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DATE: 11 July 2017

To: Members of the  
**PLANS SUB-COMMITTEE NO. 4**

Councillor Richard Scoates (Chairman)  
Councillor Simon Fawthrop (Vice-Chairman)  
Councillors Lydia Buttinger, Nicky Dykes, Kate Lymer, Neil Reddin FCCA,  
Melanie Stevens, Michael Turner and Richard Williams

A meeting of the Plans Sub-Committee No. 4 will be held at Bromley Civic Centre on  
**THURSDAY 20 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 8461 7566**

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**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](mailto:planning@bromley.gov.uk)**

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

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

## A G E N D A

- 1 **APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS**
- 2 **DECLARATIONS OF INTEREST**
- 3 **CONFIRMATION OF MINUTES OF MEETING HELD ON 25 MAY 2017**  
(Pages 1 - 12)
- 4 **PLANNING APPLICATIONS**

### SECTION 1

(Applications submitted by the London Borough of Bromley)

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

### SECTION 2

(Applications meriting special consideration)

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4.1	Bickley	13 - 20	(17/01338/FULL6) - 17 The Spinneys, Bickley, Bromley, BR1 2NT
4.2	Bromley Common and Keston	21 - 26	(17/01780/RECON) - 2A Jackson Road Bromley BR2 8NP
4.3	Chislehurst	27 - 32	(17/01782/FULL6) - 66 Greenway, Chislehurst, BR7 6JF

### SECTION 3

(Applications recommended for permission, approval or consent)

Report No.	Ward	Page No.	Application Number and Address
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4.5	Petts Wood and Knoll	63 - 70	(17/00918/FULL6) - 13 Oakhill Road, Orpington

4.6	Plaistow and Sundridge	71 - 78	(17/01802/FULL6) - 73 Hillcrest, Bromley, BR1 4SA
4.7	Mottingham and Chislehurst North	79 - 84	(17/01823/FULL6) - 41 Chilham Road, Mottingham, London, SE9 4BE
4.8	Hayes and Coney Hall	85 - 90	(17/02099/FULL6) - 9 Farm Close, West Wickham BR4 9JL
4.9	Shortlands	91 - 98	(17/02167/FULL1) - 1 The Glen, Shortlands, Bromley, BR2 0JB.
4.10	Copers Cope	99 - 108	(17/02283/FULL1) - Worsley Bridge Junior School, Brackley Road, BR3 1RF.
4.11	Bickley	109 - 114	(17/02420/FULL6) - 6 Woodside Road, Bickley, Bromley, BR1 2ES

#### **SECTION 4**

(Applications recommended for refusal or disapproval of details)

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

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#### **6 TREE PRESERVATION ORDERS**

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

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## PLANS SUB-COMMITTEE NO. 4

Minutes of the meeting held at 7.00 pm on 25 May 2017

### Present:

Councillor Richard Scoates (Chairman)  
Councillor Simon Fawthrop (Vice-Chairman)  
Councillors Lydia Buttinger, Kate Lymer, Neil Reddin FCCA,  
Melanie Stevens, Michael Turner and Richard Williams

### 1 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

An apology for absence was received from Councillor Nicky Dykes.

### 2 DECLARATIONS OF INTEREST

No declarations of interest were received.

### 3 CONFIRMATION OF MINUTES OF MEETING HELD ON 30 MARCH 2017

**RESOLVED** that the Minutes of the meeting held on 30 March 2017 be confirmed and signed as a correct record.

### 4 PLANNING APPLICATIONS

#### SECTION 1

(Applications submitted by the London Borough of Bromley)

#### 4.1 ORPINGTON

#### **(17/01505/ADV) - Freestanding Advertisement Outside 281 High Street, Orpington**

Description of application – Replacement of existing advertising structure with freestanding internally illuminated digital display unit.

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

**4.2  
BROMLEY TOWN**

**(17/01506/ADV) - Outside 37-41 High Street,  
Bromley BR1 1LE**

Description of application – Replacement of existing advertising structure with freestanding internally illuminated digital display unit.

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

**4.3  
ORPINGTON**

**(17/01510/ADV) - Freestanding Advertisement  
Outside 217 High Street, Orpington**

Description of application – Replacement of existing advertising structure with freestanding internally illuminated digital display unit.

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

**4.4  
BROMLEY TOWN**

**(17/01511/ADV) - Outside 64 High Street,  
Bromley BR1 1EN**

Description of application – Replacement of existing advertising structure with freestanding internally illuminated digital display unit.

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

**4.5  
BROMLEY TOWN**

**(17/01513/ADV) - Outside 70 High Street,  
Bromley BR1 1EG**

Description of application – Replacement of existing advertising structure with freestanding internally illuminated digital display unit.

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

**4.6  
BROMLEY TOWN**

**(17/01514/ADV) - Outside 81 High Street, Bromley**

Description of application – Replacement of existing advertising structure with freestanding internally illuminated digital display unit.

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

**4.7  
BROMLEY TOWN**

**(17/01515/ADV) - Outside 19 High Street, Bromley**

Description of application – Replacement of existing advertising structure with freestanding internally illuminated digital display unit.

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

**4.8  
BROMLEY TOWN**

**(17/01516/ADV) - Outside 44 High Street, Bromley**

Description of application – Replacement of existing advertising structure with freestanding internally illuminated digital display unit.

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

**4.9  
BROMLEY TOWN**

**(17/01518/ADV) - Outside 34 High Street, Bromley**

Description of application – Replacement of existing advertising structure with freestanding internally illuminated digital display unit.

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

**SECTION 2**

(Applications meriting special consideration)

**4.10  
BROMLEY TOWN**

**(16/05119/MATAMD) - Multistorey Car Park,  
Simpsons Road, Shortlands, Bromley**

Description of application – Section 73 application for the demolition of existing buildings and redevelopment with mixed use scheme comprising multi-screen cinema, 200 flats, 130 bedroom hotel, Class A3 units (restaurant and café) including 1 unit for flexible Class A1 (retail shop), Class A3 (restaurant and café) or Class A4 (drinking establishment), basement car parking, associated access arrangements (including bus parking), public realm works and ancillary development. Minor Material Amendment to application 13/01094/MATAMD to include elevational changes, reduction in residents car parking, internal layout changes, amendments to façade and roof detailing, realignment of (Core A) rear building line, commercial elevation changes, balcony adjustments and treatment of link bridge.

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

Comments from the Planning Officer were reported. Written comments from Committee Member and Ward Member Councillor Nicky Dykes in support of the application were reported and circulated to Members. Supporting correspondence from McLaren Construction in respect of Basement Parking Provision had also been circulated to Members.

Members having considered the report, objections and representations, **RESOLVED that PERMISSION BE GRANTED SUBJECT TO THE PRIOR COMPLETION OF A SECTION 106 LEGAL AGREEMENT** as recommended, subject to the conditions set out in the report of the Chief Planner with condition 7 amended to read:-

'7 The layout of the access road and turning area including its junction with Westmoreland Road, the proposed levels of the road and turning area and their suitability for the movement of buses and the dimensions of visibility splays shall be carried out as per the details approved under condition 7 of application 13/01094/MATAMD (within conditions application DC/13/01094/CONDIT) that being:

Drawing no. SK273 'Alternative 12m Bus Swept Path Analysis' dated October 2011



Drawing no. 1000000219-C-SK01-01 Rev.B ' Proposed Traffic Signals Layout' dated 19th December 2014  
Drawing SK274 'Swept Path Analysis' dated October 2011.  
Drawing no. SK265 Rev.G 'Swept Path Analysis' dated October 2011  
Email from Project Centre dated 29th May 2014  
Letter from TFL dated 13th May 2014

These access arrangements shall be completed before any part of the development hereby permitted is first occupied. There shall be no obstruction to visibility in excess of 1m in height within the approved splays except for trees selected by the Authority, and the permitted visibility splays shall be permanently retained as such. The works shall be implemented, maintained and managed in accordance with the approved details unless otherwise agreed in writing with the Local Planning Authority.'

The following condition and informative were also added:-

50 Prior to the first occupation of the development, details of the appearance of the louvres identified in plan ref. 11.13.73 Rev E shall be submitted to the local planning authority for approval in writing. The louvres shall be installed in accordance with the approved details and permanently retained as such thereafter.

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

#### Informative

The applicant should seek to maximise the provision of electric vehicle charging points, in excess of the minimum required in accordance with the London Plan, in order to provide for future increased demand.

4.11  
PETTS WOOD AND KNOLL

**(17/01038/FULL6) - 9A Irene Road,  
Orpington, BR6 0HA**

Description of application – Outbuilding to rear.  
RETROSPECTIVE APPLICATION.

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

1 The proposal, by reason of its size, design and scale would constitute an overdevelopment of the site, which would be detrimental to the visual amenities of the neighbouring properties and the character of the area, contrary to Policy BE1 of the Unitary Development Plan.

4.12  
WEST WICKHAM

**(17/01557/FULL6) - 50 Wood Lodge Lane, West  
Wickham BR4 9NA**

Description of application – Single storey front/side and rear extension and first floor side extension. Steps and extended patio area.

Oral representations in objection to and 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 set out in the report of the Chief Planner with the addition of a further condition to read:-

6 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order amending, revoking and re-enacting this Order) no buildings, structures, alterations, walls or fences of any kind shall be erected or made within the curtilage of the dwelling without the prior approval in writing of the Local Planning Authority.

Reason: In order that the Local Planning Authority can control any further development within the residential curtilage of the property, in the interests of the amenities of nearby residential properties and to prevent an overdevelopment of the site, in accordance with Policies BE1 and H8 of the Unitary Development Plan.

**SECTION 3**

(Applications recommended for permission, approval or consent)

**4.13  
FARNBOROUGH AND  
CROFTON**

**(17/00048/FULL1) - 368 Crofton Road, Orpington  
BR6 8NN**

Description of application – Single storey side/rear extension and change of use of ground floor from Class A2 financial and professional services to Class A3 restaurant with decking to side.

Written comments from Ward Member Councillor Charles Joel in support of the application were reported at the meeting.  
Planning Officer comments in regard to amended and additional conditions were also reported. The accompanying plan had also been amended.

Members having considered the report and objections, **RESOLVED that PERMISSION BE GRANTED** as recommended, subject to the conditions set out in the report of the Chief Planner with condition 5 amended to read:-  
'5 Customers shall not be admitted to the premises before 10.00 hours on any day and all customers shall have left the premises by 23.00 hours on Mondays to Saturdays and 22.00 hours on Sundays.  
Reason: In order to comply with Policy S9 of the Unitary Development Plan and in the interest of the amenities of nearby residential properties.'

A further two conditions were also added as follows:-

6 Details of the location of the proposed bin storage area shall be submitted to and approved in writing by the Local Planning Authority before any part of the development hereby permitted is commenced and the approved arrangements shall be completed before any part of the development hereby permitted is first occupied and permanently retained thereafter.  
Reason: In order to comply with Policy BE1 of the Unitary Development Plan and in order to provide adequate refuse storage facilities in a location which is acceptable from the residential and visual amenity aspects.

7 The fire escape door shown on plan ref. 02/0816/1 shall not open across the footway in Elm Walk. Prior to the commencement of the extension hereby permitted, details of the proposed fire exit door

leading from the restaurant to Elm Walk including the means of opening shall be submitted to and approved in writing by the Local Planning Authority. The fire escape door shall be completed in accordance with the approved details and permanently retained thereafter.

Reason: To prevent an obstruction to the footway and to comply with Policies T6 and T18 of the Unitary Development Plan.

**4.14  
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.

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 with the addition of a further condition and informative to read:-

15 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order amending, revoking and re-enacting this Order), no buildings, structures, alterations, walls or fences of any kind shall be erected or made within the curtilage of the dwellings hereby permitted without the prior approval in writing of the Local Planning Authority.

Reason: In order that the Local Planning Authority can control any further development within the residential curtilage of the property, in the interests of the amenities of nearby residential properties and to prevent an overdevelopment of the site, in accordance with Policies BE1 and H8 of the Unitary Development Plan.

Informative

The applicant is advised that any future increase in flats or loss of parking spaces would require a full planning application and is unlikely to be viewed favourably by the Council.

**4.15  
PETTS WOOD AND KNOLL**

**(17/00918/FULL6) - 13 Oakhill Road, Orpington  
BR6 0AE**

Description of application – Single storey front, side and rear extension and first floor side extension.

Further correspondence in objection to the application had been received and circulated to Members. The content of this correspondence included the objector's version of the applicant's elevation diagrams with 45 degree lines added. It also included the current impact of shadowing on the property at No 15 Oakhill Road.

Members having considered the report and objections, **RESOLVED that the application BE DEFERRED**, without prejudice to any future consideration, to seek a reduction in the size and bulk of the roof.

Councillor Fawthrop's vote against deferral was noted.

**4.16  
CLOCK HOUSE**

**(17/01072/FULL1) - The Elms, Westbury Road,  
Beckenham BR3 4DD**

Description of application – Demolition of existing building and construction of a 2.5 storey terrace style building comprising 3 one bedroom flats and 6 two bedroom duplex residential units along with associated landscaping, 9 car parking spaces, refuse and cycle storage.

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

Comments received from Ward Members Councillor Vanessa Allen and Councillor Ian Dunn in support of the application, were reported and circulated to Members.

A minor amendment to condition 8 was suggested by the Planning Officer.

Councillor Fawthrop considered the development to be of a higher density than was normally expected and suggested the addition of a further informative to

highlight that permission for this application would not set a precedent for further higher than normal developments in the area.

Members having considered the report, objections and representations, **RESOLVED that PERMISSION BE GRANTED** as recommended, subject to the conditions and informatives set out in the report of the Chief Planner with condition 8 being amended to read:-

'8 Notwithstanding the plans submitted, details of the vehicle crossovers to be provided to enable vehicular access over the footway on Westbury Road to avoid damage to the existing street trees, including their root systems, shall be submitted to and approved in writing by the Local Planning Authority before the commencement of the development. The development shall be carried out in accordance with the approved details.

Reason: To ensure that works are carried out according to good arboricultural practice and in the interests of the health and amenity of the street trees to be retained within the footway in front of the site and comply with Policy NE7 of the Unitary Development Plan and Policy 7.21 of the London Plan.'

**4.17  
BICKLEY CONSERVATION  
AREA**

**(17/01196/RECON) - 3 Sundridge Avenue, Bromley  
BR1 2PU**

Description of application – Variation of Conditions 3 and 5 pursuant to planning permission ref. 13/01321 granted at appeal for demolition of existing dwelling and erection of three 5 bedroom two storey detached dwellings with accommodation in roofspace and associated landscaping and parking arrangements to allow for block paving driveways to all plots and timber/sleeper retaining wall (max height 2.7m) to flank elevation of Plot 3.

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

Members having considered the report, objections and representations, **RESOLVED that the application BE DEFERRED** without prejudice to any future consideration, to seek a viable solution to the concerns raised over the construction methods used for the retaining wall and to address inconsistencies within the application regarding ownership of the site.

**4.18  
CHELSFIELD AND PRATTS  
BOTTOM**

**(17/01213/FULL6) - 10 Gleeson Drive, Orpington  
BR6 9LJ**

Description of application – Part one/two storey side/rear extension and alterations to front porch.

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 set out in the report of the Chief Planner.

**4.19  
CRAY VALLEY EAST  
CONSERVATION AREA**

**(17/01264/FULL6) - 13 Riverside Close, Orpington,  
BR5 3HJ**

Description of application – Detached timber outbuilding.

Oral representations in objection to and in support of the application were received at the meeting. The Development Control Manager reported that the plan on page 187 of the report did not accurately show the position of the proposed outbuilding.

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 and scale of the proposed outbuilding.

**4.20  
HAYES AND CONEY HALL**

**(17/01327/FULL6) - 89A Hayes Lane,  
Bromley, BR2 9EF**

Description of application – Two storey front, side and rear extension.

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

**4.21  
KELSEY AND EDEN PARK**

**(17/01366/FULL6)- 22 Birchwood Avenue,  
Beckenham BR3 3PZ**

Description of application – Single storey rear extension and steps.

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

**4.22  
BICKLEY**

**(17/01502/FULL1) - Applegarth, Chislehurst Road,  
Chislehurst BR7 5LE**

Description of application – Demolition of existing bungalow and the erection of a 2.5 storey building comprising 4 two bedroom apartments with car parking, cycle and refuse storage.

Oral representations in objection to and in support of the application were received at the meeting. The Development Control Manager advised Members that should they be minded to refuse the application, the reasons for refusal should reflect those which concerned the Planning Inspector during his consideration of the previous appealed application.

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

1 The proposed building would, by reason of its size, bulk and close proximity to the dwelling and rear garden of Chellows and Sandfield Cottage, have a seriously detrimental impact on the amenities of the adjoining occupiers by reason of loss of outlook and privacy, thereby contrary to Policies H7 and BE1 of the Unitary Development Plan.

The meeting ended at 8.40 pm

Chairman



## **SECTION '2' – Applications meriting special consideration**

**Application No :** 17/01338/FULL6

**Ward:**  
**Bickley**

**Address :** 17 The Spinneys Bickley Bromley BR1 2NT

**OS Grid Ref:** E: 542641 N: 169557

**Applicant :** Mr A Gould

**Objections : YES**

### **Description of Development:**

Part 1/2 storey side/rear extension.

