that it was principally the land to the east and south-east of Trowmers that made the most significant contribution to openness, and that the appeal site, being positioned between Trowmers and The Manse, read as part of the village, and did not make the same contribution to the openness of the Green Belt. Although he considered that the proposals would inevitably cause some diminishment to the openness of the Green Belt (as would most cases of limited infilling), he concluded that it would not significantly undermine the overall contribution to the area's openness made by Trowmers' extensive grounds.

The Inspector also found that the dwelling would sit comfortably within the plot, with sufficient space maintained to the boundaries, and that it would not undermine the character and setting of Trowmers, which is locally listed, nor would it appear overlarge in relation to the Manse.

The current proposals would increase the bulk of the roof by the addition of dormer windows in the front, rear and north-eastern roof slopes, along with a part gable roof to the front elevation in place of the previously proposed hipped back roof. However, these changes are not considered to significantly undermine the openness of this part of the Green Belt as the extensive grounds surrounding Trowmers and the new dwelling would still remain.

With regard to the impact on Downe Village Conservation Area, the proposed roof dormers would not appear overly bulky within the street scene, whilst the gable roof would be largely hidden behind the house when viewed from Luxted Road, and would face south-eastwards. The design of the dormers would be traditional in style and would be in keeping with the character and appearance of the Conservation Area.

With regard to the impact on neighbouring properties, the proposed front gable and front and rear dormers would not result in any significant overlooking of neighbouring properties or gardens. The proposed side dormer within the north-eastern flank roof slope would face the frontage of the Manse and further to the north-east the rear gardens of the maisonettes at Forgecroft. The window serves a bedroom in the proposed dwelling, and some degree of overlooking may occur, but this would be to a limited extent due to the distance from the Forgecroft gardens, and the oblique angle to the front elevation of the Manse.

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

In conclusion, the revised proposals are considered to constitute appropriate development within the Green Belt, and would not have a significant adverse impact on the openness of the Green Belt, the character and spatial standards of the Conservation Area, or the amenities of neighbouring residential properties.

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

RECOMMENDATION: PERMISSION

Subject to the following conditions:

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

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

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

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

- 3 The boundary enclosures indicated on the approved drawings shall be completed 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.

- 4 Before the development hereby permitted is commenced, details of the specification and position of fencing (and any other measures to be taken) for the protection of any retained tree shall be submitted to and approved in writing by the Local Planning Authority. The areas enclosed by fencing shall not be used for any purpose and no structures, machinery, equipment, materials or spoil shall be stored or positioned within these areas. Such fencing shall be retained during the course of building work**

Reason: In order to comply with Policies NE7 and NE8 of the Unitary Development Plan to ensure works are carried out according to good arboricultural practice and in the interest of the health and visual amenity value of trees to be retained.

5 Before the development hereby permitted is commenced, details of the materials, depth, extent and means of excavation required for the construction of the access/car parking shall be submitted to and approved in writing by the Local Planning Authority, and the excavations and the access/car parking shall be carried out in accordance with the approved details.

Reason: In order to comply with Policy NE7 of the Unitary Development Plan to ensure works are carried out according to good arboricultural practice, and in the interest of the health and visual amenity value of trees to be retained.

6 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

7 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.

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

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

9 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

10 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.

11 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.

12 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.

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

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

14 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.

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

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

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

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

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

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

18 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.

19 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.

20 Unless otherwise agreed in writing by the Local Planning Authority, no part of the development hereby permitted shall take place within the application site until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation by an archaeological organisation approved in writing by the Local Planning Authority. Access shall be permitted to the site at all reasonable times for the carrying out of the investigations, including making necessary records of items of interest and finds.

Reason: The site is of archaeological interest and detailed investigations should be undertaken to enable consideration to be given to preservation in situ and/or recording of items of interest in compliance with Policy BE16 of the Unitary Development Plan.

21 Before any work is undertaken in pursuance of the consent, details shall be submitted to and approved in writing by the Local Planning Authority of such steps to be taken and such works to be carried out as shall, during the progress of works permitted by this consent, secure the safety of the front boundary flint wall facing Luxted Road. The approved steps to secure the safety of the wall shall be in place for the full duration of the works hereby granted consent.

Reason: In order to comply with Policy BE7 of the Unitary Development Plan and to protect the flint boundary wall.

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

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

You are further informed that:

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

surcharges on this liability, take enforcement action, serve a stop notice to prohibit further development on the site and/or take action to recover the debt. Further information about Community Infrastructure Levy can be found on attached information note and the Bromley website www.bromley.gov.uk/CIL

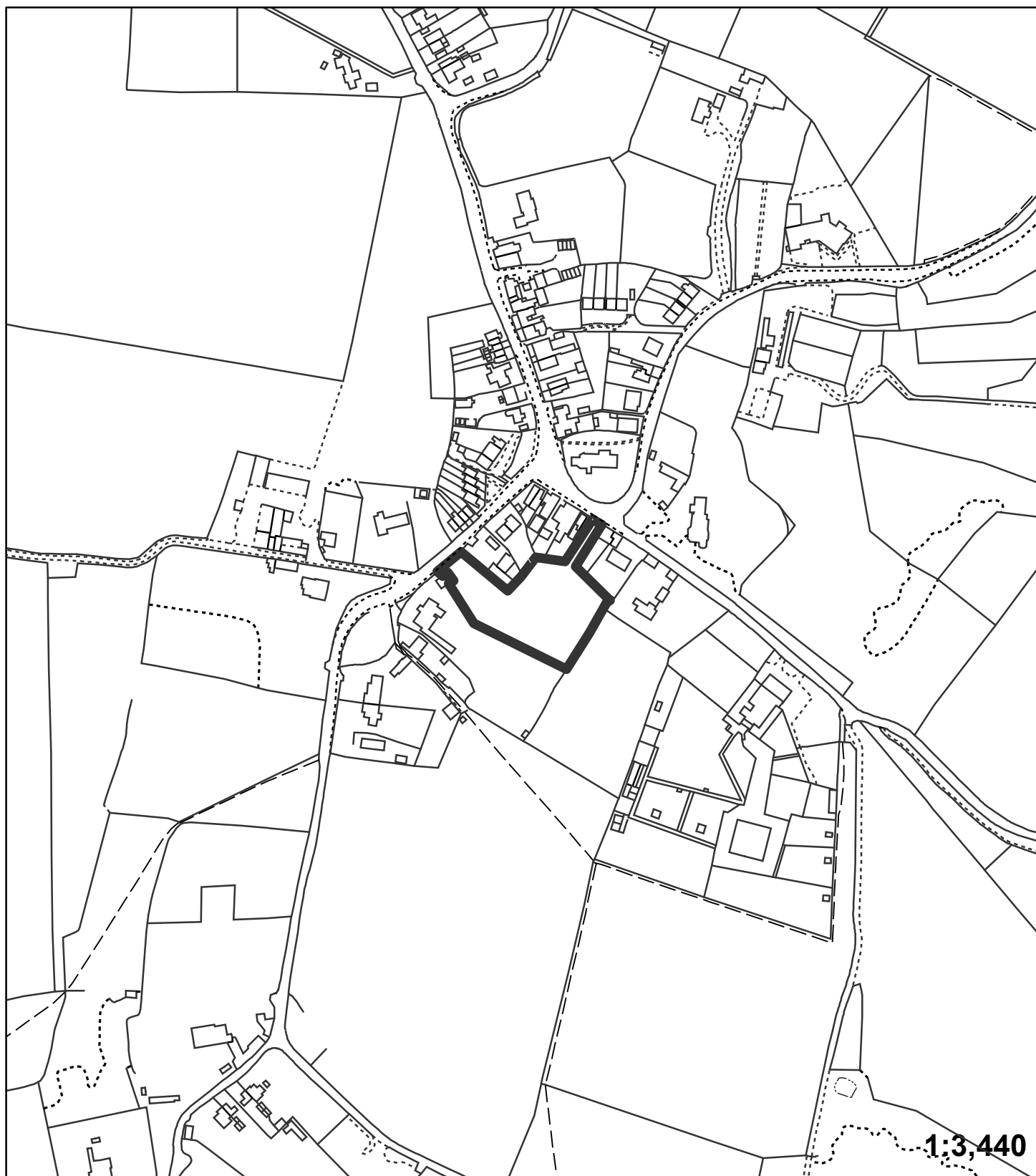
- 2 You should seek engineering advice from the Environmental Services Department at the Civic Centre regarding the provision of a temporary vehicle crossover to Cudham Road for construction traffic during the construction period and its reinstatement to a permanent standard crossover on completion of the works (Dan Gordon 020-8313-4909)**

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Application:17/00607/FULL1

Address: Trowmers Luxted Road Downe Orpington BR6 7JS

Proposal: Detached dwelling with integral garage on land adjacent to Trowmers with vehicular access from Cudham Road (Revisions to permission ref 15/04895 comprising dormer extensions and a front gable to incorporate rooms within the roof)



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

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

Application No : 17/00652/FULL1

Ward:
Shortlands

Address : 93 Shortlands Road Shortlands Bromley
BR2 0JL

OS Grid Ref: E: 538721 N: 168570

Applicant : Mark Matthews

Objections : YES

Description of Development:

Part one/ two storey rear extension and single storey side/rear extension together with new front porch entrance and conversion of building to provide 2 one bedroom, 1 two bedroom and 1 three bedroom flats. Car parking to front, bin stores, cycle stores, amenity space and associated landscaping.

Key designations:

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

Proposal

Planning permission is sought for a part one/ two storey rear extension and single storey side/rear extension together with new front porch entrance and conversion of building to provide 2 one bedroom, 1 two bedroom and 1 three bedroom flats. Car parking to front, bin stores, cycle stores, amenity space and associated landscaping.

The rear extensions are 4.98m depth at ground floor and 3m depth at first floor to the rear west flank of the building. To the east flank the ground floor extension is 1.7m depth at the rear of the existing garage/workshop structure that will be converted to habitable space as part of the proposal. The main entrance to the building will be located centrally within the front elevations.

Materials are indicated to match the existing building.

Location

The site is located on the south side of Shortlands Road and comprises a two storey detached house with a large rear garden.

The site is situated within Shortlands Conservation Area the boundary of which runs along the south east flank of the site adjoining the boundaries of residential properties fronting Hayes Lane outside of the conservation area.

Consultations

Local residents:

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

- Concerns that not enough parking is provided on site resulting in overflow and congestion on local roads.
- Concerns regarding an existing side facing bedroom window that will become a living room space with the window then causing a greater degree of overlooking to No95 due to its use. It is suggested by the commentator that this window should be fixed shut and obscure glazed.
- Comments that individual units might meet floor space standards but are inappropriate for long term housing in a suburban conservation area.
- Private garden areas of some units overlooked by other units in the building.
- Communal garden area is too small.
- Private gardens and communal gardens are overlooked by adjoining houses at 71 and 73 providing no privacy for future occupiers.
- Proposal provided unsatisfactory living accommodation.
- First floor windows would overlook No 73 with 'catastrophic' loss of privacy at 5.5m from boundary of No73, 17.5m from rear wall and 20m respectively.
- One window obliquely overlooks No 91.
- Two storey rear wall creates intrusive presence with an overbearing sense of enclosure and claustrophobia.
- Inadequate space to extend into 4 units.
- Use of property by 11 people would detrimental level of noise and disturbance.
- Loss of openness, light, outlook, privacy and by noise and disturbance.
- Increased use and vehicle movements at the site will interrupt flow of traffic resulting in unsafe and inconvenient traffic movements.
- Increased car use on the site would harm the character of the conservation area.
- An adjoining occupier has suggested refusal reasons to the Council based over development of the site.

Procedure:

- Concerns regarding the extent of the site visit undertaken to understand the site made by Council Officers.

Officer response: The site has been viewed from the public realm, the rear of the application site and from the rear of No73 Hayes Lane.

Shortlands Residents' Association:

- Conservation concerns regarding the appropriateness of moving the entrance door centrally to the front elevation.
- Concerns regarding damage to the character of the conservation area.
- Concerns regarding loss of privacy and amenity to neighbouring property.
- Concerns regarding the suitability of the level of parking proposed on site and intensification of the exit/entrance in terms of highway safety.
- Parking arrangement will result in a different visual appearance compared to similar houses.
- Extent of the development will have an undesired effect on character of the area and residential amenities.

Internal Consultations

Highways:

The site is located in an area with PTAL rate of 1b on a scale of 0 - 6b, where 6b is the most accessible. The existing vehicle access arrangement would be utilised leading to four car parking spaces which is considered acceptable. Six cycle parking spaces to rear of the site are shown which is acceptable. Refuse store location is acceptable.

Drainage

No comments.

Environmental Health - Pollution:

No objections.

