



THE LONDON BOROUGH
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DATE: 27 June 2017

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

Councillor Katy Boughey (Chairman)
Councillor Douglas Auld (Vice-Chairman)
Councillors Kevin Brooks, Alan Collins, Samaris Huntington-Thresher,
William Huntington-Thresher, Charles Joel, Alexa Michael and Colin Smith

A meeting of the Plans Sub-Committee No. 3 will be held at Bromley Civic Centre on
THURSDAY 6 JULY 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/>

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(Applications recommended for permission, approval or consent)

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SECTION 4

(Applications recommended for refusal or disapproval of details)

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PLANS SUB-COMMITTEE NO. 3

Minutes of the meeting held at 7.00 pm on 9 May 2017

Present:

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

Also Present:

Councillors Russell Mellor, Peter Morgan, Michael Turner and Angela Wilkins

28 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

All Members were present.

29 DECLARATIONS OF INTEREST

There were no declarations of interest reported.

30 CONFIRMATION OF MINUTES OF MEETING HELD ON 16 MARCH 2017

RESOLVED that the Minutes of the meeting held on 16 March 2017 be confirmed and signed as a correct record.

31 PLANNING APPLICATIONS

SECTION 1

(Applications submitted by the London Borough of Bromley)

31.1 COPERS COPE CONSERVATION AREA

(17/01039/ADV) - Land At Junction With High Street Rectory Road, Beckenham

Description of application – Externally illuminated flag pole sign.

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

SECTION 2

(Applications meriting special consideration)

31.2 CRYSTAL PALACE

(16/05881/FULL1) - 4 Pleydell Avenue, Anerley, London, SE19 2LP

Description of application – Construction of 2/3 storey 3-bed end of terraced dwelling.

Oral representations from Ward Member, Councillor Angela Wilkins, in objection to the application were received at the meeting. In Councillor Wilkins's opinion the proposed development would not improve the character of the area, would cause loss of daylight to the surrounding flats and had no storage provision for bicycles. The proposal also lacked a metre side space between the boundary and the rear gardens. Residents had previously voted for a controlled parking zone and she was concerned at the potential increase in parking.

It was reported that further objections to the application had been received similar to those listed in the Chief Planner's report and the Chief Planner's representative confirmed that the land had been classed as 'garden land'.

Councillors Douglas Auld and Alexa Michael also objected to the application being garden development and also an overdevelopment of the site right up to the boundary. It was noted that Highways Division raised no objections to the application.

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

1. The proposal would constitute a cramped development, out of character with the locality and detrimental to the residential amenities of neighbouring properties and contrary to Policies BE1, H7 and H9 of the Unitary Development Plan and Policy 7.4 of the London Plan.

31.3 WEST WICKHAM

(17/00256/FULL6) - 124 Copse Avenue, West Wickham, BR4 9NP

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

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

Councillors Douglas Auld and Alexa Michael had visited the site and appreciated that the applicant had tried to overcome the grounds of refusal to a previous application but they still had concerns.

Members having considered the report, objections and representations, **RESOLVED that the application BE DEFERRED**, without prejudice to any future consideration to seek **AMENDMENTS TO THE ROOF DESIGN and to LESSEN THE IMPACT OF THE EXTENSIONS ON 122 COPSE AVENUE.**

**31.4
CRYSTAL PALACE**

(17/00435/FULL1) - Land Adjoining Grace House, Sydenham Avenue, Sydenham, London

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

Oral representations in support of the application were received. Oral representations from Ward Member, Councillor Angela Wilkins in objection to the application were received at the meeting. It was reported that further objections to the application had been received similar to those listed in the Chief Planner's report.

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.

**31.5
KELSEY AND EDEN PARK**

(17/00884/FULL6) - 250 Upper Elmers End Road, Beckenham, BR3 3HE.

Description of application – 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.

Members having considered the report and objections, **RESOLVED that PERMISSION BE GRANTED, SUBJECT TO THE PRIOR COMPLETION OF A LEGAL AGREEMENT 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, as recommended, and subject to the conditions and informative set out in the report of the Chief Planner with a further condition and informative to read:-

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

REASON: In order to prevent an overdevelopment of the site and to accord with Policies BE1 and H8 of the Unitary Development Plan.

INFORMATIVE 2: The applicant is advised to consider the internal layout of the proposed annexe in terms of provision of disabled facilities.”

SECTION 3

(Applications recommended for permission, approval or consent)

31.6 CRYSTAL PALACE

(16/05229/FULL1) - 130 Croydon Road, Penge, London, SE20 7YZ

Description of application amended to read, 'Construction of a four storey residential block comprising 8 two bedroom self-contained units with 4 car parking spaces, landscaping, cycle and refuse stores'.

Oral representations from Ward Member, Councillor Angela Wilkins, 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 and informatives set out in the report of the Chief Planner.

31.7 PLAISTOW AND SUNDRIDGE

(17/00232/FULL6) - 6 Lawn Close, Bromley BR1 3NA

Description of application - Demolition of existing porch and erection of single storey front extension.

Oral representations from Ward Member, Councillor Peter Morgan, in objection to the application were received at the meeting. In Councillor Morgan's view the proposed development would impact on the front elevation of 7 Lawn Close and would be an overdevelopment of the site.

It was reported that further objections to the application had been received similar to those listed in the Chief Planner's report.

Councillor Douglas Auld had visited the site and referred to a split appeal decision dated 29 November 2016 regarding planning application 16/01247. He was not against a replacement porch but in his view, it should be no larger than the current porch. Councillors Katy Boughey and Alexa Michael also supported a replacement porch of the current size.

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

1. The proposed extension by reason of its siting and size would have a detrimental impact on the distinctive character of the area, the visual amenities of the street scene and the residential amenities of the occupiers of the neighbouring dwelling, thereby contrary to Policies H8 and BE1 of the Unitary Development Plan and Policy 7.4 of the London Plan.

**31.8
CHELSFIELD AND PRATTS
BOTTOM**

(17/00364/FULL1) - 2 Station Cottages, Station Approach, Chelsfield, Orpington BR6 6EU

Description of application – 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.

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

**31.9
PENGES AND CATOR**

(17/00398/DET) - 213 Kings Hall Road, Beckenham BR3 1LL

Description of application – 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.

Oral representations in objection to and in support of the application were received at the meeting. It was reported that further objections to the application had been received similar to those listed in the Chief Planner's report. Comments from Ward Member, Councillor Kathy Bance, and also on behalf of Councillors Peter Fookes and Kevin Brooks, were read. A summary of objections of neighbouring residents in Lennard Road and Kings Hall Road had been received and circulated to Members.

Councillor Kevin Brooks said that the proposed rooves did not match the area, the landscaping would take too long to establish and would not provide adequate screening and also the size of the proposed windows were too large. He said the local residents were prepared to work with the developer to achieve an improved design.

Members having considered the report, objections and representations, **RESOLVED that the application BE DEFERRED**, without prejudice to any future consideration **to seek a REDUCTION IN THE SIZE OF THE WINDOWS, PROPOSALS TO INCLUDE THE PLANTING OF MORE MATURE TREES, TO LENGTHEN THE ACOUSTIC FENCING AND TO RECONSIDER THE POSITION OF THE GATES.**

**31.10
MOTTINGHAM AND
CHISLEHURST NORTH**

**(17/00471/FULL6) - 220 Mottingham Road,
Mottingham, SE9 4SZ**

Description of application – Two storey side extension, single storey front extension and elevational alterations.

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

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

**31.11
BIGGIN HILL**

**(17/00569/FULL6) - 144 Sunningvale Avenue,
Biggin Hill, TN16 3TW**

Description of application – 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.

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

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.

**31.12
DARWIN CONSERVATION
AREA**

(17/00607/FULL1) - Trowmers, Luxted Road, Downe, Orpington BR6 7JS

Description of application – 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).

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

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

**31.13
SHORTLANDS
CONSERVATION AREA**

(17/00652/FULL1) - 93 Shortlands Road, Shortlands, Bromley. BR2 0JL.

Description of application – 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.

THIS REPORT WAS WITHDRAWN BY THE CHIEF PLANNER.

**31.14
COPERS COPE**

(17/00758/FULL1) - 9-10 St Clare Court, Foxgrove Avenue, Beckenham, BR3 5BG

Description of application – Conversion of basement storage into 1 bedroom flat (resubmission of planning application reference: 16/03932/FULL1).

Oral representations from Ward Member, Councillor Russell Mellor, in objection to the application were

received at the meeting. It was reported that this application should have been under Section 4 of the agenda, (applications recommended for refusal or disapproval of details).

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.

**31.15
FARNBOROUGH AND
CROFTON**

**(17/00816/FULL1) - 18 Gladstone Road, Orpington
BR6 7EA**

Description of application – Demolition of annexe and detached garage, and erection of detached two storey 3 bedroom dwelling with associated parking and cycle store at rear.

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

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

**31.16
CHISLEHURST
CONSERVATION AREA**

**(17/00988/FULL1) - Jason, Yester Road,
Chislehurst, BR7 5HN**

Description of application – Extension to existing bungalow to form two semi-detached three storey dwellings with accommodation in roof space.

It was reported that the recommendation of the Chief Planner had been amended to read 'Permission'.

Members having considered the report and objections, **RESOLVED** that **PERMISSION BE GRANTED** as recommended, subject to the conditions and informatives set out in the report of the Chief Planner with amendments to Conditions 15 and 30.

"15. Before any part of the development hereby permitted is first commenced 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 on behalf of 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.

30. The development hereby permitted shall not commence until the Local Planning Authority has been supplied with evidence that a legal entitlement has been acquired to provide and maintain the sight line required by condition 15 over that part of the site that is currently not in the ownership of the applicant.

REASON: In order to comply with Policy T18 of the Unitary Development

Plan and in the interests of highway safety.”

**31.17
COPERS COPE**

(17/01115/FULL1) - 5-8 St Clare Court, Beckenham, BR3 5BG

Description of application – Conversion of roofspace into a two bedroom self-contained flat.

Oral representations in objection to the application were received. Oral representations from Ward Member, Councillor Russell Mellor, in objection to the application were received at the meeting.

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.

**31.18
PLAISTOW AND
SUNDRIDGE**

(17/01122/FULL1) - 87 Oak Tree Gardens, Bromley, BR1 5BE.

Description of application - 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.

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

Prior to the meeting the agent had sent an email to Members in support of the application that included confirmation from their client of his intention to withdraw the current planning appeal for application 16/04446/FULL1 if permission were granted and the agent reconfirmed their client's intention at the meeting.

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

SECTION 4

(Applications recommended for refusal or disapproval of details)

31.19 COPERS COPE

(17/00170/FULL1) - Footzie Social Club, Station Approach, Lower Sydenham, London, SE26 5BQ

Description of application – 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 ancillary car and cycle parking and the landscaping of the east part of the site to form open space accessible to the public.

Oral representations from Ward Member, Councillor Russell Mellor, in objection to the application were received at the meeting. Councillors Russell Mellor and Stephen Wells complemented the report writer for its excellence.

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.

The Meeting ended at 9.20 pm

Chairman

SECTION '2' – Applications meriting special consideration

Application No : 17/01047/FULL6

Ward:
Hayes And Coney Hall

Address : 106 Birch Tree Avenue West Wickham
BR4 9EL

OS Grid Ref: E: 539585 N: 164509

Applicant : Ms Ross

Objections : YES

Description of Development:

Alterations to existing side dormer (Retrospective Application)

Key designations:

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

UPDATE

This application was deferred without prejudice by Members of the Plans Sub Committee 1 held on the 13th June 2017, (previously on list 4 of the Agenda) in order to seek amendments to the dormer to include tile hanging as the facing material. The applicant has provided revised elevational drawings showing tile hanging facing materials to the dormer extension. The contents of the original report are repeated below.

Proposal

Planning permission is sought retrospectively for an existing side and rear dormer. The proposal seeks to reduce the scale of the existing side/rear dormer, which was built without planning permission. The application seeks to reduce the width of the current extension by removing part of the side dormer projecting out across the two storey wing section of the roof slope.

The existing side and rear dormer currently has a depth of 7.3m, a height of 2.5m to the hipped roof, with an approximate width of 4.5m. The proposal seeks to reduce the width of the proposal to 3.7m by removing the part of the side section; the height and depth of development will remain the same. The alterations mean that the cubic volume of the dormer will be 42.15m³ from 45.43m³.

Location

The application site is a two storey semi-detached property located on the western side of Birch Tree Avenue. The property includes a prominent front gable, with a

staggered flank elevation and benefits from off-street parking and a generous rear garden. The surrounding area is characterised by two-storey semi-detached residential dwellings. The site is not located within a Conservation Area, nor is it Listed.

Consultations

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

Planning Considerations

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

National Planning Policy Framework:

Chapter 7- Requiring Good Design

London Plan:

Policy 7.4 Local character

Policy 7.6 Architecture

Unitary Development Plan:

BE1 Design of New Development

H8 Residential Extensions

SPG1 General Design Guidance

SPG2 Residential Design Guidance

According to paragraph 216 of the NPPF decision makers can also give weight to relevant policies in emerging plans according to: The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given); The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and

The degree of consistency of the relevant policies in the emerging plan to the policies in the NPPF, the greater the weight that may be given).

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

The following emerging plans are relevant to this application.

Draft Local Plan

The Council is preparing a Local Plan and commenced a period of consultation on its proposed submission draft of the Local Plan on November 14th 2016 which closed on December 31st 2016 (under The Town and Country Planning (Local Planning) (England) Regulations 2012 as amended). It is anticipated that the 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 6 Residential Extensions
Draft Policy 37 General Design of Development

Planning History

88/01360/FUL-SINGLE STOREY REAR EXTENSION SEMI-DETACHED HOUSE-
Application Permitted- Date issued-25.05.1988

15/00012/FULL6-First floor rear extension and side dormer windows to Numbers 106 and 108 Birch Tree Avenue and two storey front/side extension to Number 106 Birch Tree Avenue with access steps to side- Application Refused- Date issued- 18.02.2015

16/03455/ELUD-Loft conversion. Lawful Development Certificate (Existing).-
Existing development is not Lawful- Date issued-30.08.2016

16/04414/ELUD-Side and rear dormer-LAWFUL DEVELOPMENT CERTIFICATE (EXISTING)- Existing Development is not Lawful- Date issued-09.11.2016

Other applications nearby

42 Birch Tree Avenue, West Wickham- 16/03903/FULL6- Application refused- Date issued- 03/10/2016- Dismissed on Appeal- 23/02/2017

120 Birch Tree Avenue, West Wickham- 16/03474/FULL6- Application Refused- 31/08/2016

138 Birch Tree Avenue, West Wickham- 15/04448/FULL5- Application Refused- Date issued- 30/11/2015- Dismissed on Appeal- 11/04/2016

Conclusions

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

Planning History

The retrospective planning application follows on from two previous Existing Lawful Development Certificates (16/03455/ELUD & 16/04414/ELUD) each of which were not considered to be LAWFUL for the following reason:

'The proposal as submitted would not constitute permitted development under Class B of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015, as the development extends beyond the plane of the roof slope that forms the principal elevation of the building and fronts a highway'.

The planning history section also refers to a number of similar applications along Birch Tree Avenue for side and rear dormers all of which have been resisted by the Council and subsequently dismissed on appeal by the Planning Inspectorate.

Accordingly the Council must now consider this application on its own merits and in light of the current policies.

Design

Both national and local planning policies recognise the importance of local distinctiveness in ensuring an effective planning system which achieves favourable design. Paragraph 60 of the NPPF states that it is proper to seek to promote or reinforce local distinctiveness, whilst paragraph 61 refers to the fact that although visual appearance and architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic considerations. Whilst London Plan Policies 7.4 and 7.6 seek to enhance local context and character, as well as encouraging high quality design in assessing the overall acceptability of a proposal. It is considered that the proposal fails to address these criteria.

Similarly, policy BE1 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.

Moreover, UDP policy H8 provides that dormer windows should be of a size and design appropriate to the roofscape and sited away from prominent roof pitches, unless dormers are a feature of the area.

The application property is one half of a pair of symmetrically designed semi-detached dwellings. The roofs of the dwellings are both prominent and of particular importance to the appearance of the street scene and comprise large front gables with timber detailing to the front and full hips to the sides and rear. These hips add to the sense of space between the buildings and emphasise the prominence of the front gables. The properties also benefit from two storey wings to the side which are modest in form and appearance with fully hipped roofs set back from the front of the property. As a result they are visually subservient and emphasise the simplicity and prominence of the front gables.

Whilst it recognised that the existing side/rear dormer extension would be reduced in scale the development would still occupy much of the existing roofspace. As such, due to its size and design the development would still totally dominate the roof of the host dwelling, when viewed from the street scene and the rear garden environment. Furthermore, the materials and appearance of the existing and proposed extension, further emphasises the intrusive, incongruous and conspicuous nature of the development, which fails to blend in with the materials of the existing roofscape. As a result, the pair of semi-detached dwellings would appear visually awkward and unbalanced due to the size, bulk and design of the development.