### **Key designations:**

Area of Special Residential Character  
Biggin Hill Safeguarding Area  
London City Airport Safeguarding  
Open Space Deficiency  
Smoke Control SCA 10

### **Proposal**

Planning permission is sought for the construction of a part one/two storey side and rear extension.

At ground floor the proposal includes a conservatory located to the north-western corner of the building and would project 3.5m wide and 5.5m in depth with a pitched roof to a maximum height of 3.5m (eaves 2.4m). The proposed conservatory is connected to the rear extension which enlarges the existing kitchen and projects 4.1m (1.2m beyond the existing rear extension). At first floor level the extension will be above the proposed kitchen extension and project 4.1m and 6.05m to provide an additional bedroom and ensuite. The extension will have a pitched roof gable end to a maximum height of 7.4m (eaves 5.2m) and will have two windows at ground floor level and Juliet balcony at first floor level.

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

### **Location**

The application site is a two storey dwelling hosts a catslide roof profile and side facing dormer window and is of a distinctive 1960s design, forming a group of similar properties within the locality. The dwelling is sited on the northern side of The Spinneys and has off street parking provision within the front amenity space.

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

### **Consultations**

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

- Concern over the stability of the proposed extension given the property has previously suffered from subsidence and given the garden slopes steeply the

foundations will need to be very deep and could lead to further subsidence and impact on stability of neighbouring properties;

- Loss of privacy from the proposed Juliet balcony to the rear and flank bathroom window at first floor level;
- Loss of light from extensions to bedroom and family room to the rear.

*Please note the above is a summary of objections received and full text is available on the planning file.*

*It should also be noted that issues of subsidence is not a material planning consideration.*

### **Planning Considerations**

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

National Planning Policy Framework (NPPF) (2012)

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

Chapter 7 - Requiring Good Design

The London Plan (2015):

Policy 7.4      Local Character  
Policy 7.6      Architecture

Unitary Development Plan (2006):

BE1 Design of New Development  
H8 Residential Extensions  
H9 Side Space

Other Guidance:

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

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.

The most relevant draft Local Plan policies include:

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

## **Planning History**

Planning permission was granted under ref: 68/1333 for the construction of a single storey extension at rear comprising of a dining room extension and garden room (12/08/68).

## **Conclusions**

It is considered the planning issues and considerations relate to:

- Design and bulk;
- Neighbouring amenity; and
- Mayoral CIL.

### Design and Bulk:

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

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

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

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

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

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

The ground floor element would be located approximately 2.2m from the western boundary with No. 15 and at first floor level 5.9m and approximately 8m from the eastern boundary with No. 19 in compliance with policy H9.

The extensions are considered to be sympathetically designed to complement the host building, the two storey rear extension proposes a pitched roof with gable end and the ridge height lower than the host building and given that views of this element would be restricted to the rear of the property, flexibility can be shown in terms of assessing the design and as such it is considered that the extension would not appear overly bulky or dominant, and would not detract from the character and appearance of area generally.

The conservatory element is similar to other examples within the borough and is of a design complimentary to the form and roof pitch of the host dwelling.

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

#### Neighbouring Amenity:

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

The single storey conservatory element is located 7m from the flank elevation of No. 15 and over 2m from the common boundary. The conservatory is to have a pitched roof to a maximum height of 3.5m (eaves 2.4m) and it should be noted that under permitted development a similar sized extension could be constructed. As such given its limited size and dimensions it is considered that it would not result in any significant impact on neighbouring amenity in terms of un-neighbourly sense of enclosure and loss of daylight / sunlight, to the detriment of the neighbouring occupiers.

With regards to the first floor extension this is located to the rear of the existing dwelling and approximately 10m from the flank elevation of No. 15. Concern has been raised from the occupier in terms of loss of light to a bedroom, however there are two windows serving this room (one to the front) and given the distance from the extension behind the existing dwelling on balance it is considered that there would be no significant impact on neighbouring amenity in terms of un-neighbourly sense of enclosure and loss of daylight / sunlight, to the detriment of the neighbouring occupiers.

In terms of the impact to No. 19, concern has been raised over loss of privacy from the proposed Juliet balcony to the rear garden and the flank bathroom window at first floor level. The proposed bathroom window is shown to be obscure glazed and conditions have been suggested in this report to ensure there is no loss of privacy from this window in terms of obscurity and type of opening. In terms of the proposed Juliet balcony, the gardens at Nos. 17 and 19 slope steeply down from the rear of the houses to the end of the gardens, both houses benefit from long gardens at 26m and 36m respectively. There is currently first floor rear windows in this location which could be converted into a Juliet balcony under permitted development, whilst it is appreciated that the window will be 4.1m closer to the end of the rear garden given that the extension will not be introducing any additional views towards the neighbouring garden over and beyond the current situation on balance it is considered that the proposal would not result in any significant loss of privacy to warrant a refusal on this basis,

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

#### Mayoral Community Infrastructure Levy (CIL):

The Mayor has introduced a London-wide Community Infrastructure Levy (CIL) to help implement the London Plan, particularly policies 6.5 and 8.3. The Mayoral CIL formally came into effect on 1st April, and it will be paid on commencement of most new development in Greater London that was granted planning permission on or after that date. The Mayor's CIL will contribute towards the funding of Crossrail. The Mayor has

arranged boroughs into three charging bands. The rate for Bromley is £35 (plus indexing) per square metre.

The current application is not liable to this requirement.

Summary:

Having had regard to the above, Members are asked to consider if the proposed construction of a part one/two storey rear extension is acceptable as detailed in the report. It is considered that the development has been carefully and sympathetically designed to ensure that the proposal would not result in amenity implications that would harm the quality of life of neighbouring occupiers.

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

Background papers referred to during production of this report comprise all correspondence on the file ref: 16/02529/FULL1 set out in the Planning History section above, excluding exempt information.

**RECOMMENDATION: PERMISSION**

**Subject to the following conditions:**

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

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

- 2 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 additional windows shall at any time be inserted in the first floor south-eastern or north-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** Before the development hereby permitted is first occupied, the proposed window serving the first floor bathroom windows to the south-eastern flank elevation shall be obscure glazed and top-opening only in accordance with details to be submitted to and approved in writing by the Local Planning Authority and shall subsequently be permanently retained as such.

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

**Application:**17/01338/FULL6

**Address:** 17 The Spinneys Bickley Bromley BR1 2NT

**Proposal:** Part 1/2 storey side/rear extension.



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

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## **SECTION '2' – Applications meriting special consideration**

**Application No :** 17/01780/RECON

**Ward:**  
**Bromley Common And Keston**

**Address :** 2A Jackson Road Bromley BR2 8NP

**OS Grid Ref:** E: 542460 N: 165943

**Applicant :** Mr Halil Karaoglan

**Objections : YES**

### **Description of Development:**

Variation of Condition 2 of planning permission ref 14/02458/VAR(single storey rear extension for use as a separate shop (A1 use class) and installation of associated shop front) to extend hours of operation to Monday - Wednesday: 08.45 - 18.30 hours; Thursday - Friday: 08.45 - 19.00 hours; Saturday: 08.30 - 18.00 hours; Sunday: 10.30 - 15.00 hours; Bank Holidays: 10.30 - 15.00 hours

### **Key designations:**

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

### **Proposal**

The application site is located to the southern side of Jackson Road and is located to the rear of 137 Hastings Road.

This application seeks the variation of condition 2 of planning permission reference 14/02458 (single storey rear extension for use as a separate shop (A1 use class) and installation of associated shop front) to extend hours of operation.

Condition 2 of permission 14/02458 states that the use shall not operate on any Sunday or Bank Holiday nor before 0900 or after 1800 on Monday to Saturday.

This application seeks to extend opening hours to:

Monday to Wednesday 08.45 to 18.30 hours

Thursday to Friday 08.45 to 19.00 hours

Saturday 08.30 to 18.00 hours

Sunday 10.30 to 15.00 hours

Bank Holidays 10.30 to 15.00 hours

The application advises that the increased hours will help to increase income to cover rent; that the current hours are restrictive for the local community; the service provided is not noisy and does not cause disruption to the local community; local barbers and hairdressers do not have such restriction imposed on them and the applicant should be able to compete on a level playing field; current opening hours restrict local people who want to use the facility after work.

### **Consultations**

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

- o Parking is bad locally - extended hours will make it worse

- o Noise and disturbance and unsafe driving practices. Extended hours will make it worse, including Sunday and Bank Holidays
- o Do not stick to current operating hours
- o The only business in a residential road - has affected ambience; encourages loitering
- o Restriction on hours was previously applied to minimise disturbance to residents
- o Support - the hours will make it easier for working people to use the facility and support local business
- o Lovely barber - good rapport with children so makes it easier
- o Support local business
- o Trading hours between local business varies greatly; it is not necessarily this business that adds such a burden to the parking congestion locally

Highways comments note that the proposal site is situated to the southern side of Jackson Road and to the rear of 137 Hastings Road. They are of the opinion that the development would not have a significant impact on the parking demand in the area, therefore on balance raise no objection to the proposal.

### **Planning Considerations**

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

BE1 Design of New Development  
 S5 Local Neighbourhood Centres, Parades and Individual Shops  
 T18 Road Safety

Draft Policy 37  
 Draft Policy 96  
 Draft Policy 32

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.

The planning history includes 08/01637/FULL1 Change of use to land rear of 137 Hastings Road Bromley to hand car washing service - refused; 08/04001 Change of use to land rear of 137 Hastings Road Bromley for car hand wash - refused; 13/01136 Single storey rear extension for use as a separate shop (A1 use class) and installation of associated shop front - permission; 13/01136/AMD AMENDMENT: Proposed new opening (a door and a window) to the flank wall facing east - refused as a non-material amendment and subsequently approved under planning application reference 14/04048; 14/02458/VAR Variation of condition 2 of planning permission ref. 13/01136 (single storey rear extension for use as a separate shop (A1 use class) and installation of associated shop front) to extend hours of operation on Monday to Wednesday 9am to 6pm, Thursday to Friday 9am to 7pm, Saturday 9am to 6pm and Sunday 11am to 4pm at 137 Hastings Road/2A Jackson Road.

Condition 2 of permission 14/02458 states that the use shall not operate on any Sunday or Bank Holiday nor before 0900 or after 1800 on Monday to Saturday.

## **Conclusions**

The main issues relating to the application are the effect that those additional opening days and times would have on the amenities of the occupants of surrounding residential properties and the impact that it would have on the highway, parking and road safety.

No specific client numbers/number of barbers operating at the premises are submitted as part of the application information. However the premises are not large and given the existing use it is considered unlikely that the proposed increase in hours to the existing operating days will generate significant noise from movements of customers by vehicle or on foot.

A number of local objections are received and include concern that extending hours and days of opening including into Sundays and Bank Holidays will cause noise and disturbance and the original restriction on hours was previously applied to minimise disturbance to residents. Letters of support are received, some from local residents and some from customers who do not live in the vicinity.

To extend the opening hours and days as proposed will result in an impact on amenity particularly given the shop does not currently open on Sundays and Bank Holidays at all. There is a certain level of activity around the existing local parade of shops which fronts on to Hastings Road. The planning history recognises that the unit at 2a Jackson Road brings a level of commercial activity in to this residential street and seeks to protect amenity by the imposition of restrictive hours and days of use.

It is for careful consideration as to the extent of the impact that may arise from the increased hours and days of operation and whether it will result in such an unneighbourly impact as to warrant a planning ground of refusal.

The applicant has indicated that they are willing to have a temporary period of consent in order that the impacts of the extended hours and days of opening of the business on neighbouring amenity may be fully re-considered after a temporary period of operation.

With regard to impact on parking and the highway, whilst Members may note the objections, the Highways Officer is of the opinion that the development would not have a significant impact on the parking demand in the area and therefore raises no objection to the proposal

As noted above, the premises are not large and given the existing use it is considered unlikely that the proposed increase in hours to the existing operating days will generate significant noise from movements of customers by vehicle or on foot. It is the proposed extension into Sundays and Bank Holidays which will bring activity into the vicinity on days when there currently is none. How significant this movement and activity will be, given the limited hours proposed, needs to be weighed carefully. Members may consider that a temporary permission to increase the hours and days of operation will allow a good opportunity for the impacts on neighbouring amenity to be re-assessed after a set period of time. It may be prudent to also consider a planning condition that does not allow the use on Christmas Day, Good Friday and Easter Sunday.

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

**as amended by documents received on 21.06.2017**

**RECOMMENDATION: PERMISSION**

**Subject to the following conditions:**

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

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

- 2 The use shall not operate before 08.45 hours and after 18.30 hours Monday to Wednesday; nor before 08.45 hours and after 19.30 hours Thursday to Friday; nor before 08.30 hours and after 18.00 hours Saturdays; nor before 10.30 hours nor after 15.00 hours Sundays and Bank Holidays. The use shall not operate on Christmas Day, Good Friday nor Easter Sunday.**

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

- 3 The external areas that form part of the use hereby permitted shall not be used for the purposes of storage at any time.**

**Reason: In order to comply with Policy BE1 of the Unitary Development Plan and in the interests of the amenities of adjoining residents and the character of the area.**

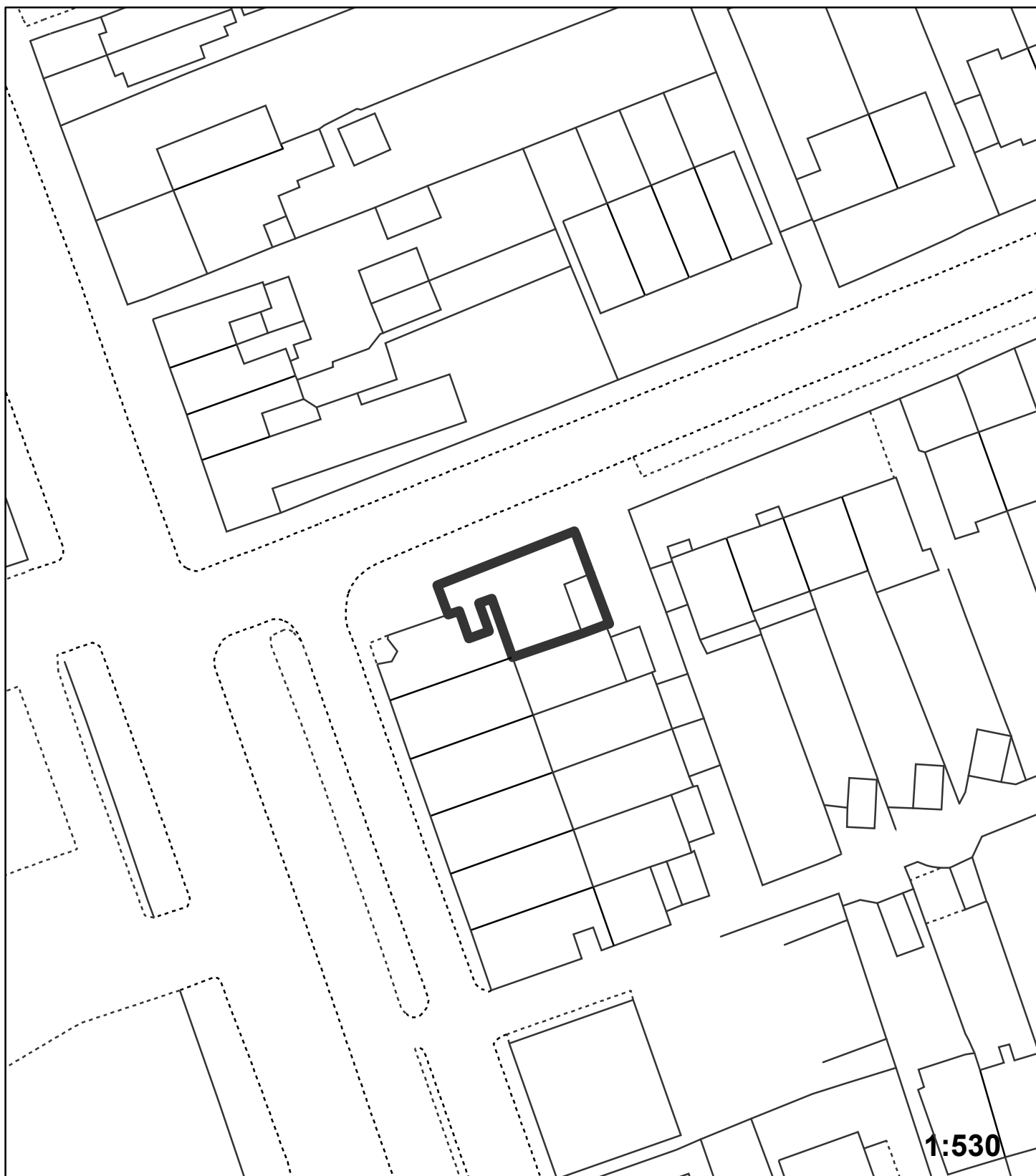
- 4 The use of the premises for the increased hours and days permitted shall be limited and shall discontinue by 20th July 2018.**

**Reason: In order to comply with Policy BE1 of the Adopted Unitary Development Plan and so that the situation can be reconsidered in the light of the circumstances at that time and in the interest of nearby residential amenities.**

**Application:**17/01780/RECON

**Address:** 2A Jackson Road Bromley BR2 8NP

**Proposal:** Variation of Condition 2 of planning permission ref 14/02458/VAR(single storey rear extension for use as a separate shop (A1 use class) and installation of associated shop front) to extend hours of operation to Monday - Wednesday: 08.45 - 18.30 hours; Thursday - Friday:



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## **SECTION '2' – Applications meriting special consideration**

**Application No :** 17/01782/FULL6

**Ward:**  
**Chislehurst**

**Address :** 66 Greenway Chislehurst BR7 6JF

**OS Grid Ref:** E: 543631 N: 171476

**Applicant :** Ms C Jobling

**Objections : YES**

### **Description of Development:**

Detached outbuilding at rear for use as a fitness studio for plates and sport massage (Part-retrospective)

### **Key designations**

Biggin Hill Safeguarding Area  
London City Airport Safeguarding  
Open Space Deficiency  
Smoke Control SCA 16

### **Proposal**

The host property is a semi-detached two storey dwellinghouse located on the south-eastern side of Greenway, at the junction with Farmland Walk.