Planning Considerations

Relevant policies and guidance in the form of the National Planning Policy Framework (NPPF) (2012) and National Planning Practice Guidance (NPPG) include:

- 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
- 131 to 141: Conserving and enhancing the historic environment

London Plan

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

- 3.9 Mixed and Balanced Communities
- 5.1 Climate change mitigation
- 5.2 Minimising Carbon Dioxide Emissions
- 5.3 Sustainable Design and Construction
- 5.7 Renewable Energy
- 5.10 Urban Greening
- 5.11 Green Roofs and Development Site Environs
- 5.12 Flood Risk Management
- 5.13 Sustainable Drainage
- 5.14 Water quality and wastewater Infrastructure
- 5.15 Water use and supplies
- 5.16 Waste self-sufficiency
- 5.17 Waste capacity
- 5.18 Construction, excavation and demolition waste
- 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
- 7.8 Heritage Assets and Archaeology
- 7.14 Improving Air Quality
- 7.15 Reducing and Managing Noise, Improving and Enhancing the Acoustic Environment and Promoting Appropriate Soundscapes.
- 7.18 Protecting open space and addressing deficiency
- 7.21 Trees and Woodlands
- 8.3 Community Infrastructure Levy

Housing: Supplementary Planning Guidance. (March 2016)

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

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
- BE11 Conservation Areas
- BE12 Demolition in Conservation Areas
- BE14 Trees in Conservation Areas
- H1 Housing Supply
- H7 Housing Density and Design
- H9 Side Space
- H11 Residential Conversions
- NE7 Development and Trees

ER7 Contaminated Land
ER10 Light pollution
T3 Parking
T6 Pedestrians
T7 Cyclists
T16 Traffic Management and Sensitive Environments
T18 Road Safety

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

SPG1 General Design Principles
SPG2 Residential Design Guidance
SPG: Southend Road Conservation Area.

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 mid 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 9 - Residential Conversions
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 41 - Conservation Areas
Draft Policy 43 - Trees in Conservation Areas.
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

07/03110/FULL6: Single storey rear extension. Approved 20.11.2007

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 Southend Conservation area and locality
- The quality of living conditions for future occupiers
- Access, highways and traffic Issues
- Impact on adjoining properties

Principle of development

Policy H11 states that a proposal for the conversion of a single dwelling into two or more self contained residential units or into self-contained accommodation will be permitted provided that the amenities of occupiers of neighbouring dwellings will not be harmed by loss of privacy, daylight or sunlight or by noise and disturbance; the resulting accommodation will provide a 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 or appearance of the area; and the proposal will not lead to the shortage of medium or small sized family dwellings in the area.

The host property is a large dwellinghouse occupied over the ground and upper floors as a single unit of occupation with a good level of internal floor space. On this basis the principle of the conversion appears acceptable subject to compliance with other policies as assessed below.

Density

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

The site has a PTAL rating of 1b and is within a suburban setting. In accordance with Table 3.2, the recommended density range for the site would be 40-65 dwellings per hectare. The proposed development would have a density of 53 dwellings per hectare.

Whilst the proposed development would sit within 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 and Conservation

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 BE11 states that in order to preserve or enhance the character or appearance of conservation areas, a proposal for new development within a conservation area will be expected to respect or complement the layout, scale, form and materials of existing buildings and spaces and incorporate in the design existing landscape or other features that contribute to the character, appearance or historic value of the area; and ensure that the level of activity, traffic, parking services or noise generated by the proposal will not detract from the character or appearance of the area.

The Shortlands Conservation area SPG details that "Extensions and additions should reflect the forms, materials, textures and finishes of the host building, along with the design philosophies underlying its style. These vary between individual buildings in this Conservation Area, and will need to respond to the specific building. The proportions, positioning and integration of an addition relative to the host building are important and deserving of significant design effort to safeguard not only the building's contribution to the public realm, but its enduring value to the owner. It should not be so large as to dominate or compete in visual terms with the host building."

In this case it is considered that the extensions proposed to the rear are subservient and will not cause harm to the character and appearance of the building and the conservation area. The extensions are not visible from the public streetscene and are entirely contained to the rear. Therefore the main effect will be on the character of the original building. As such, a high quality addition is

acceptable in principle. In this case, the incorporation of matching brickwork walls, window styles and roof tiles are considered an acceptable addition in keeping and complimentary to the architectural style of the building.

The repositioning of the front entrance door with a canopy style porch is considered to maintain the character and appearance of the building. It is noted that similar architecturally styled buildings in the vicinity have centrally positioned front doors.

In terms of the parking area provided to the front curtilage, a reasonable amount of soft landscaping is being provided and there does not appear to be any change to the existing boundary treatment. On balance the visual amenity of the conservation area streetscene will be maintained.

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).

Policy H11 of the UDP states a proposal for the conversion of a single dwelling into two or more self-contained residential units or into non self-contained accommodation will be permitted provided that the resulting accommodation will provide a satisfactory living environment for the intended occupiers.

The floor space size of each of the 4 units ranges between 37m² and up to 86m² respectively. The nationally described space standard requires a Gross Internal Area of 37m² for a one bedroom one person flat, 50m² for a one bedroom two person flat, 61m² for a two bedroom three person flat and 86m² for a three bedroom five person flat. With regard to the above it appears that the size of the proposed units for their intended occupancy would comply with the minimum standards.

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

In terms of amenity space the extensive rear garden is of sufficient proportion to provide a usable space for the communal use and purposes of all the units. The ground floor flats also have private demarked areas. On balance the level of provision is considered satisfactory.

Impact on Adjoining Properties

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

In terms of outlook, the fenestration arrangement will provide predominantly front and rear outlook over the garden area and front curtilage to habitable rooms. An existing secondary habitable room flank window is indicated to the first floor facing west. It is noted that concerns have been raised regarding overlooking to neighbouring rear curtilage and loss of privacy due to the proximity of the repurposed habitable room to a living area as opposed to bedroom. Given the secondary nature of this window a condition to require obscure glazing is considered to overcome this issue.

The first floor rear windows in the proposed rear extensions will also be of a smaller sliding sash style with a regular cill height. This will improve any perceived overlooking from the property from the existing situation where a full height patio style window faces to the rear. It shall also be noted that such outlook, where an occupier can see neighbouring gardens, is commonplace in the built environment. The outlook from the extensions is therefore not considered to be detrimental to adjoining occupiers.

In terms of enclosure given the reasonable distances to adjacent dwellings on Hayes Lane to the south the additional mass and scale of the extensions at the rear of the property are not considered to create any form of enclosure or be overbearing in a manner that would warrant the refusal of planning permission on this basis.

Highways and 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 or vehicle access arrangements provided at the site. Vehicles will be able to enter and exit in a forward gear as demonstrated on the plans. It is therefore considered that there will be minimal impact on parking and road safety in the vicinity.

Cycle parking

Cycle parking is required to be 1 space per studio/1 bedroom flats and 2 spaces for all other dwellings. The applicant has provided details of a location for cycle storage in the rear curtilage. A planning condition is recommended in this regard for further details of a secure lockable containment structure.

Refuse

All new developments shall have adequate facilities for refuse and recycling. The applicant has provided details of refuse storage area in the parking area. A planning condition is recommended in this regard for further details of a containment structure.

Trees and landscaping.

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

An indicative landscaping layout has been submitted as shown on the proposed block 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.

Community Infrastructure Levy

The Mayor of London's CIL is a material consideration. CIL is liable 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 conservation area. The standard of the accommodation that will be created will be good. The proposal would not have an adverse impact on the local road network or local parking conditions. The proposal would be constructed in a sustainable manner and would achieve good levels of energy efficiency. It is therefore recommended that planning permission is granted subject to the imposition of suitable conditions.

Background papers referred to during production of this report comprise all correspondence on the file ref(s) 17/00652/FULL1 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 The development to which this permission relates must be begun not later than the expiration of 3 years, beginning with the date of this decision notice.**

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

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

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

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

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

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

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

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

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

- 6** Before commencement of the 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.

- 7** 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.

- 8** 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.

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

- 10** 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.

- 11** Before the development hereby permitted is first occupied, the first floor window in the west flank elevation of the building shall be fixed shut and obscure glazed in accordance with details to be submitted to and approved in writing by the Local Planning Authority and shall subsequently be permanently retained as such.

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

- 12** Before commencement of the use of the land or building hereby permitted parking spaces and/or garages and turning space shall be completed in accordance with the approved details and thereafter shall be kept available for such use and no permitted development whether permitted by the Town and Country Planning (General Permitted Development) Order

(England) 2015 (or any Order amending, revoking and re-enacting this Order) or not shall be carried out on the land or garages indicated or in such a position as to preclude vehicular access to the said land or garages.

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

13 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.

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

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Application:17/00652/FULL1

Address: 93 Shortlands Road Shortlands Bromley BR2 0JL

Proposal: Part one/ two storey rear extension and single storey side/rear extension together with new front porch entrance and conversion of building to provide 2 one bedroom, 1 two bedroom and 1 three bedroom flats. Car parking to front, bin stores, cycle stores, amenity space and



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

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

Application No : 17/00758/FULL1

Ward:
Copers Cope

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

OS Grid Ref: E: 537994 N: 170143

Applicant : Mr D Sengupta

Objections : YES

Description of Development:

Conversion of basement storage into 1 bedroom flat (resubmission of planning application reference: 16/03932/FULL1)

Key designations:

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

Proposal

Planning permission is sought for conversion of the existing basement storage into a one bedroom flat. The application is a resubmission of an identical application refused planning permission on 20.01.17 under planning application reference: 16/03932.

Location

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

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

The land slopes steeply towards the east where a communal garden is provided which is accessed through a steeply sloping shared driveway. This drive also provides access to the existing garages and store rooms located underneath the existing flats.

Consultations

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

- o The developer is already in breach of the previous basement application.
- o The site is already over developed
- o The impact of the construction work would be devastating for the existing properties
- o There is restricted standing heights will the existing coal cellar/basement. The property was built in c1930 and it is unlikely that the foundations will be adequate to take the extra load.
- o There is inadequate parking in the road
- o In order to provide normal head room (2.5m) together with insulated/damp-proofed/sound-proofed ceilings and floors the proposed self contained flat would entail excavating to a depth of some 1.5m below the existing ground and floor level.
- o The excavation would seriously impact the access to Flat 8a.
- o The privacy of residents in Flat 8a will be severely impacted by the proposal.
- o The proposed development holds common parts of the buildings for flats 9 and 10. It holds the pipework and boilers to the building.
- o The noise, disturbance and inconvenience for other residents in the block
- o Lack of light to potential occupiers and privacy
- o The construction work will be devastating for existing residents
- o St Clare Court holds charm. To change its face is most undesirable and would change the outlook of Foxgrove Ave for other residents in the street that enjoy their outlook and current building. The proposal would not enhance the building but would only serve to spoil its charm.

Full copies of all the objection letters submitted can be found on the application file.

Consultee comments

Environmental Health (Housing) - comments available on file.

Environmental Health (Pollution) - no objection

Thames Water - no objection

Drainage - no comment

Waste Services - no comments received

Highways -

The development is for conversion of basement storage to 1 bedroom unit. As there is a correlation of car ownership and type of dwelling people reside, this

suggests that the occupier of this unit will not own car. Furthermore I am of the opinion that the development would not have a significant impact on the parking in the surrounding road network. Therefore I raise no objection to the proposal.

The applicant should provide 1 cycle parking spaces within the site's curtilage for the occupiers of the development.

Planning Considerations

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

- BE1 Design of New Development
- H1 Housing Supply
- H7 Housing Density and Design
- H8 Residential Extensions
- H10 Area of Special Residential Character
- 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 mid-2017. These documents are a material consideration. The weight attached to the draft policies increases as the Local Plan process advances.

Draft policies of relevance to the determination of the application comprise:

- Draft Policy 37 (General Design of Development)
- Draft Policy 6 (Residential Extensions)

In addition, Supplementary Planning Guidance is a material planning consideration.

- SPG1: General Design Principles
- SPG2: Residential Design Guidance

London Plan

- 3.3 Increasing Housing Supply
- 3.4 Optimising Housing Potential
- 3.5 Quality and Design of Housing Developments
- 3.8 Housing Choice
- 3.9 Mixed and Balanced Communities

- 5.12 Flood Risk Management
- 5.13 Sustainable Drainage
- 6.9 Cycling
- 6.13 Parking
- 7.1 Building London's Neighbourhoods and Communities
- 7.2 An Inclusive Environment
- 7.3 Designing Out Crime
- 7.4 Local Character
- 8.3 Community Infrastructure Levy

The Mayor's Housing Supplementary Planning Guidance
National Housing Standards

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

Planning History

Under planning application ref: 16/03932 planning permission was refused for conversion of basement storage into no.1 bedroom flat. The reason for refusal read as follows:

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

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

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

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

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

(No.1-4 St Clare Court)

Under planning application ref. DC/10/01670) planning permission was granted for "Conversion of existing basement storage area into 2 two bedroom flats and installation of new windows and doors to the rear and side elevation. Formation of new storage cellar/communal store room /bicycle and bin store.

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

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

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

Conclusions

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

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

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

Principle of Development

The National Planning Policy Framework (NPPF) promotes the efficient and sustainable use of land for housing. Policy H7 of the UDP outlines the criteria that applications for new housing must meet. It requires the site layout, buildings and level of amenity space to be in keeping with the surrounding area. The Council will

therefore resist proposals that would undermine local character or that would be likely to result in detriment to existing residential amenities.

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

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

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

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

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

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

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

In terms of the impact of the proposal on the visual amenities of the area in general and upon the character and appearance of the Area of Special Residential Character, it is considered that the siting of the development at the side and rear of the property and the works to the ground level would result in the proposal having an acceptable impact. The formation of the basement would not harm the character and appearance of the Area of Special Residential Character and the

excavation, whilst causing noise and disturbance to existing residents would not be detrimental to the appearance of the host building.