It is also important to note that whilst it is recognised that there are other examples along Birch Tree Avenue and surrounding roads of dormer roof extensions, these are not considered to be of significant material weight in the consideration of this planning application. In both Dismissed Appeals at no.42 and 138 Birch Tree Avenue (as referred to above) the Planning Inspectorate outlined that despite the presence of existing extensions in the surrounding locality almost all these were considered to detract from the character and appearance of their host properties and the street scene. In addition, it was considered that their presence does not justify further visually harmful development. Furthermore, it was determined that dormer extensions upset the rhythm of the roofscape and failed to respect the character and appearance of the host dwellings.

Therefore, for the reasons above it is considered that despite the intention to reduce the scale of the proposal the reductions are not considered significant enough to warrant planning permission. It is considered that the roof extension would still appear top heavy and would fail to respect, reflect or blend in appropriately with the character or appearance of the host dwelling. It would undermine and detract from the character and symmetry of the pair of dwellings and would harm the overall character and appearance of the street scene.

Impact on Residential Amenity

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

In respect to amenity the proposal is not anticipated to cause any undue harm to neighbouring amenity. Taking into account the density of the built environment a high level of overlooking already exists from the rear view first floor windows. As a result, the proposal is not expected to cause any significant loss of privacy by way of overlooking to neighbouring amenity over and above that of the existing.

Summary

Taking into account the above, Members may therefore consider that despite the alterations to the existing side/rear dormer the proposal would still result in a top heavy and incongruous addition to the dwelling and would fail to respect, reflect or blend in appropriately with the character or appearance of the host building. It would undermine and detract from the character and symmetry of the pair of dwellings and would thus result in detrimental harm to the visual amenities of the street scene. The proposed roof alterations would therefore be contrary to the policy objectives of Policies BE1 and H8 of the Unitary Development Plan, London Plan 7.4 and 7.6 and the NPPF.

Background papers referred to during production of this report comprise all correspondence on the file ref: 17/01047/FULL6 set out in the Planning History section above, excluding exempt information. As amended by documents received on the 14/06/2017.

RECOMMENDATION: APPLICATION BE REFUSED

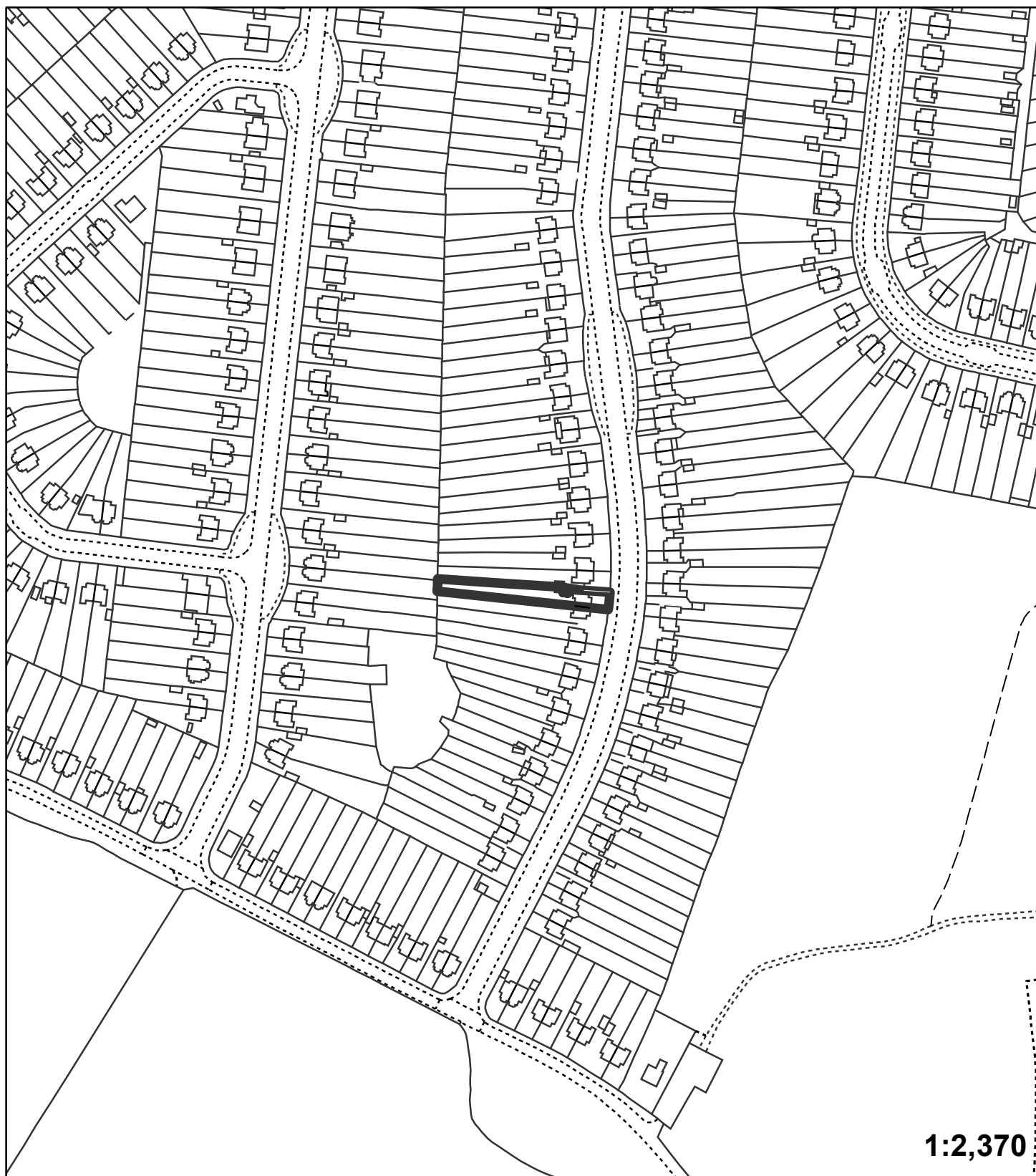
The reasons for refusal are:

- 1 The roof alterations, involving substantial alterations to the original roof profile of the property, are unsympathetic to the scale and form of the host dwelling and resulting in a top-heavy and incongruous addition, detrimental to the appearance of the host dwelling and wider streetscene in general, thereby contrary to Policies BE1 and H8 of the Unitary Development Plan, London Plan Policies 7.4 and 7.6 and the NPPF (2012).**

Application:17/01047/FULL6

Address: 106 Birch Tree Avenue West Wickham BR4 9EL

Proposal: Alterations to existing side dormer (Retrospective Application)



1:2,370

"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 : 17/01224/FULL1

Ward:
Cray Valley East

Address : Land Adjacent 24 Chesterfield Close
Orpington

OS Grid Ref: E: 548072 N: 168118

Applicant : Mr Steve Blake

Objections : YES

Description of Development:

Detached two storey building comprising 4 one bedroom flats with front and side balconies, 5 car parking spaces, vehicular access from Sweeps Lane and cycle and refuse stores

Key designations:

Biggin Hill Safeguarding Area
London City Airport Safeguarding
Open Space Deficiency
Smoke Control SCA 26

Proposal

It is proposed to erect a detached two storey building comprising 4 one bedroom flats on this site which would be of a pitched roof design and would front onto Sweeps Lane. A new vehicular access would be created from Sweeps Lane at the western end of the site which would lead to a parking area for 5 vehicles, part of which would extend over land currently within the rear garden of No.24.

Location

The application site comprises a 46m long strip of disused land currently owned by the London Borough of Bromley which lies between No.24 Chesterfield Close and Sweeps Lane, along with part of the rear garden of No.24. The site slopes down from east to west, and lies adjacent to the Green Belt on the opposite side of Sweeps Lane.

Consultations

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

- overdevelopment of the site
- out of character with the area
- overlooking of neighbouring gardens

- noise and disturbance from proposed parking area adjacent to neighbouring gardens
- loss of trees
- possible impact on land stability.

This application was called into committee by a Ward Councillor.

Consultee comments

From a highways point of view, the proposals would provide at least one parking space per flat which would be acceptable in this low (1a) PTAL location. Revised plans were submitted of the sightline to Sweeps Lane (16.06.17), and it is considered acceptable.

No drainage or Environmental Health objections are raised to the proposals, 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 & Design
H9 Side Space
T3 Parking
T18 Road Safety
NE7 Development and Trees
G6 Land Adjoining Green Belt

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 53 - Land Adjoining 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

The Major's Housing SPG and the National Planning Policy Framework (NPPF) are also relevant.

Planning History

Permission was refused in May 2016 (ref.16/00444) for a block of 6 one bedroom flats on this site on the following grounds:

- 1 The proposal constitutes a cramped overdevelopment of the site by reason of the excessive residential density and site coverage with buildings and hard surfacing, which would have a seriously detrimental impact on the character and spatial standards of the surrounding area, thereby contrary to Policies BE1 and H7 of the Unitary Development Plan.
- 2 The proposed building would, by reason of its flat roofed design, appear incongruous within the street scene, and would have a detrimental impact on the character and appearance of the surrounding area, thereby contrary to Policies BE1 and H7 of the Unitary Development Plan.
- 3 The proposed development, by reason of its size, excessive depth of rearward projection and close proximity to neighbouring properties, would have a seriously detrimental impact on the light to and outlook from the

adjoining properties, thereby contrary to Policy BE1 of the Unitary Development Plan.

- 4 The proposed car parking area would result in a significant level of vehicle movements in close proximity to private residential gardens which would cause an unacceptable level of noise and disturbance to neighbouring properties detrimental to residential amenity, and would thereby be contrary to Policy BE1 of the Unitary Development Plan.

The subsequent appeal was dismissed in September 2016 on grounds relating to the size and design of the building which would be out of character with the area, the detrimental impact on the spatial qualities of the area, the lack of available space for soft landscaping to mitigate the impact of the development, and the loss of outlook from No.24 due to the excessive length of the development close to the boundary with this property. The Inspector further considered that, by reason of its position so close to the common boundary of the site with Sweeps Lane and the connecting public footpath to Chesterfield Close, the proposed building would dominate this corner and conflict with the established pattern of development in the locality and its more spacious qualities.

The Inspector did not consider that the location of the car parking area adjoining the rear garden areas of Nos.2, 22 and 24 Chesterfield Close would cause significant noise and disturbance to these properties, subject to the provision of a solid fence, as only 5 car parking spaces would be provided, which would result in a relatively low level of use, and the living accommodation of these properties would be separated from the parking area by their long rear gardens. Furthermore, she considered that the proposals would not result in any undue loss of light or privacy to neighbouring properties.

Conclusions

The main issues relating to the application are whether the revised proposals would constitute an overdevelopment of the site, the effect on the character and appearance of the surrounding area, the impact on the amenities of neighbouring properties, the impact on parking and road safety in the highway, and the impact on important trees on the site.

The main differences between the current and dismissed schemes are:

- the number of flats has been reduced from 6 one bedroom flats to 4 one bedroom flats
- the footprint of the building has been significantly reduced in depth (by 11.4m) and bulk
- the building would now have pitched roofs rather than a flat roof
- the building would be set slightly further back from the boundaries with Sweeps Lane and the public footpath to Chesterfield Close
- there would be increased soft landscaping on the site.

Overdevelopment and 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 61 dwellings per hectare with the table giving a suggested level of between 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 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. This will be the case on some corner properties.

The current proposals are for a two storey pitched roof building which would be significantly reduced in depth from the previous scheme for 6 flats, and would have a staggered form which would be set back between 1.4-4.5m from the flank boundary with No.24. However, the concerns of the Inspector with regard to the close proximity of the building to the boundaries with Sweeps Lane and the public footpath to Chesterfield Close and its dominating impact on this corner site have not been adequately addressed as the distances to these boundaries have not significantly changed. Although the Inspector indicated that the provision of a pitched roof over the building would be more in keeping with the area, it would cause the building to appear bulkier at the corner of Sweeps Lane and the footpath than previously proposed, although its impact further along Sweeps Lane would be lessened by the reduction in depth of the building and the provision of more soft landscaping.

The proposals are still therefore considered to appear overdominant and cramped on this open corner site, which would have a detrimental impact on the character and spatial standards 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 proposals comprise 4 one bedroom 2 person flats. The London Plan (2015) suggests that the minimum size of a one bedroom 2 person dwelling should be 50sq.m. The flats would provide 51-53sq.m. floorspace, and would therefore achieve this standard.

Private amenity space would be provided in the form of balconies for the upper flats and terraces on the ground floor.

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.

Impact on neighbouring residential amenity

With regard to the impact on neighbouring properties, the rearward projection of the two storey building would now be reduced by 11.4m, and the impact on outlook from No.24 would therefore be significantly reduced. Windows in the northern flank elevation of the building adjacent to No.24 would be obscure glazed, and a privacy screen would be provided to the rear balcony. No loss of privacy would therefore occur to the adjacent property. The previous Inspector did not consider that any loss of light or privacy would result from the previous larger scheme proposed.

The proposed car parking area in the western part of the site would extend into what is currently part of the rear garden of No.24, as with the previous scheme, and although it would bring vehicle movements into an area of land which is adjacent to the private rear gardens of a number of adjoining properties, the Inspector in the previous scheme did not consider that the vehicle movements associated with the use of the car park to serve 6 flats would cause an unacceptable level of noise and disturbance to neighbouring properties. Although the same number of parking spaces is proposed, it would serve 4 rather than 6 flats, and the levels of noise and disturbance to neighbouring properties would be the same as or reduced from the previous scheme.

The revised proposals are not therefore, considered to result in undue loss of light, privacy or prospect to the adjacent properties, nor cause a significant level of noise disturbance from the parking area, subject to the provision of a solid fence.

Impact on highway safety

With regard to parking/highways issues, the Council's Highway Officer has confirmed that no technical objections are raised to the proposals.

Impact on Trees

With regard to the trees on the site, none are considered to warrant tree protection measures, and no objections are therefore raised to the loss of trees, subject to the provision of some new tree planting as part of any permitted scheme.

Conclusion

The revised proposals are not considered to have satisfactorily overcome the previous Inspector's concerns with regard to the overdominant appearance at the

corner of Sweeps Lane and the footpath, and would therefore have a detrimental impact on the character and appearance of the area.

as amended by documents received on 16.06.2017
RECOMMENDATION: APPLICATION BE REFUSED

The reasons for refusal are:

- 1 The proposed development, by reason of its size, height and close proximity to the boundaries with Sweeps Lane and the footpath leading to Chesterfield Close, would result in an overdominant and cramped form of development on this open corner site which would be detrimental to the character and spatial standards of the surrounding area, thereby contrary to Policies BE1, H7 and H9 of the Unitary Development Plan.**

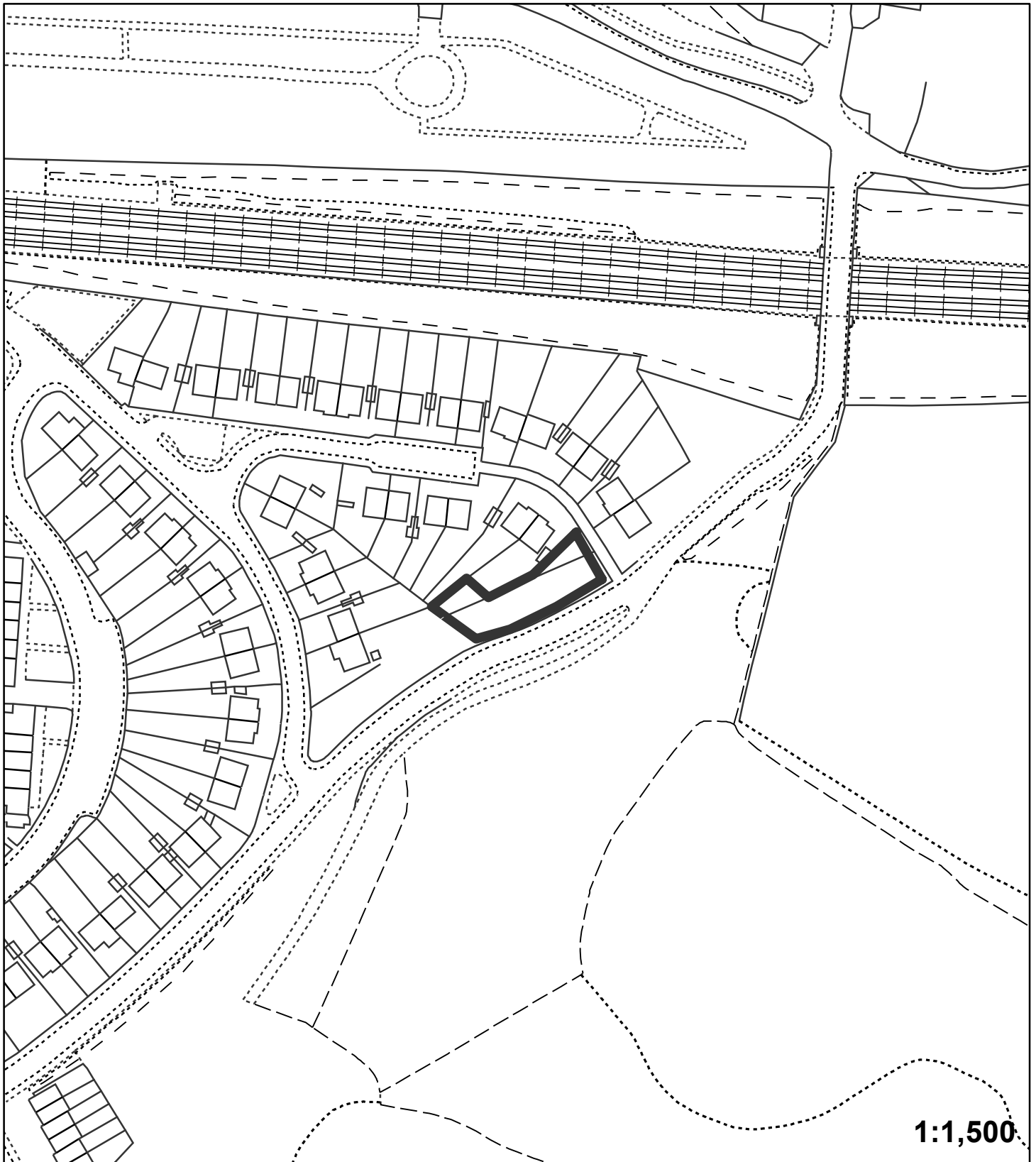
You are further informed that :

- 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**

Application:17/01224/FULL1

Address: Land Adjacent 24 Chesterfield Close Orpington

Proposal: Detached two storey building comprising 4 one bedroom flats with front and side balconies, 5 car parking spaces, vehicular access from Sweeps Lane and 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 '2' – Applications meriting special consideration

Application No : 17/01315/FULL1

Ward:
Crystal Palace

Address : 33 Cintra Park, Anerley, London, SE19
2LQ

OS Grid Ref: E: 533783 N: 170432

Applicant : Mr Seamus McQuade

Objections : YES

Description of Development

Conversion of an existing dwelling house into 4 flats (3 x 2 bed flats and 1 x1 bed flat) together with a three storey infill extension to the rear over the lower ground, ground and first floors and front and rear dormer extensions.