This part-retrospective planning application seeks permission for an outbuilding located within the rear garden which is to be used as a fitness studio. The outbuilding has already been constructed. It is 5m wide, 3m deep and has maximum height of 2.5m.

The outbuilding is to be used for "Pilates and sports massage" classes/ appointments. The maximum participants will be limited to one to two people per session

A revised Block Plan was received 04/07/2017 which included distances from the outbuilding to the boundaries

### **Consultations**

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

- o No distances to boundaries to enable the precise location to be identified and controlled.

### **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  
EMP8 Using dwellings for business purposes

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

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

Draft Policy 37 General Design of Development  
Draft Policy 87 Home Working

Planning history:

The site has been subject to previous planning applications:

- o 08/00589/FULL6 - Roof alterations to provide half hip with rear dormer and Juliet balcony - Permitted 14.04.2008
- o 08/01974/FULL6 - Single storey side and rear extension - Permitted 16.07.2008

### **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 outbuilding is 5m wide and 3m deep, with a maximum height of 2.5m. The location of the outbuilding is situated close to the rear boundary. The revised block plan (received 04/07/2017) indicates that the outbuilding provides 2.6m from the north-eastern flank boundary with No.68 and 1.48m to the south-western flank boundary. The site is a corner plot however benefits from established vegetation on the flank and rear boundaries thereby providing sufficient screening. It is therefore considered that the outbuilding will not impact on the amenities of neighbouring properties, nor impact significantly on the character or appearance of the surrounding area.

The application proposes to use the outbuilding for the use as a fitness studio. Within the Applicant's planning statement it notes that, given the floor space of 15sqm, the number of clients is limited to 1-2 people per session. The proposed opening hours are 09.00 - 21.00 Monday to Friday and 09.00 - 18.00 Saturday to Sunday and bank holidays, to allow for flexibility with appointment times however the use of the outbuilding will not be continuous through this period. No signage would be erected on the site and one parking space within the front amenity space will be given over for customer parking.

Policy EMP8 states that in cases where planning permission is required, the Council will normally permit the use, by the householder, of part of a dwelling for a business purpose only where:

- (i) The business use is secondary to the primary residential use of the property;
- (ii) The business use does not generate an unacceptable level of additional vehicular or pedestrian traffic so as to be detrimental to residential amenity; and
- (iii) The residential character of the area is not unduly affected by noise or other convenience

It is considered that the use of the outbuilding as a part time fitness studio would remain ancillary to the main domestic use of the property. Due to the modest size of the outbuilding and the nature of the use it is also not considered that the residential character of the area would be unduly impacted by noise or other convenience. It is also noted that no objections were received from neighbouring properties with regards to the proposed use.

Due to the small scale nature of the business and the ability to park one additional vehicle within the frontage of the property, it is not considered to result in a significant impact on parking in the area.



Whilst the opening hours of the business are required to allow for a degree of flexibility, in the interest of residential amenity it is considered that a shorter opening hours for the business would be required to mitigate the impact of transient movements on residential amenity from the front to the rear of the property.

Overall, it is considered that the proposed use of the outbuilding as a fitness studio is considered compliant with policies EMP8 and BE1.

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 significantly detrimental impact on the character of the area nor neighbouring amenity.

**as amended by documents received on 04.07.2017**

**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 The use shall not operate on any Sunday or Bank Holiday, Christmas Day or Good Friday nor before 9am; or after 6pm; on any other day.**

**Reason: In the interests of residential amenity and in compliance with policy BE1 and EMP8 of the Unitary Development Plan**

- 4 The outbuilding shall be used for a part time fitness studio (Use Class Sui Generis) and for no other purpose (including any other purpose of the Schedule to the Town and Country Planning (Use Classes) Order 1987 or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification). There shall be no change of use permitted by the Town and Country Planning (General Permitted Development) Order or any subsequent variation thereof.**

**Reason: In the interests of residential amenity and in compliance with policy BE1 and EMP8 of the Unitary Development Plan**

- 5 No more than two clients shall be accommodated at any one time.**

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

**6 The use hereby permitted shall be carried out only by Ms C Jobling.**

**Reason: To enable the Council to reconsider the situation in the event of a change of user in the interest of the amenities of the area.**

**Application:**17/01782/FULL6

**Address:** 66 Greenway Chislehurst BR7 6JF

**Proposal:** Detached outbuilding at rear for use as a fitness studio for plates and sport massage (Part-retrospective)



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

**Application No :** 17/00624/OUT

**Ward:**  
Copers Cope

**Address :** 56A Foxgrove Road Beckenham BR3 5DB

**OS Grid Ref:** E: 538411 N: 169983

**Applicant :** McCulloch Homes

**Objections :** YES

### **Description of Development:**

Demolition of existing block of 6 flats and garage block and construction of three/four storey block of 18 flats with car parking and landscaping (OUTLINE APPLICATION)

### **Key designations:**

Biggin Hill Safeguarding Area  
London City Airport Safeguarding  
Smoke Control SCA 12

### **Proposal**

Outline planning permission is sought for the following:

- Demolition of existing block of 6 flats and garage block to rear
- Three/four storey replacement block of 18 flats (8 x 1 bed; 8 x 2 bed; 2 x 2 bed wheelchair units)
- Car parking for a total of 21 cars is proposed with 18 space situated towards the rear of the site accessed via the existing access arrangement and a further 3 spaces at the front of the site
- Refuse storage is located at the front of the site
- Cycle parking for 30 bicycles is proposed
- A landscaping layout is provided which the applicant has marked as illustrative at this stage.

The reserved matters being applied for at this stage are access, landscaping, layout and scale, with the appearance of the development reserved for future consideration.

The applicant has submitted the following reports in support of the application which are summarised below:

### **Air Quality Assessment by Air Quality Consultant (March 2017)**

This assesses the air quality impacts associated with the construction and operation of the proposed development. It acknowledges that the site is within an AQMA. It concludes that the construction works will give rise to a low risk of dust impacts however considers mitigation measures necessary in the form of "basic best practise measures to minimise dust emissions". Air quality conditions for new residents within the development have also been considered and air quality for new residents will be acceptable. However, while the development will be at least 'air quality neutral' in terms of building emissions, it will exceed the relevant transport emission benchmarks and mitigation measures to offset the excess in air quality neutral emissions will therefore need to be agreed with the Council.

#### Daylight and Sunlight Assessment by Herington Consulting Ltd (June 2017)

Analysis was carried out to examine the impacts of the proposed development on the amount of daylight enjoyed by neighbouring buildings in line with assessment criteria prescribed by the BRE Guideline. It concludes that the reduction in daylighting to the windows of the neighbouring buildings is less than the value that is considered to represent a notable impact.

The assessment of the impact of the proposed development on the sunlight enjoyed by the neighbouring buildings has also shown that whilst there will be a reduction in the number of probable sunlight hours enjoyed by these windows, this reduction is also within the limits prescribed by the BRE Guidelines as being acceptable.

#### Energy Statement by BBS (Feb 2017) (addendum received 02/06/17)

This sets out the methodology and results in order for the scheme to meet the energy conservation target required to meet policy 5.2 of the London Plan. The key measures and carbon dioxide emissions targets proposed for the development have been set out in an energy hierarchy which first details passive energy efficiency measures, such as building typology and orientation, and improved insulation, together with higher efficiency, or heat recovery ventilation systems which should be employed to meet or exceed the regulatory requirements.

The use of combined heat and power (CHP) and connecting to an existing decentralised network has been considered, however, there are no existing energy networks within reasonable distance of the site and it was considered that CHP would not be appropriate due to the size of the scheme which would only provide 18 units.

In terms of renewable energy options the report finds that the only feasible options would be roof-mounted photovoltaic panels which is proposed to mount on the flat roofed part of the building. It is estimated that the total regulated emissions including renewable savings will be 13,473 kgCO<sub>2</sub>/yr.

An addendum to the energy statement was received which confirms that the carbon offset fee which the developer will be liable to pay in respect of this development is £24,210.

#### Flood Risk Assessment and Drainage Strategy Report by Considine (March 2017)

This report has been produced to assess the flood risk to and the potential for increased flood risk from the proposed development. The site is identified as being within Flood Zone 1 (land assessed as having a <0.1% (1 in 1000) probability of river or sea flooding. Therefore the risk from fluvial or tidal sources is considered to be low. Furthermore, the site is not at risk of flooding from overland (surface water) flows and the risk of flooding from groundwater, sewers, highway drainage and private drainage is also considered to be low. Having considered all potential sources of flooding to the development, the main risk of flooding to the site, post development, is believed to be the newly constructed surface water drainage system.

It is proposed that the surface water run-off from the proposed development will be drained via a traditional piped system which will discharge to an attenuation tank to restrict surface water run-off to a maximum of 3.5l/s.

#### Preliminary Ecological Appraisal by ASW Ecology (June 2017)

The appraisal was carried out during May and June 2017. It finds that the overall protected species potential at the site is considered to be bats, reptiles (slow-worms) and breeding birds. The additional visit to the site undertaken on 17th June 2017 to search the roof voids of the existing flats plus the garages where access was possible found that there is no genuine bat roost potential at the buildings. While the mature trees with dense ivy cover do have much better potential for bats, these will not be impacted by the works as none of these will be felled.

Breeding bird and reptile potential was found in the gardens of the property however it is unclear if reptiles are present or not. Nevertheless, avoidance measures have been put forward. No badger setts were found at the property and no water bodies that great crested newts could use were present.

It concludes that there will be no significant impact on the local ecology or biodiversity in regards to the development proposal. Best practise guidelines are should be followed during works in regards to both breeding birds and bats. In addition, it is recommended that reptile exclusion fencing is installed across the rear garden with the taller grass, behind the garages, before any vegetation clearance begins.

#### Statement of Community Involvement

On 11th March 2017 the applicant held a Public Consultation event at St Paul's Church, Beckenham. The event was publicised by a letter drop to 102 properties in the immediate vicinity of Foxgrove Road and side streets. Over 35 people attended the event. Comments received from attendees predominantly related to noise, dust and construction traffic however the applicant asserts that the overwhelming response to the scheme was supportive and positive. Appended to the statement are the invitation to the event, the register of attendees and comments received.

#### Support letter from Moat (March 2017)

This letter provides assurance that the proposed affordable units will meet London Design Standards, including 2 wheelchair homes and they will enter into the Council's Nominations Agreement and also ensure that the shared ownership homes are affordable and priority is given to Bromley residents.

The letter indicates the Developer's potential intention to increase the number of affordable homes on this development to 100% with all homes being shared ownership. On 2nd June 2017 Moat submitted a further letter in support of delivering the whole development as shared ownership. More recently, confirmation has been received from the applicant confirming that the development will provide 35% affordable housing (on a habitable room basis) with a proportion of these being affordable rented as well as shared ownership units.

#### Transport Statement by Considine (March 2017)

This report assesses the existing transport opportunities to the site. There are 2 bus stops located at 130m and 240m from the site. Ravensbourne railway station is located within a 320m radius. There are also cycle routes in the vicinity of the site and Beckenham High Street located a 1400m 'maximum preferred' walking distance of the proposed development site. The level of traffic likely to be generated by the development is an additional 6 trips during both the AM and PM peak period and concludes that this fall within the limits of daily fluctuations in traffic flows and would therefore have no adverse impact on highway safety or the capacity of the existing road network. Furthermore, it states that

car and cycle parking will be provided in accordance with UDP standards and that the access to the development can achieve the required sightlines.

#### Tree Survey by Treeventures Ltd (Feb 2017)

This records the condition of trees on the site, sets out the tree constraints including root protection areas and how this should inform the design of the scheme, assess the impacts of the development on existing trees which may arise and sets out a methodology for the implementation of any aspects of the development which may result in the loss or damage to a tree and measures which should be undertaken to prevent loss and damage.

7 trees have been identified for removal, including 3 category C trees to allow the proposed design layout. The report states that these are not significantly visible from the outside of the site and their removal is unlikely to detract from the general amenity value of the area. In addition, there is scope for replacement planting as apart from the landscaping scheme.

A series of mitigation measures are proposed in respect of protecting the retained trees. Further recommendations are also made in respect of further inspection being undertaken for bat roosts or bird nests before any tree work is carried out.

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

- In principle, this is an area where new residential development is acceptable
- Bromley is currently unable to demonstrate a five year supply of housing land and therefore policies that are relevant to the supply of housing in the UDP are out of date and the presumption is that planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits of providing new housing in such a location
- The scheme would make a significant and important contribution to the supply of housing in the Borough
- The proposed building would replace the existing two storey flats with a new block being part three/part four storey which addresses the transition in the street scene between the adjacent blocks of flats on either side of the site
- The siting of the building is comparable to the existing building in respect of the front building line and proximity to site boundaries
- It is also intended to retain the existing access to the rear of the site along the eastern boundary to access additional car parking and ancillary facilities at the rear of the site
- The proposed new building would respond to the changing levels of the site by stepping down the hill from east to west
- The building is a high quality design, articulated in both plan form and elevation and would contribute positively to the street scene
- Whilst of a contemporary design, the building incorporates a range of traditional materials which would respect the elevations of neighbouring buildings
- The scheme incorporates good sized communal amenity areas to the rear which would be well screened from the public domain and would provide future residents with appropriate levels of privacy in compliance with the Housing SPG
- Overall the design and layout of the scheme embodies the principles of good design
- The proposed building would relate well to, and be respectful of, existing neighbouring buildings along Foxgrove Road



- The proposals would ensure the retention of the mature garden area to the rear of the property - identified as a key feature of the character of the area by the planning Inspectorate
- The existing trees and vegetation to the front boundary line along Foxgrove Road would also be retained thereby ensuring that there would be no change in the character of the area or the street scene in that particular regard
- A total of 23 car parking spaces and 28 bike storage spaces would be provided to ensure that there would be no unacceptable highway and parking impacts arising
- The proposal would not cause harm to the amenity of neighbouring occupiers and there are no other demonstrably harmful impacts that have been identified by any of the technical reports and analyses that have been undertaken
- In conclusion the scheme represents a well-designed and beneficial redevelopment that would result in 18 new high quality apartments in a sustainable location and the presumption in favour of planning permission being granted should apply in this case.

## **Location**

The site is approximately 0.26ha in area and is located on the south side of Foxgrove Road. It currently comprises a rectangular block of six flats located at the northern end of the site towards Foxgrove Road. To the rear of the site is a row of six garages and small vehicle turning area for use by the occupants of the existing flats. A vehicle access runs along the east boundary at an elevated level where it meets the flank side of the existing block. Large communal rear gardens are located behind (south) of the garages with extensive mature tree cover. Surrounding the site are similar flatted blocks with extensive rear gardens and tree cover.

The existing site falls from east to west putting the adjacent site, Pentlands, at a higher ground level than the application site and Coniston Court, to the west, on a lower level.

The site is not within a designated area in the London Borough of Bromley Unitary Development Plan (UDP) (2006) however east of the site beyond No58 (Pentlands) is the boundary of Downs Hill Conservation Area. The site has a Public Transport Accessibility Level (PTAL) rating of 1b (on a scale of 0 to 6b where 6b is the most accessible).

The site is within an Air Quality Management Area (AQMA).

## **Consultations**

Nearby owners/occupiers were notified of the application by letter. Site notices were displayed and an advertisement was placed in the local press. Representations are summarised below:

- There are a few new mums nearby and are concerned that the construction work will effect routines i.e. open windows, use of gardens and sleep etc.
- is there a proposed outline for work and timescale?
- Beckenham is gradually losing its identity as a tranquil and quiet place to live
- if any more modern flats are built in in Foxgrove Road it will destroy the character of one of the most beautiful areas of Beckenham
- the traffic and noise levels will increase
- the wildlife from the park visit our gardens and by reducing garden areas through more building we are in effect not protecting a very special corner of our Borough that not only residents but everyone can come and enjoy
- no visitors parking is allowed for

- the plans allow for a 3-storey block to replace the present 2-storey block, with 2 penthouse flats on a 4th storey and a lift shaft. This must be the maximum height and the 4th storey must not be extended
- proposed development would have adverse impact on neighbouring property due to its size and increased bulk and elevation
- it will impact on privacy of residents due to overlooking, loss of privacy and the building having an overbearing impact
- the increase in size of property, mass and height would be intrusive and overbearing to neighbours especially to the rear of the neighbouring property at 58 Foxgrove Road and in particular to the garden area of 58 Foxgrove Road as it would be overlooked
- detrimental to the character and visual amenities of the locality
- additional parking problems, especially as its location is on the brow of the hill
- it could provide a blue print for over development in this area if this application was successful
- the proposed building would be larger and taller than other structures surrounding the site area. The intensity would be at odds with the local environment.