The quality of living conditions for future occupiers

Table 3.3 of The London Plan and the Draft Housing SPG (2015) state that 'The nationally described space standard sets a minimum ceiling height of 2.3m for at least 75% of the gross internal area of the dwelling. However, to address the unique heat island effect of London and the district density and flatted nature of most of its residential development, a minimum ceiling height of 2.5m for at least 75% of the gross internal area is strongly encouraged so that new housing is of adequate quality, especially in terms of light, ventilation and sense of space. The submitted drawings indicate that the basement flat would only have a ceiling height of 2.4m (external measurement) which would result in the flat not meeting the required standard.

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

Table 3.3 of the London Plan & National Housing Standards requires a Gross Internal Area of 50sqm for a one bedroom, two person flat. With regard to the above it appears that the size of the flat complies with the minimum space standards (measuring approximately 65sqm) contained in the London Plan.

The proposed flat would comprise two habitable internal living spaces, a kitchen, bathroom and bedroom. Whilst the outlook to the rear would be to the garden the flank elevation would look directly onto the flank elevation of Flat 8a. As well as overlooking and a loss of the privacy this outlook to a narrow passageway would result in the occupiers experiencing the feeling of being hemmed in as a result of the limited separation between the new flat and No.8a. The flank elevation is north facing and the proposed development would result in a dark and claustrophobic living space for future occupiers. The only natural light would come from the rear elevation only. Furthermore the kitchen and bathroom do not benefit from any natural light.

While these aspects of the application scheme may not deter some prospective occupiers, the National Planning Policy Framework places considerable emphasis on the importance of making places better for people. A core principle of the Framework also seeks to ensure that a good standard of amenity is secured for all occupants of land and buildings. It is considered that while the proposal would result in the enlargement of the host flat, the standard of the accommodation provided within the formed basement would not be of a satisfactory standard of amenity, contrary to Policy BE1 of the Unitary Development Plan which seeks to secure extensions of a high standard of design and outlook which respects the amenity of future occupants.

Residential Amenity and Impact on Adjoining Properties

It is acknowledged that the period of construction would result in some noise and disturbance to the existing residents in the flats of 1-8 St Clare Court as well as No.9&10. However these matters are outside of planning control and the application falls to be considered on the basis of the information submitted with the application in relation to the planning policies and guidance pertinent to the case. Several neighbours have stated that the building of the basement flat at No.1-8 allowed in 2010 caused lots of noise, dirt, dust and debris.

The privacy of the residents of Flat 8a, the basement of Block 5-8, will be impacted by the proposal. There will be a front door and two sets of windows in the proposed conversion which will overlook Flat 8a. The resultant overlooking and lack of privacy is considered to be unacceptable given the alleyway between the two properties would be no more than a couple of metres wide.

Highways

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

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

Other matters

It is acknowledged that concern has been expressed regarding the means of construction and structural impact of the proposal on the host building, including potential for water ingress. These matters are considered to be outside of planning control and would be addressed by separate legislation and guidance, including the Building Regulations.

Summary

In summary, while the general principle of a conversion may not be considered inherently out of character given the Council's decision to grant planning permission for a basement conversion at No.1-8 St Clare Court the proposal fails to provide adequate natural light and ventilation to the property therefore contrary to strategic policies in the London Plan and relevant design and housing policies within the UDP. The development would also not meet the required head height and a loss of privacy and mutual overlooking would also result if the proposed development was built.

Background papers referred to during production of this report comprise all correspondence on the file ref(s) DC/17/00758 & 16/03932 set out in the Planning History section above, excluding exempt information.

RECOMMENDATION: APPLICATION BE REFUSED

The reasons for refusal are:

- 1) The proposed windows on the flank elevation do not provide adequate means of natural light or ventilation which would be harmful to the amenities of the user of the habitable room contrary to policy BE1 of the Unitary Development Plan.**
- 2) The proposed basement conversion would not comply with the required head heights contrary to Policy 3.5 of the London Plan.**
- 3) The proposed windows on the flank elevation would lead to a loss of privacy and mutual overlooking of Flat 8a of 5-8 St Clare Court contrary to Policy BE1 of the Unitary Development Plan.**

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Application:17/00758/FULL1

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

Proposal: Conversion of basement storage into 1 bedroom flat
(resubmission of planning application reference: 16/03932/FULL1)



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

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

Application No : 17/00816/FULL1

Ward:
Farnborough And Crofton

Address : 18 Gladstone Road Orpington BR6 7EA

OS Grid Ref: E: 544453 N: 164422

Applicant : Willington Homes Ltd

Objections : YES

Description of Development:

Demolition of annexe and detached garage, and erection of detached two storey 3 bedroom dwelling with associated parking and cycle store at rear

Key designations:

Biggin Hill Safeguarding Area
London City Airport Safeguarding
Smoke Control SCA 14

Proposal

The proposals comprise the demolition of the existing single storey side extension attached to No.18 along with the two existing garages, and the erection of a detached two storey 3 bedroom dwelling. The building would measure 6.5m in width and 9.5m in depth, and it would be set back 1m from the side boundary with No.16A, and 2.5m from the flank wall of No.18.

Two car parking spaces would be provided for the new dwelling on the frontage, whilst two tandem parking spaces would be provided for No.18. A shed for cycle storage is shown in the rear garden with an area for refuse storage for the new dwelling.

Location

No.18 Gladstone Road comprises a detached two storey dwelling which has been extended in the past, and lies on the south-eastern side of Gladstone Road. Two garages are located adjacent to the south-western flank boundary with No.16A Gladstone Road, and it is bounded to the north-east by two storey terraced dwellings.

Consultations

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

- * proposals would result in the loss of on-street parking spaces in a heavily parked area
- * new house would project further to the rear of the adjoining houses resulting in overshadowing
- * noise and disturbance during construction works.

Comments from Consultees

The Council's Highways Officer has commented that Gladstone Road is a cul-de-sac characterised by terraced dwellings having little or no off-street parking, one exception being the application site which is a detached house set on a large plot.

The location has a low PTAL rating of 1b, and the street is not subject to waiting restrictions. Consequently parking occurs on both sides of the street meaning that there is significant demand for on-street parking. There is no significant accident history in the street, and it seems likely that traffic speeds are low.

The proposals include off-street parking for 2 cars for both the existing and proposed dwellings, which is both necessary and in line with UDP standards. Cycle parking is proposed for the new dwelling but does not appear to have been considered for the existing one, however, no objections are raised to the proposals from a highway point of view.

No drainage objections are seen to the proposals.

Planning Considerations

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

BE1 Design of New Development
 H7 Housing Density & Design
 H9 Side Space
 T3 Parking
 T18 Road Safety
 NE7 Development and Trees

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

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

Draft Policy 73 - Development and Trees

London Plan (2015) Policies:

Policy 3.3 Increasing Housing Supply.
Policy 3.4 Optimising Housing Potential
Policy 3.5 Quality and design of housing developments
Policy 3.8 Housing choice
Policy 5.1 Climate change mitigation
Policy 5.2 Minimising carbon dioxide emissions
Policy 5.3 Sustainable design and construction
Policy 5.7 Renewable energy
Policy 5.9 Overheating and cooling
Policy 5.10 Urban greening
Policy 5.11 Green roofs and development site environs
Policy 5.12 Flood risk management
Policy 5.13 Sustainable drainage
Policy 5.14 Water quality and wastewater Infrastructure
Policy 5.15 Water use and supplies
Policy 5.16 Waste net self-sufficiency
Policy 5.17 Waste capacity
Policy 5.18 Construction, excavation and demolition waste
Policy 6.5 Funding Crossrail and other strategically important transport infrastructure
Policy 6.9 Cycling
Policy 6.13 Parking
Policy 7.2 An inclusive environment
Policy 7.3 Designing out crime
Policy 7.4 Local character
Policy 7.6 Architecture
Policy 7.14 Improving Air Quality
Policy 8.2 Planning obligations
Policy 8.3 Community infrastructure levy

Housing Supplementary Planning Guidance (2016)

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

Planning History

Outline permissions were refused in the early 1980s for a house on the plot, but permission was granted in 1999 (ref.99/01229) for 2 detached three bedroom houses, each with an integral garage, which was not implemented and subsequently lapsed.

Conclusions

The main issues in this case are the impact of the proposals on the character and appearance of the surrounding area, the amenities of neighbouring properties, and on parking and road safety.

Character and appearance of the area

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

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

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

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

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

Density

With regard to the density of the proposed development, Table 3.2 of Policy 3.4 (Optimising Housing Potential) of the London Plan gives an indicative level of density for new housing developments. In this instance, the proposal represents a density of 41 dwellings per hectare with the table giving a suggested level of 35-75 dwellings per hectare in suburban areas with a 1 PTAL location. The proposals would therefore result in an intensity of use of the site that would be within the thresholds in the London Plan, however, they need to be assessed against the wider context in terms of the character, spatial standards and townscape value of the surrounding area.

Size, scale and design

Policy 3.4 of the London Plan 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 boundaries 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 current proposals are for a detached two storey 3 bedroom house which would be set slightly further back in its plot than the host dwelling to allow for frontage parking, but it would maintain good separations to the adjacent dwellings (2-2.5m), and would be slightly lower in height. A 15.5m deep rear garden would be provided for the new dwelling, whilst a good sized rear amenity area would remain for the host dwelling.

The proposals are not therefore considered to result in an overdevelopment of the site, and would not appear unduly cramped within the street scene, nor out of character with the surrounding area.

Future residential amenity

Policy 3.5 of the London Plan (2015) Quality and Design of Housing Developments 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 UDP states that the development should respect the amenity of occupiers of future occupants.

The proposals comprise a two storey 3 bedroom 4 person dwelling. The London Plan suggests that the minimum size of a three bedroom 4 person dwelling over two storeys should be 84sq.m., whilst the proposed dwelling would provide 105sq.m. floorspace, thereby achieving this standard.

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

Impact on neighbouring residential amenity

With regard to the impact on residential amenity, the properties most directly affected by the proposals would be the host dwelling (No.18) to the north-east, and No.16A to the south-west. No.16A has recently been extended by way of two storey side and single storey rear extensions.

The new dwelling would project 2m to the rear of No.18 at ground floor level and 3.3m to the rear at first floor level, but it would be set back 2.5m from the host dwelling, and there would be no undue loss of light or outlook from this property. No windows are proposed in the facing flank elevation, and no overlooking would therefore occur.

The adjacent dwelling at No.16A is set at a slightly higher level, and the eaves level and roof ridge of the proposed dwelling would therefore be set at a lower level. The proposed dwelling would maintain a 1m separation from the flank boundary with No.16A, thus providing a minimum gap of 2m between the dwellings, and the two first floor flank bathroom windows in the facing elevation would be obscure glazed with top opening fanlights only, thus protecting privacy.

The proposed dwelling would project 0.5m to the rear of No.16A at ground floor level, and 2.7m to the rear at first floor level, but given the 2m gap between the dwellings and the lower level of the new dwelling, the proposals would not result in significant loss of light or outlook from the neighbouring property.

The proposed cycle store for the new dwelling would lie adjacent to the boundary with No.16A, but it would be of a small domestic nature and would not be harmful to the amenities of the adjoining residents.

The proposals are not therefore, considered to result in undue loss of light, privacy or outlook to the adjacent properties.

Impact on highway safety

With regard to highways matters, the proposals include off-street parking for 2 cars for both the existing and proposed dwellings, which is considered acceptable, and the Council's Highways Officer has raised no objections to the proposals, subject to safeguarding conditions.

Conclusion

The proposals are considered to result in an acceptable form of development on the site which would not have a detrimental impact on the character and spatial standards of the area, nor on the amenities of neighbouring properties or parking in adjacent roads.

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 boundary enclosures indicated on the approved drawings shall be completed 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.

3 No trees 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 removed or which die through lopping, topping or pruning 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.

4 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.

5 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

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

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

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

- 7 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.

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

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

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

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

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

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

- 11 Before the development hereby permitted is first occupied the proposed window(s) in the first floor south-western flank elevation 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

12 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.

13 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.

14 A side space of 1 metre shall be provided between the south-western flank wall of the dwelling hereby permitted and the flank boundary of the property.

Reason: In order to comply with Policy H9 of the Unitary Development Plan and in the interest of the visual amenities of the area.

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

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

16 A side space of 2.5 metres shall be provided between the north-eastern flank wall of the dwelling hereby permitted and the south-western flank wall of the dwelling at No.18 Gladstone Road.

Reason: In order to comply with Policy H9 of the Unitary Development Plan and in the interest of the visual amenities of the area.

You are further informed that:

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

prohibit further development on the site and/or take action to recover the debt. Further information about Community Infrastructure Levy can be found on attached information note and the Bromley website www.bromley.gov.uk/CIL

Application:17/00816/FULL1

Address: 18 Gladstone Road Orpington BR6 7EA

Proposal: Demolition of annexe and detached garage, and erection of detached two storey 3 bedroom dwelling with associated parking and cycle store at rear



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

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

Application No : 17/00988/FULL1

Ward:
Chislehurst

Address : Jason Yester Road Chislehurst BR7
5HN

OS Grid Ref: E: 542590 N: 170254

Applicant : Mr Justin Laurence

Objections : YES

Description of Development:

Extension to existing bungalow to form two semi-detached three storey dwellings with accommodation in roof space

Key designations:

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

Proposal

Permission is sought to extend the existing bungalow at the site to create two semi-detached dwellings. Each four bedroom house will have three storeys with accommodation in the roof space with front and rear dormer extensions. Each dwelling will have a private rear garden, private driveways and associated car parking and shared access utilising the existing vehicular access onto Yester Road.