Key designations:

Conservation Area: Belvedere Road

Biggin Hill Safeguarding Area

London City Airport Safeguarding

Smoke Control SCA 6

Proposal

Planning permission is sought for the conversion of an existing dwelling house into 4 flats (3 x 2 bed flats and 1 x1 bed flat) together with a three storey infill extension to the rear over the lower ground, ground and first floors and rear dormer extension.

The application can be divided into 5 elements:

1. Conversion of an existing dwelling house into 4 flats: The existing family dwelling house has 5 bedrooms and will provide the following:

Lower Ground – 2 bed 4 person unit measuring 84.3 sqm GIA

Upper Ground – 2 bed 4 person unit measuring 70sqm GIA

First Floor – 2 bed 3 person unit measuring 63.1sqm GIA

Second Floor – 1 bed 2 person unit measuring 52.1 sqm GIA

2. Three storey infill extension: this measures 2.15m in depth and 4m wide with a flat roof to a maximum height of 8.9m and will be finished in matching brickwork.

3. Roof terraces/balconies: Two balconies are to be provided one on top of the existing two store to serve flat 3 on first floor and would measure 6m². The terrace is to have 1.8m high frosted privacy screen to the north-eastern elevation. The second terrace is on top of the proposed three storey extension and would measure 6.5m² and serve flat 4 on the second floor. The terrace is to have 1.8m high frosted privacy screen to the south-western elevation.

4. Rear dormer: This would measure 3.4m deep, 2.7m height and 6.55m in length providing 30 m³ of additional roof space. The dormer would be finished in standing seam, metal roof in slate grey colour.

5. Refuse and bicycle stores to the front. Two cycle stores are to be provided in the front garden to serve units 3 and 4, the cycle store for unit 2 is to be located in the rear garden and unit 1 (lower ground floor) in the lightwell. Each of the cycle stores are to hold 2 bicycles. The refuse store is to be located on the south-western boundary adjacent to No. 35 and would measure 3.2m x 0.8m and provide the communal refuse storage for all 4 units.

Location

The site is located on the eastern side of Cintra Park, Anerley, within the Belvedere Road, Anerley Conservation Area. The area mainly consists of large Victorian villas that were built after the construction of the Crystal Palace.

Consultations

Nearby owners/occupiers were notified of the application and one representations was received.

"I am applaud all quality development in our area, but am concerned with the local services that will be available for this property, which has been single house, and like many will develop into 4 dwellings. Having seen such a development near me on Belvedere Road (a 50s house was knocked down making way for a full size Victorian 'style' building, containing at least four or five flats), where fly tipping and overflowing waste and recycling bins at the front of the property are creating a huge mess and inevitably a health hazard. For such properties once weekly refuse collections, let alone fortnightly are simply not sufficient. The development in Belvedere Road that I use as the example must have created an increased revenue in Council Tax, which I would have assumed would help towards such issues of cleansing. So far there is no evidence that this is the case. I have many photographs of what that corner has become, and the smell in April was atrocious, so I can only imagine that things will get worse in the summer. My house is behind 33 Cintra Park and am concerned that if we experience the same lack of cleansing there too it might not be long before we experience problems of vermin etc."

Built Conservation:

Given the revised drawings received (01/06/17) Officers now support the application subject to the usual materials conditions.

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).

Environmental Health – Pollution:

I have considered the above and have no objections within the grounds of consideration.

The application site is within an Air Quality Management Area declared for NO_x. I would therefore recommend that the following condition:

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

I would recommend that the following informatives are attached:

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

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

Highways:

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

The applicant is not providing any off -street parking spaces; which is very regrettable. I stated at the pre- application consultation that one space should be provided per flat, equating to a total of 4 spaces; however a minor reduction in the parking requirement may be justified as the site is considered moderately accessible to public transport

The applicant has carried out overnight surveys were undertaken on Wednesday 25th January and Wednesday 1st February 2017 November 2016 at approximately 01:00am on both nights. The parking stress for unrestricted bays within the survey area is 78%. Of the 309 unrestricted parking opportunities identified within the survey area, an average of 242 cars has been observed to be parked.

Daytime Parking Assessment- the daytime parking beats were conducted between the hours of 1000- 1200); daytime surveys were conducted by surveyors on a half-hourly basis between 1000-1200 over two typical weekdays. The survey was carried out on Tuesday 31st January and Wednesday 1st February. The survey

results demonstrate that there are several free unrestricted parking spaces within the study area throughout the morning. Some roads were more heavily parked than others, with Tudor Road seen to be parked at capacity throughout, whilst Cintra Park itself fluctuated between 68% and 81%. The survey area as a whole was more heavily parked on Tuesday 31st January from 1000- 1030 when the stress level recorded was at 83%, illustrating that there was a minimum of 53 unrestricted spaces during this period.

Although some of the surrounding roads have some spare capacity as no car parking is provided I am concerned that the development would generate additional traffic and increase parking demand in the vicinity.

Furthermore an increase in parking demand in an area where a few spaces are available would generate considerable pressure to find spaces with a significant risk of illegal or unsuitable parking and on-street manoeuvring. This would cause inconvenience and in some locations, risk to traffic and pedestrian safety.

The Proposed Draft Local Plan Chapter 4, Getting Around (Transport and Accessibility) states the following for residential parking standards:

Bromley Residential Parking Standards (per unit)

PTAL	1-2 bed	3 bed
0-2*	Minimum of 1	Minimum of 1.5
2*-6a	0.7 (min) – 1 (max)	1 (min) 1.5 (max)

These standards reflect the factors in the National Planning Policy Framework (NPPF) which encourage local planning authorities to develop their own standards.

The applicant is admitting that the development will generate a minimum of two cars; therefore I am seeking two off-street car parking spaces.

The cycle parking offered by the applicant is satisfactory.

Drainage:

No change in the footprint. No Comment

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
- 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
- 7.4 Local Character
- 7.6 Architecture
- 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
Draft Policy 37 General Design of Development
Draft Policy 30 Parking
Draft Policy 32 Road Safety

Planning History

There is no planning history for this site.

Conclusions

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

- Principle of development
- Housing Supply
- 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; and
- Mayoral 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 a number of the neighbouring properties have already been converted therefore the conversion of the existing unit is acceptable in principle subject to an assessment of the impact of the proposal on the appearance/character of the surrounding area, the residential amenity of adjoining and future residential occupiers of the scheme, car parking and traffic implications, sustainable design and energy, community safety and refuse arrangements.

Design, 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.

The site is located within Belvedere Road Conservation Area; therefore Policy BE11 is relevant to this application. This policy seeks to preserve and enhance the character and appearance of Conservation Areas. These policies are supported by London Plan Policy 7.8.

The application site comprises of a semi-detached properties fronting onto Cintra Park. The front elevation of the host building is to remain relatively unaltered with the only addition being three front rooflight. The proposed three storey rear extension would “square off” the rear of the building and finished in matching materials. It is considered that the location and design of the extension would fit with the character of the host building and Belvedere Conservation Area.

With regards to the rear dormer this is not visible from and it is noted from site that there are a number of roof extensions of varying sizes and designs in the immediate vicinity of the site.

In terms of the new balconies/terraces these will be discretely located on top of the exiting two storey rear extension and the new three storey rear extension, whilst the introduction of glass balustrading would result in a modern approach the advantage of using glass and a visually light weight material means the balustrading will be relatively inconspicuous on the rear elevation.

Therefore, it is considered the proposed development would adhere to the objectives set out above in that the development does have proportion, composition and scale that complements the host building.

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 units ranges between 52.1m² for a 1 bed unit, 63 m³ for a 2 bed 3 person unit and 70-84.3 m³ for a 2 bed 4 person unit. The nationally described space standard requires the minimum floor standards:

1 bed 2 person over one storeys at 50 sqm
2 bed 3 person over one storeys at 61 sqm
2 bed 4 person over one storeys at 70 sqm

The nationally described space standard sets a minimum ceiling height of 2.3 meters for at least 75% of the gross internal area of the dwelling. To address the unique heat island effect of London and the distinct 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 rooms in the roof provide a minimum ceiling height of 2.4m, and whilst this is 10cm shorter than the London Plan Guidance it should be noted that these space standards are set for new developments and conversions when they are addressing the existing fabric of a building will be harder to achieve all of the guidance.

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 adequate private amenity space should also be provided with a minimum of 5 sq m of private outdoor space for 1-2 person dwellings and an extra 1 sq m should be provided for each additional occupant. The basement and ground floor units will have access to private gardens 41.3m² for Flat 1 and 45m² for flat 2. Flats 3 and 4 will have separate private provision in the form of balconies of 6m² for flat 3 and 6.5m² for Flat 4. Given the close proximity of a number of parks (Westow Park and Crystal Palace Park). It is also noted that that previous application was not refused for this reason and therefore on balance it is considered that the provision is broadly acceptable at this location.

Car parking:

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

The applicant is not providing any off -street parking spaces. The applicant has carried out overnight surveys were undertaken on Wednesday 25th January and Wednesday 1st February 2017 November 2016 at approximately 01:00am on both nights. The parking stress for unrestricted bays within the survey area is 78%. Of the 309 unrestricted parking opportunities identified within the survey area, an average of 242 cars has been observed to be parked.

Daytime Parking Assessment- the daytime parking beats were conducted between the hours of 1000- 1200); daytime surveys were conducted by surveyors on a half-hourly basis between 1000-1200 over two typical weekdays. The survey was carried out on Tuesday 31st January and Wednesday 1st February. The survey results demonstrate that there are several free unrestricted parking spaces within the study area throughout the morning. Some roads were more heavily parked than others, with Tudor Road seen to be parked at capacity throughout, whilst Cintra Park itself fluctuated between 68% and 81%. The survey area as a whole was more heavily parked on Tuesday 31st January from 1000- 1030 when the stress level recorded was at 83%, illustrating that there was a minimum of 53 unrestricted spaces during this period.

The applicant concludes that the development potentially will increase the demand of on-street parking by one car and to offset this have offered membership to a car club; the Highways Officers requests on the basis of the draft Local Plan the scheme is amended to two off-street car parking spaces, reduce the number of units or change in tenure.

However, the front garden is not large enough to accommodate two spaces, Appendix II of the UDP requires each space to be 5m x 2.4m and together with the provision of a bin and cycle store and lightwell there is not enough space. Moreover there would be no net gain in parking provision, as there would be a requirement of a cross over for two spaces.

Additionally the site is located within the Belvedere Conservation Area and it is considered that the removal of the existing boundary treatment and soft landscaping would be detrimental to the street scene and a character of the area generally.

As such given all of the above it is considered that the proposed development would not impact significantly on the safety conditions or prejudicial to parking in the area given the PTAL, membership to a car club and provision of cycle parking.

Cycle parking:

Cycle parking is required to be 1 space per 1 bedroom flats and 2 spaces for all other dwellings. The cycle parking offered by the applicant is satisfactory.

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.

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. This is supported by London Plan Policy 7.6.

The three storey rear extension three storey extension to the rear of the original building, to 'square-off' the host building along the rear elevation, would not lead to excessive harm to the visual or residential amenities of the occupiers of neighbouring properties. Indeed, No.35 Cintra Park is separated from the application site and where the proposed extension would be built there will be a fairly substantial degree of separation. In addition, No.35 is also located on a higher land level and therefore, the impact of the proposed extension is likely to be minimal.

Two terraces/balconies are proposed at first and second floor levels. To mitigate any overlooking or perceived overlooking the plans show the balustrading to the north-east and south-west to be 1.8m high and to ensure this mitigation measures have also been proposed in terms of obscure glazing. To ensure the correct level of obscurity is obtained a condition requiring this has been proposed.

The balconies are 6 – 6.5sqm which will provide some outdoor amenity space as required by the London Plan but with a reduced the size will ensure that it will not result in a significant increased noise and disturbance at the elevated level.

With regards to the rear dormer, it is noted that there are a number of dormer in the area and the introduction of one at 33 is not considered to lead to any increase in loss of privacy or overlooking over and beyond the current situation with windows at second floor level.

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

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.

Background papers referred to during production of this report comprise all correspondence on the file ref: 17/01315/FULL1 set out in the Planning History section above, excluding exempt information.

as amended by documents received on 01.06.2017

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 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** No additional windows shall at any time be inserted in the first or second floor north-eastern or south-western flank elevations, 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.

- 5** 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.

- 6** 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.

- 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 The privacy screening for the balconies shall be carried in complete accordance with the plans hereby approved under planning ref: 17/0315/FULL1 (Drawing No.306 Rev A). The balustrading shall be obscure glazed to a minimum level equivalent to level 4 Pilkington and permanently retained thereafter unless 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.

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

Reason: To minimise the effect of the development on local air quality within an Air Quality Management Area in line with NPPF p124 and Policy 7.14 of the London Plan.

- 10 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 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 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.
- 4 Before works commence, the Applicant is advised to contact the Pollution Team of Environmental Health & Trading Standards regarding compliance with the Control of Pollution Act 1974 and/or the Environmental Protection Act 1990. The Applicant should also ensure compliance with the Control of Pollution and Noise from Demolition and Construction Sites Code of Practice 2008 which is available on the Bromley web site.
- 5 If during the works on site any suspected contamination is encountered, Environmental Health should be contacted immediately. The contamination shall be fully assessed and an appropriate remediation scheme submitted to the Local Authority for approval in writing.

Application:17/01315/FULL1

Address: 33 Cintra Park Anerley London SE19 2LQ

Proposal: Conversion of an existing dwelling house into 4 flats (3 x 2 bed flats and 1 x1 bed flat) together with a three storey infill extension to the rear over the lower ground, ground and first floors and front and rear dormer extensions.



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

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SECTION '2' – Applications meriting special consideration

Application No : 17/01579/FULL1

Ward:
Kelsey And Eden Park

Address : Eden Parade Eden Road Beckenham
BR3 4AU

OS Grid Ref: E: 536074 N: 168391

Applicant : Daejan Properties Ltd

Objections : YES

Description of Development:

Demolition of six lock-up units and garages and erection of 4 three bedroom and 1 one bedroom terraced houses over 2/3 storeys with associated landscaping, parking and refuse stores.

Key designations:

Smoke Control SCA 15

Proposal

Planning permission is sought for the demolition of six lock-up units and garages and erection of 4 three bedroom and 1 one bedroom terraced houses over 2/3 storeys with associated landscaping, parking and refuse stores.