**Consultee Comments:**

The Council's Highways Engineer:

There is a pinch point where the access narrows to 2.9m and the applicant should provide a passing bay somewhere between the proposed block and rear parking. 21 car parking spaces are proposed for a mix of 18 one and two bedroom flats which is satisfactory. 30 cycle parking spaces are indicated on the submitted plans. The London Plan requires 28 spaces for the number and mix of units sizes proposed. The refuse store is close to the highway boundary, which is satisfactory, but this looks a bit small for 18 units therefore Waste Management Team should be consulted.

No objection in principle providing the above is addressed and subject to conditions.

Updated comments (06/07/17): The applicant has provided a passing bay as shown in revised drawing number 1000 C which is satisfactory.

The Council's Drainage Engineer:

The submitted Flood Risk Assessment & Drainage Strategy Report carried out by CONSIDINE with report No. 1669 FRA1 Dated 20 March 2017 to provide 12x3x1.2m deep attenuation tank to restrict surface water run-off to 3.5l/s is acceptable.

The Council's Environmental Health Officer:

No objections in principle to permission being granted. Recommend a condition to require details of mitigation measures to reduce transport emissions and an informative regarding compliance with pollution and noise from demolition/construction legislation as well as contacting the Council's Environmental Health team if suspected contamination is encountered.

The Metropolitan Police Designing out Crime Advisor:

As burglary features highly within the area and has done so for many years, I would request that the development be subject to the principles of Secured by Design and consultation to ensure sufficient security standards against the possibilities of residential burglary.

There is nothing within the current design proposal that would give me cause for concern.

Thames Water:

With regard to sewerage infrastructure capacity no objection. With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. On the basis of information provided, Thames Water would advise that with regard to water infrastructure capacity, they would not have any objection to the above planning application.

**Planning Considerations**

The application falls to be determined in accordance with the following policies of the London Borough of Bromley Unitary Development Plan (UDP) 2006:

- BE1 Design of New Development
- BE4 Public Realm
- BE6 Environmental Improvements
- BE7 Railings, Boundary Walls and Other Means of Enclosure
- BE13 Development Adjacent To Conservation Areas
- ER10 Light Pollution
- H1 Housing Supply
- H2 and H3 Affordable Housing
- H7 Housing Density and Design
- H9 Side Space
- NE2 Development and Nature Conservation sites
- NE3 Nature Conservation and Development
- NE5 Protected Species
- NE7 Development and Trees
- NE9 Hedgerows and Development
- NE13 Green Corridors
- T1 Transport Demand
- T2 Assessment of Transport Effects
- T3 Parking
- T6 Pedestrians
- T7 Cyclists
- T8 Other Road Users
- T9 and T10 Public Transport
- T11 New Accesses
- T12 Residential Roads
- T14 Unadopted highways
- T15 Traffic Management
- T16 Traffic Management and Sensitive Environments
- T17 Servicing of premises
- T18 Road safety

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

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

The final consultation for the Preferred Submission Draft Local Plan was completed on December 31st 2016. It is expected to be submitted to the Secretary of State for

examination in public in mid-2017. The weight attached to the draft policies increases as the Local Plan process advances.

Relevant policies from the Draft Local Plan include:

Draft policy 1: Housing Supply  
Draft policy 2: Provision of Affordable Housing  
Draft policy 4: Housing Design  
Draft policy 8: Side Space  
Draft policy 26: Health & Wellbeing  
Draft policy 30: Parking  
Draft policy 32: Road Safety  
Draft policy 33: Access for All  
Draft policy 37: General Design of Development  
Draft policy 42: Development Adjacent to a Conservation Area  
Draft policy 69: Development and Nature Conservation Sites  
Draft policy 70: Wildlife Features  
Draft policy 72: Protected Species  
Draft policy 73: Development and Trees  
Draft policy 77: Landscape Quality and Character  
Draft policy 78: Green Corridors  
Draft policy 79: Biodiversity and Access to Nature  
Draft policy 116: Sustainable Urban Drainage Systems (SUDS)  
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, Decentralised Energy Networks and Renewable Energy  
Draft policy 125: Delivery and Implementation of the Local Plan

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

2.18 Green Infrastructure  
3.3 Increasing housing supply  
3.4 Optimising housing potential  
3.5 Quality and design of housing developments  
3.6 Children and young people's play and informal recreation  
3.7 Large residential developments  
3.8 Housing choice  
3.9 Mixed and balanced communities  
3.10 Definition of affordable housing  
3.11 Affordable housing targets  
3.12 Negotiating affordable housing on individual private residential and mixed use schemes  
3.13 Affordable housing thresholds  
5.2 Minimising carbon dioxide emissions  
5.3 Sustainable design and construction  
5.7 Renewable energy  
5.9 Overheating and cooling  
5.10 Urban greening  
5.11 Green Roofs and Development Site Environs  
5.12 Flood risk assessment

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

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

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

The relevant London Plan SPGs are:

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

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

- 14: achieving sustainable development
- 17: principles of planning
- 47-50: housing supply
- 56 to 66: design of development
- 69, 73, 74: promoting healthy communities
- 109 -111, 118, 120 - 121: nature conservation and biodiversity
- 128 -137: heritage assets
- 196-197: Determining applications
- 203-206: Planning conditions and obligations

## **Planning History**

15/05329/FULL1 - Planning permission refused and dismissed at appeal for Construction of a three storey block of 6 two bedroom and 3 three bedroom flats with associated car parking and amenity space to the rear of the existing block at No.56. The Inspector, in her assessment of the appeal, came to the conclusion that due to a significant proportion of the site being occupied by the proposed flats building or hard surfacing, the height and scale of the proposed buildings and its proximity to site boundaries, the proposed intensity of the scheme would be at odds with the spacious rear garden environment in which it would be located.

Furthermore, to accommodate the proposed development a significant number of trees would need to be removed as well as a number of shrubs and there would be limited opportunity to replace the trees that would be removed or to provide a meaningful soft landscaping scheme.

For these reasons the proposed scheme would appear cramped on the site, would fail to respect the sylvan quality of the back garden environment and spacious and verdant qualities of the surrounding area and would therefore seriously and unacceptably harm the character and appearance of the locality, contrary to policies H7, BE1 and NE7 of the UDP, policies 3.5 & 7.4 of The London Plan and the NPPF.

Furthermore, it was not demonstrated that it would be possible to make appropriate arrangements for waste servicing. Accordingly the scheme would conflict with policy BE1 of the UDP which encourages sustainable design and requires new development to respect the living conditions of the occupiers of adjacent buildings.

## **Assessment**

The NPPF, at paragraph 14, sets out a presumption in favour of sustainable development and states that for decision-taking this means approving development proposals that accord with the development plan without delay; and where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:

- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
- specific policies in this Framework indicate development should be restricted.

The weight to be afforded to individual policies, alongside other material considerations, falls to the decision-maker to consider within the balance of paragraph 14.

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

- Housing Land Supply
- Design
- Density
- Impact on Neighbouring Amenity
- Housing Issues
- Highways Impacts
- Trees, Landscaping and Ecology
- Energy and Sustainability
- Pollution and Contamination
- Drainage
- Planning Obligations

### Housing Land Supply

Paragraph 49 of the NPPF states that:

Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.

Policies including 3.3 of The London Plan 2016, H1 of the UDP 2006 and Draft Policy 1 have the same objectives. The London Plan's minimum target for Bromley is to deliver 641 new homes per year until 2025.

The Council's latest Five Year Housing Land Supply paper was reported to and agreed by Development Control Committee on 24.11.2016. It concludes that the Council does have five years' worth of housing supply and it has informed the Council's Proposed Submission Draft Local Plan (November 2016) that was out for public consultation until the end of December 2016.

The proposal for an additional 12 residential units at this site could therefore be seen as making a small but positive contribution to the London Plan's targets for new homes in the Borough. The following sections of the report consider whether the development in the manner proposed would constitute sustainable development and should be granted in accordance with paragraph 14 of the NPPF or if it would have adverse impacts which would significantly and demonstrably outweigh the benefits of the increase in the Borough's housing supply.

### Design

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

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

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

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

the pattern and grain of existing spaces and streets in orientation, scale, proportion and mass and contributes to a positive relationship between the urban structure and natural landscape features. Furthermore, development should be human in scale and create a positive contribution with street level activity (policy 7.4, London Plan).

Consistent with this policy BE1 of the London Borough of Bromley Unitary Development Plan (UDP) requires new developments to be imaginative and attractive to look at; complement the scale, form, layout and materials of adjacent buildings and areas; development should not detract from the existing street scene and/or landscape and should respect important views, skylines, landmarks or landscape features; the space about buildings should provide opportunities to create attractive settings and security and crime prevention measures should be included in the design and layout of buildings and public areas. Draft Policy 37 of the proposed submission Draft Local Plan takes a similar stance and, additionally, requires that recycling and waste storage facilities are incorporated within the design layout.

UDP policy BE13, Draft policy 42 and London Plan policy 7.8 all seek essentially to preserve and enhance the setting of the adjacent conservation area and not detract from views into or out of the area.

Policy H7 of the UDP and Draft policy 4 also require development to comply with the relevant density ranges. Whilst a quantitative assessment could be made using a numerical calculation of density, however, it also recognises the importance of considering the qualitative feel of the development in terms of its character and appearance and relationship to the established qualities of the area. Policy H9 of the UDP and Draft Policy 8 requires developments to maintain a minimum of 1m separation distance from the boundaries. However, this is a minimum and in areas characterised by greater separation distances a more generous spacing should be achieved.

The character of development in the surrounding area includes low density detached and semi-detached dwellings and flatted developments interspersed with clusters of modern higher density terraced housing developments. In principle it is an area where flatted residential development is therefore considered acceptable.

Since the dismissal at appeal of the previous (15/05329/FULL1) scheme, the applicant has amended the design substantially and now proposes a three/four storey block in approximately the same position as the existing block of 6 flats as opposed to a new block positioned towards the rear of the site in the existing garden area. This layout would be more in keeping with development in the surrounding area and would allow for the retention of the majority of trees on the site. While the footprint of the proposed building would extend further forward and further back than the existing building, the relationship to the side boundaries of the site would be similar and the development would not appear unduly cramped.

Access to the development would be via the existing crossover (adapted where necessary) leading to a rear parking area in a similar location to the existing garage block which will be demolished. While the associated hardstanding for the parking area would encroach further towards the western site boundary and south of the existing garage block, the amount of site coverage proposed from building and hard surfaces would not unduly impact upon the spacious and verdant qualities of the site and the applicant has demonstrated that an attractive soft landscaping scheme could be provided as part of the development. Furthermore, ample communal amenity space would be provided for future occupants.



The proposed layout would also allow for the positioning of refuse storage towards the front of the site in a convenient location for collection as well as cycle parking.

Although the final design of the building has yet to be agreed since appearance is a reserved matter, the scale of the development is a matter being considered at this stage. The 18 flats would be set within a predominantly three storey building with a fourth storey set in from the storeys below. Development adjacent to this site is three storeys at Coniston Court and three/four storeys at Pentlands with the fourth storey subservient to the main building. There are also other examples of four storey flatted development in the vicinity. The applicant has tried to address the overall massing of the building through the subservient fourth storey and stepping in the building at the corners so it would not appear as a solid unbroken block. Overall, the height and massing of the development is therefore considered acceptable in that it would not appear out of character with the area or harmful to the visual amenities of the street scene. Although appearance is a reserved matter at this stage, the applicant has indicated the use of brick and cladding for the external materials. While only indicative at this stage there are no objections in principle to these elevational treatments since brick is prevalent at development in the area and the use of contrasting materials would help to break-up the massing of the building further.

Overall, the layout proposed, which would allow the majority of trees and existing garden area to be retained, combined with the scale and form that the building would take is considered acceptable in that it would not detract significantly from the important characteristics of this area. Furthermore, the proposed building would not result in a significant impact on the setting of the nearby Downs Hill Conservation Area given the reasonable separation of over 30 metres and an intervening building at no 58 and important views into or out of the Conservation Area would be preserved.

Conditions are recommended relating to submission of the reserved matters, i.e. appearance, wherein a palette of high quality materials, including the use of green roofs and wall planting, where feasible, will be required.

### Density

Policy 3.4 in the London Plan seeks to ensure that development proposals achieve the optimum housing density compatible with local context, the design principles in Chapter 7 and with public transport capacity. Table 3.2 (Sustainable residential quality) identifies appropriate residential density ranges related to a site's setting (assessed in terms of its location, existing building form and massing) and public transport accessibility (PTAL). The London Plan states that residential density figures should be based on net residential area, which includes internal roads and ancillary open spaces.

The London Plan advises that development plan policies related to density are intended to optimise not maximise development and density ranges are deliberately broad to enable account to be taken of other factors relevant to optimising potential such as local context, design and transport capacity, as well as social infrastructure, open space and play (para.3.28).

The Housing SPG (March 2016) provides further guidance on implementation of policy 3.4 and says that this and Table 3.2 are critical in assessing individual residential proposals but their inherent flexibility means that Table 3.2 in particular should be used as a starting point and guide rather than as an absolute rule so as to also take proper account of other objectives, especially for dwelling mix, environmental and social infrastructure, the need for other land uses (e.g. employment or commercial floorspace), local character and context, together with other local circumstances, such as improvements to public transport capacity and accessibility (para.1.3.8).

This site is considered to be in a 'suburban' setting and has a PTAL rating of 1b. The London Plan gives an indicative density range of between 35 and 95 units/ha (dependent on the unit size mix) and 150-250 habitable rooms/ha. UDP Policy H7 also includes a density/location matrix which supports a density of 50-80 units/ha and 200-250 habitable rooms/ha for locations such as this provided the site is well designed, providing a high quality living environment for future occupier's whilst respecting the spatial characteristics of the surrounding area.

Taking into account the accommodation schedule submitted, the density calculations for the proposed development are approximately 176 habitable rooms/ha and 69 units/ha which is within/below the density ranges for the London Plan and the UDP. This is considered appropriate in this location given the relatively low PTAL rating of the site.

#### Impact on neighbouring amenity

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

Concerns have been raised from local residents with regard to noise and disturbance from the construction of the development, the increase in intensity of the use of the site, traffic and parking implications of the development, the impact on neighbouring residents due to its size and increased bulk, the impact on neighbouring occupier's privacy and the effects on wildlife.

While the height and bulk of the development would be more substantial than the existing two storey development and would project further to the front and rear, as a result of the separation distances which would be retained to neighbouring buildings along with the stepping-in of the building at the rear, it is not anticipated that that the development would appear significantly overbearing from adjacent properties. While the impact of the development on occupiers of Coniston Court would be intensified somewhat due to this building being set at a lower ground level than the application site with a number of windows facing onto the application site, the applicant has submitted a daylight and sunlight assessment which confirms that the reduction in daylighting and sunlight to the windows of neighbouring buildings would be less than the value that is considered to represent a notable impact.

There are no flank windows on the elevation of Coniston Court nearest to the application site which would be impacted by the introduction of flank windows at the application building. The closest flank windows at Coniston Court would be sited around 11m from the side of the proposed building where windows serving habitable rooms are proposed and where balconies are proposed at the rear. While any potential overlooking from proposed windows would be limited due to the separation distances proposed, it is considered necessary and reasonable to impose a condition on any subsequent grant of planning permission to ensure that the proposed balconies nearest to Coniston Court are screened on their western side however to avoid overlooking to adjacent residential properties.

Any potential overlooking from proposed flank windows to neighbouring windows at Pentlands would also be limited due to the separation between the two buildings of around 8 metres. The submitted plans indicate that the flank windows in the upper floors of the building would be obscure glazed where facing Pentlands and it is recommended that this be secured by condition. Furthermore, due to the site levels, the proposed building would

be set at a lower ground level than Pentlands which would minimise any likelihood of the proposal resulting in an overbearing impact for occupiers of this adjacent flatted development.

While concerns have been raised regarding the increase in intensity of the use of the site, this is a residential development proposal within a residential area and it is noted that the access and parking arrangements would not be dissimilar to the existing arrangement. Subject to the development being acceptable from a technical parking and highways perspective, the development of this site for 18 flats is therefore unlikely to lead to a significant increase in noise and disturbance at adjacent sites.

Noise and disturbance to neighbouring properties during construction of the development can be managed as far as is practicable through a Construction Management Plan which should be submitted to the Council for approval as part of a condition of any planning approval given.

Technical highways and ecology issues are discussed later in the report.

### Housing Issues

To deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities, local planning authorities should plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups on the community; identify the size, type, tenure and range of housing that is required in particular locations; and where they have identified that affordable housing is needed, set policies for meeting this on site, unless off-site provision can be robustly justified (Para 50, NPPF).