The dwellings will be staggered on the plot, each house having a length of 17m and a width of 8.5m. The roof will be pitched with a maximum height of 12.2m.

Amended plans have been received dated 11/04/17 indicating an amendment to the siting of the pair of houses further forwards on the plot.

Location

The application site is located to the northern edge of Yester Road and is situated opposite the junction with Lubbock Road to the south with the railway bridge immediately to the west. The site currently features a single storey detached dwelling. Yester Road is characterised by large detached dwellings of various designs and styles, with the topography being that of a long, moderately steep hill to the east and Lubbock Road increasing up hill to the south.

To the east of the site is Southill Road and the properties to the western edge of this adjoin the eastern and northern boundaries of the site.

Comments from Local Residents

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

- Construction of two dwellings would overdevelop the site and introduce excessive bulk.
- Detrimental impact on road safety due to the dangerous access, increase in vehicles and increase in on-street parking.
- Impact on privacy and amenities of neighbouring properties
- Impact on trees to the rear of the site

The Chislehurst Society has objected on the grounds that the proposal would create a significant visual impact, harmful to the character of the Conservation Area and contrary to Policy BE11 of the Unitary Development Plan.

Consultations

Highways – the proposal provides suitable parking access and visibility sightlines, subject to the purchase of neighbouring land and the removal of a detached garage and section of fencing. A Grampian style condition will be required to secure the purchase of the neighbouring land and the removal of the items obscuring the required sightline. Standard conditions are also recommended, including a Stage 3 Road Safety Audit.

Drainage – the applicant is advised that SUDS measures must be maximised on site and post discharge rate should be at greenfield run-off rate. A standard condition is recommended.

Environment Agency – no comments made and reference made to the Standing Advice.

Environmental Health (Housing) – no objections raised in principle, however concerns are raised in respect to natural lighting and ventilation.

Environmental Health (Pollution) – no objections raised.

Network Rail – no objections raised subject to the development being undertaken without encroachment onto or damage to Network Rail land and infrastructure.

Thames Water – no comments received.

The Advisory Panel for Conservation Areas (APCA) did not inspect the application.

Tree Officer – no comments made.

Considerations

National Planning Policy Framework, 2012

- Chapter 4 Promoting Sustainable Transport
- Chapter 6 Delivering a Wide Choice of High Quality Homes
- Chapter 7 Requiring Good Design
- Chapter 12 Conserving and Enhancing the Historic Environment

The following London Plan policies are also a material consideration:

- 3.3 Increasing Housing Supply
- 3.4 Optimising Housing Potential
- 3.5 Design and Quality of Housing Developments
- 3.8 Housing Choice
- 5.1 Climate Change
- 5.2 Minimising Carbon Dioxide Emissions
- 5.3 Sustainable Design and Construction
- 5.13 Sustainable Drainage
- 6.9 Cycling
- 6.13 Parking
- 7.4 Local Character
- 7.6 Architecture

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

- Policy BE1 – Design of New Development
- Policy BE11 – Conservation Areas
- Policy BE14 – Trees in Conservation Areas
- Policy H7 – Housing Density and Design
- Policy H9 – Side Space
- Policy NE7 – Development and Trees
- Policy T3 – Parking
- Policy T18 Road Safety

- Supplementary Planning Guidance 1 – General Design Principles
- Supplementary Planning Guidance 2 – Residential Design Guidance
- The Supplementary Planning Guidance for the Chislehurst Conservation Area

Emerging 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 mid-2017. These documents are a material

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

Draft Policy 1 – Housing Supply
Draft Policy 4 – Housing Design
Draft Policy 8 - Side Space
Draft Policy 30 - Parking
Draft Policy 32 – Highways Safety
Draft Policy 37 – General Design of Development
Draft Policy 41 – Conservation Areas
Draft Policy 73 – Development and Trees
Draft Policy 116 – Sustainable Urban Drainage Systems (SUDS)
Draft Policy 123 – Sustainable Design and Construction

Planning History

Most relative to the consideration of the current proposal is application reference 13/03112 for the demolition of the existing dwelling and the erection of a three storey block of 6 flats. This was refused (together with the associated conservation area consent on the grounds that there would not be suitable replacement) on the grounds that:

1. "The proposal constitutes a cramped form of development by reason of its scale and design, resulting in an overdevelopment of the site, contrary to Policies BE1 and H7 of the Unitary Development Plan, Policy 3.4 of the London Plan and the National Planning Policy Framework."
2. "The proposal, by reason of its scale and design, fails to integrate into and respect the setting of its surroundings and is detrimental to the prevailing character of the Chislehurst Conservation Area, contrary to Policies BE1, BE11 and H7 of the Unitary Development Plan, Policy 3.4 of the London Plan and the National Planning Policy Framework."
3. "The proposal would, by reason of its scale, mass, bulk and design, result in a detrimental impact upon the visual amenity and prospect which neighbouring residents might reasonably expect to be able to continue to enjoy, contrary to Policy BE1 and H7 of the Unitary Development Plan."
4. "The proposed means of access to the site would be inadequate to meet the needs of the development in respect of provision of adequate visibility as such the proposal would be prejudicial to highway safety and contrary to Policy T18 of the Unitary Development Plan."

A subsequent appeal was dismissed, however the Inspector's reasons and comments in reaching this decision are material to the current proposal.

In summary, the Inspector concluded that on grounds 1, 2 and 3 the development was acceptable and dismissed the appeal on ground 4 - highway implications. The Inspector stated:

"Notwithstanding that the character and appearance of the Conservation Area would be preserved, and that the development would result in less than substantial harm to the Conservation Area as an heritage asset, or my findings in relation to the effect on the living conditions of the neighbouring occupiers, and the effect on highway safety of the proposed off street parking provision, the material harm identified to highway safety from the inadequacies of the sight lines of the proposed access arrangements is substantial and overriding. It significantly and demonstrably outweighs the limited benefits of a very marginal increase in the supply of housing in the area."

A subsequent application, reference 12/01812, for a three storey block of 1 three bedroom and 6 two bedroom flats with accommodation within the roofspace and associated parking and landscaping was refused on the grounds that:

1. "The proposal constitutes a cramped form of development by reason of its scale and design, resulting in an overdevelopment use of the site, contrary to Policies BE1 and H7 of the Unitary Development Plan, Policy 3.4 of the London Plan and the National Planning Policy Framework."
2. "The proposal, by reason of its scale and design, fails to integrate into and respect the setting of its surroundings and is detrimental to the prevailing character of the Chislehurst Conservation Area, contrary to Policies BE1, BE11 and H7 of the Unitary Development Plan, Policy 3.4 of the London Plan and the National Planning Policy Framework."
3. "The proposal would, by reason of its scale, mass, bulk and design, result in a detrimental impact upon the visual amenity and prospect which neighbouring residents might reasonably expect to be able to continue to enjoy, contrary to Policy BE1 and H7 of the Unitary Development Plan."
4. "The proposed means of access to the site would be inadequate to meet the needs of the development in respect of provision of adequate visibility as such the proposal would be prejudicial to highway safety and contrary to Policy T18 of the Unitary Development Plan."

An associated Conservation Area Consent for the demolition of the existing dwelling was refused on the grounds that:

"In the absence of a planning permission for a suitable replacement building, it would be premature to grant consent for the demolition of the existing building, thereby contrary to Policy BE12 of the Unitary Development Plan."

These decisions were dismissed at the same appeal as the application above (13/03112) and for the same reasons, namely highway safety.

Permission was refused by Members under 13/04033 for demolition of existing dwelling and erection of a three storey 8 bedroom detached dwelling with

accommodation within the roofspace and associated landscaping, despite a positive recommendation.

This application was refused on the following grounds:

- o The proposed means of access to the site would be inadequate to meet the needs of the development in respect of provision of adequate visibility as such the proposal would be prejudicial to highway safety and contrary to Policy T18 of the Unitary Development Plan; and
- o The proposed development would give rise to an unacceptable degree of overlooking and loss of privacy to the occupiers of the adjoining residential dwellings thereby contrary to Policy BE1 of the Unitary Development Plan.

This decision was allowed on appeal.

A follow up application was received for major extensions to 'Jason' which was visually different to those as previously submitted and proposed a lower ridge and smaller building size. Application 15/01844/FULL6 - Two storey front extension, first floor extension to dwelling with balcony and terrace areas to rear, and front and rear dormer extensions within enlarged roof, was approved subject to conditions.

Conclusions

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

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

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

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

The site is located in a residential location where the Council will consider infill development provided that it is designed to complement the character of surrounding developments, the design and layout make suitable residential accommodation, and it provides for garden and amenity space. Any adverse impact on neighbouring amenity, conservation and historic issues, biodiversity or open space will need to be addressed. Therefore the provision of an additional dwelling unit on this land is subject to an assessment of the impact of the proposal on the appearance/character of the surrounding conservation 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. Indeed, the principle of the development of the site has been established under the recent planning history.

Size, Scale and Design

The Inspector's decision in considering the appeal for 13/04033 is a significant material consideration in the determination of any future proposal. The scheme allowed at Appeal under 13/04033 was for a three storey replacement dwelling with roofspace accommodation and front and rear dormer extensions. The impact of the scheme upon the character of the Conservation Area and the amenities of neighbouring residents was considered by the Inspector to be acceptable, and would preserve the character and appearance of the Chislehurst Conservation Area. The current application, however, proposes two dwellings on the site, whereas those schemes as previously considered at appeal were for one dwelling with subsequent approved applications also for one dwelling only. Whilst there is limited evidence of semi-detached properties within the street scene, the plot is considered to read as stand-alone in character, set away from other residential form when viewed from the highway and obscured by vegetation to the side and rear boundaries. As a result, the principle of providing two semi-detached properties on the site is considered to be acceptable.

In terms of the building currently proposed, the massing, scale and design of the built form is commensurate to that as approved within the previous applications, being of 3 storey construction with roof accommodation and of approximately 17m in width and depth. The previous schemes had a height of between 8-11.7m. The currently proposed height is 12.2m, however this is not considered to be excessive in light of the planning history at the site and the set back of the development from the highway. Two small dormer windows are proposed within the front and rear elevations and these are considered to complement the design. The built form is located slightly forward towards the highway from the previously allowed scheme however this is not considered to be to such a degree to cause any detrimental impact or excessive prominence in the street scene. When considering the previous Inspector's comments regarding the overall bulk, scale and massing of the development, the scheme proposed is considered to be acceptable in this regard.

With regard to the design, the previous Inspector's comments have been noted and the proposal includes details of external materials and elevational detailing. The design is a traditional style based on classical proportions and using natural materials. The proposed front doors are located centrally within the dwellings and a suitable side space is retained by removing the single storey side section of each house that was previously proposed under the pre-application proposal. It is considered that the proposal would therefore respect the character of the Conservation Area.

The submitted sectional drawings indicate the removal of land to the rear of the proposed footprint in order to accommodate the dwellings, resulting in the ground floor of each house not being sunken into the ground. The appearance of a three storey dwelling will therefore be similar for both the front and rear elevational view and this is considered to be acceptable.

Car parking is provided to the front elevation of the properties within a communal area. The extent of the hardstanding is substantial, however a generous area of soft landscaping is proposed, particularly close to the highway to soften the appearance of the parking area.

Standard of Residential Accommodation

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

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

Table 3.3 of the London Plan requires a Gross Internal Area of 130sqm for a four bedroom dwelling. These space standards have been met and the submitted sectional drawings indicate a suitable head height for each floor. The shape, size and layout of the rooms in the proposed building are considered satisfactory. All habitable rooms would have satisfactory levels of light and outlook. The size and scale of the private amenity space are considered to be acceptable.

Impact on Residential Amenity

The Inspector previously found that the impact upon neighbouring amenity was acceptable given that there is a significant degree of vegetation along the property boundaries of the application site which currently affords a high level of screening and protects the privacy of neighbouring properties. In addition, No. 3a Southill Road is set up on a land level much higher than the application site and the development will not result in the possibility of direct overlooking as the land levels and vegetation screening will continue to protect the privacy and amenities of the residents of neighbouring properties and the future occupiers of 'Jason' itself.

Whilst this is a material consideration, it is noted that the footprint of the properties extends further to the rear and closer to the boundary with Nos. 3 and 3a Southill Road than that which was previously considered. Despite this, the separation to these neighbouring dwellings remains acceptable. The trees within the site largely

prevent inter-visibility between the site and the neighbouring dwellings. Whilst the development encroaches into the canopy spread of the tree closest to the boundary, this tree is to be retained and the Arboricultural Officer has previously commented that the development would not impact on this tree subject to safeguarding conditions. The retention of the high level planting is considered pertinent to the protection of current living conditions of neighbouring properties and therefore conditions are recommended to protect them.

The floor plans submitted as part of the application indicate that the flank windows would serve non-habitable rooms, therefore these could be obscurely glazed by way of condition in order to protect the amenities of neighbouring properties.

Parking and Highway Safety

Yester Road is a classified road, a local distributor and although the site is within walking distance of Elmstead Woods station it is within a low (2) PTAL area.