The terraced building footprint is set back approximately 3.3m from the footway with the central three dwellings measuring 4.4m width at the front elevation by 11.5m depth. The southern end terrace dwelling measures 3.5m width tapering wider to the rear, by 10m depth. The north end terrace dwelling measures 8m to the front elevation by 11m depth. The footprint of each dwelling is staggered internally and the height of the houses vary between part one, part two and part three storeys with a pitched roof structure.

The footprint of the terrace is set in from the flank boundaries at the front elevation building line point by 1.067m to the property boundary with No2a Eden Road to the south east and 5.5m across the new car park entrance to the northern boundary. The terrace buildings principle elevation will face Eden Road. Parking arrangements are provided to the north of the site in a small parking area for 5 vehicles accessed from Eden Road.

Internal layout plans indicate 4 three bedroom dwellings and 1 one bedroom dwelling. The rear curtilage will vary between approximately 10m to 11m depth between properties divided into private areas. An external refuse store is located within the front curtilage of each house adjacent to the footway and cycle parking is located in the rear curtilage.

Materials are indicated as brickwork for the elevations with a red plain tiled roof and aluminium dark coloured window frames.

Location

The site is located on the west side of Eden Road and comprises a single storey building occupied as commercial units within a range of Use Classes from A1 to B Class uses. All units are currently vacant with the site hoarded at the time of site visit.

To the north of the site are premises fronting Croydon Road with commercial uses at ground level and mostly residential above with right of access from the application site. To the south, east and opposite the site are primarily residential terrace properties in groups of predominantly four units. To the rear, west of the site are large rear garden curtilages of property fronting Langley Road.

The site is not located in a conservation area nor are the buildings listed.

Consultations

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

- Concerns with height of properties blocking natural light.
- Concerns with parking due to narrowness of road and congestion.
- Extra houses will make parking situation worse in locality.
- Preference to see two storey houses built.
- Eden Road should be resident parking only.
- Concerns regarding deliveries and vehicles for the construction process.

Internal Consultations

Highways:

The site is located to the west of Eden Road and is bounded by Eden Road to the east and existing residential dwellings to the north, south and west. Eden Road is a one-way residential street at approximately 6m and 6.2m wide to the site frontage with footways at approximately 1.5m to both sides. The area in proximity of the development site has a Public Transport Accessibility Level (PTAL) of 4 on a scale of 0 - 6b, where 6b is the most accessible.

The site is accessed from Eden Road. There are currently two disabled on street bays which are due to be removed. The access would allow two way traffic flow which is acceptable. The cost of removal of any street furniture and constructing the new access would be at applicant's expense. Five car parking spaces at 2.8m by 4.8m are provided which is satisfactory. Two cycle parking spaces per unit are indicated which is acceptable. Refuse storage is acceptable.

Arboriculture:

No objections to the scheme. The development is seen as an improvement to what exists. The trees to the rear are of limited significance from a public perspective and should not form a constraint. A development of this scale would be expected to demonstrate sufficient landscape proposals and incorporate tree planting. This site plan appears to indicate new tree planting, however, this is not detailed. It is recommended that some forward thinking is applied to the proposed landscaping with a view of long term retention of planted trees. Species selection will need to suit the small amenity space of each property and consider future conflict with the new dwellings.

Environmental Health - Pollution:

No objections to permission in principle. A full land contamination site investigation is required.

Drainage:

A foul public sewer crosses the site and building near/over a public sewer needs Thames Water permission. The use of soakaways at this location will require a soakage test to determine the degree of infiltration of the soil at this location.

External Consultations

Thames Water:

No response.

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
- 20 to 22: building a strong competitive economy.
- 29 to 32, 35 to 37: Promoting sustainable transport
- 49 to 50: Delivering a wide choice of high quality homes
- 56 to 66: Design of development

London Plan 2015:

- 3.3 Increasing Housing Supply
- 3.4 Optimising Housing Potential
- 3.5 Quality and Design of Housing Developments
- 3.6 Children and young people's play and informal recreation facilities
- 3.8 Housing Choice
- 3.9 Mixed and Balanced Communities

- 3.10 Definition of affordable housing
- 4.1 Developing London's Economy
- 4.8 Supporting a Successful and Diverse Retail Sector and Related Facilities and Services.
- 5.1 Climate change mitigation
- 5.2 Minimising Carbon Dioxide Emissions
- 5.3 Sustainable Design and Construction
- 5.7 Renewable Energy
- 5.10 Urban Greening
- 5.11 Green Roofs and Development Site Environs
- 5.12 Flood Risk Management
- 5.13 Sustainable Drainage
- 5.14 Water quality and wastewater Infrastructure
- 5.15 Water use and supplies
- 5.16 Waste self-sufficiency
- 5.17 Waste capacity
- 5.18 Construction, excavation and demolition waste
- 5.21 Contaminated land
- 6.3 Assessing Effects of Development on Transport Capacity
- 6.5 Funding Crossrail and other strategically important transport infrastructure
- 6.9 Cycling
- 6.12 Road Network Capacity.
- 6.13 Parking
- 7.1 Lifetime Neighbourhoods
- 7.2 An Inclusive Environment
- 7.3 Designing Out Crime
- 7.4 Local Character
- 7.5 Public Realm
- 7.6 Architecture
- 7.14 Improving Air Quality
- 7.15 Reducing and Managing Noise, Improving and Enhancing the Acoustic Environment and Promoting Appropriate Soundscapes.
- 7.16 Green Belt
- 7.19 Biodiversity and Access to Nature
- 8.3 Community Infrastructure Levy

Housing: Supplementary Planning Guidance. (March 2016)

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

Unitary Development Plan:

- BE1 Design of New Development
- BE7 Railings, Boundary Walls and Other Means of Enclosure
- ER7 Contaminated Land
- H1 Housing Supply
- H7 Housing Density and Design
- H9 Side Space
- EMP5 Development outside Business Areas
- S5 Local Neighbourhood Centres, Parades and individual Shops

- NE7 Development and Trees
- T3 Parking
- T5 Access for People with Restricted Mobility
- T6 Pedestrians
- T7 Cyclists
- T16 Traffic Management and Sensitive Environments
- T17 Servicing of Premises
- T18 Road Safety

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

Emerging Bromley Local Plan:

The Council is preparing a Local Plan and commenced a period of consultation on its proposed submission draft of the Local Plan on November 14th 2016 which closed on December 31st 2016 (under The Town and Country Planning (Local Planning) (England) Regulations 2012 as amended). It is anticipated that the submission of the draft Local Plan will be to the Secretary of State in 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 - Road Safety
- Draft Policy 33 - Access for All
- Draft Policy 34 - Highway Infrastructure Provision
- Draft Policy 37 - General design of development
- Draft Policy 73 - Development and Trees
- Draft Policy 77 - Landscape Quality and Character
- Draft Policy 83 - Non Designated Employment Land
- Draft Policy 96 - Local Neighbourhood Centres, Parades and individual Shops
- 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

81/0694: Change of Use from fish shop to double glazing workshop. Approved 11.06.1981

84/00058/OTH: Removal of condition 2 of permission 81/0694 and Use for manufacture of double glazed replacement windows. Approved 08.03.1984.

87/00928/FUL: Use for manufacture of double glazed replacement windows. Renewal of 84/00058. Approved 06.05.1987.

Conclusions

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

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

Principle of development

Loss of business and commercial use

The site is categorised as having a varied mix of uses that have historically ranged from A1 and B Class uses. All units on the site are now vacant and in a poor state of repair.

Policy EMP5 of the UDP requires that redevelopment of business sites outside designated business areas will be permitted provided that the size, configuration, access arrangements or other characteristics make it unsuitable and full and proper marketing confirms the unsuitability and financial non-viability of the site or premises for those uses.

The supporting text for Policy EMP5 states that the supply of independent business sites in the Borough is diminishing. Many of the established sites within, or neighbouring residential areas are under threat from new residential development. These sites serve an important purpose in the Borough, accommodating small business uses that cannot be located satisfactorily in Business Areas or town centres. One of the key objectives is to retain a range of accommodation for different business uses. It is important, therefore to retain individual sites unless there are significant reasons as to why their continued business use is not feasible. Paragraph 10.28 goes on to state that retaining existing commercial sites around the Borough has significant sustainable development advantages in terms of providing both local employment opportunities and local services. Many of the small sites within the Borough are occupied by local independent traders, providing specialist services, who form an important part of the local economy.

The Council's emerging Local Plan in compliance with Paragraph 22 of the NPPF continues this policy approach. Draft Policy 83 allows the change of use of such sites as long as lack of demand for the existing use has been demonstrated, all opportunities for re let and sale for redevelopment for employment uses have been fully explored, and whether in a mixed use scheme if similar areas of employment generating uses can be provided again on site.

Policy S5 of the UDP details that in local neighbourhood centres and shopping parades change of use from Class A1 (Shops) to other uses will be permitted provided that the use proposed contributes to the range of local services or the provision of local community facilities: and contributes to the vitality of the centre by providing a service or attracting visitors during shopping hours; or it can be demonstrated that there has been a long term vacancy and a lack of demand for Class A1 (Shops) use, as well as a lack of demand for service or community use before other uses are proposed. Draft Policy 96 of the Proposed Submission Local Plan reiterates this approach.

In response and to address the Policy requirements the applicant has submitted the following documents in support of the redevelopment and change of use of the site.

- Linays Marketing Letter and Particulars for advertising that has been undertaken.
- Condition Survey Report for Derelict Lock-up Shop Units. The information includes approximate costings for bringing the buildings up to standard.
- Photographs depicting the condition of the buildings.

The documents individually conclude that the cost of refurbishing the site against demand for such business units in the locality is not economically viable. Officers have reviewed the documents and concur with the findings. Given the separation of the buildings away from the main areas of the Elmer's End Neighbourhood Centre on Croydon Road it is considered that the above documents clearly demonstrate that there are no strong economic reasons why the existing site and associated employment uses should be retained for mixed commercial uses and therefore alternative uses for the site should be sought.

Provision of housing

Notwithstanding the above issues regarding the loss of a non designated employment land site the following needs to be taken into account when considering any residential development use of the site.

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

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

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

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

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

The site is located adjacent to primarily residential areas to its south and east and is currently a derelict mixed use commercial site. Given the above acceptance in principle for alternative land uses for the site the Council will consider a residential development on such sites provided that it is designed to complement the character of surrounding developments, the design and layout make suitable residential accommodation and it provides for garden and amenity space. Any adverse impact on neighbouring amenity, conservation and historic issues, biodiversity or open space will need to be addressed. Therefore the provision of a small terrace of residential houses 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.

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 4 and is within a suburban setting. In accordance with Table 3.2, the recommended density range for the site would be 55-115

dwellings per hectare. The proposed development would have a density of 59 dwellings per hectare.

Therefore, the proposed development of the site would be within these ranges and maybe considered a suitable level of development for the site. However, a numerical calculation of density is only one aspect in assessing the acceptability of a residential development and 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 which are assessed below.

Design

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

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

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

The submitted Design and Access Statement goes some way to explain the design process and rationale that has led to the current proposed design.

The predominant character in the vicinity of the site in this part Elmer's End in Beckenham is of predominantly terraced housing on Eden Road located in close proximity to the road. Properties are also relatively narrow with long mature rear

garden areas which has resulted in a cohesive character to the area that it is considered desirable to conserve within the locality.

In this case, the proposed terraced houses are two storey in height to the streetscene elevation with the scheme striking a balance between the footprint of the original single storey development and the existing building lines and local building pattern. The new proposal keeps the traditional approach in terms of mass and scale with pitch roofs and a terraced housing form as well as maintaining front and rear building alignments and ridge heights and landscaped front garden areas.

The three middle terraced houses establish the rhythm and relation with the adjacent buildings with the first and last houses adapting their form to provide a transitional massing arrangement between adjacent land uses and buildings. The heights, building proportions, roofscape and window proportions are considered to echo the adjacent context.

Car park spaces are located away from the streetscene a short distance from the north boundary to avoid impacting on neighbouring amenity. A brick wall with space for planting will separate the car park spaces from the new development amenity space. This arrangement is considered acceptable.

Therefore, the impact of the building in terms of its mass and scale is considered minimal to the streetscene representing an unobtrusive infill development.

The justification paragraph in respect of Policy H9 details that the retention of space around residential buildings is essential to ensure adequate separation and to safeguard the privacy and amenity of adjoining residents. This is 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.

The scheme has provided adequate separation distances to adjacent property in the context of the prevailing pattern of development and on balance, it is considered that the level of separation indicated between properties is sufficient to maintain the established and individual qualities of the area given the predominance of terraced properties in Eden Road.

In terms of design approach, the opportunity to construct a similar style of development with a traditional massing approach has been achieved with the terraced style undertaken. The design approach, however is contemporary which takes its cues from the locality. Traditional materials are indicated and as such it is considered that the impact on the character and context of the locality is positive as the terraced building adds a suitable contemporary infill building between existing developments of residential period buildings.

Standard of Residential Accommodation

Policy 3.5 of the London Plan and the Housing SPG (2016) states the minimum internal floorspace required for residential units on the basis of the level of

occupancy that could be reasonably expected within each unit should comply with Nationally Described Housing Standards (2015).

The floor space size of each of the houses ranges between 58m² for the one bedroom unit and 99m² and 124m² for the three bedroom five person and three bedroom six person respectively. The nationally described space standards require a GIA of 108m² for a three bedroom six person unit, 99m² for a three bedroom five person unit and 58m² for a one bedroom two person unit in relation to the number of persons, floors and bedrooms mix. On this basis, the floorspace size provision for all of the units is compliant with the required standards and is considered acceptable.

The internal layout of the units has a staggered form, however the shape and room size in the proposed units is generally considered satisfactory for the units where none of the rooms would have a particularly convoluted shape which would limit their specific use.

In terms of amenity space the depth and width of the rear gardens are of sufficient proportion to provide a usable space for the purposes of a family dwellinghouse and is representative of the proportions of rear gardens in the vicinity.

In accordance with Standard 11 of Housing: Supplementary Planning Guidance. (March 2016) of the London Plan 90% of all new dwellings should meet Building Regulation M4(2) 'accessible and adaptable dwellings'.

A Part M compliance review has been submitted as part of the Design and Access Statement that details compliance with the relevant sections of Part M. A compliance condition is recommended with any permission in this regard.

Impact on Adjoining Properties

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

In terms of outlook, the fenestration arrangement will provide front and rear outlook for each unit overlooking amenity space or overlooking the street. There are no flank windows in either end of the terrace building. The outlook from windows from the proposed properties is considered to maintain a suitable level of privacy at the intended distances to existing neighbouring property.

Concerns have been raised regarding the terrace blocking natural light to neighbouring property. The buildings are two storey to the streetscene with a massing arrangement and footprint position representative of neighbouring housing and the prevailing development in Eden Road. While outlook may change to the opposite properties it is not considered that there will be a loss of natural light to any significant extent that would warrant withholding planning permission on this basis.

On balance, it is considered that the building will not be detrimental to neighbouring residential amenity.

Highways, Car parking and access

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

The Council's Highway Officer has reviewed the current application and not raised any objection to the level of parking provided off road at the site and the new access created onto Eden Road. It is therefore considered that there will be minimal impact on parking in the vicinity and the proposal is considered generally acceptable from a highways perspective.

It is noted that the existing right of access that upper level residential occupiers in properties fronting Croydon Road is maintained in the scheme design.

Cycle parking

Cycle parking is required to be 2 spaces for dwellinghouses as proposed. The applicant has provided details of a location for cycle storage within the rear garden area. This is considered acceptable. A planning condition is recommended in this regard for further details to ensure the storage is secure and lockable.

Refuse

All new developments shall have adequate facilities for refuse and recycling. The applicant has provided details of a refuse storage area adjacent to the front curtilage footway boundary of the site on Eden Road. A planning condition is recommended in this regard for further details of a containment structure and capacity.

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 site plan drawing that details the areas given over to landscaping. Two trees are indicated to be removed on site to facilitate the development to the southern end of the site close to the boundary with No2a. The Council's Arboricultural Officer has reviewed the scheme and not raised any objections in this respect. Full details of hard and soft landscaping and boundary treatment are recommended to be sought by condition as necessary.

Sustainability and Energy

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

An informative is recommended with any approval to ensure that the development strives to achieve these objectives.

Community Infrastructure Levy

The Mayor of London's CIL is a material consideration. CIL is 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 house type of the proposed scheme is acceptable and that the development would not be detrimental to the character and appearance of the locality. 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) 17/01579/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 No part of the development hereby permitted shall be commenced prior to a contaminated land assessment and associated remedial strategy, together with a timetable of works, being submitted to and approved in writing by the Local Planning Authority.**

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

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

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

d) The approved remediation works shall be carried out in full on site in accordance with the approved quality assurance scheme to demonstrate compliance with the proposed methodology and best practise guidance. If during any works contamination is encountered which has not previously been identified then the additional contamination shall be fully assessed and an appropriate remediation scheme submitted to the Authority for approval in writing by it or on its behalf.