#### *Unit type/size:*

London Plan policy requires new housing development to offer a range of housing choices in terms of the mix of housing sizes and types taking into account the housing requirements of different groups. Policies within the Bromley UDP do not set a prescriptive breakdown in terms of unit sizes however the priority in the London Plan is for the provision of affordable family housing, generally defined as having three or more bedrooms. The site's size and location in a suburban setting with good access to open space make it suitable for the provision of family housing. The applicant is proposing a mix of 1 and 2 bedroom flats. While some 3 bedroom units would be desirable, a number of the 2 bedroom units are large enough to accommodate 4 people and include a number of affordable units and wheelchair units. On balance, the mix of units proposed would provide a range of housing choice taking into account the requirements of different groups and are considered acceptable in this instance.

#### *Affordable Housing:*

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

The development is considered liable for the provision of affordable housing on site and contributions by way of planning obligations under Policy IMP1 of the UDP. Policy H2 of the UDP requires 35% affordable housing (on a habitable room basis) to be provided with policy 3.11 of the London Plan requiring 60% affordable rented and 40% intermediate provision. A lower provision of affordable housing can only be accepted where it is demonstrated that the viability of the scheme cannot support policy compliant provision.

The applicant submitted revised schedule of accommodation on 19th June which confirms that 35% of the proposed units will be affordable (based on habitable room). Within the provision of affordable units 75% will be affordable rented units and 25% will be shared ownership (intermediate) units. Although this results in a higher proportion of affordable rented units than policy requires, there is a high level of need for affordable rented properties in this area and, on balance, this is considered acceptable. The affordable units will need to be secured through the completion of a Section 106 legal agreement should the application be considered acceptable overall.

*Standard of living accommodation:*

Although this is an outline application with the final designs to be determined at the appropriate stage, development plan policy, including policies BE1 and H7 of the UDP require that proposals for residential development provide a satisfactory form of living accommodation to serve the needs of the particular occupants and provide adequate private or communal amenity spaces.

Policy 3.5 of the London Plan, which was amended by the Minor Alterations in 2016, sets out the Mayor's aspirations for the quality and design of housing developments. The Housing SPG sets out further guidance in respect of the standard required for all new residential accommodation to supplement London Plan policies. New housing should promote and enhance the quality and character of local places and should meet the needs of all Londoners at different stages of life, particularly those of children and older people. Housing should be designed so that people can use it safely, easily and with dignity regardless of their age, disability, gender or ethnicity. It should meet inclusive design principles by being responsive, flexible, convenient, accommodating, and welcoming (para.2.1.4).

The 2016 Minor Alterations to the Plan adopted the nationally described space standard. This standard is set by Government and clearly set out in the Technical housing standards -nationally described space standard document (March 2015). The standards apply to all tenures. The proposed units all meet the minimum internal space standards and the proposed wheelchair units exceed the minimum standards.

In accordance with the London Plan Policy 3.8 ninety percent of new housing should meet Building Regulation requirement M4 (2) 'accessible and adaptable dwellings' and ten per cent of new housing should meet Building Regulation requirement M4 (3) 'wheelchair user dwellings', i.e. is designed to be wheelchair accessible, or easily adaptable for residents who are wheelchair users. The Housing SPG advises that affordable dwellings (where the Council has nomination rights) should be provided as wheelchair accessible homes (that are readily usable by a wheelchair user at the point of completion). Affordable wheelchair units will additionally be required to comply with South East London Housing Partnership (SELHP) standards.

The applicant proposes 2 affordable rented wheelchair units on the ground floor of the building and have indicated that these will meet the majority of the SELHP standards. These particular units will need to be secured through a Section 106 legal agreement,

which should also require involvement throughout the build phase from the Council's Senior Occupational Health Therapist to ensure compliance with SELHP standards.

With regards to Part M4(2) (accessible and adaptable dwellings), for blocks of four storeys or less, the London Plan advises that Boroughs should seek to ensure that dwellings accessed above or below the entrance storey have step-free access. The plans show a lift will be provided at all levels and the applicant has confirmed that the development would meet this standard for the non-wheelchair units. The relevant category of Building Regulation will therefore need to be secured through planning conditions for the remaining units.

The London Plan Housing SPG says that developments should minimise the number of single aspect dwellings. Single aspect dwellings that are north facing, or exposed to noise levels above which significant adverse effects on health and quality of life occur, or which contain three or more bedrooms should be avoided. The floor plans submitted show four flats on ground to second floors arranged around a single core. At third floor two flats are proposed. This arrangement would result in all flats being dual-aspect.

#### *Amenity Space:*

All units must benefit from private amenity space which must comply with the requirements set out in the SPG. A minimum of 5sqm of private outdoor space should be provided for 1-2 person dwellings and an extra 1sqm should be provided for each additional occupant. Dwellings on upper floors should all have access to a terrace, roof garden, winter garden, courtyard garden or balcony. For all new residential developments generating more than 10 children (as determined by the application of child occupancy assessments) suitable play space should be provided as part of the development scheme.

The proposed apartments would all have access to a private balcony or patio which all meet the minimum space requirements, as well as access to the amenity area at the very rear of the site. A proposed 1.2m fence is also indicated to the front and rear of the building, which sections of further areas of garden from adjacent car parking spaces to allow additional play and amenity space around the edges of the building which would be well overlooked from the flats. The quality and amount of amenity space which would be provided as part of the development is therefore considered acceptable and, overall, it is considered that the development would provide a satisfactory form of living accommodation for future occupants.

#### Highways impacts

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

Plans and decisions should also ensure that developments that generate significant movement are located where the need to travel will be minimised and the use of sustainable transport modes can be maximised while at the same time taking into account

policies set out elsewhere in the Framework. Therefore developments should be located and designed to, among other things: accommodate the efficient delivery of goods and supplies; give priority to pedestrian and cycle movements, and have access to high quality public transport facilities; create safe and secure layouts which minimise conflicts between traffic

and cyclists or pedestrians; incorporate facilities for charging plug-in and other ultra-low emission vehicles; and consider the needs of people with disabilities by all modes of transport (Paras.34-35, NPPF).

London Plan and UDP Policies also encourage sustainable transport modes whilst recognising the need for appropriate parking provision.

In accordance with paragraph 39 of the NPPF, if setting local parking standards for residential development, local planning authorities should take into account the accessibility of the development, its accessibility in relation to public transport, the type, mix and use of development, local car ownership levels and the overall need to reduce the use of high-emission vehicles. Car parking standards within the UDP and the London Plan should therefore be used as a basis for assessment.

Applying the London Plan maximum residential parking standards, the development would give rise to a maximum requirement for 36 parking spaces. Appendix II of the UDP gives a maximum requirement of 17 parking spaces for a development of this nature. 21 car parking spaces are proposed which is considered acceptable.

The applicant has submitted revised plans proposing a passing bay towards the rear parking area.

30 cycle parking spaces for the flats are provided within the site set out over three cycle stores situated adjacent to Foxgrove Road and to the rear car parking area. This level of provision would comply with the London Plan requirements set out in Table 6.3. Subject to conditions to secure an appropriate type of cycle stand and shelter, the proposal is considered acceptable from a cycling perspective.

Refuse and recycling storage is positioned adjacent to the front boundary of the site with the indicative landscaping proposals showing some proposed planting between the store and the highway boundary. While the location so close to the highway boundary may result in some impact on the visual amenities of the street scene, it is anticipated that this could be mitigated through the careful consideration of appearance at the reserved matters stage and by securing a high quality landscaping scheme to help screen the refuse store from Foxgrove Road. In terms of the impact on the amenities of adjacent occupiers, the store would not be in close proximity to any adjacent residential buildings and, subject to suitable appearance and landscaping, this aspect of the proposal is considered acceptable in that appropriate arrangements for waster servicing could be made.

Overall, it is considered that the development, as proposed, would not give rise to any significant parking or highways impacts. Highways, cycling and refuse conditions are recommended accordingly.

### Trees, Landscaping and Ecology

The planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, and minimising impacts on biodiversity and providing nets gains in biodiversity where possible (Para 109, NPPF).

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

Policy NE3 of the UDP seeks to protect wildlife features and where development is otherwise acceptable will seek through planning conditions or obligations suitable mitigation measures and the creation, enhancement and management of wildlife habitats and landscape features where damage to and/or loss of such features cannot be avoided. Policy NE5 prohibits development which would have an adverse effect on protected species. The presence of protected species is a material planning consideration.

While the applicant has asked for landscaping to be considered at this stage, only illustrative material has been provided and it will therefore be necessary to request further detail of a high quality landscaping scheme by condition.

Unlike in the previous application, the current proposal retains the majority of trees on the site. Seven trees are to be removed in total including a prominent sycamore tree sited adjacent to the front boundary of the site which the applicant states is required due to its poor quality. The Council's tree officer considers that the supporting arboricultural information has addressed the tree constraints and adopted protection measures to limit disturbance and, subject to these measures being adhered to, the development, as proposed, would not impact significantly on the retained trees.

Overall, the development would not unduly impact upon the sylvan quality of the back garden environment and spacious and verdant qualities of the surrounding area and is considered acceptable from a trees perspective.

The application is also accompanied by a preliminary ecological appraisal which initially found that the protected species potential at the site is bats, reptiles (slow-worms) and breeding birds. However, following subsequent investigation, it concludes that there is no genuine bat roost potential at the buildings which are to be demolished. Furthermore, none of the trees which have the potential for roosting bats are proposed to be felled as part of this development. Mitigation measures are also recommended in respect of breeding birds and reptiles. Subject to the recommendations in the report, the proposal would not significantly impact upon ecology or protected species.

Tree, landscaping and ecology conditions are recommended accordingly.

### Energy and Sustainability

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

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

that required by the 2013 Building Regulations. The development should also achieve a reduction in carbon dioxide emissions of at least 20% from on-site renewable energy generation.

The energy statement submitted as part of the application demonstrates that the scheme can achieve at least a 35% reduction in carbon emissions above the 2013 Building Regulations, through the use of a combination of energy efficiency improvements and an array of PV panels mounted on the roof of the development. The applicant has also agreed, in principle, to a cash in lieu payment of £24,210 to the Council to offset the remaining regulated carbon emissions up to 100%. This would need to be secured through the section 106 legal agreement attached to any subsequent grant of planning permission.

The proposal is therefore considered acceptable in respect of energy and sustainability. It would be appropriate to attach conditions requiring an updated energy assessment and final designs with the renewable energy technologies incorporated to any subsequent grant of planning permission.

### Pollution and contamination

The planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of soil, air, water or noise pollution or land instability; and remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate (Para.109, NPPF).

The application site is located within an Air Quality Management Area where London Plan policy 7.14 requires developments to be air quality neutral and not lead to further deterioration of existing poor air quality. The applicant has submitted an Air Quality Assessment to support the application which concludes that although the development would be air quality neutral in terms of building emissions, it would exceed the relevant transport emissions benchmarks. As such, mitigation measures are recommended to offset the excess in air quality neutral emissions which, it says, will need to be agreed with the Council.

Conditions are therefore recommended to ensure that details of mitigation measures to offset the excess in air quality emissions are submitted to the Council for approval, along with the mitigation measures outlined in the Air Quality Assessment including the provision of electric car charging points, the installation of low NOx boilers, the use of PV panels and the submission of a Construction Logistics Plan and a dust management plan and compliance with the SPG "Control of Dust and Emissions During Construction and Demolition" being implemented.

### Drainage

Policy 5.13 of the London Plan requires developments to utilise sustainable urban drainage systems (SUDS), unless there are practical reasons for not doing so, and should aim to achieve greenfield run-off rates and ensure that surface water is managed as close to its source as possible in line with the hierarchy in policy 5.13. The supporting text to policy 5.13 also recognises the contribution 'green' roofs can make to SUDS.

The proposals to provide an attenuation tank to restrict surface water run-off is considered to be acceptable in compliance with the London Plan hierarchy. Drainage conditions are recommended.



## Planning obligations

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

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

Paragraph 122 of the Community Infrastructure Levy Regulations (April 2010) puts the above three tests on a statutory basis, making it illegal to secure a planning obligation unless it meets the three tests. From 5th April 2015, it is necessary to link Education, Health and similar proposals to specific projects in the Borough to ensure that pooling regulations are complied with.

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

The development, as proposed, would give rise to the following contributions which the applicant has agreed, in principle, to pay should the application be considered acceptable overall:

Health: £16,956.00

Education: £42,964.60

Carbon Off-Setting: £24,210.

Therefore a legally binding planning obligation will be required to secure the above contributions as well as the affordable housing and the affordable rented wheelchair units.

The scheme would also be subject to Mayoral CIL.

## **Summary and Conclusions**

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

The development, as proposed, would not unduly impact upon the sylvan quality of the back garden environment or the spacious and verdant qualities of the surrounding area. Furthermore, the scale and form which the building would take has been assessed and it is considered that it would not result in an undue impact on the visual or residential amenities of the area. The final appearance of the development along with a high quality landscaping scheme will need to be secured through the submission of details required by condition and at the detailed application stage.

Overall it is considered that the proposal represents a sustainable form of development which would make a small but positive contribution to the Boroughs housing supply and the application should be approved in accordance with paragraph 14 of the NPPF.

as amended by documents received on 20.03.2017 02.06.2017 06.06.2017 19.06.2017 10.07.2017

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

and the following conditions:

- 1 (i) Details relating to the  
(a) appearance

shall be submitted to and approved by the Local Planning Authority before any development is commenced.

(ii) Application for approval of the details referred to in paragraph (i) above must be made not later than the expiration of three years beginning with the date of this decision notice.

(iii) The development to which this permission relates must be begun not later than the expiration of two years from the final approval of the details referred to in paragraph (i) above, or in the case of approval on different dates, the final approval of the last such matter to be approved.

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

- 2 The development hereby permitted shall not be carried out otherwise than in complete accordance with the following plans and documents unless previously agreed in writing by the Local Planning Authority:

Site wide plans/elevations/floor plans: 1000 C; 1001 B; 1002 B; 1003; 1004; 1005 A

Trees: U639TCP; U639TPP

Reports: Air Quality Assessment Report No: J2853/1/F/F1; Daylight and Sunlight Assessment (June 2017); Energy Statement: EST58671 Issue 1; Flood Risk Assessment and Drainage Strategy Report No: 1669 FRA1; Preliminary Ecological Appraisal Report No: ASW/MC/012/21/2017 (June 2017); Transport Statement Report No: 1669 TS1 A; Tree Survey: U639AIA

**REASON:** In order to comply with Policies BE1, BE4, BE6, ER7, NE7, NE12, T2, T3, T5, T7, T9, T11 and T18 of the Unitary Development Plan and in the interest of the amenities of the area.

- 3 Prior to the commencement of the development hereby permitted a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall include measures of how construction traffic can access the site safely and how potential traffic conflicts can be minimised; the route construction traffic shall follow for arriving at and leaving the site and the hours of operation, but

shall not be limited to these. The Construction Management Plan shall be implemented in accordance with the agreed timescale and details.

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

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

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

- 5 Details of a scheme of landscaping, which shall include the location, species and sizes of trees and shrubs marked up on a labelled plan and 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 The development hereby permitted shall be carried out in complete accordance with the mitigation measures recommendations outlined in the Air Quality Assessment accompanying the application and, prior to development commencing, the applicant shall submit additional details of mitigation measures to offset the excess in air quality neutral emissions to the Local Planning Authority for approval. Any deviation from the approved measures shall be submitted to and approved in writing by the Local Planning Authority prior to development commencing.

**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.

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

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

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

**REASON:** To ensure a satisfactory means of surface water drainage and to accord with Policy ER13 of the Unitary Development Plan.

- 9 Details of arrangements for storage of refuse and recyclable materials (including means of enclosure for the area concerned where necessary) shall be submitted to and approved in writing by the Local Planning Authority prior to any development above ground floor slab level 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.

- 10 The development shall be implemented in accordance with the Tree Protection Plan (TPP) and Arboricultural Method Statement (AMS) approved as part of the planning application, under the supervision of a retained arboricultural specialist in order to ensure that the correct materials and techniques are employed.

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

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

**REASON:** In order to comply with Policy NE5 of the Unitary Development Plan and in the interest of any protected species using the site.

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

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

- 13 The development hereby permitted shall be carried out in complete accordance with the Energy Statement by BBS (Feb 2017) (as amended) including the provision of Photovoltaic panels on the roof of the building in accordance with details of their scale and appearance (including drawings showing sections through the roof of the building) which shall be submitted to and approved in writing by the Local Planning Authority prior to any development above ground floor slab level. The approved details shall be implemented prior to first occupation and shall be retained thereafter in operational working order.

**REASON:** In the interest of the visual amenities of the area and in order to seek to achieve compliance with the Mayor of London's Climate Change Mitigation and Energy Strategy and to comply with Policy BE1 of the UDP and policies 5.2, 5.3 and 5.7 of the London Plan.

- 14 Details of the means of privacy screening for the western side of the proposed balconies nearest to Coniston Court shall be submitted to and approved in writing by the Local Planning Authority before the development is first occupied. The development shall be carried out in accordance with the approved details prior to first occupation and permanently retained as such.

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

- 15 Before the development hereby permitted is first occupied, the proposed upper floor window(s) in the eastern facing flank elevation of the building shall be obscure glazed in accordance with details to be submitted to and approved in writing by the Local Planning Authority and shall subsequently be permanently retained as such.