The proposed site plan shows a shared centralised access way with parking located around a joint forecourt area. A pedestrian access is also provided adjacent to the railway bridge and to the north-east of the site. The proposed car parking area is considered to be acceptable, with an access which is wide enough for two cars to pass one another. No objections are raised in principle from a highway safety perspective subject to a legal agreement and conditions. The need for the legal agreement is justified by the increase in the number of dwellings and therefore traffic using the site. The Inspector had previously considered the existing sightline to be suitable on the basis of a single replacement dwelling, however previous schemes have been considered more problematic where an increase in traffic would result. On this basis, it is considered that permission may be granted provided that the neighbouring land is purchased so that the items obscuring the required sightline are removed.

Other Matters

The site is located adjacent to the railway and Network Rail has raised no objections. The site is also located within Flood Zone 2 and the submitted Flood Risk Assessment has been referred to the Environment Agency. The details of the submitted Flood Risk Assessment are considered to be acceptable by the Council and it is concluded that the risk of flooding is low. A suitable condition can be imposed to ensure appropriate measures are taken.

Summary

Having had regard to the above it was considered that the development in the manner proposed is acceptable in that it would not impact detrimentally on the character of the Conservation Area and would not be detrimental to the amenities of adjoining neighbours. No impact on highway safety or would result and the standard of accommodation for future occupants is considered to be acceptable. It is therefore recommended that Members grant planning permission.

Background papers referred to during production of this report comprise all correspondence on the file ref(s). 13/04033/FULL1, 15/01844/FULL1 and 17/00988/FULL1 set out in the Planning History section above, excluding exempt information.

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

and the following conditions:

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

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

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

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

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

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

- 4 No trees 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 removed or which die through lopping, topping or pruning 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.

- 5 No demolition, site clearance or building works (including trenches, pipelines for services or drains) shall be undertaken until Chestnut Pale fencing not less than 1.2 metres in height has been erected around every tree or tree group on the site shown to be retained on the submitted**

drawings at the furthest extent of the spread of the canopy of any tree or tree group except where development is hereby permitted within this area. The fence shall be placed so as to exclude the site of the said development but otherwise as far as possible from the trees. The areas enclosed by fencing shall not be used for any purpose and no structures, machinery, equipment, materials or spoil shall be stored or positioned within these areas. Such fencing shall be retained during the course of the building work hereby permitted

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

- 6** No bonfires shall take place within 6 metres of the furthest extent of the spread of the canopy of any tree or tree group shown to be retained on the submitted drawings.

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

- 7** No trenches, pipelines for services or drains shall be sited under the spread of the canopy of any tree or tree group shown to be retained on the submitted plans without the prior agreement in writing by the Local Planning Authority.

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

- 8** 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.

- 9** **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

- 10** **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.

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

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

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

iii) provide a management and maintenance plan for the lifetime of the development, which shall include the arrangements for adoption by any

public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

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

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

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

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

- 13 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.

- 14 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.

- 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 the junction with Yester Road and with the exception of trees selected by or the Local Planning Authority no obstruction to visibility shall exceed 0.6m 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 0.6m 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 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.

- 19 Before any part of the development hereby permitted is first occupied, bicycle parking for 2 cycles per unit (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.

- 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 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.

- 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** 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.

- 23** 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 5.13 of the London Plan and to ensure the satisfactory drainage of the site.

- 24** 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.

- 25** 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.

- 26** Details of flood prevention and mitigation measures shall be implemented as set out in the Flood Risk Assessment submitted under the application hereby permitted and shall be permanently maintained thereafter.

Reason: In order to comply with Policy 5.12 of the London Plan and in order to minimise flood risk.

- 27** 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.

- 28 A Stage 3 Audit should 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 Policies T3 and T18 of the Unitary Development Plan and in order to ensure the safety of the site for road users.

- 29 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 interests of highway safety.

- 30 The development hereby permitted shall not commence until the purchase of the adjoining land required to achieve the suitable sightline at the site is completed.**

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

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

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

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

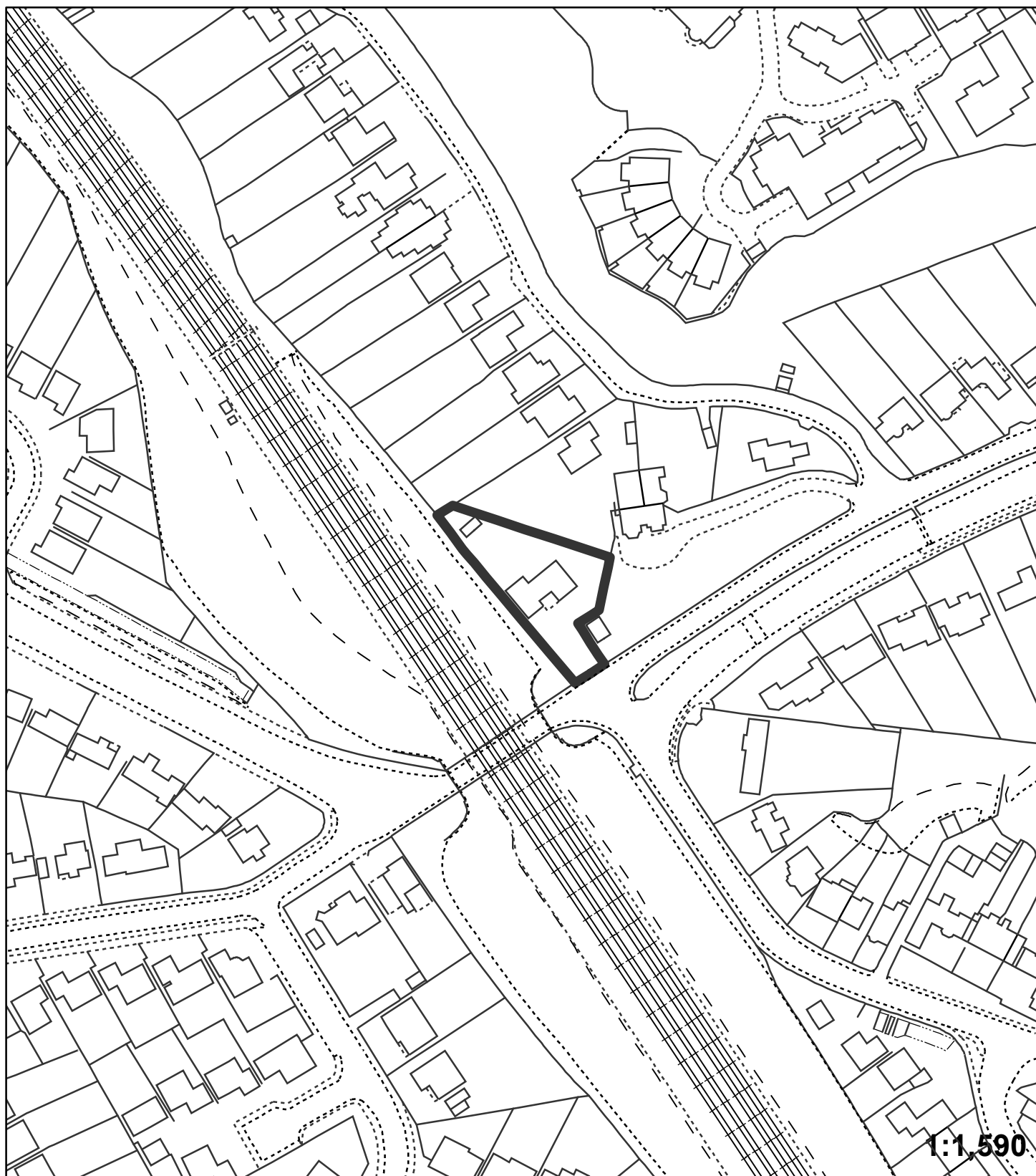
- 3 Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Water's pipes. The developer should take account of this minimum pressure in the design of the proposed development.**
- 4 You are advised to contact Network Rail Asset Protection Kent prior to the commencement of any works at the site in order to ensure all operations at the site are carried out without damage to or encroachment onto Network Rail land.**
- 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.**

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Application:17/00988/FULL1

Address: Jason Yester Road Chislehurst BR7 5HN

Proposal: Extensions to existing bungalow to form two semi-detached three storey dwellings with accommodation in roof space



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

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

Application No : 17/01115/FULL1

Ward:
Copers Cope

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

OS Grid Ref: E: 537996 N: 170154

Applicant : Mr D Sengupta

Objections : YES

Description of Development:

Conversion of roofspace into a two bedroom self-contained flat.

Key designations:

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

Proposal

Planning permission is sought for the conversion of the existing roof space of 5-8 St Clare Court into a two bedroom self-contained flat.

5-8 St Clare Court comprises four existing flats set over two floors. The application site is located on Foxgrove Avenue, Beckenham which is located in an Area of Special Residential Character.

Members attention is drawn to a recent planning permission at No.1-4 St Clare Court that was approved by Members on 20th January 2017 under planning application ref:- 16/03847 for an almost identical application.

Consultations

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

- The site is unsuitable for conversion into an attic flat
- Loss of essential services in the attic (the attic space at present houses a water tank, mains water supply, piping and extensive electricity cabling.
- The plans show no detail as to how an additional access staircase would be extended from the existing first-floor landing up to the attic.
- The Council should not permit applications that are unfeasible to build and clearer sectional drawings should be provided by the applicant

- It is now proposed to cram a further flat into an 80yr old building whose structural stability could well be at risk.
- The development would lead to further parking congestion.
- The proposed side dormer would overlook the bedrooms of the next door flats.
- The rear dormers would overlook the playground of St Mary's primary school.
- The impact of the construction work would be devastating for the existing properties within the building.
- The vastly increased size of the dormer windows to the rear will be out of keeping with the architectural design of the building.
- The development would involve the removal of the existing chimneys
- Noise
- No details regarding fire escape provision
- Asbestos is present on the site
- Parking remains an issue as this is now the third development and the applicant is proposing six vehicles.

Consultee comments

Highways - The site location has a PTAL rating of 1a (low) and as such a degree of car ownership could be expected to be associated with occupiers of the proposed 2 bedroom unit.

No on-site car parking is proposed although cycle parking for up to 8 cycles is indicated.

Foxgrove Avenue takes a crescent form and so does not carry through traffic, is not subject to waiting restrictions and appears to accommodate on-street parking on both sides without any significant detriment to the free flow of traffic or conditions of safety in the street.

In these circumstances the additional demand for on-street parking associated with one 2 bed unit should not have any significant highway impact.

There are thus no objections to this proposal from the highway point of view.

Please apply the following to any permission (Condition H22)

Drainage - no objections

Environmental Health (Housing) - no objection

Environmental Health (Pollution) - no objection

Planning Considerations

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

BE1 Design of New Development
H1 Housing Supply
H7 Housing Density and Design
H8 Residential Extensions
T3 Parking
T18 Road Safety

SPG1: General Design Principles
SPG2: Residential Design Guidance

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 draft Local Plan will be submitted to the Secretary of State in mid-2017. These documents are a material consideration. The weight attached to the draft policies increases as the Local Plan process advances.

Draft policies of relevance to the determination of the application comprise:

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

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

3.3 Increasing Housing Supply
3.4 Optimising Housing Potential
3.5 Quality and Design of Housing Developments
3.8 Housing Choice
3.9 Mixed and Balanced Communities
5.13 Sustainable Drainage
6.9 Cycling
6.13 Parking
7.1 Building London's Neighbourhoods and Communities
7.2 An Inclusive Environment
7.3 Designing Out Crime
7.4 Local Character
7.6 Architecture
8.3 Community Infrastructure Levy
The Mayor's Housing Supplementary Planning Guidance 2016

National Space Standards

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

Planning History

Under planning application reference:- 10/01670 planning permission was granted for 'conversion of existing basement storage area into 2 two bedroom flats and installation of new windows and doors to rear and side elevation. Formation of new storage cellar/communal store room/bicycle and bin store (at No. 1-8 St Clare Court).

Under planning application reference: 10/00880/AMD and amendment to internal layouts and replacement of entrance doors to flats A and B (with integral windows) with kitchen windows was refused.

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

Under planning application reference:- 09/02167 planning permission was granted for conversion of existing basement storage area into 2 one bedroom flats and installation of new windows to rear and side elevation. Formation of new storage cellar/communal store room/bicycle and bin store (at No. 1-8 St Clare Court) - Amended description.

(No.1-4 St Clare Court)

Under planning application reference:- 16/03847 planning permission was granted for 'conversion of roof space into a 2 bedroom self-contained flat, with dormer windows to the rear and flank elevation'.

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

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

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

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

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

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

Conclusions

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

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

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

Principle of Development

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

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

Planning permission has recently been approved at No.1-4 St Clare Court for an almost identical application under planning application reference: 16/03847. This

forms a material consideration in the determination of this application and has been submitted by the same agent.

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

The property is located on Foxgrove Avenue, Beckenham where there are a wide variety of differently designed large detached properties, and blocks of flats as in this case. Consistent character is, however, achieved through similar separation spaces, dwelling footprint and plot widths. The Foxgrove Avenue ASRC states that the area is in the main inter/post war with spacious rear gardens. The blocks of flats along this part of Foxgrove Avenue are all of a similar style and appearance. The proposed dormer windows are located on the rear & side elevation of 5-8 St Clare Court. The dormer window on the side elevation is relatively modest in its size and scale and will look out onto the roof area of No. 1-4 St Clare Court. The development being confined largely to the rear of the building is not considered to be out of keeping with the wider pattern of the street scene and neighbouring two blocks of flats.