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

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

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

- 4 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

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

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

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

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

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

Reason: In the interest of pedestrian and vehicular safety and to comply with Policy T18 of the Unitary Development Plan and Policy 6.12 of the London Plan.

- 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** 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.

- 12** Before any part of the development hereby permitted is first occupied, bicycle parking (including covered storage facilities where appropriate) for 2 bicycles for each dwelling 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.

- 13** The development permitted by this planning permission shall not commence until a surface water drainage scheme and details of general drainage works 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.

- 14** 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.

- 15** No windows shall at any time be inserted in the flank elevations of the terrace building hereby permitted without the prior approval in writing of the Local Planning Authority.

Reason: In order to comply with Policy BE1 and H7 of the Unitary Development Plan and in the interest of the amenities of the adjacent properties.

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

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

- 17** 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 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

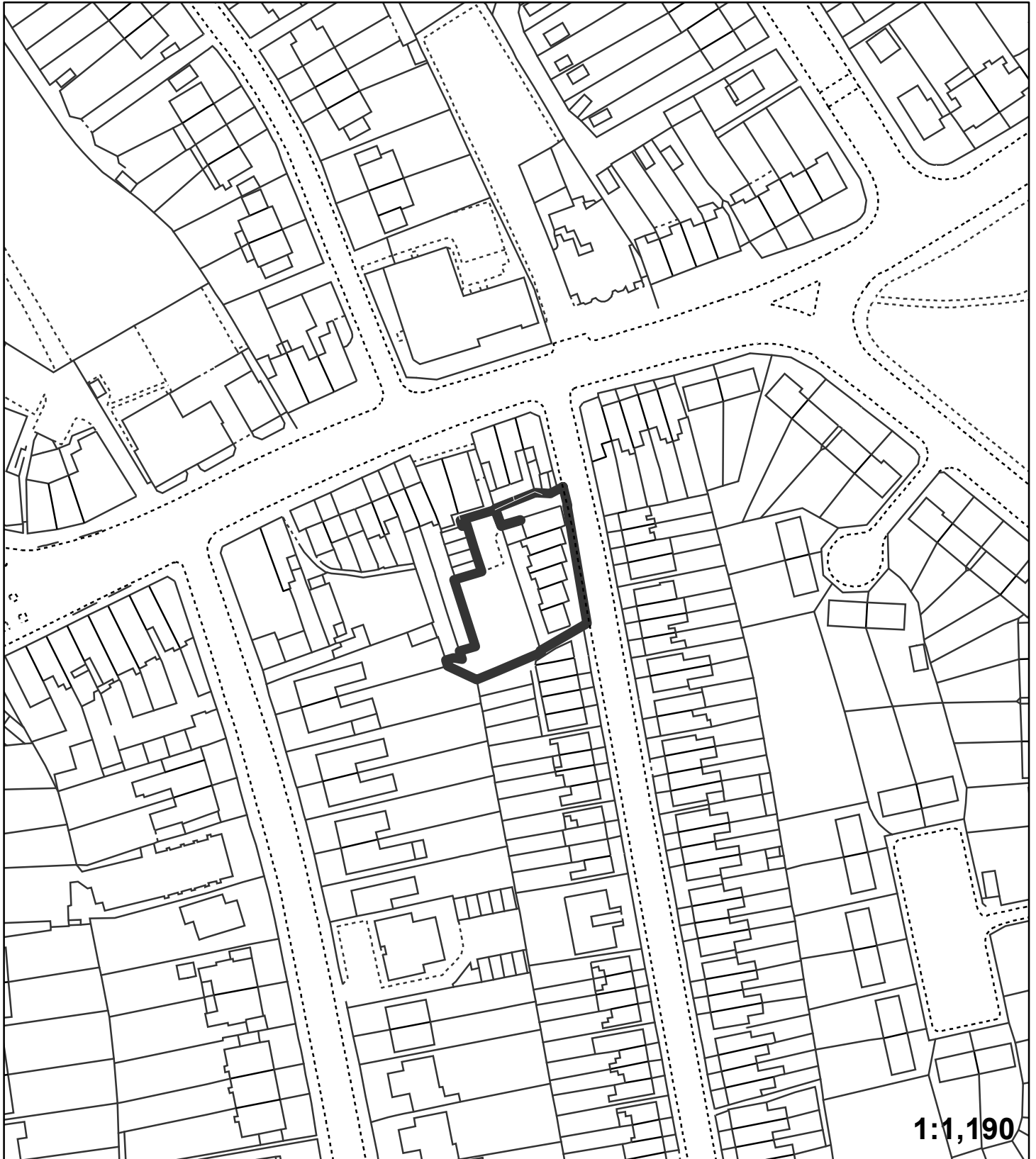
- 3** You should contact extension 4621 (020 8313 4621 direct line) at the Environmental Services Department at the Civic Centre with regard to the laying out of the crossover(s) and/or reinstatement of the existing crossover(s) as footway. A fee is payable for the estimate for the work which is refundable when the crossover (or other work) is carried out. A form to apply for an estimate for the work can be obtained by telephoning the Highways Customer Services Desk on the above number.
- 4** You are advised that 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
- 5** 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.
- 6** A foul public sewer crosses the site. You are advised to contact Thames Water regarding the alignment of, connection to or diversion of a public sewer, or adoption of a sewer.
- 7** The applicant is required to contact the Street Environment Officer at the Council's Environmental Services regarding the construction of the new access.
- 8** The applicant is advised that the development shall strive to achieve 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 of Policy 5.2 of the London Plan.

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Application:17/01579/FULL1

Address: Eden Parade Eden Road Beckenham BR3 4AU

Proposal: Demolition of six lock-up units and garages and erection of 4 three bedroom and 1 one bedroom terraced houses over 2/3 storeys with associated landscaping, parking and refuse stores.



1:1,190

"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 : 17/01937/FULL6

Ward:
Hayes And Coney Hall

Address : 120 Birch Tree Avenue West Wickham
BR4 9EL

OS Grid Ref: E: 539576 N: 164458

Applicant : Mr kenny somwaru

Objections : NO

Description of Development:

Roof alterations to incorporate the construction of a side dormer.

Key designations:

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

Proposal

The application seeks planning permission for roof alterations to incorporate the construction of a side dormer. The dormer will replace an existing smaller dormer in the southern side of the main roof slope of the property. It will have a small crown pitched roof and will be tile hung to match the existing roof. It will contain one window in the front elevation and one window in the side elevation. The side window is shown to be obscure glazing.

Location

The application site is a two storey semi-detached property on the western side of Birch Tree Avenue, West Wickham. The property includes a prominent front gable, with a staggered flank elevation and benefits from off-street parking and a generous rear garden. The surrounding area is characterised by two-storey semi-detached residential dwellings. The site is not located within a Conservation Area, nor is it Listed.

Consultations

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

Any further comments received will be reported verbally at the meeting.

Planning Considerations

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

National Planning Policy Framework:

Chapter 7- Requiring Good Design

London Plan:

Policy 7.4 Local character

Policy 7.6 Architecture

Unitary Development Plan:

BE1 Design of New Development

H8 Residential Extensions

SPG1 General Design Guidance

SPG2 Residential Design Guidance

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

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

The following emerging plans are relevant to this application.

Draft Local Plan:

The Council is preparing a Local Plan and commenced a period of consultation on its proposed submission draft of the Local Plan on November 14th 2016 which closed on December 31st 2016 (under The Town and Country Planning (Local Planning) (England) Regulations 2012 as amended). It is anticipated that the 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 6 Residential Extensions

Draft Policy 37 General Design of Development

Planning History

Under ref: 73/00973 planning permission was granted for a single storey rear extension.

Under ref: 91/02207/FUL, planning permission was granted for a first floor rear extension.

Under ref: 99/03061/FULL1, planning permission was granted for a part one/two storey side and two storey rear extensions.

Under ref: 04/00921/PLUD, lawful development certificate was granted for a proposed detached garage to rear.

Under ref: 11/00568/PLUD, a lawful development certificate for a proposed side and rear dormer window extension was refused for the following reason;

"The cubic content of the proposed side and rear dormer extensions would exceed the cubic content of the original roof space by more than 50 cubic metres and as such the proposal does not constitute permitted development under the Town and Country Planning (General Permitted Development) (England) Order 2005 (as amended)."

Under ref: 11/02240/PLUD, a lawful development certificate was granted for proposed Side/rear dormer extensions.

Under ref: 13/02873/PLUD, a lawful development certificate for proposed side and rear dormer extensions was refused for the following reason;

"The proposal does not constitute permitted development under Class B of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development Order 1995 (as amended 2008), as the development will result in part of the dwellinghouse extending beyond the plane of the roofslope that forms the principle elevation of the building and fronts a highway."

Under ref: 16/03474/FULL6, planning permission was refused for a roof alterations to incorporate side/rear dormer for the following reasons;

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

2 The window located within the southern side of the proposed roof alterations would be harmful to the amenities of the neighbouring residential dwelling at no. 122 by reason of overlooking and loss of privacy, thereby contrary to Policy BE1 of the Unitary Development Plan."

Under ref: 16/05134/PLUD, a lawful development certificate for a replacement of existing side dormer with new side dormer and side/rear dormer extension was refused for the following reason;

"The proposal does not constitute permitted development under Class B (c) of Schedule 2, Part 1 of the Town and Country Planning (General Permitted Development) (England) Order 2015 and as such the certificate should be refused, as the development will result in part of the dwellinghouse extending beyond the plane of the roofslope that forms the principle elevation of the building and fronts a highway."

Similar applications nearby

42 Birch Tree Avenue, West Wickham - ref: 16/03903/FULL6 - Part one/two storey rear extension, first floor side extension and roof alterations to incorporate side dormer.

Application refused - 03/10/2016 and Dismissed on Appeal- 23/02/2017

132 Birch Tree Avenue, West Wickham- ref: 15/02322/FULL6 - Roof alterations incorporating dormer window to create habitable accommodation.

Application Permitted - 22/07/15

138 Birch Tree Avenue, West Wickham - ref: 15/04448/FULL5 - Roof alterations to incorporate rear dormer.

Application Refused - 30/11/2015 and Dismissed on Appeal- 11/04/2016

138 Birch Tree Avenue, West Wickham - ref: 16/05371/FULL6 - Roof alterations to incorporate rear dormer.

Application Refused - 18/01/17

106 Birch Tree Avenue, West Wickham - ref: 15/00012/FULL6 - First floor rear extension and side dormer windows to Numbers 106 and 108 Birch Tree Avenue and two storey front/side extension to Number 106 Birch Tree Avenue with access steps to side.

Application Refused - 18/02/15

There is also a further application, ref: 17/01047/FULL6, for alterations to existing side dormer (Retrospective Application) at no. 106 Birch Tree Avenue which is being reported to this committee (06/07/17).

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.

Planning History

The application follows on from two previous Proposed Lawful Development Certificates (13/02873/PLUD & 16/05134/PLUD) each of which were not considered to be lawful for the following reason:

'The proposal does not constitute permitted development under Class B (c) of Schedule 2, Part 1 of the Town and Country Planning (General Permitted

Development) (England) Order 2015 and as such the certificate should be refused, as the development will result in part of the dwellinghouse extending beyond the plane of the roofslope that forms the principle elevation of the building and fronts a highway.'

An application ref: 16/03474/FULL6, for a larger roof alteration to incorporate a side/rear dormer was also refused as the extension was considered to include substantial alterations to the existing roof profile of the property which were unsympathetic to the scale and form of the host dwelling and would result in top-heavy and incongruous additions, detrimental to the appearance of the host dwelling and wider streetscene in general. The window located within the southern side of the proposed roof alterations was also considered to be harmful to the amenities of the neighbouring residential dwelling at no. 122 by reason of overlooking and loss of privacy.

The planning history section also refers to a number of similar recent applications along Birch Tree Avenue for side and rear dormers, many of which have been resisted by the Council and subsequently dismissed on appeal by the Planning Inspectorate.

The Council must now consider this application on its own merits and in light of the current policies.

Design

Both national and local planning policies recognise the importance of local distinctiveness in ensuring an effective planning system which achieves favourable design. Paragraph 60 of the NPPF states that it is proper to seek to promote or reinforce local distinctiveness, whilst paragraph 61 refers to the fact that although visual appearance and architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic considerations. Whilst London Plan Policies 7.4 and 7.6 seek to enhance local context and character, as well as encouraging high quality design in assessing the overall acceptability of a proposal. It is considered that the proposal fails to address these criteria.

Similarly, policy BE1 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.

Moreover, UDP policy H8 provides that dormer windows should be of a size and design appropriate to the roofscape and sited away from prominent roof pitches, unless dormers are a feature of the area.

The application property is one half of a pair of symmetrically designed semi-detached dwellings. The roofs of the dwellings are both prominent and of particular importance to the appearance of the street scene and comprise large front gables with timber detailing to the front and full hips to the sides and rear. These hips add to the sense of space between the buildings and emphasise the prominence of the

front gables. The properties also benefit from two storey wings to the side which are modest in form and appearance with fully hipped roofs set back from the front of the property. As a result they are visually subservient and emphasise the simplicity and prominence of the front gables.

The previously refused application (ref: 16/03474/FULL6) included larger dormer extensions which extended across both the main and secondary roof to the side wing of the dwelling and wrapped around to the rear. This current application proposes a side dormer only which would extend across the side of the main roof, but not above the secondary roof to the side wing nor wrap around to the rear. It is also noted that a small side dormer exists at the property.

It is acknowledged that the alterations proposed under this current application would be less bulky than that of the previously refused application. However, it would be substantially larger than the existing dormer and would occupy much of the existing main side roof slope. As such, due to its size and design it is considered to still dominate the roof of the host dwelling when viewed from the street scene.

It is also important to note that whilst it is recognised that there are other examples along Birch Tree Avenue and surrounding roads of dormer roof extensions, these are not considered to be of significant material weight in the consideration of this planning application. In both dismissed Appeals at no.'s 42 and 138 Birch Tree Avenue (as referred to in the planning history section above) the Planning Inspectorate outlined that despite the presence of existing extensions in the surrounding locality almost all these were considered to detract from the character and appearance of their host properties and the street scene. In addition, it was considered that their presence does not justify further visually harmful development. Furthermore, it was determined that dormer extensions upset the rhythm of the roofscape and failed to respect the character and appearance of the host dwellings.

Therefore, for the reasons above, Members may consider that the reduction in scale is not significant enough to warrant planning permission. It is considered that the roof extension would still appear top heavy and would fail to respect, reflect or blend in appropriately with the character or appearance of the host dwelling. It would undermine and detract from the character and symmetry of the pair of dwellings and would harm the overall character and appearance of the street scene.

Impact on Residential Amenity

Policy BE1 seeks to ensure that new development proposals, including residential extensions respect the amenity of occupiers of neighbouring buildings and that their environments are not harmed by noise and disturbance or by inadequate daylight, sunlight or privacy or by overshadowing. This is supported by London Plan Policy 7.6.

In respect to amenity the proposal is not considered to result in any loss of light or outlook given its size and siting. The front facing window will not provide any

additional opportunities for overlooking than currently exist from the upper first floor window of the property. The flank window is shown to be obscure glazing and could be further conditioned to be non-opening to prevent any loss of privacy to no. 122. Accordingly, the proposal is not considered to result in any undue loss of amenity to the neighbouring residential properties.

Summary

Taking into account the above, Members may therefore consider that the proposed side dormer is not acceptable and would result in a top-heavy and incongruous addition to the host dwelling, which is detrimental to the appearance of the host dwelling and wider streetscene in general, and therefore contrary to the policy objectives of Policies BE1 and H8 of the Unitary Development Plan, London Plan 7.4 and 7.6 and the NPPF.

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

RECOMMENDATION: APPLICATION BE REFUSED

The reasons for refusal are:

- 1 The roof alterations incorporating the construction of a side dormer are unsympathetic to the scale and form of the host dwelling and will result in a top-heavy and incongruous addition, detrimental to the appearance of the host dwelling and wider streetscene in general, thereby contrary to Policies BE1 and H8 of the Unitary Development Plan, London Plan Policies 7.4 and 7.6 and the NPPF (2012).**

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Application:17/01937/FULL6

Address: 120 Birch Tree Avenue West Wickham BR4 9EL

Proposal: Roof alterations to incorporate the construction of a side dormer.



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SECTION '2' – Applications meriting special consideration

Application No : 17/02142/FULL1

Ward:
Chislehurst

Address : Red Hill Primary School Red Hill
Chislehurst BR7 6DA

OS Grid Ref: E: 543538 N: 171053

Applicant : C Butcher

Objections : NO

Description of Development:

Single storey extension comprising of a nurture room and toilets to provide additional educational services to existing pupils

Key designations:

Smoke Control SCA 16

Proposal

The proposal seeks permission for the erection of a single storey extension to the main school building to provide a new learning and toilet facilities.

No additional to the existing pupil intake is proposed and the two detached containers at the site will be removed.