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

- 16 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.

- 17 Before any part of the development hereby permitted is first occupied electric car charging points shall be provided to a minimum of 20% of car parking spaces with passive provision of electric charging capacity provided to an additional 20% of spaces.

**REASON:** In order to minimise the effect of the development on local air quality in line with Policies 6.13 and 7.14 of the London Plan

- 18 Before commencement of the use of the land or building hereby permitted parking spaces and/or garages and turning space shall be completed in accordance with the approved details and thereafter shall be kept available

for such use and no permitted development whether permitted by the Town and Country Planning (General Permitted Development Order 1995 (or any Order amending, revoking and re-enacting this Order) or not shall be carried out on the land or garages indicated or in such a position as to preclude vehicular access to the said land or garages.

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

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

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

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

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

- 21 The surface water drainage scheme hereby permitted shall be implemented in full accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority. The following approved plan/report shall be complied with:  
Flood Risk Assessment & Drainage Strategy Report carried out by CONSIDINE with report No. 1669 FRA1 Dated 20 March 2017.

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

- 22 The flat roof area of the second floor 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.

- 23 No loose materials shall be used for the surfacing of the access drive, parking and turning area hereby permitted.

**REASON:** In the interest of pedestrian and vehicular safety and in the interest of the visual and residential amenities of the area and to accord with Policies BE1 and T18 of the Unitary Development Plan.

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

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

You are further informed that :

- 1 You are reminded of your obligation under Section 80 of the Building Act 1984 to notify the Building Control Section at the Civic Centre six weeks before demolition work is intended to commence. Please write to Building Control at the Civic Centre, or telephone 020 8313 4313, email [buildingcontrol@bromley.gov.uk](mailto:buildingcontrol@bromley.gov.uk).
- 2 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.
- 3 You should consult Street Naming and Numbering/Address Management at the Civic Centre on 020 8313 4742, email [address.management@bromley.gov.uk](mailto:address.management@bromley.gov.uk) regarding Street Naming and Numbering.
- 4 With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. The contact number is 0800 009 3921. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.
- 5 Legal changes under The Water Industry (Scheme for the Adoption of private sewers) Regulations 2011 mean that the sections of pipes you share with your neighbours, or are situated outside of your property boundary which connect to a public sewer are likely to have transferred to Thames Water's ownership. Should your proposed building work fall within 3 metres of these pipes we recommend you email us a scaled ground floor plan of your property showing the proposed work and the complete sewer layout to [developer.services@thameswater.co.uk](mailto:developer.services@thameswater.co.uk) to determine if a building over / near to agreement is required.

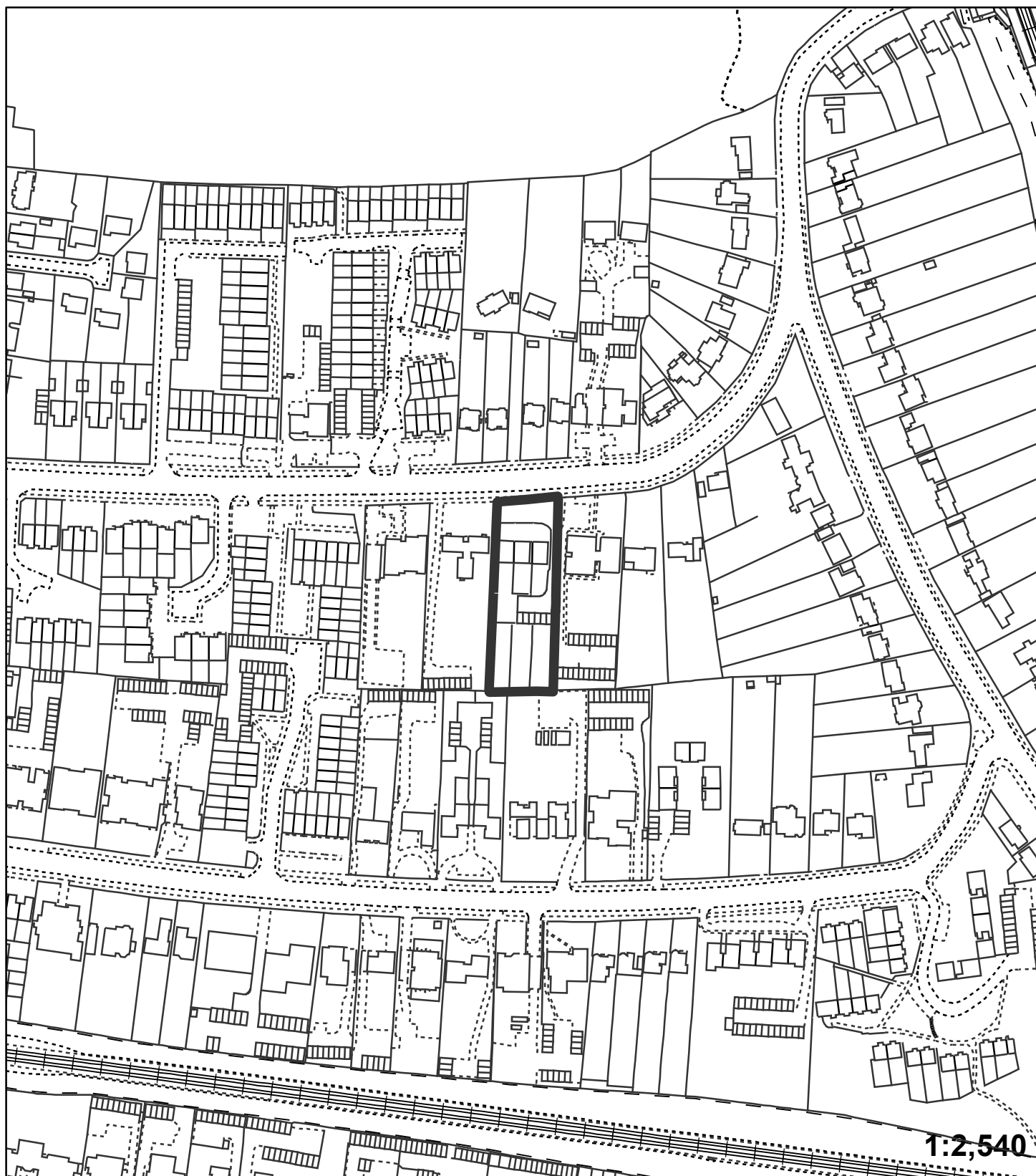
- 6** A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing [wwqriskmanagement@thameswater.co.uk](mailto:wwqriskmanagement@thameswater.co.uk). Application forms should be completed on line via [www.thameswater.co.uk/wastewaterquality](http://www.thameswater.co.uk/wastewaterquality)
- 7** No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement. Reason: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to impact on local underground sewerage utility infrastructure. The applicant is advised to contact Thames Water Developer Services on 0800 009 3921 to discuss the details of the piling method statement.
- 8** Thames Water would recommend that petrol / oil interceptors be fitted in all car parking/washing/repair facilities. Failure to enforce the effective use of petrol / oil interceptors could result in oil-polluted discharges entering local watercourses.
- 9** Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.
- 10** 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.



**Application:**17/00624/OUT

**Address:** 56A Foxgrove Road Beckenham BR3 5DB

**Proposal:** Demolition of existing block of 6 flats and garage block and construction of three/four storey block of 18 flats with car parking and landscaping (OUTLINE APPLICATION)



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

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

**Application No :** 17/00918/FULL6

**Ward:**  
Petts Wood And Knoll

**Address :** 13 Oakhill Road Orpington BR6 0AE

**OS Grid Ref:** E: 545681 N: 166006

**Applicant :** Mr & Mrs McNeil

**Objections :** YES

### **Description of Development:**

Single storey front, side and rear extension and first floor side extension

### **Key designations:**

Biggin Hill Safeguarding Area  
London City Airport Safeguarding  
Open Space Deficiency  
Smoke Control SCA 4

### **UPDATE**

This application was deferred without prejudice by Members of the Plans Sub Committee 4 held on 25<sup>th</sup> May 2017 to seek a reduction in the size and bulk of the roof. The following revisions have been proposed:

- The eaves height of the two storey extension has been reduced in height by 40cm.
- The overall roof height is shown at 30cm lower than previously considered, and at a lower level than that of the host dwelling.

The slope of the roof sits further away from the neighbouring dwelling by an additional 40cm across the side hip.

The original report is repeated below, and updated where necessary.

### **Proposal**

Planning permission is sought for the demolition of the existing side garage, the erection of a single storey front side and rear extension, and a first floor extension to the side.

### **Location**

The application site hosts a two storey semi detached dwelling on the western side of Oakhill Road. The area is characterised by semi detached residential dwellings.

The site does not lie within a conservation area and is not a Listed Building

### **Consultations**

Nearby owners/occupiers were notified of the application and representations were received which raised the following issues:

- The extension is too large and will have an adverse effect on no.15.

- Because of the slope of the land no.13 sits approximately 2m higher than no.15. This house has an array of solar panels on the south side of the roof (facing no.13) and these will be shaded and rendered much less effective by the two storey side extension. Not only will the side wall be much closer to the solar panels but the height of the sidewall will be significantly increased because it will have a pitched roof. The owner of no.15 will have much reduced energy production and will suffer considerable financial loss as a result.
- The difference in ground height between the two houses could also cause other problems - the boundary wall may destabilise the foundations; the water table could be affected leading to the garden becoming waterlogged
- No.15 will experience a loss of privacy due to increased overlooking

### **Planning Considerations**

National Planning Policy Framework (NPPF) (2012)

Para 14 of the NPPF confirms that the NPPF has a presumption in favour of sustainable development, and that development that accords with the development plan should be approved unless material considerations indicate otherwise. (See paras 11-13 of NPPF.)

The London Plan (2015)

Policy 7.4 Local Character

Policy 7.6 Architecture

Unitary Development Plan (2006)

BE1 Design of New Development

H8 Residential Extensions

H9 Side Space

Other Guidance

Supplementary Planning Guidance 1 - General Design Principles

Supplementary Planning Guidance 2 - Residential Design Guidance

The Council is preparing a Local Plan. It is anticipated that the draft Local Plan will be submitted to the Secretary of State in the early part of 2017. These documents are a material consideration. The weight attached to the draft policies increases as the Local Plan process advances. The relevant policies are as follows:

Draft Policy 37 General Design of Development

Draft Policy 6 Residential Extensions

Draft Policy 8 Side Space

### **Planning History**

There is no recent planning history relating to the application site.

Permission was recently refused under application 17/01293/FULL6 for a one/two storey side extension to the neighbouring dwelling at No.11. This however showed no step down in height from the host dwelling to the two storey extension, nor any step back from the front building line. In addition, the two storey element extended across the entire side elevation of the existing dwelling, and then back a further 3.8m from the rear building line. As such, it was considered to 'constitute a cramped form of development, out of character with the street scene, conducive to a retrograde lowering of the spatial standards to which the area is at present developed and contrary to Policy H9 of the Unitary Development Plan.'

## **Conclusions**

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

### Design and appearance

London Plan Policy 7.4 requires developments to have regard to the form, function, and structure of an area, and have regard to the pattern and grain of existing streets in orientation, scale, proportion and mass. Policy BE1 of the Bromley UDP 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 of the UDP 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. This is reiterated in draft UDP policy 6.

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

- (i) for a proposal of two or more storeys in height, a minimum 1 metre space from the side boundary of the site should be retained for the full height and length of the flank wall of the building; or
- (ii) where higher standards of separation already exist within residential areas, proposals will be expected to provide a more generous side space. This will be the case on some corner properties. This is reiterated in draft UDP policy 8.

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

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

The proposed single storey side extension would replace an existing garage. The existing garage sits 2.7m in height and is set back from the front building line of the dwelling by 1.9m. The proposed side garage would also sit at single storey level but is shown as set flush with the front building line. The existing ridged roof which runs across the ground floor of the dwelling is shown as continued across the proposed garage, bringing its height in line with this element, at 4.3m high. The same gap as currently exists with the boundary with No.15 is shown as being retained.

To the side of the dwelling, the single storey garage extends 4.3m back into the site, opening up the gap to the side boundary by an additional 1.2m compared with the existing garage. The garage has a false ridge to the front which extends back by approximately 1.3m in depth. The remainder of the garage sits at 3.5m in height.

The proposed two storey element sits 3.4m back from the front building line and 1.2m in from the side boundary with No. 15.

In response to the Members request, the eaves height of the two storey extension has been reduced in height by 40cm. It has a hipped roof which leans away from the

neighbouring plot at No.15. The revisions result in the overall roof height sitting 30cm lower than previously considered, and at a lower level than that of the host dwelling. The two storey element extends back 5m into the site where it continues an additional 3.6m back at single storey level.

As a result of the reduction in heights, the slope of the roof also sits further away from the neighbouring dwelling by an additional 40cm across the side hip.

The side elevation shows the removal of one upper floor window, compared with the existing arrangement.

The rear single storey element is shown as 2.4m to its eaves and 3.5m in overall height and extends across the full width of the dwelling.

The scale, siting and layout of the proposed extension works, with the side single storey element incorporating the ground floor front ridged roof, the two storey element set back 4.2m from the front building line and set at a lower ridge level than the existing dwelling; and maintaining an acceptable gap with the side boundary would result in works that would appear subservient to the bulk of the original dwelling. The extensions would not appear as overbearing, and would have a minimal impact on the street scene.

Whilst the proposed two storey and single storey side elements would marginally overlap in breach of policy H9, the two storey element would be set 1.2m from the boundary for the majority of its length and given the generous set back from the front of the property, it is not considered that the extension would appear unduly cramped or result in a terracing effect.

The increase in bulk would not appear out of character when compared with the prevailing character of development in the area. The resultant dwelling would appear as a congruous and harmonious form of development in relation to the host dwelling and within the locality in terms of height, scale and form

The works are styled and detailed in a manner that would accord with the appearance of the existing dwelling and in materials to match the existing.

### 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 reiterated in draft policy 37.

The neighbouring dwelling at Number 15 sits at a lower ground level than the application site. A single storey garage sits between the side boundary and the main neighbouring house. A gap of 2.7m would remain between the flank wall of No.15 and the proposed single storey element, and a gap of 3.7m to the two storey element.

The neighbouring dwelling has a ground floor kitchen window which does not receive much sunlight / daylight owing to the change in ground levels. It sits in close proximity to the retaining wall between properties. The proposal would bring a two storey element closer to the shared boundary and closer to the neighbouring kitchen window. However, owing to the existing arrangement, the impact would not be substantially worsened to a degree that would justify refusal of the scheme.

The two upper floor flank windows in No.15 would not be unduly affected.

The proposal would introduce a greater scale of built form adjacent to the flank wall of No.15, but would retain a sufficient gap to ensure that it would not be overbearing. Because of the separation created by the single storey garage at No.15, the separation between two storey flank elevations would be similar to those seen between other dwellings in the road and would not appear out of character within the locality. This impact has been lessened by the revisions sought through the previous committee deferral.

The only upper floor window in the side elevation of the proposal serves a bathroom, and could be conditioned to be obscurely glazed. There would therefore be no loss of privacy to No.15 as a result.

Because of the orientation of the dwelling, the extension works would have no detrimental impact on No.11 in terms of overshadowing or loss of daylight / sunlight. The ground floor element would not have an overbearing impact on No.11 which itself benefits from an existing single storey rear elevation.

Concerns have been raised that No.15 has south facing solar panels on its side roof and that these would be shaded and rendered less effective by the two storey side extension, and that this would result in much reduced energy production and subsequent considerable financial loss as a result. However given the separation distance between the extension and the neighbouring property, it is not considered that the roof slope would suffer overshadowing as a result of the extension works. Regardless, and aside from any detrimental amenity impact, financial consequences of a planning application are not a planning issue that can be factored into consideration of a planning application.

Concerns have also been raised that the difference in ground height between the two houses could also cause other problems such as destabilising the foundations and drainage implications. These are matters that would have to be satisfied through the building control regulation regime and as such, would not be relevant in this instance.

#### CIL

The proposal does not result in the creation of new residential floor space in excess of 100sqm, and would therefore not be liable for Mayoral CIL.

#### Overall Conclusion

Having regard to the relevant provisions of Policies BE1, H8 and H9 of the Unitary Development Plan, the Council's Supplementary Planning Guidance on Residential Design Guidance and other material considerations; it is considered that the proposed development would be acceptable and it is recommended that planning permission be granted.

#### **RECOMMENDATION: PERMISSION**

#### **Subject to the following conditions:**

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

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

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

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

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

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

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

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



**Application:**17/00918/FULL6

**Address:** 13 Oakhill Road Orpington BR6 0AE

**Proposal:** Single storey front, side and rear extension and first floor side extension



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

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

**Application No :** 17/01802/FULL6

**Ward:**  
**Plaistow And Sundridge**

**Address :** 73 Hillcrest Road Bromley BR1 4SA

**OS Grid Ref:** E: 540223 N: 171587

**Applicant :** Mr Marcus Rutherford

**Objections : No**

### **Description of Development:**

Demolition of existing garage to side and erection two storey side and rear extension

### **Key designations:**

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

### **Proposal**

The application seeks permission for the demolition of the existing garage and the erection of a two storey side and rear extension, with accommodation within the roofspace.