There are no alterations proposed to the front roofslope and therefore the visual impact to the building, street scene and wider Foxgrove Road Area of Special Residential Character (ASRC) is unlikely to be harmed. The development will involve the removal of two existing chimney stacks.

The quality of living conditions for future occupiers

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

Table 3.3 of the London Plan requires a Gross Internal Area of 70sqm for a two bedroom, three person flat. The GIA of the proposed flat would be approximately 106sqm which is above the minimum for a two bedroom, three person flat.

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

Residential Amenity and Impact on Adjoining Properties

The proposed use of the space as a flat will have an impact on the amenities of neighbours below and in adjacent properties through noise and disturbance. Several neighbours have stated that the building of the basement flat allowed in

2010 caused lots of noise, dirt, dust and debris. From a planning perspective this cannot be used a ground to substantiate refusal of the application.

The rear windows would overlook the playground of St Mary's primary school which is not considered to cause an impact in terms of amenity. The dormer window on the flank elevation would overlook the roof area of No.1-4 St Calre Court which again is not considered to cause an impact in terms of overlooking or a loss of privacy.

Highways

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

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

Other matters

It is acknowledged that concern has been expressed regarding the means of construction and structural impact of the proposal on the host building, including the need to relocate the utility supplies in the existing loft space. These matters are considered to be outside of planning control and would be addressed by separate legislation and guidance, including the Building Regulations.

Background papers referred to during production of this report comprise all correspondence on the file ref(s) DC/17/01115 & 16/03847 as set out in the Planning History section above, excluding exempt information.

RECOMMENDATION: PERMISSION

Subject to the following conditions:

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

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

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

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

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

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

- 4** 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: 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.

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

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

You are further informed that:

- 6** 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

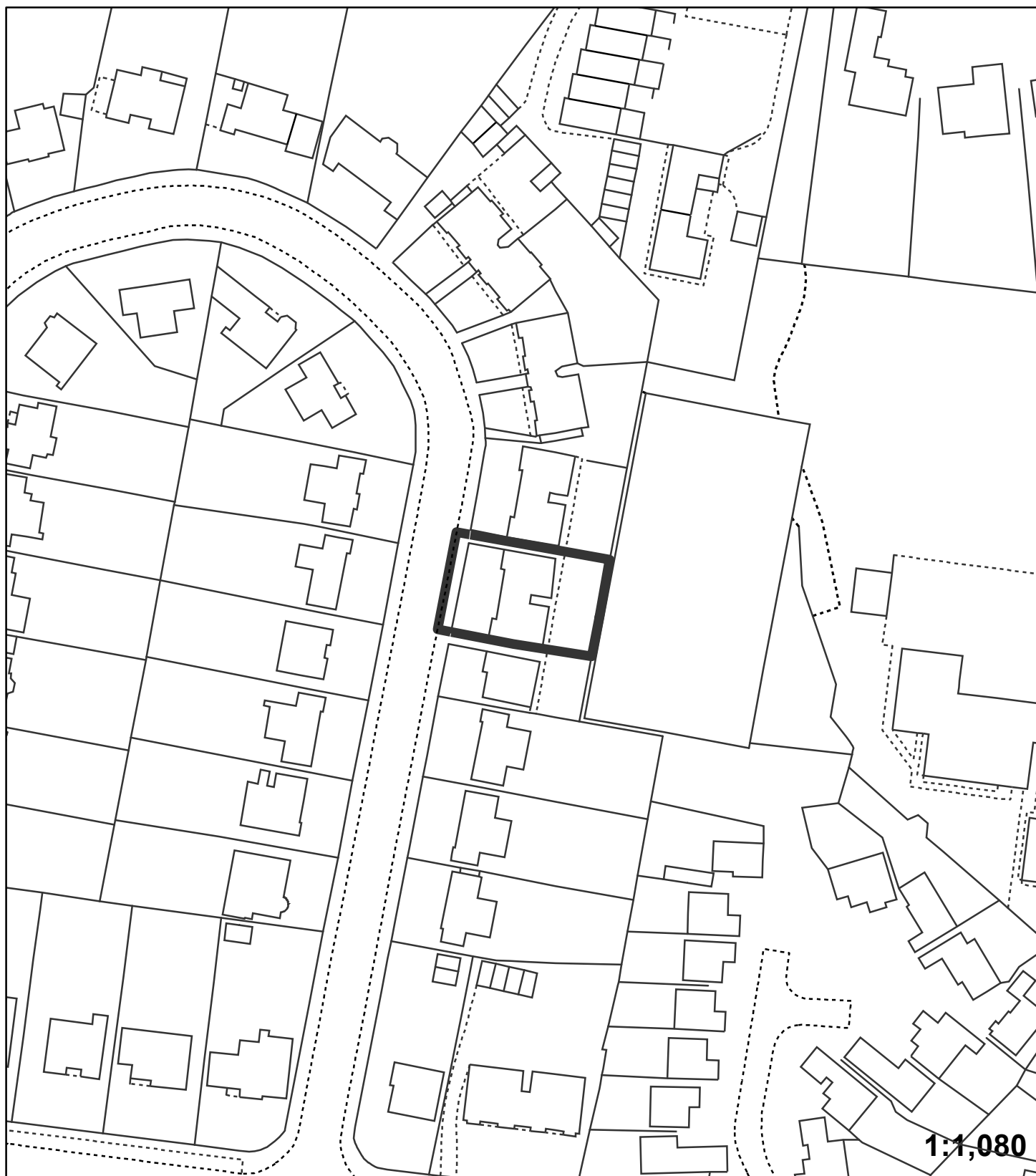
- 7 You should consult the Land Charges and Street Naming/Numbering Section at the Civic Centre on 020 8313 4742 or e-mail: address.management@bromley.gov.uk regarding Street Naming and Numbering. Fees and application forms are available on the Council's website at www.bromley.gov.uk

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Application:17/01115/FULL1

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

Proposal: Conversion of roofspace into a two bedroom self-contained flat.



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

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

Application No : 17/01122/FULL1

Ward:
Plaistow And Sundridge

Address : 87 Oak Tree Gardens Bromley BR1 5BE

OS Grid Ref: E: 540986 N: 171589

Applicant : Mr T Joseph

Objections : YES

Description of Development:

Demolition of 89 and 91 Oak Tree Gardens and erection of 6 two storey 3 bedroom houses comprising of 3 pairs of semi-detached houses. Erection of single garage for No. 87; associated access, parking, landscaping, cycle storage, refuse and recycling provision.

Key designations:

Biggin Hill Safeguarding Area
London City Airport Safeguarding
Smoke Control SCA 7

Proposal

It is proposed to demolish 2 dwellings (Nos. 89 and 91) in order to provide access to the rear to a formed backland development site comprising the entirety of Nos. 89 and 91 and parts of the severed rear gardens of the adjacent semi-detached dwellings at 87 and 93 Oak Tree Gardens.

It is proposed that six houses be erected on the formed site, arranged in three semi-detached pairs. Dwellings 1-4 would be arranged on the northern side of a cul-de-sac access road with north facing rear gardens and dwellings 5 and 6 would be on the south of the site partly positioned within the severed rear garden of No. 87, with south facing gardens and the northern front elevation of the pair facing towards the access road.

Location

Oak Tree Gardens is part of the Links Estate, a large suburban residential area dating from the 1930s which is characterised by two storey dwellings that are in the main provided in semi-detached pairs or in short terraces set in long, narrow plots.

To the west of Oak Tree Gardens lies a railway line set above the gardens on a tree-covered railway embankment. The common features which characterise the development in the locality are considered to be the two storey bay windows, hipped roofs and part tile hung/rendered front elevations.

The application site is located at the point where Oak Tree Gardens turns a sharp corner into Portland Road. The site comprises the plots of nos. 89 and 91 in their entireties and part of the rear gardens of Nos. 87 and 93. These gardens fan out behind the existing properties and are significantly larger than those associated with other dwellings in the area. There is a change in levels across the site, with the section at the rear of the site and particularly the area at the rear of No. 87 being set at a higher ground level than that at the front.

Consultations

Local representations

Nearby owners and/or occupiers were notified of the application and the representations received (including from the Links Estate Residents' Association) in response can be summarised as follows:

- the new development only provides space for one or two cars and statistically the majority of houses have at least 2 cars per family. Overflow parking in the adjacent streets and at the corner would be hazardous
- there have been recent car crashes on the corner of Oak Tree Gardens and Portland Road
- The drainage in this part of the estate is problematic resulting in an increased load on outdated and overloaded sewage and waste water systems
- The area is a flood plain and while the flooding has eased a little since Chinbrook Meadows was redeveloped, the risk remains when there is heavy enough rain. Flood warnings have previously been received from the Environment Agency
- The trees on the site have been removed and this in conjunction with the building of solid structures will result in excess water having nowhere to go other than to 1 - 19 Portland Road
- The local primary schools are oversubscribed
- There have been recent car accidents on the bend and additional traffic entering or leaving the site would increase danger to drivers
- Overlooking to dwellings fronting Oak Tree Gardens
- Loss of privacy and outlook
- There should be a limited to the number of planning applications allowed to be submitted on a site.
- The proposal would constitute inappropriate backland development which would be detrimental to the surrounding area resulting in loss of garden land

Technical Comments

Highways

There are no objections to the proposal. The site is located in an area with a zero PTAL level which is the lowest level on a scale of 0 - 6b. A total of 14 car parking spaces are proposed including parking for 2 visitors. Despite a reduction in the number of spaces provided the parking provision would still meet the UDP

standards. A number of planning conditions are proposed should planning permission be granted.

Thames Water

There are public sewers crossing or close to the development. In order to protect public sewers and to ensure that Thames Water can gain access to the sewers approval should be sought from Thames Water where the erection of a building would come within 3m of a public sewer. Thames Water will usually refuse such approval in respect of the construction of new buildings and the applicant is advised to contact Thames Water about the proposals.

With regards 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. It is recommended that the applicant should ensure that storm flows are attenuated or regulated into the public network through on or off site storage. Where the developer proposes to discharge to a public sewer prior approval should be sought. With regards to sewerage infrastructure capacity no objections are raised.

Environment Agency

Under the previous application 15/05324 the Environment Agency were consulted with, and responded that that application has been assessed as having a low environmental risk and therefore there were no comments.

Comments were sought with regards to the application ref. 16/04446 (6 dwellings) but the Environment Agency declined to comment, stating that the application fell outside their remit as a statutory consultee.

This current application proposes 6 rather than 8 dwellings and is not therefore considered to have a higher environmental risk than the previous application under reference 15/05324.

It is noted that the records relating to Flood Zones show that the application site itself lies outside the any of these Flood Zones although to the east of the application site some dwellings fronting Portland Road do lie within a flood zone as a consequence of their position closer to the Quaggy River/Chinbrook Meadows.

Network Rail

Under the previous application, Network Rail recommended that prior to the commencement of development the developer should contact the Asset Protection Kent team and signs up to an Asset Protection Agreement to enable Network Rail to review the development's design and construction.

Further information and guidance was provided regarding the relationship between development and the railway infrastructure and including advice regarding railway noise and development. The potential for any noise/vibration impact must be assessed in the context of the NPPF.

No further comments have been received in respect of this current application.

Planning Considerations

Unitary Development Plan

BE1 Design of New Development
H1 Housing Supply
H7 Housing Density and Design
H8 Residential Extensions
H9 Side Space
NE7 Development and Trees
T3 Parking
T7 Cyclists
T8 Other Road users
T18 Road Safety

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 late 2017.

Draft planning policies of relevance to the application comprise:

Draft Policy 1 Housing Supply
Draft Policy 4 Housing Design
Draft Policy 3 Backland and Gardenland Development
Draft Policy 37 General Design of Development
Draft Policy 73 Development and Trees
Draft Policy 30 Parking
Draft Policy 32 (road safety)

London Plan

3.4 Optimising Housing Potential
3.5 Quality and Design of Housing Developments
5.3 Sustainable Design and Construction
5.13 Sustainable Drainage
6.9 Cycling
6.13 Parking
7.2 An Inclusive Environment
7.3 Designing out crime
7.4 Local Character
7.6 Architecture

Mayor of London's Housing Supplementary Planning Guidance

National Planning Policy Framework

The National Planning Policy Framework is a material consideration in the determination of the application, including (but not limited to) the following:

Para. 56 of the NPPF refers to the need for good design, and the indivisibility of good design from good planning.

Para. 53 relates to garden land, stating that local planning authorities should consider the case for setting out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area.

Section 6 of the NPPF relates to the need to deliver a wide choice of high quality homes.

Planning History

The planning history of the site is summarised below:

14/04443: 8 dwellings

Under reference 14/04443 an appeal was submitted on the grounds that the Council had failed to determine the application within the specified time-scale. Following the submission of the appeal, the application was reported to the Plans Sub-Committee to seek grounds to contest the appeal, if Members were so minded.