The proposed extension will have a length of 7.9m and a width of 10.2m. The roof will be flat with a height of 4.5m.

Location

The application site is located on the southern side of Red Hill. The primary school is surrounded mainly by residential properties. The site comprises school buildings with a nursery and library provided towards the east. The school has a large amount of playing fields surrounding the main school building backing onto woodlands to the south and residential properties to the north, east and west. The site is located in Urban Open Space.

Comments from Local Residents

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

Consultations

Highways - The application indicates that the proposed facility is for use by existing pupils and as such it would appear there would be no highway implications.

Environmental Health - No objections raised.

Education – no comments received.

Planning Considerations

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

BE1 Design of New Development
C1 Community Facilities
C7 Education and Pre-School Facilities
G8 Urban Open Space

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 20 – Community Facilities
Draft Policy 27 – Education
Draft Policy 28 – Educational Facilities
Draft Policy 37 - General Design of Development
Draft Policy 55 – Urban Open Space

Other Guidance

London Plan Policy 3.18 - Education Facilities
The National Planning Policy Framework (NPPF) 2012

Planning History

16/00971/FULL1 - New boundary fencing facing Red Hill
15/01976/FULL1 – Replacement curtain walling to hall
15/01278/FULL1 - Single storey extension to facilitate additional toilet block, cloakroom and store room
14/04479/FULL1 - Single storey front extension to the school office
14/02396/FULL1 - Proposed single storey extension to toilets
13/02039/FULL1 - Erection of freestanding canopy
12/02011/FULL1 - Erection of canopies to provide covered walkways

Conclusions

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

The development is considered to accord with Policy G8 in that the proposal relates to the existing use at the site as a primary school. The proposed structure is not considered to impact significantly upon the openness of the Urban Open Space by virtue of being within the general envelope of the school buildings and being relatively low in height and bulk. The external appearance of the school building will be slightly altered however is considered to be a betterment to the existing situation at the site as the two existing detached containers will be removed. The removal of these structures is considered to improve the openness of the Urban Open Space. The materials proposed are matching to the existing elevations of the school building and the extension will not form an obtrusive nor incongruent feature.

The main school itself is set back from the road and the proposed development will not have a detrimental impact on the street scene.

On balance, given the siting of the extension, the development is considered acceptable. The proposal will provide an improvement on the existing educational facilities at the site and this is broadly promoted by the Council and its planning policies.

No additional pupils or staff are proposed as part of this application and therefore no additional traffic or car parking issues are considered to arise as a result of the proposal. Highways have raised no objections. As such it is considered that the amenities of neighbouring occupiers would not be affected.

Summary

Having had regard to the above it was considered that the siting, size and design of the proposed development is acceptable in that it would not result in a significant loss of amenity to local residents nor impact detrimentally on the character of the area or the Urban Open Space. 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. 17/02142 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.

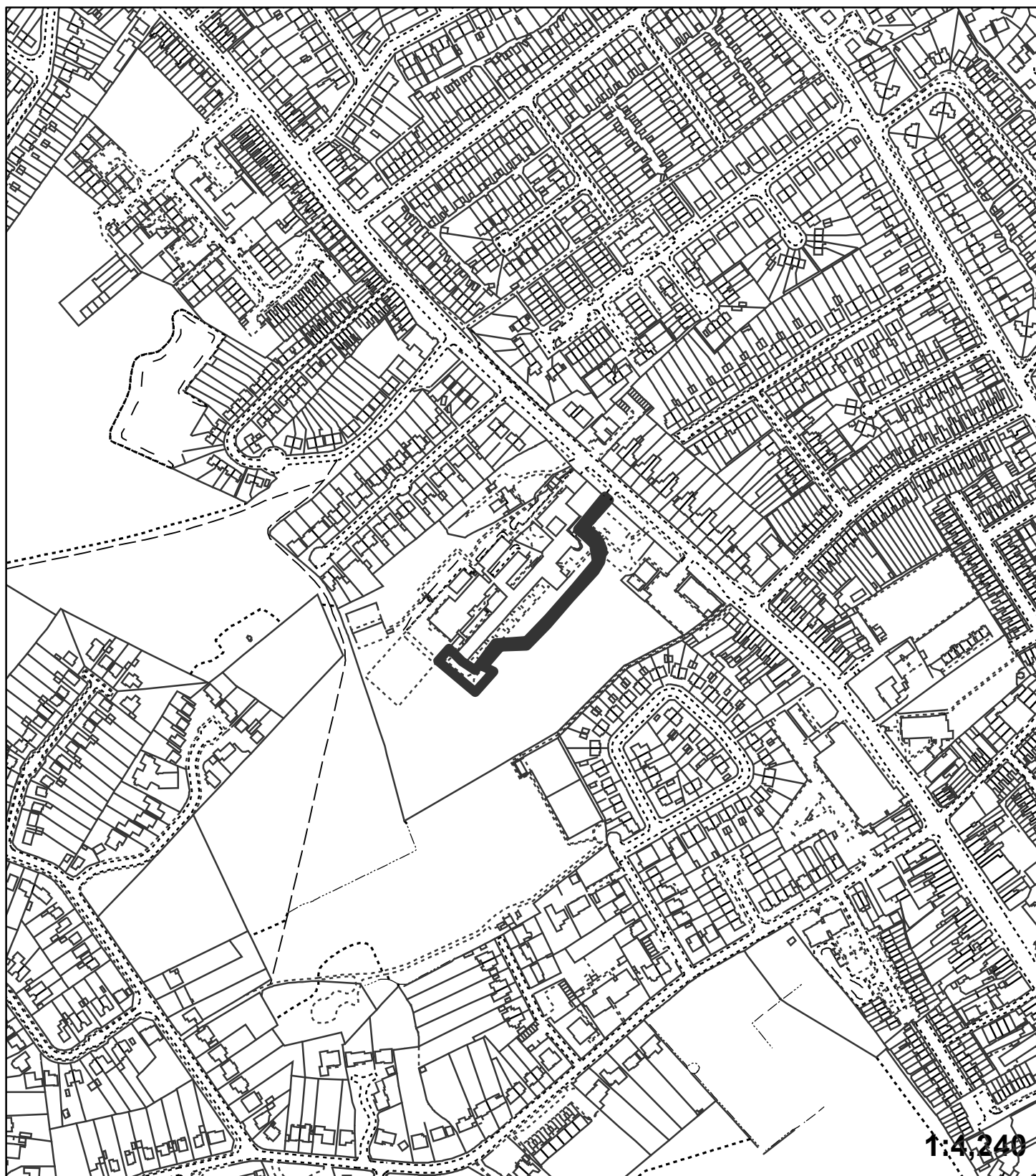
- 3 The materials to be used for the external surfaces of the building shall be as set out in the planning application forms and / or drawings unless otherwise agreed in writing by the Local Planning Authority.**

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.

Application:17/02142/FULL1

Address: Red Hill Primary School Red Hill Chislehurst BR7 6DA

Proposal: Single storey extension comprising of a nurture room and toilets to provide additional educational services to existing pupils



"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 : 17/01154/FULL6

Ward:
Petts Wood And Knoll

Address : 21 Ladywood Avenue Petts Wood
Orpington BR5 1QJ

OS Grid Ref: E: 545393 N: 167667

Applicant : Mr Cheesman

Objections : YES

Description of Development:

First floor infill extension to the side and associated roof alterations and increase in height of existing garage roof to incorporate a new en suite at first floor, single storey rear extension, two velux windows to the rear roofslope four velux windows to the side roofslope and new window in the side elevation serving the kitchen.

Key designations:

Smoke Control SCA 4

Proposal

Planning permission is sought for the increase in height of the existing garage roof to incorporate a new en suite at first floor level, single storey rear extension, two velux windows to the rear roofslope, four velux windows to the side roofspace and new window in the side elevation serving the kitchen.

The host property is a semi-detached dwelling located on the eastern side of Ladywood Drive. The site is not located within a conservation area and is not listed.

Consultations

Nearby owners/occupiers were notified of the application and two letters of representation have been received.

- One letter supports the application. Very subtle and less in your face than other permitted enlargements in the vicinity, especially those that have extended forward in front of the notional building line.
- One letter with the following comments. The property has been previously extended to the rear. How many extensions to a building are allowed and in comparison with the size of the original house. How much can a house extend?

Neighbours were re-consulted on 12th June 2017 for 14 days regarding a revised description of the development. No further representations have been received.

Planning Considerations

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

BE1 Design of New Development
H8 Residential Extensions
H9 Side space

The 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). The updated Local Development Scheme was submitted to Development Control Committee on November 24th 2016 and Executive Committee on November 30th 2016, and indicated the submission of the draft Local Plan to the Secretary of State in the early part of 2017.

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

Relevant planning history

Planning permission was granted in September 2002 for a single storey side and rear and first floor rear extensions under reference 02/02392/FUL

Planning permission was granted for a single storey side/rear extension and alterations to front porch under reference 08/00355/FULL

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.

Impact upon the character of the existing dwelling and the surrounding area.

Policy H8 states the design and layout of proposals for the alteration or enlargement of residential properties should have a scale and form that respects or compliments the host dwelling and be compatible with development in the surrounding area.

The proposal would involve a small first floor extension to the side/rear and an increase in the height of the existing garage roof to create an en suite shower room within the roof. These proposed alterations would relate well to the existing form and design of the original roof profile and the overall scale, mass and design would respect the host dwelling and the character of the wider streetscene. The proposal would not result in terracing and the existing spatial standards of the surrounding area would be maintained. This element of the proposal would therefore comply with Policies H8, H9 and BE1 of the UDP.

The proposed rooflights are also considered to be acceptable in terms of appearance.

The proposed single storey extension would be located to the rear of the property and would therefore have no impact upon the character and appearance of the street scene. The extension would have a flat roof and would respect the scale and form of the host dwelling and surrounding area. The proposal would comply with Policy H8.

Impact upon neighbouring amenity

The single storey rear extension would project 5m from the existing rear wall which would fall 1m short of the depth of the existing single storey garage/side extension and would therefore have no impact upon the neighbouring property No.19. The single storey rear extension would have a flat roof with the maximum height of the flank wall being 3m. A roof lantern that would be 0.7m in height would sit above the flat roof.

The property is detached and therefore the southern flank wall would be set in approximately 1.5m from the common boundary. On balance the single storey extension would have no adverse amenity impact upon the neighbouring property no. 23.

The first floor side extension would not affect No. 23. Given the modest increase in height to the existing garage roof, this element of the proposal is not considered to adversely affect the neighbouring property no. 19. The proposed velux windows within the side roofslope would not result in overlooking to No.19.

The proposals comply with Policy BE1.

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

RECOMMENDATION: PERMISSION

Subject to the following conditions:

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

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

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

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

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

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

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

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

- 5** The flat roof area of the single storey rear extension shall not be used as a balcony or sitting out area and there shall be no access to the roof area.

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

Application:17/01154/FULL6

Address: 21 Ladywood Avenue Petts Wood Orpington BR5 1QJ

Proposal: First floor infill extension to the side and associated roof alterations and increase in height of existing garage roof to incorporate a new en suite at first floor, single storey rear extension, two velux windows to the rear roofslope four velux windows to the side roofslope and new



"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 : 17/01600/FULL6

Ward:
Cray Valley West

Address : 116 Beddington Road Orpington BR5
2TE

OS Grid Ref: E: 545381 N: 169490

Applicant : Mr Andrew Roberts

Objections : YES

Description of Development:

Part one/two storey side/rear extension, roof alterations incorporating increase in ridge height, dormers to rear and rooflights to front and bay window to front.

Key designations:

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

Proposal

The application proposes a part one/two storey side/rear extension incorporating two storey high bay windows to the front, roof alterations incorporating an increase in ridge height, dormers to the rear and rooflights to the front.

The ground floor would have the following dimensions:

- At the side it would have a width of 2.5m and a depth of 7m not inclusive of the bay window, which would protrude an additional 0.6m to the front
- At the rear it would have a width of 8.4m and a depth of 2.5m.
- At the Eastern boundary it would have an eaves height of 2.8m and a ridge height of 3.5m

The first floor would have the following dimensions:

- At the side it would have a width of 2.5m and a depth of 7m not inclusive of the bay window, which would protrude an additional 0.6m to the front
- At the rear it would have a width of 5.4m and a depth of 2.5m
- The first floor element would have an eaves height of 5.1m and a ridge height of 6.2m

The extension allows for a side space of 0.8m to the Western boundary, which abuts a public footpath.

There would be an increase in ridge height of 0.35m, an L-shaped dormer to the rear and 3 rooflights to the front to facilitate a loft conversion. The application site hosts a two storey end of terrace dwelling in the Western corner of Beddington Road, Orpington.

Consultations

Nearby owners/occupiers were notified of the application and representations were received in relation to a loss of privacy as a result of the rooflights.

Planning Considerations

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

BE1 Design of New Development
H8 Residential Extensions
H9 Side Space

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

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

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 following London Plan Policies are relevant:

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

The National Planning Policy Framework is also a material planning consideration. Chapter 7 - Requiring Good Design

Planning History

16/03824/FULL6; Part one/two storey side/rear extension and bay window to front; Permitted

It is noted that this application is a revision to a previous application 16/03824 considered by the plans sub committee held on the 3rd November 2016

Conclusions

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

The application seeks amendments to the previously permitted extensions under reference 16/03824, the main differences are:

- An increase in ridge height of 0.35m
- The inclusion of an L-shaped dormer to the rear
- The inclusion of 3 x rooflights to the front roofslope

Due to the slope in the road the property is set higher than the others in this row of 4 terraced properties, there is a precedent therefore for a higher ridge for this end property, and given that there are no other properties to the West of the site it is considered that the increase in ridge height would be acceptable in that it would not cause any significant harm to the character and appearance of the dwelling and the wider street scene.

The introduction of a dormer to the rear would somewhat increase the level of overlooking however there are no properties to the rear of number 116 and regarding the adjoining properties to the East of number 116 it is considered that the level of overlooking would not be increased to an unacceptable level given the residential setting. The inclusion of 3 rooflights to the front roofslope would not cause any significant harm to the character and appearance of the host dwelling or the street scene.

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 materials of the proposed extension are, in so far as practical matching to the existing property, as part of the extensions would be visible from the front this is

considered to be acceptable. The first floor extensions at the rear would have a ridge height lower than existing ridge and the front would match the existing ridge, as such this would be sympathetic to the character of the host dwelling and would not harm the street scene.

The front elevation would include two double storey bay windows to the front and while these are not a feature of the area they are fairly minimal in their projection and due to the position of this property in the most Western corner of the road it is not considered that this would significantly harm the character and appearance of the street scene.

Side Space

Policy H9 states that when considering applications for new residential development, including extensions, the council will require a minimum of 1 metre space from the side boundary of the site retained for the full height and length of the flank wall of the building. The proposal allows for a side space of 0.8m for the full height and length of the flank wall, however given that the Western boundary abuts the public footpath it would not create any unrelated terracing and still maintains a degree of side space. There are no other properties to the West of number 116 and as such it would not create a cramped appearance within the streetscene.

Residential Amenity and Impact on Adjoining Properties

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.

In terms of residential amenity, one objection letter was received which raised concerns over privacy as a result of double patio doors, however it is considered that the inclusion of double patio doors to the rear would not be any more harmful than a full height window or for a person to be stood in the same position in the garden at present.

The single storey extension at the rear would only project 2.5m and the first floor is set over 3m away from the Eastern boundary with number 114. As such it is considered that the development would not result in an un-neighbourly sense of enclosure or loss of daylight/sunlight on the adjoining owners at number 114 due to the minimal rear projection.

There are no neighbours to the Western boundary and as such the extension to the side of number 116 would have no impact on residential amenity.

Summary

Having had regard to the above it was considered that the development in the manner proposed is acceptable in that it would not result in a significant loss of

amenity to local residents and nor impact detrimentally upon the character of the area and therefore compliant with policy BE1 of the Unitary Development Plan.

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: 16/03824/FULL6 set out in the Planning History section above, excluding exempt information.

RECOMMENDATION: PERMISSION

Subject to the following conditions:

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

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

- 2 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, details of a means of screening to the north-eastern boundary shared with No. 114 shall be submitted and approved in writing by the Local Planning Authority. The screening shall be installed prior to the first**

occupation of the development and shall be permanently retained thereafter.

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

Application:17/01600/FULL6

Address: 116 Beddington Road Orpington BR5 2TE

Proposal: Part one/two storey side/rear extension, roof alterations incorporating increase in ridge height, dormers to rear and rooflights to front and bay window to front.



"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 : 17/01653/RECON

Ward:
Shortlands

Address : 95 Shortlands Road Shortlands Bromley
BR2 0JL

OS Grid Ref: E: 538689 N: 168562

Applicant : Mr Andrew Tsiaoukkas

Objections : YES

Description of Development:

Variation of Condition 2 of planning permission reference 17/00093/FULL6 (removing permitted development rights for all developments and minor operations within the curtilage of the dwellinghouse) so that permitted development rights are retained for the construction of any building or enclosure within the curtilage of the dwelling (Class E); any hard surface which is incidental to the dwelling (Class F); any chimney or flues (Class G); and any microwave antenna (Class H) of Part 1, and all minor operations under Part 2 of the Town and Country Planning (General Permitted Development) Order 2015.