The two storey side extension would have a maximum width of 5.3m and depth of 9.1m. The property is located on a triangular shaped plot and as such the extension is set back from the front elevation by approx. 1.8m and increases in width from 3.8m to 5.3m at the rear of the site to follow the boundary. The extension will project 3.5m beyond the original rear elevation (1.2m beyond the existing single storey rear extension).

The roof would be hipped and would provide a continuation of the existing ridge height for 4m in width, before pitching down to a lower height of 6m for a width of 1.4m. It would then pitch further down to match the eaves height of the existing property.

### **Location**

The application site hosts a two storey end of terrace property located on Hillcrest Road. 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.

Highways Officers raised no objection to the proposal subject to conditions.

### **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.

#### **London Plan:**

Policy 7.4 Local character  
Policy 7.6 Architecture

Unitary Development Plan:  
BE1 Design of New Development  
H8 Residential Extensions  
H9 Side Space

Supplementary Planning Guidance  
SPG1 - General Design Principles  
SPG2 - Residential Design Guidance

#### Draft Local Plan

The Council is preparing a Local Plan and commenced a period of consultation on its proposed submission draft of the Local Plan on November 14th 2016 which closed on December 31st 2016 (under The Town and Country Planning (Local Planning) (England) Regulations 2012 as amended). It is anticipated that the submission of the draft Local Plan to the Secretary of State will be 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 8 Side Space  
Draft Policy 37 General Design of Development

#### **Planning History**

The application site has the following planning history;

- o 16/05424/FULL6 - Demolition of existing garage to side and erection of two storey side and rear extension with accommodation within the roofspace - Refused 08.03.2017

The application was refused by members on 2nd March 2017 on the following ground;

1. The proposal would result in a bulky form of development and an incongruous addition that does not respect the scale or form of the host dwelling, out of character with the surrounding area, contrary to Policies H8 and BE1 of the Unitary Development Plan.

#### **Conclusions**

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

The current application seeks to address the concerns raised with regards to the previous proposal. This application has removed the proposed accommodation in the roofspace and reduced the bulk of the proposed roof through the removal of the rear dormer and through altering the proposed gable end to a hipped roof design to be more in keeping with the character of the area. The internal layout has been altered to remove the internal staircase and to have only one kitchen to ensure the extension is more ancillary to the existing dwelling.

#### 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 property was recently the subject of an application (ref: 16/05424/FULL6) which was refused on the grounds that it would result in a bulky form of development, incongruous with the scale and form of the host dwelling and out of character with the area. The current application has retained the same footprint, though has removed the proposed accommodation in the roofspace and reduced the bulk of the proposed roof.

The property benefits from an existing garage to the side of the property which would be removed. The two storey side extension would have a maximum width of 5.1m and depth of 9.1m. The extension is set back from the front elevation by 1.786m and increases in width from 3.819m to 5.3m at the rear of the site to follow the boundary. The extension will project 3.5m beyond the original rear elevation (1.2m beyond the existing single storey rear extension). This would retain the same footprint as the previous application, where no concerns were raised.

Concerns were raised within the previous application with regards to the design of the roof, which featured a gable end and a continuation of the existing ridge height for a further 6m in width before stepping down. This was considered out of keeping with the character of the area, and added an unacceptable level of bulk to the property.

The current application has altered the proposed roof alterations, resulting in the removal of the habitable accommodation in the roofspace. The roof would now feature a hipped roof which would be more in keeping with the character of the area. The roof would provide a continuation of the existing ridge height for a width of 4m, before pitching down in height. The proposed rear dormer has also been removed from the current application. The alterations to the proposed roof have significantly reduced the bulk of the proposed development from the previous application, and the size of the extension would have a similar appearance to the extension at No.65 which was granted permission under ref: 06/00482/FULL6 (before later being converted into a separate dwelling No.65A on appeal under ref: 07/00705/FULL1).

The extension would retain the flat roof to the two storey extension as previously proposed. Policy H8 that flat-roofed side extensions of two or more storeys to dwellings of traditional roof design will normally be resisted. However the flat roof would reduce the potential bulk of the property, and the new dwelling at No.65A features a similar flat roofed extension. Therefore, given its siting to the rear of the property, and the reduction in bulk of the overall design, on balance it is considered that this would not result in significant harm to the character of the host dwelling or the streetscene in general.

Some concerns were raised within the previous application regarding the potential for it to be severed to form a separate unit, similar to No.65A. The internal layout has been altered to remove the internal staircase and have only one kitchen, and therefore the proposed extension would be ancillary to the existing dwelling. A condition is however recommended to ensure that the extension cannot be severed to form a separate dwelling and to ensure that it does not result in substandard accommodation with inadequate privacy, access provision or parking for the future occupiers.

### Side Space

Policy H9 normally requires proposals of two or more storeys in height to provide a minimum 1 metre space from the side boundary of the site for the full height and length of

the flank wall of the building. Whilst the extension would be set back and staggered, it would abut the boundary at separate points and would not provide a minimum side space of 1m for the full length of the flank wall. However, given the property is separated from the boundary of the adjacent site at No.71 by an access road with a width of approximately 3m, therefore the extension would not result in unrelated terracing. It is also noted that a similar application was granted approval under ref: 06/00482/FULL6 at No.65 for a first floor side extension adjacent to the boundary of an access road, and therefore the principle of this would not be out of character or harmful to the existing spatial standards of the area.

It is further noted that the previous application ref: 16/05424/FULL6 had the same footprint, and was not refused on these grounds at plans sub-committee 2 on the 2nd March 2017. As such it is considered that the proposal does not conflict with the reason for the side space policy.

### 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.

In terms of impact upon the neighbouring properties, the two storey side/rear extension would project beyond the rear of the existing property by 1.2m at ground floor level and 3.5m at first floor level. Given that the extension would be sited a minimum of 5.3m from the boundary with No.75, and therefore is not considered to result in any significant harm to this neighbour in terms of loss of light or outlook. The facing flank wall would be blank and there would be no loss of privacy, however a condition is recommended to ensure no windows are added to the first floor flank elevation.

The neighbour at No.71 is separated by the access road which would mitigate the impact of the proposed extension. Furthermore, due to that staggered design of the extension the majority of it would have a further distance away from the boundary and any impact on outlook if therefore not considered substantial. The orientation of the properties is such that the proposal would not result in a significant loss of light to this neighbour. The flank walls would be blank at first floor level and therefore there would be no loss of privacy, though a condition is also recommended to prevent additional windows in the future without consent from The Council. It is therefore considered that the proposal would not significant harm the amenities of the neighbouring properties.

### Highways / Parking

The proposed side extension would replace an existing single storey garage which abuts the boundary. The development would therefore result in the loss of one parking space, and would also result in an increase of one bedroom. The remaining drive would accommodate 2 cars parked off street and this section of Hillcrest Road is not subject to waiting restrictions and has on-street parking. Given the above, and that the previous application was not refused on highways grounds, Highways Officers raised no objection to the proposal, subject to conditions.

### Summary

Having had regard to the above Members are asked to consider if the applicant has fully addressed the previous reason for refusal as detailed in this report. It is considered that

the development in the manner proposed would not result in a significant loss of amenity to local residents nor impact detrimentally on the character of the area.

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

Background papers referred to during production of this report comprise all correspondence on the file ref: 16/05424/FULL6 and 17/01802/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 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order amending, revoking and re-enacting this Order) no buildings, structures, alterations, walls or fences of any kind shall be erected or made within the curtilage(s) of the dwelling(s) hereby permitted without the prior approval in writing of the Local Planning Authority.**

**Reason: In order that the Local Planning Authority can control any further development within the residential curtilage of the property, in the interests of the amenities of nearby residential properties and to prevent an overdevelopment of the site, in accordance with Policies BE1 and H8 of the Unitary Development Plan.**

- 5 The additional accommodation shall be used only by members of the household occupying the dwelling and shall not be severed to form a separate self-contained unit.**

**Reason:** In order to comply with Policy H8 of the Unitary Development Plan, to ensure that the accommodation is not used separately and unassociated with the main dwelling and so as to prevent an unsatisfactory sub-division into two dwellings.

- 6** No windows or doors shall at any time be inserted in the first floor flank elevations of the extension hereby permitted, without the prior approval in writing of the Local Planning Authority.

**Reason:** In order to comply with Policies BE1 and H8 of the Unitary Development Plan and in the interest of the amenities of the adjacent properties.

- 7** Before commencement of the use of the land or building hereby permitted parking spaces and/or garages and turning space shall be completed in accordance with the approved details and thereafter shall be kept available for such use and no permitted development whether permitted by the Town and Country Planning (General Permitted Development) Order (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.

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

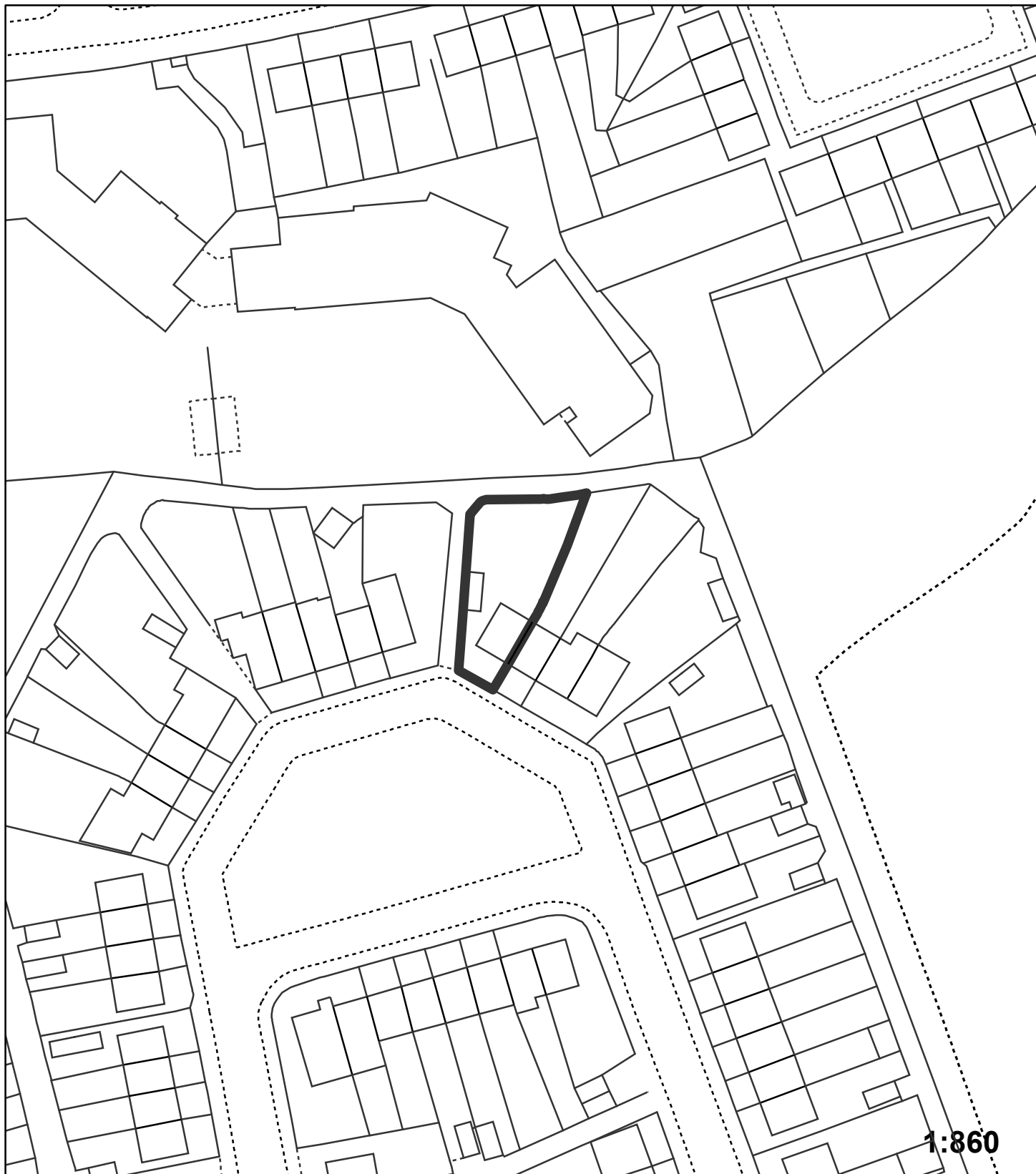
**Reason:** To ensure satisfactory means of surface water drainage and to accord with Policy 4A.14 of the London Plan and Planning Policy Statement 25.



**Application:**17/01802/FULL6

**Address:** 73 Hillcrest Road Bromley BR1 4SA

**Proposal:** Demolition of existing garage to side and erection two storey side and rear extension



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

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

**Application No :** 17/01823/FULL6

**Ward:**  
**Mottingham And Chislehurst  
North**

**Address :** 41 Chilham Road Mottingham London SE9  
4BE

**OS Grid Ref:** E: 542265 N: 171590

**Applicant :** Mr M Leach

**Objections : YES**

### **Description of Development:**

Two storey side and single storey front extension.

### **Key designations:**

Smoke Control SCA 51

### **Proposal**

The application proposes a two storey side extension that would have a width of 4m and a depth of 7m, it would have an eaves height 5.5m and a ridge height of 8.2m; it would have a minimum side space of 1.3m and a maximum side space of 8m.

The front extension would have a depth of 1.2m and a width of 2.4m, an eaves height of 2.6m and a ridge height of 3.5m.

The application site hosts a two storey end of terrace dwelling on the corner of Chilham Road and Escott Gardens.

### **Consultations**

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

- o Not in keeping with the style and character of Chilham Road
- o Loss of privacy and sunlight to 28 Escott Gardens
- o Concerns regarding parking
- o Disruption caused by building works would be unacceptable
- o Loss of value of property
- o Concern regarding future occupancy
- o Loss of light to 26 Escott Gardens
- o Extension is unnecessary
- o Serious disruption would be caused by the need for plant machinery
- o Extensions would affect privacy, enjoyment, safety and health of residents
- o Property will look out of place
- o Hazards for pedestrians as more vehicles will be parked on pavements
- o Development will destroy the community and character of the area
- o Invasion of privacy
- o Increase in traffic will impact on health of nearby residents

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

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

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**

16/02782/PLUD; Roof alterations incorporating hip to gable extension and rear dormer  
LAWFUL DEVELOPMENT CERTIFICATE (PROPOSED); Proposed development is lawful

## **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.

## **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 the extensions would be highly visible from both the front and side this is

considered to be acceptable. The ridgeline would match the existing and this would appear sympathetic to the character of the host dwelling and the roof would be pitched to reduce the bulk of the extension, as this a corner plot the extension would be highly visible so it is considered that the pitched roof would protect the character and appearance of the street scene.

The front extension would have a minimal projection and the use of a pitched roof would maintain the character and appearance of the host dwelling and 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.

This proposal allows for a minimum side space of 1.3m and a maximum of 8m and given that this is a corner plot where more than the minimum would be expected, in this respect the application appears to comply with Policy H9

### **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.

The two storey side extension would not project past the rear of the dwelling and as such would have no impact on the adjoining occupiers of number 39. The single storey front extension is positioned centrally on the front of the dwelling and would therefore have no impact on the adjoining occupiers of number 39.

The nearest point of the extension would be 7m from the nearest point of number 28 Escott Gardens and given the orientation of the site the loss of light would not be so significant that it would warrant refusal. It is noted that there are 2 first floor windows at number 28 and given that these are probably not primary bedroom windows it is considered that there would be no significant loss of amenity to these windows. There are no windows proposed in the side elevation however there are 2 at the rear, one which serves a bathroom which could reasonably be obscure glazed by condition and another which serves a bedroom.

Given the large separation distance between number 41 and number 43 it is considered that there would be no impact on this adjoining occupier to the east of the site.

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 and appearance of the area.

### **RECOMMENDATION: PERMISSION**

#### **Subject to the following conditions:**

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

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

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

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

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

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

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

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

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

**Reason:** In order to comply with Policies BE1 and H8 of the Unitary Development Plan and in the interest of the amenities of the adjacent properties.

- 6** The additional accommodation shall be used only by members of the household occupying the dwelling at number 41 Chilham Road and shall not be severed to form a separate self-contained unit.

**Reason:** In order to comply with Policy H8 of the Unitary Development Plan, to ensure that the accommodation is not used separately and unassociated with the main dwelling and so as to prevent an unsatisfactory sub-division into two dwellings.

**Application:**17/01823/FULL6

**Address:** 41 Chilham Road Mottingham London SE9 4BE

**Proposal:** Two storey side and single storey front extension.



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

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

**Application No :** 17/02099/FULL6

**Ward:**  
Hayes And Coney Hall

**Address :** 9 Farm Close West Wickham BR4 9JL

**OS Grid Ref:** E: 539581 N: 165261

**Applicant :** Miss E Styles

**Objections :** No

### **Description of Development:**

First floor side/rear extension

### **Key designations:**

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

### **Proposal**

The application seeks consent for the construction of a first floor side/rear extension. The proposal would sit above an existing single-storey garage. The extension would measure 5.2m in depth and 4.4m in width. It would project beyond the rear elevation by 2.7m.