The grounds to contest the appeal were:

1. *The proposal by reason of its layout, bulk and siting in relation to neighbouring residential dwellings constitutes an unsatisfactory and cramped form of backland development, seriously detrimental to the residential amenities which the occupiers of neighbouring properties might reasonable expect to continue to enjoy, thereby contrary to Policies BE1 and H7 of the Unitary Development Plan, Policies 3.5 and 7.4 of the London Plan and the National Planning Policy Framework.*

2. *The proposal, by reason of its bulk, layout and siting, would constitute an unsatisfactory form of backland development, out of character with the pattern of development, quality and distinctiveness of the surrounding area, thereby detrimental to the visual amenities of the area and contrary to Policies BE1 and H7 of the Unitary Development Plan, Policies 3.5 and 7.4 of the London Plan and the National Planning Policy Framework.*

The application 14/04443 proposed the demolition of Nos. 89 and 91 Oak Tree Gardens in order to provide access to the rear to a formed backland development site upon which 2 terraces of 3 dwellings and 1 pair of semi-detached dwellings would be built. A total of 8 dwellings were proposed to be provided.

The appeal against the non-determination of the application was dismissed. In considering the impact of the proposal the Inspector identified the main issues as comprising:

- Character and appearance
- Living conditions

In response to the concerns raised regarding other matters by local residents, including parking, additional traffic movements and flooding, the Inspector considered that there was insufficient evidence before her to enable the assessment of the flooding concerns. It was noted that the Environment Agency did not raise any objection to the scheme, while the concerns raised by residents regarding the impact of heavy rain on the area were acknowledged.

With regards to parking, the Inspector considered that while car ownership in the locality appeared to be high at the time of the site visit, the area is not part of a residential parking scheme and the highway authority did not raise any objection to the scheme. The Inspector was satisfied that the additional demand for parking could be accommodated on the site and that the additional traffic movements would not be detrimental to highway safety.

The Inspector considered that a significant tract of under-used land is trapped behind the existing development and that the demolition of the pair of semis and creation of a cul-de-sac would not be fundamentally out of character with the layout of the estate as a whole.

The key consideration in the assessment of the impact of the proposal on the character and appearance of the area and the principle of the backland development was identified as the ability of the site to accommodate a development of the scale and quantity proposed whilst being sensitive to the surrounding area.

The layout of the site and the density of the development were considered to be not incompatible with the character of the surrounding area, although it was noted that the space available for soft landscaping would be more limited.

In assessing the impact of the proposal on the character and appearance of the area, the Inspector expressed concern that the steeply pitched roofs with significant area of flat roof with box-style dormer windows would result in dwellings that would be deeper and taller than those in the vicinity of the site.

The size of the plots for the proposed dwellings was considered to be materially smaller than those of surrounding development, with the Inspector finding that the division of the gardens into two sections by the retaining wall required to address the difference in levels across the site would have given rise to the gardens appearing cramped and rather too small in relation to the footprint of the buildings they would serve.

The Inspector considered that the key points against the proposal in terms of impact on character and appearance were the size and bulk of the dwellings relative to their respective plots. The existing buildings in Oak Tree Gardens were assessed as having a depth of approx. 9m including the front bay windows, and the proposed dwellings were noted to have a depth of approx. 11m. The crown style roofs were considered to be alien to the locality and the inclusion of rear dormers was considered unacceptable since dormers were not a feature of the original design of the surrounding houses, with their inclusion adding bulk to the roofs of the proposed dwellings.

The area available for landscaping was considered to be restricted and the Inspector concluded that the proposal would be harmful to the character and appearance of the area.

With regards to the impact of the proposal on the residential amenities of neighbouring residents, the Inspector considered that while the proximity of the flank wall of the proposed dwelling on plot 6 to the revised rear boundary of No. 87 would have an impact on outlook, this would not be materially harmful to their living conditions.

The Inspector noted that in view of the proximity of the side boundary of No. 87 to car parking spaces, it would be possible if the development was acceptable in all other respects to impose a condition securing the installation of an acoustic fence.

The Inspector noted that while some overlooking of gardens is a common feature in a suburban location, the provision of 6 first floor rear facing windows in addition to 4 dormer windows facing the rear garden of No. 85 would amount to an unacceptable loss of privacy for the occupants, making the rear part of the garden of No. 85.

15/05324: 7 dwellings

Planning permission was refused under reference 15/05324 for the redevelopment of land to the rear of 87-93 Oak Tree Gardens including the demolition of No. 89 and No. 91 and the erection of seven 2 ½ storey 4 bedroom houses comprising one terrace of three houses and a single garage for the existing dwelling at No. 87 along with associated access, parking, landscaping, cycle storage, refuse and recycling provision.

Permission was refused on the grounds:

1. *The proposal by reason of its layout, bulk and siting in relation to neighbouring residential dwellings constitutes an unsatisfactory and cramped form of development, seriously detrimental to the residential amenities which the occupiers of neighbouring properties might reasonable expect to continue to enjoy, thereby contrary to Policies BE1 and H7 of the Unitary Development Plan, Policies 3.5 and 7.4 of the London Plan and the National Planning Policy Framework.*

2. *The proposal, by reason of its bulk, layout and siting, would constitute an unsatisfactory form of development, out of character with the pattern of*

development, quality and distinctiveness of the surrounding area, thereby detrimental to the visual amenities of the area and contrary to Policies BE1 and H7 of the Unitary Development Plan, Policies 3.5 and 7.4 of the London Plan and the National Planning Policy Framework.

A subsequent appeal against the refusal of planning permission was dismissed. The Inspector referred to the character of the area as having an appearance of uniformity enhanced by the straight roads and reasonably consistent front building lines running through the area. Houses are quite closely spaced but the area has a pleasant landscape setting provided by street trees and the backdrop of mature vegetation from the rear gardens and railway embankment.

It was noted that the configuration of gardens in the corner provided by the right angle bend at the junction of Oak Tree Gardens and Portland Road is unusual in comparison with the prevailing pattern of development, resulting in a "significant tract of underused land behind the houses in this location." It was not considered that the demolition of the pair of semi-detached dwellings would be fundamentally out of character with the estate as a whole.

The Inspector drew attention to the ground levels on the site, noting that the ground levels on which the dwellings would be constructed would be at a higher level than those fronting Oak Tree Gardens and Portland Road. Concern was expressed at the likelihood that roof areas would be visible in the wider area, taking into account that most vegetation in the site would be removed increasing the visual contrast between the green appearance of the area and the proposed development. It could not be relied upon that vegetation on the railway bank would be retained since the embankment falls outside of the appeal/application site.

Reference was made to the height of the proposed dwellings along with their width and proximity to each other. However, the narrow access and corner position of the proposed development was considered to lend itself to a scheme with its own identity rather than an exact replication of the spatial standards of the estate as a whole.

However, the Inspector stated:

"It is clear that the proposed dwellings would not have the same amount of space around them or garden sizes as the surrounding estate, and therefore the proportion of hard surfacing and buildings to green spaces would be higher. I also note that the gardens to No 87 and 93 would be considerably reduced in size. While I recognise that the level of outside space provision and the appearance of spaciousness would be an improvement on the previous scheme, I remain of the view that because these properties would be in a slightly elevated position, together with their height and number of dwellings proposed and the loss of landscape setting, this would lead to an intensity of development in this corner which would be at odds with its presently verdant nature which provides an attractive setting for the wider area."

With regards to the impact of the proposal on the residential amenities of neighbouring properties, the Inspector considered that the reductions in the

scheme under consideration limited the degree of overlooking to an acceptable degree. The introduction of sound attenuating fencing along the boundaries with neighbouring residential dwellings would limit the impact of noise and disturbance associated with the access drive to an acceptable degree.

The concerns expressed regarding flooding and surface water drainage issues were noted. However the Inspector referred to the lack of Environment Agency objection to the original scheme for 8 dwellings. It was also considered that the provision of 18 car parking spaces would be a reasonable provision for the development.

16/04446: 6 dwellings

Planning permission was refused for the demolition of 89 and 91 Oak Tree Gardens and the erection of 6 two storey three bedroom houses, arranged as three semi-detached pairs. The proposal incorporated the erection of a single garage for No. 87. Permission was refused on the grounds:

"1. The proposal, by reason of the height and siting of the proposed dwellings, their elevated position and the proportion of the site given over to buildings and hardsurfaces, would have a detrimental impact on the character and appearance of the area, detrimental to its green and verdant nature and thereby contrary to Policies H7 and BE1 of the Unitary Development Plan, Policies 3.5 and 7.4 of the London Plan and the National Planning Policy Framework.

2. The layout of the estate roads and access arrangements to the dwellings are inadequate to serve the proposal and as such would be prejudicial to the free flow of traffic and conditions of general safety within the development contrary to policy T18 of the Unitary Development Plan, 2006."

An appeal against the refusal of planning permission has been submitted. The current application seeks to address the grounds for refusal of the previous application, stating with regards to the second ground above, that no technical highways objections have ever been received regarding the proposed development. Members will note that this position is maintained, and that no technical highways objections have been raised in respect of this current application.

Conclusions

In assessing the merits of the proposal the main issues are considered to be the impact of the proposal on the residential amenities of the occupiers of neighbouring residential dwellings and the impact of the development on the character and appearance of the area.

The appeal decision in respect of the previous proposals is a material consideration in the determination of the application, as is the refusal of planning permission under reference 16/04446. It is necessary to consider whether the development that is currently proposed would overcome the concerns expressed by the Inspectors at appeal and the reasons for refusal of application 16/04446.

Members will note that the Inspectors have raised no objection in principle to the development of the rear garden land, subject to the provision of a satisfactory development that would complement the character of the area.

The primary concerns expressed in dismissing the most recent appeal related to the cumulative impact of the height and number of dwellings proposed to be sited in a slightly elevated position alongside the loss of landscape setting. The proposal was considered to lead to an intensity of development "at odds with its presently verdant nature which provides an attractive setting for the wider area."

A comparison between the previously dismissed and currently proposed schemes may be helpful in assessing the extent to which the current proposal addresses the grounds for dismissing the appeal and the extent to which the current proposal represents an improvement over the scheme refused planning permission under reference 16/04446.

The applicant has amended the scheme in the following ways (in comparison with 15/05236 dismissed at appeal and 16/04446 refused planning permission most recently):

- Reduction in the number of units from 7 (15/5324) to 6 (16/04446 and current scheme).
- Roof pitch reduced from 42 degrees (15/05324) to 30 degrees (16/04446) to 25 degrees (current application).
- The ridge height from external ground level has reduced from 9.2m (16/04446) to 7.4m, which is also a reduction in height from the dismissed scheme (15/05236) which proposed a ridge height of 8.8m.
- The eaves height has reduced from 6m (16/04446) to 5.2m (compared with the eaves height of 5.7m which was proposed in the scheme dismissed at appeal). This reduction in the height of the dwellings has been achieved by the reduction in the pitch of the roofs and the incorporation of the small crown roof element which would also reduce the floor to ceiling height available within the formed roof space and thereby limit the potential for accommodation within the roof slope.
- The number of parking spaces has been reduced in order to provide an enlarged area of soft landscaping and screening planting between the access drive and the flank elevation of House 5. In total 14 spaces are proposed to serve the 6 houses, including 2 visitor spaces, in addition to parking associated with No. 87. Under reference 16/04446 16 spaces were provided to serve the new development.

Impact of the proposal on the residential amenities of the area

In view of the Inspector's findings in respect of the previous scheme, the grounds for refusal of 16/04446 and taking into account the proposed provision of noise

attenuating boundary fencing and landscape screening to the boundaries with adjacent dwellings it is considered that the proposal would not have a significant impact on the residential amenities of neighbouring properties.

The proposal would not result in undue overlooking and unacceptable noise and disturbance associated with the use of the access road and manoeuvring within the site. As a consequence of the separation between the buildings and the boundaries of the site it is not considered that the outlook from neighbouring gardens and windows would be unduly affected as a consequence of the proposal.

Impact of the proposal on the visual amenities, pattern of development and distinctiveness of the locality

It falls to be considered whether the amendments represented in the current scheme adequately overcome the concerns expressed within the appeal decision pursuant to 15/05324 and the scheme refused under reference 16/04446. A key consideration in the appeal was the appearance of spaciousness within the site, the height and slightly elevated position of the dwellings and the loss of the landscaped setting. The Inspector was concerned that the intensity of the development in this corner would have been at odds with the current verdant nature of the site, which was considered to provide an attractive setting for the wider area. In reaching the decision to dismiss the appeal the Inspector referred to the proportion of hardsurfacing and buildings relative to green spaces. It was considered that the proposal would have appeared as overdevelopment in the location and that the Council's concerns regarding the impact on the character and appearance of the area were justified.

This current application has increased the area of soft landscaping at the turning/manoeuvring space adjacent to the boundary with proposed dwelling No. 5. The more limited extent of this landscaping buffer, in tandem with the height to eaves and overall height of the dwellings, proposed under 16/04446 was considered to fail to address the Inspector's concerns regarding the extent to which the development would be appreciable from outside the site.

It is considered that the increase in the landscaping at this location in conjunction with a reduction in hardstanding parking spaces would improve the appearance of the development, and that this combined with the reduction in height of the proposed dwellings would satisfactorily overcome the previous grounds for refusal relating to the impact of the development on the character and appearance of the area.

It is acknowledged that the development would be appreciable from the surroundings of the site and that it would replace an existing large area of garden land and as such would have an impact on visual amenity. However, the Inspector found that the principle of the residential redevelopment of the site would be acceptable, describing the site as under-used. The current scheme is considered to provide a satisfactory balance between hard and soft landscaping, open amenity space and the footprint of built development, along with the reduction in the height of the dwellings adequately addressing the visual impact of the development.