Key designations:

Conservation Area: Shortlands
Biggin Hill Safeguarding Area
Highways Proposal sites
London City Airport Safeguarding
Open Space Deficiency
Smoke Control SCA 21
Smoke Control SCA 9

Proposal

This application seeks a variation of Condition 2 of permission reference 17/00093/FULL which was permitted in March 2017. This condition restricts all permitted development rights. This application seeks to vary Condition 2 so that permitted development rights are retained for the construction of any building or enclosure within the curtilage of the dwelling (Class E), any hard surface which is incidental to original dwelling (Class F), any chimney or flues (Class G), and any microwave antennae (Class H) of Part 1, and all minor operations under Part 2 of the Town and Country (General Permitted Development) (England) Order 2015 (as amended). The applicant is seeking to vary the condition on the grounds it limits future development at the site to a wider extent than he considers necessary (i.e. removes all permitted development rights from the site), and is therefore is unreasonable.

The application is accompanied by a supporting statement.

This application has been "called in" by a Ward Councillor.

Location

The application site occupies a prominent corner position at southern end of Shortlands Road, adjacent to its junction with Hayes Lane. The site incorporates an area of 0.11ha and is occupied by a single detached dwelling - the subject of this planning application.

The surrounding area is predominantly residential in character. The NE site boundary abuts the Shortlands Road Conservation Area, which also encompasses houses on the facing side of Shortlands Road. The opposite side of Hayes Lane falls within the Park Langley Conservation Area.

Consultations

Nearby owners/occupiers were notified of the application and one representation was received, summarised as follows:

- Permission previously granted would not have been acceptable without the conditions imposed by the Council
- Previous planning permission should be rescinded if this condition is removed
- Dwelling should be rebuilt in accordance with approved plans if conditions are removed
- Concern at the manner in which the dwelling has been enlarged/altered
- Dwelling in its existing form is out of character
- Concern at nature of proposed works that could be carried out to the house
- Concern that removal of condition could encourage similar developments

Planning Considerations

Planning Considerations

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

BE1 Design of New Development
BE13 Development Adjacent to Conservation Areas
H8 Residential Extensions

London Plan:

Policy 7.4 Local Character
Policy 7.6 Architecture

The National Planning Policy Framework is also a material consideration in this appeal.

Planning history

The site is the subject of a fairly detailed planning history. The applications most relevant to this current proposal are set out below:

13/03375/FULL1

Under application reference 13/03375/FULL1 planning permission was granted in December 2013 for the enlargement of the existing house along its southern end to incorporate a kitchen/diner and games room and study. Permission was also granted for a porch along the northern side of the dwelling. The proposal did not include any additional first floor accommodation; however some internal reconfiguration was incorporated on the plans. In addition, the proposed plans appeared to show changes to the external elevational and fenestration treatment.

Amongst the conditions included was No 2 which stated:

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

The above condition was not discharged.

13/03375/AMD

Under reference 13/03375/AMD, the Council approved a non-material amendment in April 2014 involving modifications to the fenestration design.

13/03731/FULL1

Under application reference 13/03731/FULL1 the Council granted planning permission in January 2014 for a roof extension including a raised roof area and associated openings to serve a master bedroom and en-suite. The maximum height of the ridge was shown to be increased to 8.55m (up from 8.0m).

13/03731/AMD

Under reference 13/03731/AMD an application for a non-material amendment - referred to in the application form as 'Roof extension to be formed within form of existing style without raised element' - was also approved in April 2014. The substance of the changes was illustrated in Drawing No 010. The changes included a more modest increase to the roof height by 0.3m (rather than 0.55m); however, the eaves height was increase by 0.3m.

17/00093/FULL6

Under reference 17/00093/FULL6, planning permission was granted in March 2017 for the retention of the existing two storey and single storey extensions and roof extensions including an increase in the roof height (by 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. The plans also involved the repainting of the house to white. The Council imposed an eight month compliance condition.

The table below provides a summary of all previous planning applications relating to the site.

Reference	Description	Status	Decision Date
72/03731	Detached chalet bungalow and garage	Refused	19.12.1972
87/03749/FUL	Demolition of existing car port and erection of detached double garage and formation of vehicular access	Permitted	17.02.1988
00/00848/FULL1	Formation of vehicular access to Shortlands Road	Permitted	03.05.2000
13/03375/FULL1	Erection of single storey side extensions, single storey rear extension and front porch extension	Permitted	04.12.2013
13/03731/FULL1	Roof extension including raised roof area and additional openings to provide a master bedroom and en suite	Permitted	06.01.2014
13/03375/AMD	AMENDMENT: To alter windows from white to grey timber frames double glazed windows, reduction of east bay window from a full height window to a 820mm high sill and alteration of a single glazed panel in the outbuilding to A2 part window	Approved	11.04.2014
13/03731/AMD	AMENDMENT: Roof extension to be formed within existing roof space with no increase in ridge height	Approved	11.04.2014
14/01369/FULL6	Single storey side extensions, part one/two storey rear extension and front porch extension	Refused	09.06.2014
14/02523/FULL1	Replacement of the existing boundary fence with an external wall and shiplap fencing, creation of a covered car port to the front garden area	Refused	29.09.2014
14/04296/FULL1	Replacement boundary fencing to include provision for access to refuse store	Permitted	18.06.2015
14/04308/FULL1	Replacement of existing boundary fence with approx. 2.1m high wall	Refused	01.04.2015

	with railings, approx. 2m high fence, approximately 2.3m high timber gates and refuse and recycling store		
16/02355/FULL6	Car port (retrospective application)	Permitted	28.07.2016
17/00093/FULL6	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	Permitted	21.03.2017

Conclusions

In assessing the merits of this application, it is necessary to assess the reasonableness of Condition 2 of permission reference 17/00093/FULL6, both in light of the site circumstances and in terms of the conditions tests incorporated in the NPPF.

Condition 2 was imposed by Members who considered application reference 17/00093/FULL6. The Committee Report at the time considered, *"In its existing form... the dwelling undermines local character. Whilst the surrounding area contains a diverse building stock, it is considered that the design of the building varies markedly from its surroundings, both in terms of its proportions and external finish. These differences are intensified as a result of its prominent location; as such the house has become an unduly dominant feature within the streetscene."* The purpose of Condition 2 was to protect the visual and residential amenities of the area and to prevent an overdevelopment of the site.

The applicant seeks the variation of Condition 2 in order that permitted development rights are retained for the construction of any building or enclosure within the curtilage of the dwelling (Class E), any hard surface which is incidental to original dwelling (Class F), any chimney or flues (Class G), and any microwave antennae (Class H) of Part 1, and all minor operations under Part 2 of the Town and Country (General Permitted Development) (England) Order 2015 (as amended). The applicant is seeking to vary the condition on the grounds it limits future development at the site to a wider extent than he considers necessary (i.e. removes all permitted development rights from the site), and is therefore is unreasonable. The applicant also notes that before application reference 17/00093/FULL6 was approved there were no restrictions to permitted development at the site whatsoever.

Paragraph 203 of the National Planning Policy Framework states: "Local planning authorities should consider whether otherwise unacceptable development could be

made acceptable through the use of conditions". Paragraph 206 of the National Planning Policy Framework states the planning conditions should only be imposed where they are:

1. necessary;
2. relevant to planning and;
3. to the development to be permitted;
4. enforceable;
5. precise;
6. reasonable in all other respects.

Taking account of paragraph 203 of the Framework and the applicant's representations, it is considered that the removal of all permitted development rights is unduly onerous on the basis that it encompasses all minor works as set out in Classes A to F of Part 2, including gates, fences and walls (Class A), means of access to the highway (Class B), exterior painting (Class C), electrical outlets and upstands for recharging vehicles (Classes D and E), and closed circuit television cameras (Class F). Part 1 allows for the construction of any building of enclosure within the curtilage of the dwelling (Class E); any hard surface which is incidental to the dwelling (Class F); any chimney or flues (Class G); and any microwave antenna (Class H) of Part 1, and all minor operations.

In effect, the applicant is content that certain Part 1 restrictions should be able to continue to apply, including the enlargement, alteration or other alteration of a dwellinghouse (Class A); additions to the roof of a dwellinghouse (Class B); other alterations to the roof of a dwellinghouse (Class C); and porches (Class D). Given that these conditions specifically affect the external fabric and appearance of the dwellinghouse, it is considered that a restriction of these permitted development rights will ensure that the Council is able to control future developments at this property which will affect the visual amenities of the area, and so ensure that any changes to the dwellinghouse do not undermine neighbouring amenity. The site is particularly prominent and much of the existing dwelling is well exposed from the surrounding roads. In terms of Class E (outbuildings), the applicant seeks to retain this permitted development right. Taking account of the site characteristics and the nature of Class E allowances, it is considered that Class E 'PD' rights can be retained without the prospect that local visual amenity or neighbouring amenity will be unduly affected.

However, given the injurious appearance of the dwelling in its current form, which has to a large extent been accentuated by the external paint treatment, it is considered that 'PD' rights afforded under Class C of Part 2 (exterior painting) should continue to be restricted. Under the terms of application reference 17/00093/FULL6, the approved scheme involved the repainting of the outside of the dwelling to white. As such, it is considered reasonable that the external paint treatment of the dwelling remains sympathetic to local character and to the satisfaction of the Local Planning Authority, and that the dwelling is not painted unsympathetically at a future time.

Taking account of the above, it is concluded that Condition 2 should be varied, rather than removed.

Background papers referred to during production of this report comprise all correspondence on file refs: 13/03375, 13/03731, 17/00093 and 17/01653, excluding exempt information.

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- 1 The works to the dwellinghouse hereby approved shall be undertaken and completed by 21 November 2017 and these shall be permanently retained thereafter.**

Reason: In the interest of the appearance of the dwellinghouse and the character and appearance of the wider area, including the adjacent Conservation Areas, and to accord with Policies BE1, BE13 and H8 of the Unitary Development Plan; Policies 7.4 and 7.6 of the London Plan; and the National Planning Policy Framework.

- 2 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, C, or D of Part 1 of Schedule 2 or Class C of Part 2 of Schedule 2 of the 1995 Order (as amended), shall be erected or made within the curtilage of the dwelling without the prior approval in writing of the Local Planning Authority.**

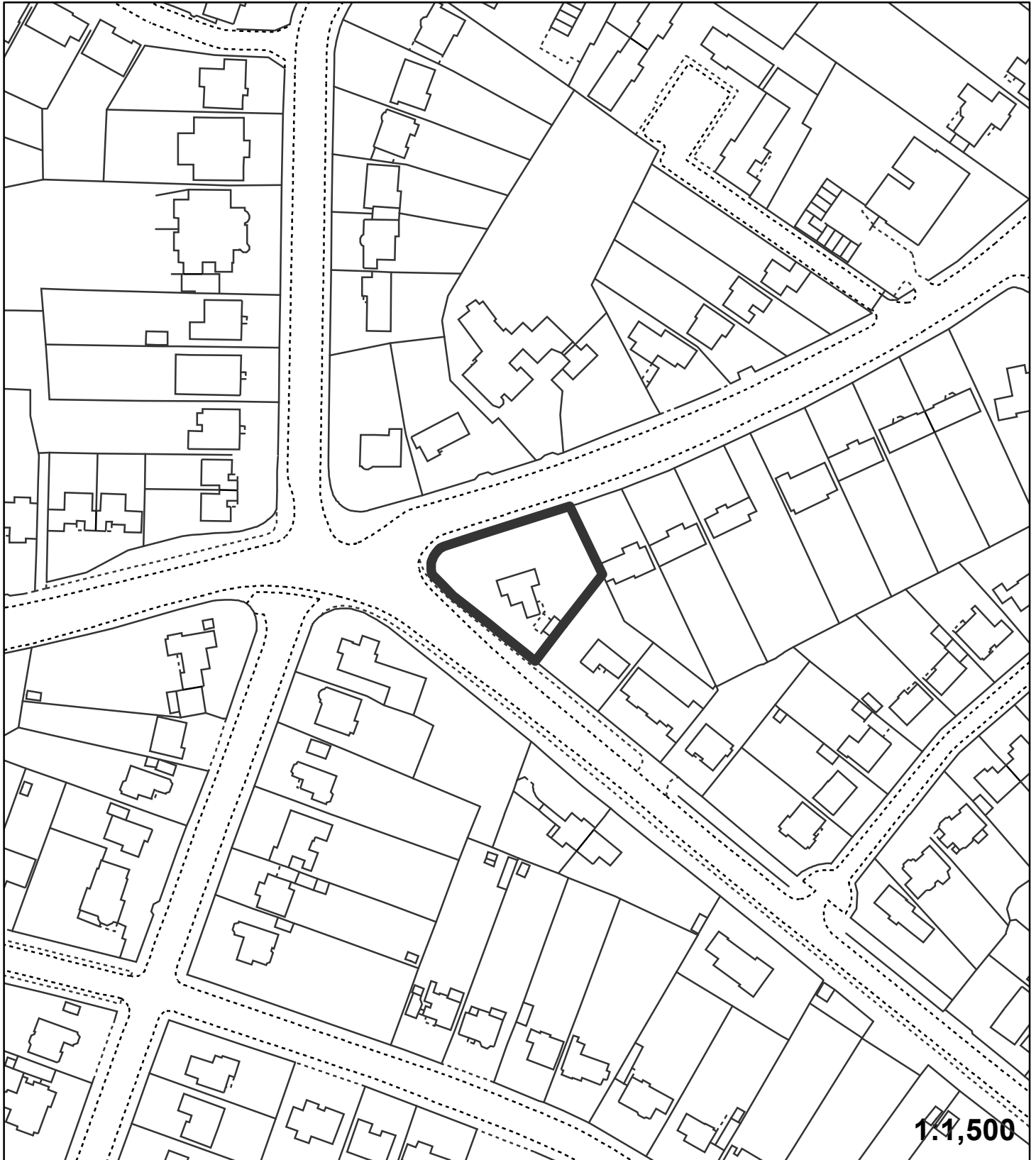
Reason: In the interest of the visual and residential amenities of the area and to prevent an overdevelopment of the site in order to comply with Policies BE1, BE13 and H8 of the Unitary Development Plan; Policies 7.4 and 7.6 of the London Plan; and the National Planning Policy Framework.

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Application:17/01653/RECON

Address: 95 Shortlands Road Shortlands Bromley BR2 0JL

Proposal: Variation of Condition 2 of planning permission reference 17/00093/FULL6 (removing permitted development rights for all developments and minor operations within the curtilage of the dwellinghouse) so that permitted development rights are retained for the



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

Application No : 17/01659/FULL6

Ward:
Shortlands

Address : 11 Top Park Beckenham BR3 6RU

OS Grid Ref: E: 539093 N: 167894

Applicant : Mrs T Smith

Objections : NO

Description of Development:

First floor side extension, conversion of garage to habitable accommodation and front porch

Key designations:

Area of Special Residential Character
Biggin Hill Safeguarding Area
London City Airport Safeguarding
Smoke Control SCA 21
Smoke Control SCA 9

Proposal

The application seeks planning permission for a first floor side extension, conversion of garage to habitable accommodation and front porch.

The proposed first floor side extension will extend above the existing garage projecting 2.6m in width and 5.9m in length. The front of the extension will extend in line with the existing first floor front elevation of the dwelling and it will have a hipped roof with an eaves and ridge height set lower than the eaves and ridge of the main roof of the existing dwelling.

The proposed front porch will extend in line with the front of the existing garage for a width of 2.6m. It will have a small pitched roof sloping to the sides and front which will also extend across the existing garage. The existing garage is also shown to be converted into a study and utility room with the garage door replaced with a window.

The existing property is shown to be painted white and the proposed extension is shown to be white painted render to match with a clay tiled roof.

Location and Key Constraints

The application site comprises a two storey semi-detached dwellinghouse located on the southern side of Top Park, Beckenham. Top Park comprises semi-detached

and detached dwellinghouses of a similar size and design. The property lies within the Park Langley Area of Special Residential Character (ASRC).

Comments from Local Residents and Groups

Nearby owners/occupiers were notified of the application and one representation supporting the application was received which can be summarised as follows:

- The proposed extension is in line with other extension in the road

Comments from Consultees

The Council's Highways Officer has advised that the development will result in loss of one parking space by partial conversion of the garage to a habitable accommodation. However, there are spaces available within the site's curtilage which would be utilised for parking, and therefore on balance as it is a small development no objection is raised to this proposal.