Highways

Members may recall that when the previous application (16/04446) was refused an additional ground for refusal was added which referred to the layout of the estate roads and access arrangement to the dwellings, stating that these were inadequate to serve the proposal. It was considered that as such the development would have been prejudicial to the free flow of traffic and conditions of safety within the highway.

There were no technical highways objections to the proposal then under consideration and there remain no technical highways objections to the proposed development. It is noted that the number of parking spaces proposed on the site has reduced from 16 to 14 but this provision would meet the parking standards for a development of this scale. It is noted by the Highways Engineer that more spaces were proposed under the previous application than were required to serve the needs of the development.

It is acknowledged that the current scheme has not amended the estate road and access arrangements and as such does not directly address the additional ground for refusal of 16/04446. However, in view of the lack of any technical objection to the proposal it falls to be considered whether the ground for refusal would be sustainable should an appeal against refusal of planning permission be submitted. (It is noted that an appeal against the refusal of permission 16/04446 was lodged shortly before the submission of this application, that previous appeal decisions have established that there are no highways objections to the developments in question, and that in each case the layout of the estate road and the access arrangements have been substantially similar).

In view of the lack of technical objections to this and previous applications, past grounds for refusal and subsequent appeal decisions it is not considered that the refusal of planning permission on highways grounds would be reasonable and sustainable at appeal.

Other matters

The concerns raised by local residents regarding flooding, drainage, parking and highways safety are noted. However, no technical highways objections are raised to the proposal regarding the number and siting of parking spaces or future servicing of the site by refuse/emergency vehicles. The width of the access road and manoeuvring space within the site are considered acceptable, and no technical concerns are raised regarding the vehicular/pedestrian access to the site in context with the host street.

In dismissing the appeal, the Inspector referred to the concerns raised regarding potential for flooding and surface water drainage issues in the area. It was considered that there was insufficient evidence before the Inspector to suggest that this was an issue in that case, and it is noted that the Environment Agency have not raised objections to this or previous applications on the site. The application site itself does not lie within a designated Flood Zone although it is acknowledged that nearby properties which are sited closer to the Quaggy River and Chinbrook

Meadows are located with a Flood Zone. The Environment Agency noted that the previous application (16/04446) fell outside of their remit as a statutory consultee.

Summary

It is considered that the proposal would have no significant adverse impact on the residential amenities of the occupiers of neighbouring residential dwellings and would not have a detrimental impact on parking and conditions of safety within the highway. On balance it is considered that the current scheme adequately addresses the concerns raised at appeal and in respect of the most recent refusal of planning permission regarding the impact of the proposal on the visual amenities of the area and the character and appearance of the locality.

The impacts of the scheme proposed under 16/04446 were finely balanced. The current proposal, which includes a reduction in the overall height of the buildings in tandem with a reduction in the proportion of the site given over to buildings and hard surfaces is considered to overcome the previous concerns regarding the impact of the proposal on visual amenity and the character of the area.

Background papers referred to during production of this report comprise all correspondence of files refs. 14/04443, 15/05324, 16/04446 and 17/01122, excluding exempt information.

RECOMMENDATION: PERMISSION

Subject to the following conditions:

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

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

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

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

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

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

- 4** 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.

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

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

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

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

- 7** 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.

- 8** 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.

9 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.

10 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.

11 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.

12 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.

13 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.

14 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 secure a satisfactory means of surface water drainage and to prevent run-off onto to the highway and adjacent properties.

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

Reason: In the interest of highways and pedestrian safety and to accord with Policy T18 of the Unitary Development Plan.

16 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order amending, revoking and re-enacting this Order) no building, structure or alteration permitted by Class A, B or C of Part 1 of Schedule 2 of the 1995 Order (as amended) shall be erected or made within the curtilages of the dwellings hereby permitted without the prior approval in writing of the Local Planning Authority.

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

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

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

18 Before the development hereby permitted is first occupied the proposed first floor windows in the eastern flank elevation of house 4 and house 5 shall be obscure glazed to a minimum of Pilkington privacy Level 3 and shall be non-opening unless the parts of the windows which can be opened are more than 1.7 metres above the floor of the room in which the windows are installed and the windows shall subsequently be permanently retained as such thereafter.

Reason: In the interest of the residential amenities of the occupiers of the neighbouring dwellings and to accord with Policy BE1 of the Unitary Development Plan.

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 the interest of the visual and residential amenities of the area and to accord with Policies BE1 and H7 of the Unitary Development Plan.

20 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 as such thereafter.

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

You are further informed that :

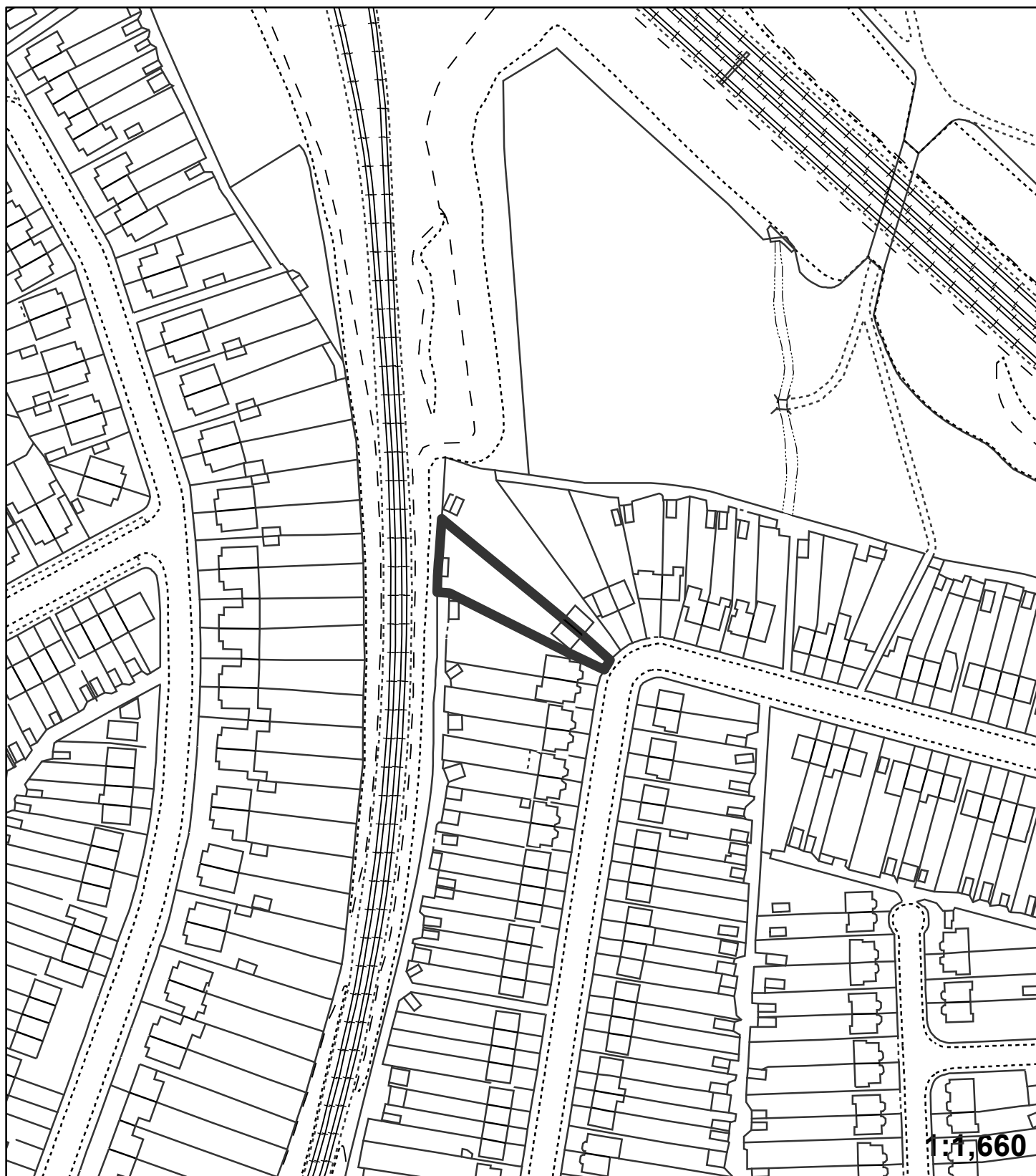
- 1** You are advised that this application may be liable for the payment of the Mayoral Community Infrastructure Levy under the Community Infrastructure Levy Regulations (2010) and the Planning Act 2008. The London Borough of Bromley is the Collecting Authority for the Mayor and this Levy is payable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

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Application:17/01122/FULL1

Address: 87 Oak Tree Gardens Bromley BR1 5BE

Proposal: Demolition of 89 and 91 Oak Tree Gardens and erection of 6 two storey 3 bedroom houses comprising of 3 pairs of semi-detached houses. Erection of single garage for No. 87; associated access, parking, landscaping, cycle storage, refuse and recycling provision.



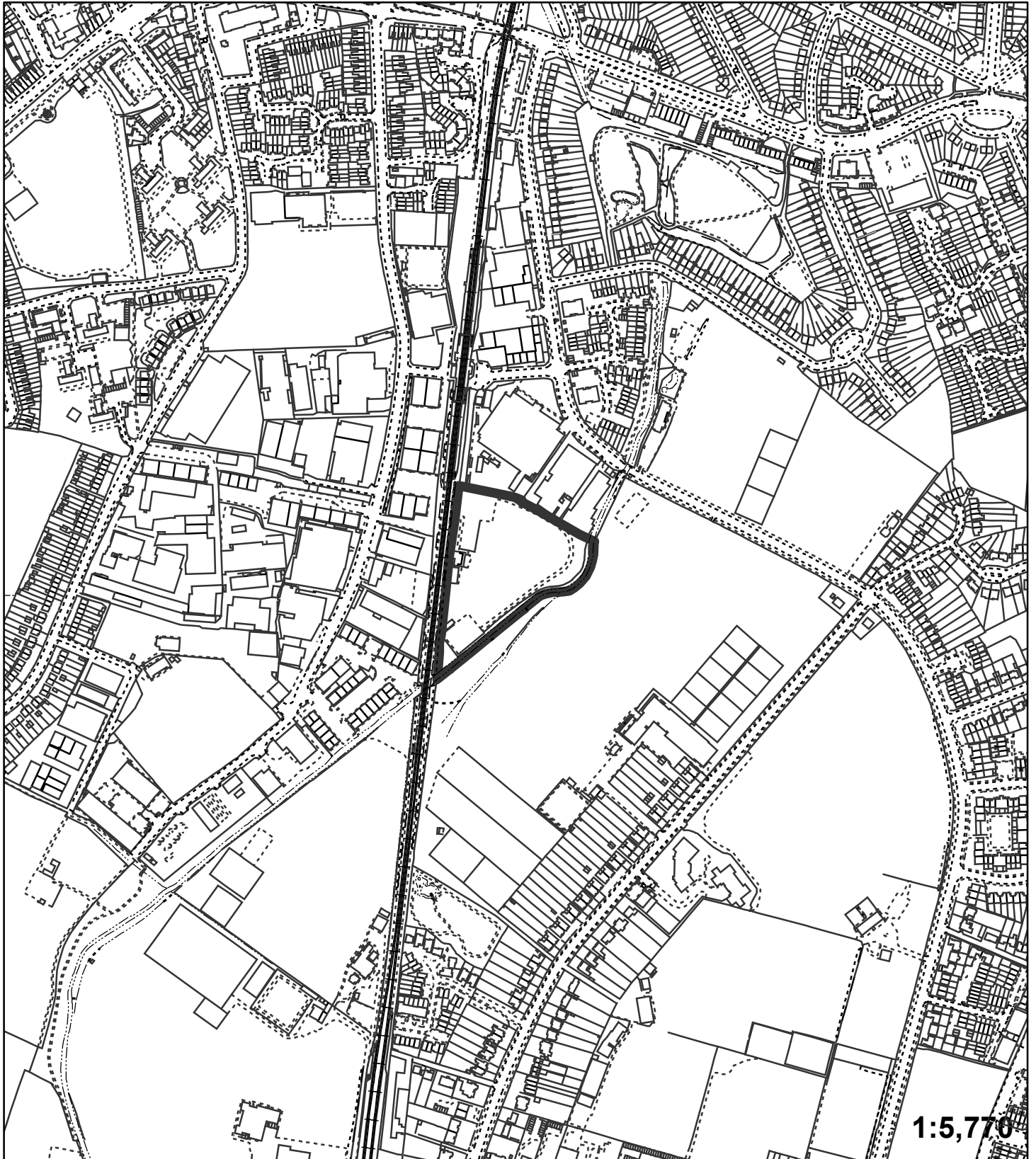
"This plan is provided to identify the location of the site and should not be used to identify the extent of the application site"

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Application:17/00170/FULL1

Address: Footzie Social Club Station Approach Lower Sydenham
London SE26 5BQ

Proposal: Demolition of the existing buildings and redevelopment of the site by the erection of a four to eight storey (+ basement) development comprising 229 residential units (118 one bedroom; 103 two bedroom and 8 three bedroom) together with the construction of an estate road and



"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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