Planning Considerations

Policy Context

Section 70(2) of the Town and Country Planning Act 1990 (as amended) sets out that in considering and determining applications for planning permission the local planning authority must have regard to:-

- (a) the provisions of the development plan, so far as material to the application,
- (b) any local finance considerations, so far as material to the application, and
- (c) any other material considerations.

Section 38 (6) of the Planning and Compulsory Purchase Act (2004) makes it clear that any determination under the planning acts must be made in accordance with the development plan unless material considerations indicate otherwise.

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

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

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

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

The development plan for Bromley comprises the Bromley UDP (July 2006), the London Plan (March 2016) and the Emerging Local Plan (2016). The NPPF does not change the legal status of the development plan.

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

London Plan Policies

7.4 Local character

Unitary Development Plan

H8 Residential extensions

H9 Side Space

H10 Areas of Special Residential Character

BE1 Design of new development

Draft Local Plan

6 Residential Extensions

8 Side Space

37 General Design of Development

44 Areas of Special Residential Character

Supplementary Planning Guidance

SPG1 - General Design Principles

SPG2 - Residential Design Guidance

Planning History

The relevant planning history relating to the application site is summarised as follows;

Under ref: 92/01244/FUL, a Section 73A application was granted for the installation of a satellite dish.

Under ref: 02/03934/FULL1, planning permission was granted for a single storey rear extension.

Conclusions

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

- Design and Scale
- Impact on Neighbouring amenity

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

London Plan and UDP policies further reinforce the principles of the NPPF setting out a clear rationale for high quality design. In particular Policy 7.4 of the London Plan seeks that buildings should provide a high quality design that has regard to the pattern and grain of the existing spaces and streets in orientation, scale, proportion and mass and contributes positively to the character of the area.

Policies H8 and BE1 of the UDP 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 H10 relates specifically to proposals within ASRC's and seeks that all development respects and complements the established and individual qualities of the individual areas.

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

The proposed first floor side extension and front porch will result in a development which is similar to other extensions within the road including the existing extension at the adjoining semi (no. 13). The rendered sections of the existing dwelling are shown to be painted white and proposed extensions are shown to be painted white render to match, which will match the adjoining semi at no. 13 as well as the neighbouring property at no. 9.

The flank wall of the existing garage, which the first floor side extension will sit above, has an existing side space to the eastern side boundary of 0.97m. Policy H9 of the UDP normally requires a minimum of 1m side space for a development of two or more storeys in height. However, it should be noted that the objectives of the policy, as set out in the explanatory text, are 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."

In this instance, the roof design and height of the extension will ensure that the extension does not appear visually dominant and will ensure a greater degree of space is maintained between the dwellings at roof level, as well as the 0.97m between the flank wall of the proposed first floor extension and existing ground floor and the side boundary, with additional separation provided from the boundary to the flank wall of the neighbouring dwelling (no. 9). There are no windows located

within the flank wall of the neighbouring dwelling at no. 9 and none within the proposed extension and therefore, the amenities of the neighbouring property will not be harmed. Therefore, Members may consider that in this instance the proposal complies with the objectives of Policy H9.

CIL

The Mayor of London's CIL is a material consideration. CIL is not payable on this application.

Conclusion

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

RECOMMENDATION: PERMISSION

Subject to the following conditions:

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

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

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

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

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

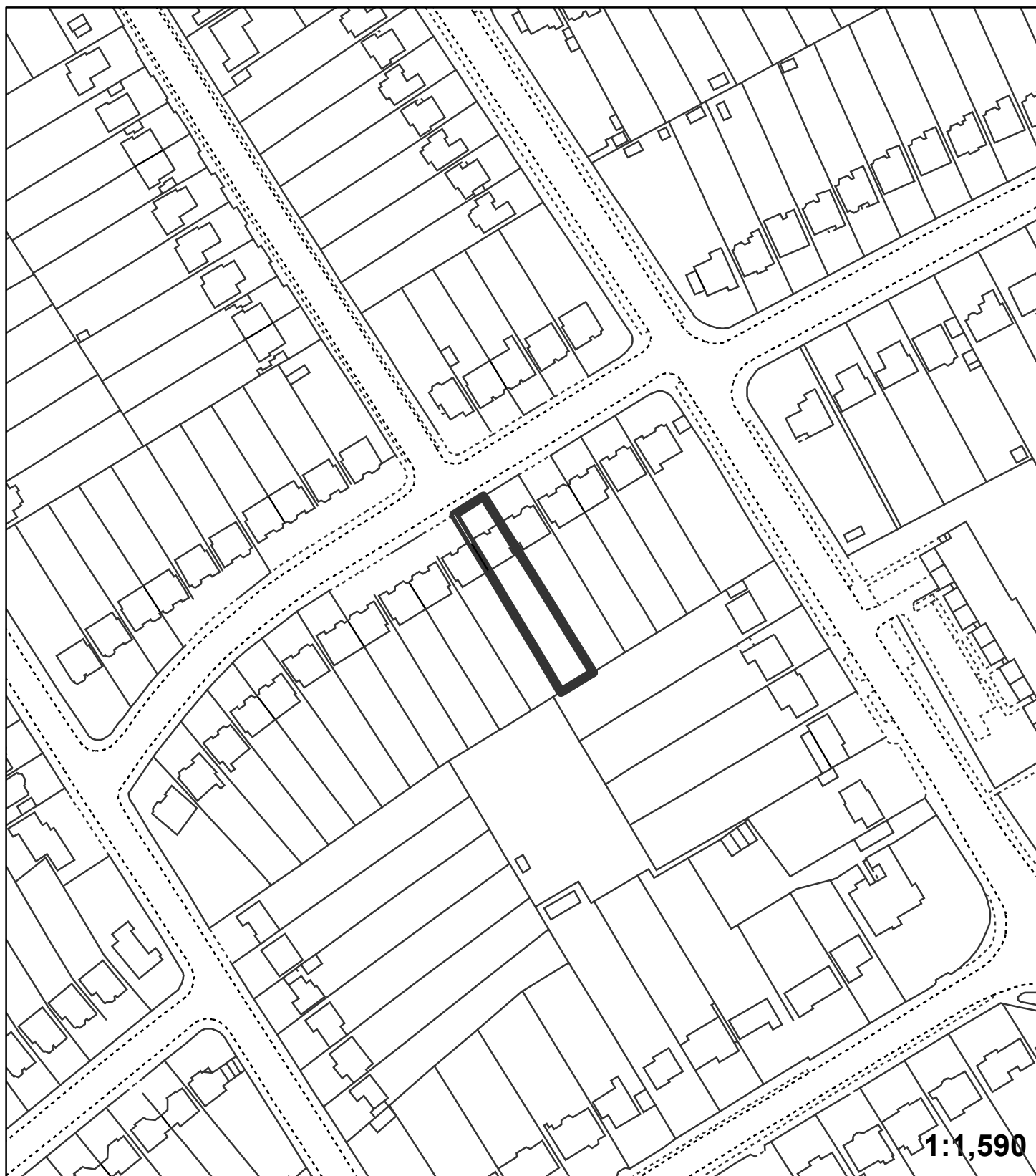
REASON: In order to comply with Policy BE1 of the Unitary Development Plan and in the interest of the visual and residential amenities of the area.

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Application:17/01659/FULL6

Address: 11 Top Park Beckenham BR3 6RU

Proposal: First floor side extension, conversion of garage to habitable accommodation and front porch



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Section '4' - Applications recommended for REFUSAL or DISAPPROVAL OF DETAILS

Application No : 17/01724/FULL6

Ward:
Hayes And Coney Hall

Address : 67 Hayes Wood Avenue Hayes Bromley
BR2 7BQ

OS Grid Ref: E: 540660 N: 166217

Applicant : Ms Kerry Healy

Objections : YES

Description of Development:

Loft conversion with roof alterations to include hip to gable extension with rear dormer, and front/side dormer. RETROSPECTIVE APPLICATION

Key designations:

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

Proposal

The application seeks retrospective planning permission for a loft conversion with roof alterations to include hip to gable extension with rear dormer, and front/side dormer.

The works have been completed, and has altered the previous hipped element of the dwelling which is a feature of these properties to a side gable which provides a continuation of the ridge height, and features a rear dormer to its rear.

The roof alterations also include a dormer in the front/side roofslope with a width of 2.5m and depth of 3m.

Location

The application site hosts a two storey semi-detached property located on the western side of Hayes Wood Avenue. The site is not located within a Conservation Area, nor is it Listed.

Consultations

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

- Appreciate the desire to create the maximum useable floor space in a loft conversion.
- However it has been carried out to an extreme degree regardless of the envelope created and the impact it would have on the host house and streetscene.
- A refusal of the application would therefore be supported.

Planning Considerations

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

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.

London Plan (2016):

7.4 Local Character
7.6 Architecture

Unitary Development Plan

BE1 Design of New Development
H8 Residential Extensions

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 submission of the draft Local Plan to the Secretary of State will occur 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 6 Residential Extensions
Draft Policy 37 General Design of Development

Planning History

The site has previously been the subject of the following applications;

- 03/00683/FULL6 - Two storey rear extension - Refused 14.05.2003
- 04/04316/FULL6 - Part one/two storey rear extension - Permitted 29.12.2004

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.

It is noted that there are examples of similar developments within the street such as at No.15 and No.35 however no recent applications have been received by The Council for these properties and no permission has been granted.

The site at No.47 Hayes Wood Avenue has not commenced any works, however has recently been the subject of a number of applications for a similar development. A Lawful Development Certificate (ref: 16/05757/PLUD) was refused on the grounds the proposal does not constitute permitted development under Class B (c) of Schedule 2, Part 1 of the Town and Country Planning (General Permitted Development) (England) Order 2015 as it would result in part of the dwellinghouse extending beyond the plane of the roofslope that forms the principle elevation of the building and fronts a highway.

The site at No.47 is also currently the subject of applications for full planning permission for similar works (ref: 16/05756/FULL6 and 17/05758/FULL6)

The applications were both deferred from Sub-plans committee 1 on the 13th April 2017 to wait for the outcome of the enforcement action in relation to the other properties which have constructed similar developments without planning permission. This application is a result of initial contact from enforcement.

Design

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 application seeks retrospective planning permission for roof alterations to the previous hipped element of the dwelling to a side gable which provides a continuation of the ridge height, and features a dormer to its rear. The roof alterations also include a dormer in the front/side roofslope with a width of 2.5m and depth of 3m.

There is a general uniformity in the design of the semi-detached properties within the immediate streetscene, including front gables and a hipped roof element to the side. However as noted previously, there are examples of similar developments within the street which have also been constructed without written consent from The Council.

The property forms one half of a pair of semi-detached houses; both of which originally benefitted from front gables and a hipped roof element to the side. Para 4.4 of policy H8 states that "the enlargement of a roof structure from a hipped design to a gable end is unlikely to be acceptable except in relation to end of terrace dwellings". The proposed hip to gable extension and front/side dormer would significantly alter the character of the host dwelling and would unbalance the pair of semi-detached buildings.

It is noted that the pitch of the roof to the gable extension is steeper than the original hipped roof slope and this has resulted in additional bulk to the property. The proposed rear dormer would also contribute to the bulk of the proposal, and though it would be partially screened from the front by the proposed hip to gable extension it would remain visible. The principle of the addition of a rear dormer to the property is not considered unacceptable in itself, however given the size proposed it would significantly contribute to the additional bulk to the host dwelling.

Given the scale, bulk and design of the roof alterations it is therefore considered that the proposal results in significant harm to the appearance of the host dwelling. It would result in an obtrusive form of development, out of character with the area and streetscene in general.

Residential 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 proposed roof alterations would add significant bulk to the property and whilst this would make the property more dominant in comparison to the neighbouring properties given the siting of the extensions which don't project significantly to the rear it is not considered to result in any significant harm in terms of the loss of light or outlook to neighbouring properties.

The flank wall of the gable would be blank, whilst the front/side dormer would only feature one window serving an en-suite. If permission were forthcoming it would be recommended for a condition to be added to ensure the flank window proposed would be obscure glazed, and that no further windows can be added to the flank window in order to protect the privacy of the neighbouring properties.

Any additional overlooking resulting from the rear dormer would not be considered significantly above that which already exists from the existing first floor rear windows, and therefore any impact in terms of loss of privacy would not be significant.

Summary

Having had regard to the above it was considered that the development in the manner proposed is not acceptable in that it would be a bulky addition which would not respect the character of the host dwelling, and would result in an unbalancing of the pair of semi-detached dwellings, harmful to the visual amenities of the area.

Background papers referred to during production of this report comprise all correspondence on the file ref: 17/01724/FULL6 set out in the Planning History section above, excluding exempt information.

RECOMMENDATION: APPLICATION BE REFUSED

The reasons for refusal are:

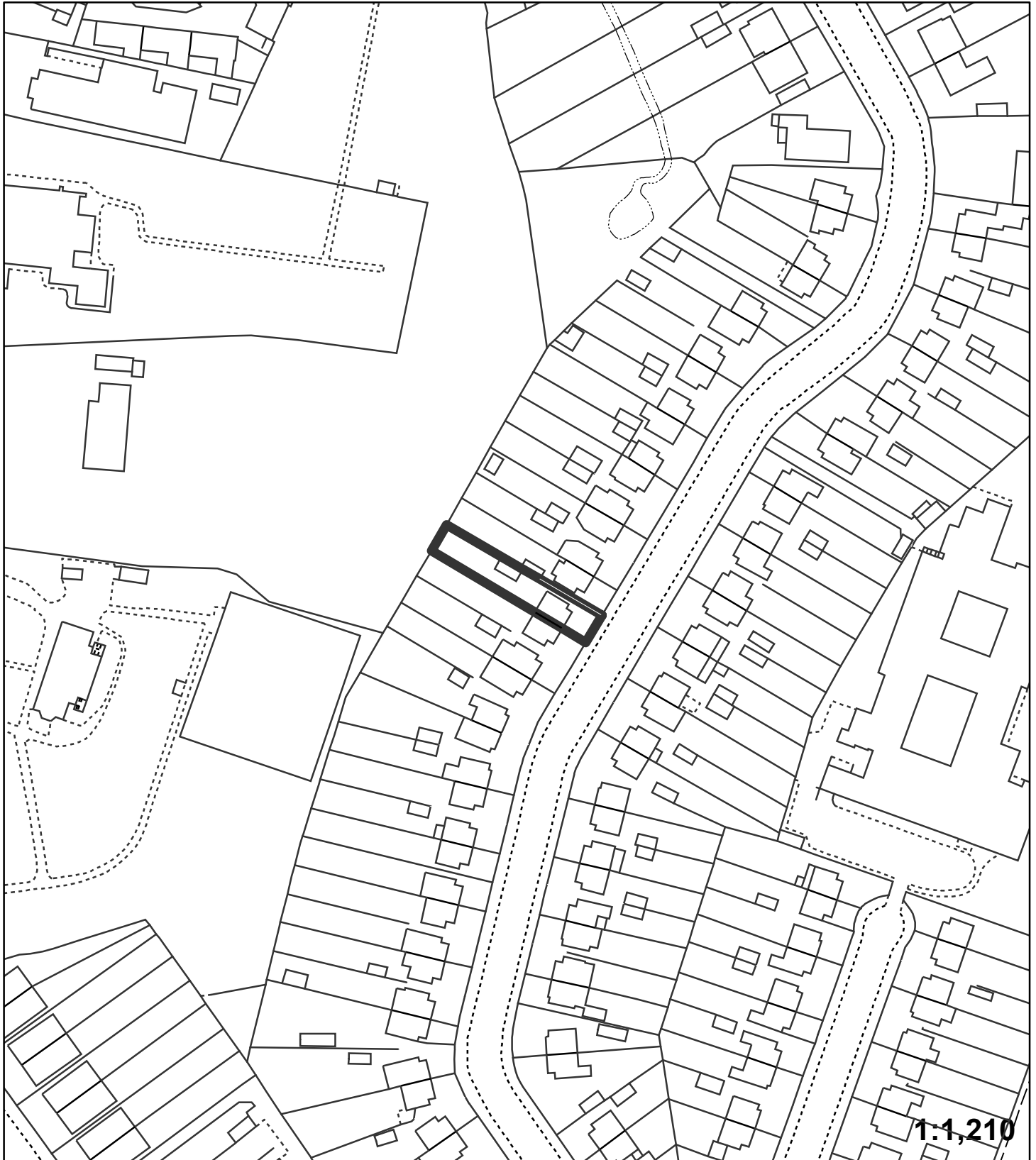
- 1 The proposed roof alterations are unsympathetic to the scale and form of the host dwelling and detrimental to the visual appearance of this pair of semi-detached houses, resulting in an incongruous and unsatisfactory addition to the streetscene, contrary to Policies BE1 and H8 of the Unitary Development Plan.**

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Application:17/01724/FULL6

Address: 67 Hayes Wood Avenue Hayes Bromley BR2 7BQ

Proposal: Loft conversion with roof alterations to include hip to gable extension with rear dormer, and front/side dormer. RETROSPECTIVE APPLICATION



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

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