### **Location**

The application relates to a two-storey semi-detached residential dwelling, which is located towards the head of a cul-de-sac. The property is situated on a curved part of the road, meaning the boundary tapers inwards towards the highway. The site is located within a residential area and the property benefits from a side garage and off-street parking.

### **Consultations**

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

### **Planning Considerations**

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

BE1 Design of New Development  
H8 Residential Extensions  
H9 Side Space

SPG 1 General Design Principles  
SPG 1 Residential Design Guidance

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

### **Relevant policies**

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

### **Planning History**

90/02279/FUL Single-storey side/rear extension    Permission    26.09.1990

93/02641/FUL Single-storey rear extension    Permission    08.12.1993

### **Conclusions**

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

The proposed extension would sit above an existing single-storey side garage. It would also be located to the side/rear of the property; incorporating a 2.7m rear projection. The extension would incorporate a pitched roof; however this would appear detached from the main roof. The overall appearance is somewhat unusual, but this arrangement accounts for its position towards the head of a dead end road and tapering nature of the boundary. It would be set back considerably from the front elevation and the curved nature of the road, tapering plot and set-back from the front elevation would shield much of the development from view within the main street-scene. This arrangement would also ensure a sufficient level of subservience in relation to the main dwelling.

The extension would sit above an existing single-storey garage, which extends up to the shared boundary. Policy H9 normally requires developments of two or more storeys in height to retain a 1m space from the side boundary. The first floor addition would be set back by 1.5m at its narrowest point but this would then become greater towards the rear as the boundary tapers outwards.

In this case, as the extension would be above an existing garage, which goes up to the boundary, it would technically fail the constraints of Policy H9. However, the inspector of a recent appeals decision (APP/G5180/D/17/3169744) at 34 Hayes Chase, which has similarities to the current proposal, made the following observation regarding the Council's application of this policy. It was observed that 'The Council says that the proposal fails the empirical test of the policy, in effect, because the extant ground floor element, which would remain in place, stands on the boundary. The National Planning Policy Framework (the Framework) provides that the government attaches great importance to the design of the built environment. It also says, at paragraph 59, that 'design policies should avoid unnecessary prescription.' I consider UDP policy H9 to be empirically prescriptive as is the Council's interpretation of its requirements, unnecessarily so in my view, not least since the objectives of the policy is capable of being achieved by subjective assessment. Accordingly, in the context of the Framework's paragraph 215, I attribute more weight to the design guidance of the Framework as a material consideration, and to other design-related UDP policies, than the empirical constraint set out in UDP policy H9. Moreover, the presence of the term 'normally' in the body of UDP policy H9 strongly implies, to my mind, a need for discretion in the application of the empirical requirements of the policy, having regard to several factors including the characteristics of the site and its surroundings, the precise nature of the proposal and the objectives of the policy as set out in the explanatory text.'

In this instance the extension is considered to be substantial, however it is not out of proportion with the dwelling or site in general. It is set well back from the front elevation and the specific site characteristics, including the tapering plot, location towards the head of the road and curved nature of the surrounds would ensure a sufficient level of openness

was retained and would prevent any unacceptable terracing. Subject to the use of matching materials the extension is considered to be acceptable.

#### Neighbouring amenity

The proposed extension would project marginally beyond the rear elevation of the property but this would be set at sufficient distance from the shared boundary with No 10 to not appear overly dominant or intrusive.

The main visual impact would be on No 8, which is located to the north of the application site. This property is set almost at a right angle to the application property due to the location of the dwelling being close to the head of a dead end road. The boundary and plots are narrow inwards towards the road, but then taper outwards towards the rear garden. No 8 has been extended by way of a large side dormer, which due to the location and arrangement of the buildings, faces the side of the application property and partially overlooks the existing garage and rear amenity space. The extension would be set back significantly from the front elevation of the host dwelling but would measure 5.2m in depth. At its narrowest point it would be set back from the shared boundary by 1.2m but this would increase to 5m towards the rear most corner, due to the tapering nature of the plot/boundary. The location of the extension and tapering nature of the plot would prevent the development resulting a significant loss of outlook or being visually overbearing. No windows are proposed within the flank elevation, however windows are proposed within the front and rear of the extension. The front windows would be set close to the dormer windows within the side of No 8, however they would be orientated at an oblique angle, which would prevent any harmful overlooking. This arrangement is considered to be on balance acceptable.

#### **RECOMMENDATION: PERMISSION**

#### **Subject to the following conditions:**

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

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

- 2 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.**

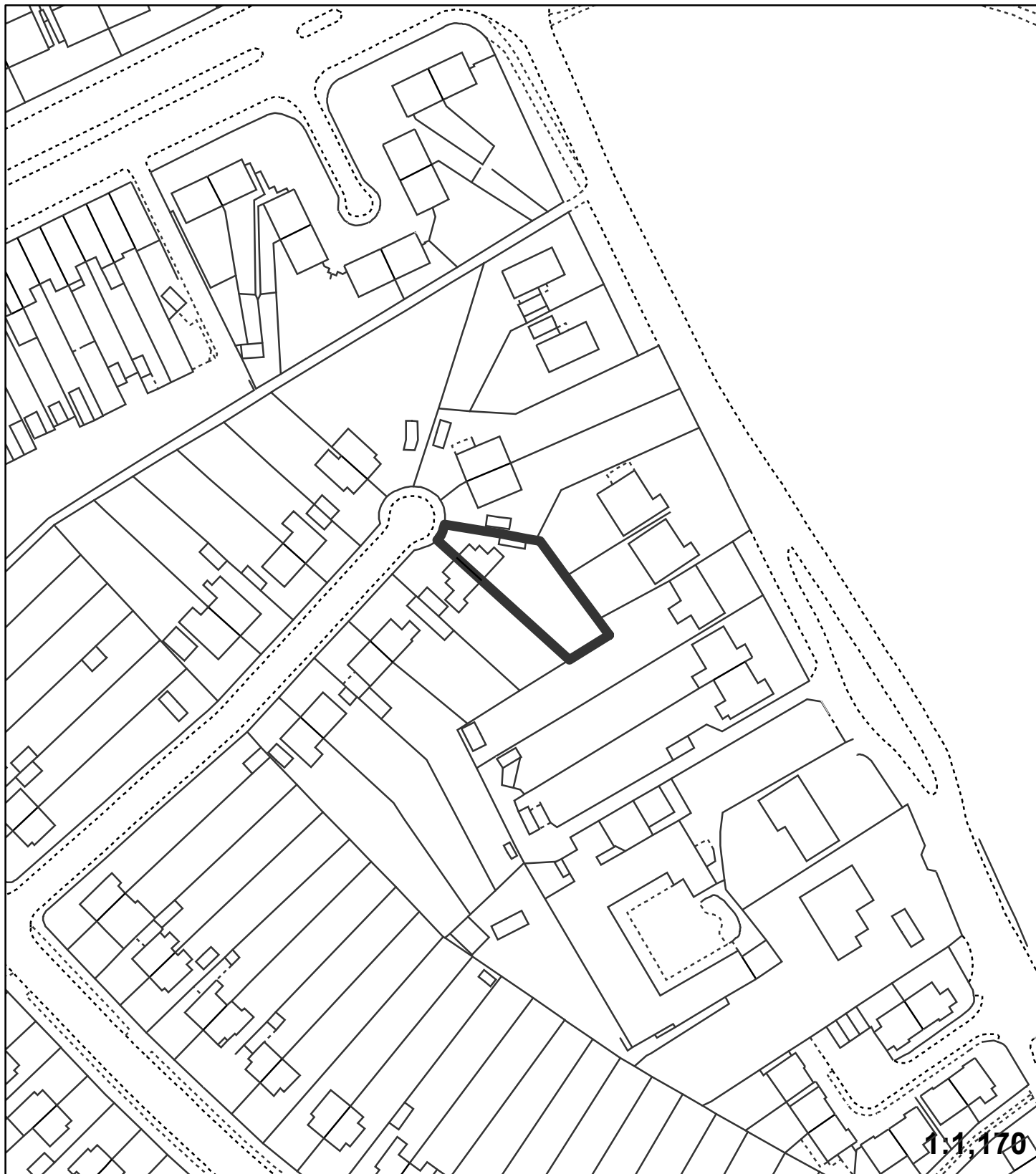
**REASON: In order to comply with Policy BE1 of the Unitary Development Plan and in the interest of the visual and residential amenities of the area.**

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**Application:**17/02099/FULL6

**Address:** 9 Farm Close West Wickham BR4 9JL

**Proposal:** First floor side/rear extension



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

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

**Application No :** 17/02167/FULL1

**Ward:**  
**Shortlands**

**Address :** 1 The Glen Shortlands Bromley BR2 0JB

**OS Grid Ref:** E: 539251 N: 169251

**Applicant :** Ms Amanda Newman

**Objections : YES**

### **Description of Development:**

Elevational alterations including side porch canopy and conversion from single dwelling to 2 self-contained houses (1 x 4 bed and 1 x 1 bed).

### **Key designations:**

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

### **Proposal**

Planning permission is sought for development comprising:

- Elevational alterations to the side and rear of the extension and host building at the application site. To the side it is proposed to replace an existing door for a full sized window and to substitute a new entrance door with shallow canopy above for an existing high level letterbox window towards the centre of the flank elevation. The canopy over the proposed door would be 1.8m wide and would project by 0.6m from the side elevation and steps would lead from the existing side landscaping space to the proposed new entrance.
- At the rear the elevational alterations comprise the removal of the existing rear patio doors which straddle the join between the original dwelling and the two storey existing extension, with these to be replaced by two separate sets of patio doors.
- The existing extension would be severed from the host original dwelling to form a one bedroom two storey dwelling, accessed from the proposed side doorway. The accommodation would comprise a large bedroom and en-suite bathroom to the first floor, with separate windowless cupboard space and on the ground floor a combined kitchen/living/dining space is proposed to be provided. The dwelling would have a small rear garden, with the original dwelling retaining a garden of a size commensurate with the remaining dwellings in the terrace. Three off-street parking spaces already exist on an area of hardstanding at the front of the existing dwelling (including the extension) and the proposal would result in 1 car parking space being provided for the proposed dwelling and 2 being retained for the use of the original dwelling.

### **Site and Surroundings**

The application site lies on the eastern side of The Glen which is a residential cul-de-sac characterised by three storey terraced town houses. The application site comprises an end-of-terrace dwelling with a wider than average plot. The host dwelling has been extended by way of a subservient two storey side extension. The dwelling lies on the end of the terrace and is flanked by the access to The Glen from Shortlands Road. Opposite the site are the odd-numbered dwellings in The Glen which are positioned within plots at a

45 degree angle to the main carriageway. On the other side of the access is No. 2 The Glen which incorporates a canopied side entrance to the property. The remaining dwellings incorporate ground floor integral garages with single car parking spaces between the front of the property and the roadway.

## **Consultations**

### Comments from neighbouring residents

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

### Technical comments

From a technical highways perspective it is noted that the proposed 1 bed unit is situated right on the bend and there may therefore be a highway safety issue relating to vehicles accessing and egressing the hardstanding. There are no objections in principle provided that the applicant can demonstrate that there are no sight line issues.

## **Planning Considerations**

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

BE1 Design of New Development  
H11 Residential Conversions  
T3 Parking  
T18 Road Safety

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

Draft Policy 37 - General Design of Development  
Draft Policy 9 - Residential Conversions  
Draft Policy 30 - Parking

Policy 7.4 of the London Plan relates to local character and Policy 7.6 relates to architecture and includes reference to residential amenity impacts of development. Policies 3.3, 3.4, 3.5 and 3.8 relate to housing and are all of relevance to the assessment of this application.

The National Planning Policy Framework is a material consideration.

## **Planning History**

Under reference 94/00122 planning permission was granted for a single storey side extension. Planning permission was granted for the two storey side extension the subject of this application under reference 13/00057.

## **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 also falls to consider whether the existing/proposed accommodation would be of a high quality and whether the proposal would allow for the provision of satisfactory off-street parking and refuse/recycling provision.



### Principle of development

Policies H11 and draft Policy 9 state that the conversion of a single dwelling into two or more self-contained residential units will be permitted so long as:

- The proposal would not have a detrimental impact on the amenities of neighbouring dwellings
- The resulting accommodation would provide a high quality residential environment for the intended occupants
- The character and appearance of the area would not be adversely affected
- The proposal would not have a detrimental impact on housing choice in the locality (DP9) or result in the shortage of medium or small sized family housing.

The two storey extension in which the proposed one bedroom dwelling would be sited is already completed. The elevational alterations proposed are modest in scale and would have a limited impact on the visual amenity of the street scene. The change of use of the property would have limited impact on the appearance of the street scene and the character of the area in terms of the built form on the site. As such it is not considered that the proposed severance of the extension to form a separate dwelling would be readily appreciable from outside of the site, taking into account the use of the existing hardstanding layout and the modest scope of the elevational alterations to the side of the property.

### Impact of the proposal on the visual amenities of the area

The area is characterised by three storey terraced townhouses and insofar as the proposed dwelling would be two storey and of significantly more modest proportions than the remaining houses in the street, the formation of a 1 bedroom dwelling would be different in nature to others nearby. However, in view of the modest nature of the elevational alterations required to implement the proposal and the extent to which the proposal would utilise space and facilities (i.e. parking) already in situ, it is not considered that the proposal would have a significantly adverse impact on the character of the locality.

The proposed severance of the side garden/part of the rear garden and the two storey extension would leave the host dwelling with a site of an area and house of built proportions commensurate with the pattern of development in the locality. The width of the resultant plot for the host dwelling would be similar to those of the remaining dwellings in the terrace and the proposal would allow for the retention of two car parking spaces to serve the 4 bedroom host dwelling which reflects the parking provision in the cul-de-sac generally.

The host plot as it existed prior to the implementation of the two storey side extension was unusually wide in the context of the layout of development in the street. As such it is not considered that the proposal would set a realistic precedent for a general lowering of the spatial standards of the cul-de-sac as there are no plots in the street of identical proportions where a similar development might result in an undermining of the character and distinctiveness of the development in the street.

### Impact of the proposal on residential amenities.

With regards to the impact of the proposal on the residential amenities of the area, the proposal would have no significant impact in view of the scope of the proposal being limited to the conversion of existing space rather than extensions to the property in order to provide the space for the proposed one bedroom dwelling. The resultant dwelling would be sited at the end of the terrace, and separated from development on the other side of the

access to the cul-de-sac by the width of the roadway. The host dwelling would retain sufficient garden space and parking hardstanding to serve the needs of that dwelling. The relationship between the proposed dwelling and the host property would be little different to that between the host property and the adjoining terraced house to the north (no. 3).

The proposed resulting dwellings (the 4 bed and 1 bed dwelling) would each meet the minimum space standards for dwellings of that type of accommodation. The proposed and existing dwellings would each have access to private amenity space at the rear which would be of a size appropriate to the scale of the dwellings. It is considered that the proposed one bedroom dwelling would provide accommodation of a satisfactory standard and that the formed 4 bedroom dwelling would similarly provide accommodation commensurate with the pattern of development in the locality and of an adequate size and level of amenity.

### Highways matters

Highways comments have been received which state that there are no objections in principle subject to information being provided to demonstrate that there are no sight line issues associated with the use of the flank parking bay associated with the proposed dwelling.

It was noted on site that the extent of the fencing provided to the side of the dwelling appears to have been reduced by the removal of a fence panel and the provision in its place of a raised planting bed with what appears to be hedging shrubs.

The hardstanding to serve the host and severed dwelling is already in place and being used. The proposal would not alter the proportions or siting of parking, but would instead result in the existing 3 spaces being used by 2 dwellings rather than the large existing single dwelling.

In view of the comments received from a technical highways perspective it is considered appropriate to seek by way of planning condition details that would demonstrate that there would be no unacceptable conflict between vehicles accessing/egressing the parking bay in question and vehicles passing into the cul-de-sac.

### Summary

It is considered that while the severance of the site/extension to provide a one bedroom dwelling would not be characteristic of the immediate locality, in view of the unusual proportions of the host extended dwelling/site the proposal would not result in a lowering of the spatial standards of the street scene or set a precedent for other such development in the area.

The proposal would have a limited impact on the appearance of the street scene and would provide accommodation of a satisfactory standard which would not have a detrimental impact on the residential amenities of the locality. In view of the size of the severed site it is considered appropriate if permission is granted to make it subject to a condition removing certain permitted development rights so as to enable the Council to consider such development in the light of the specific proposals and the circumstances at the time as well as a condition to ensure that the visibility from/to the flank car parking space would be satisfactory.

Background papers referred to during production of this report comprise all correspondence on files refs: 17/02167 and 13/00057.

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

**REASON:** In order to comply with Policies BE1 and H11 of the Unitary Development Plan and in order to prevent an overdevelopment of the site.

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

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

- 6** Prior to the first occupation of the dwelling hereby permitted details of the sightlines/visibility from the side parking space shall be provided to the Local Planning Authority and approved in writing. The measures to ensure satisfactory visibility to and from the parking space associated with the proposed dwelling shall be implemented in complete accordance with these details and permanently retained as such thereafter.

**REASON:** In the interest of highways safety and to accord with Policy T18 of the Unitary Development Plan.

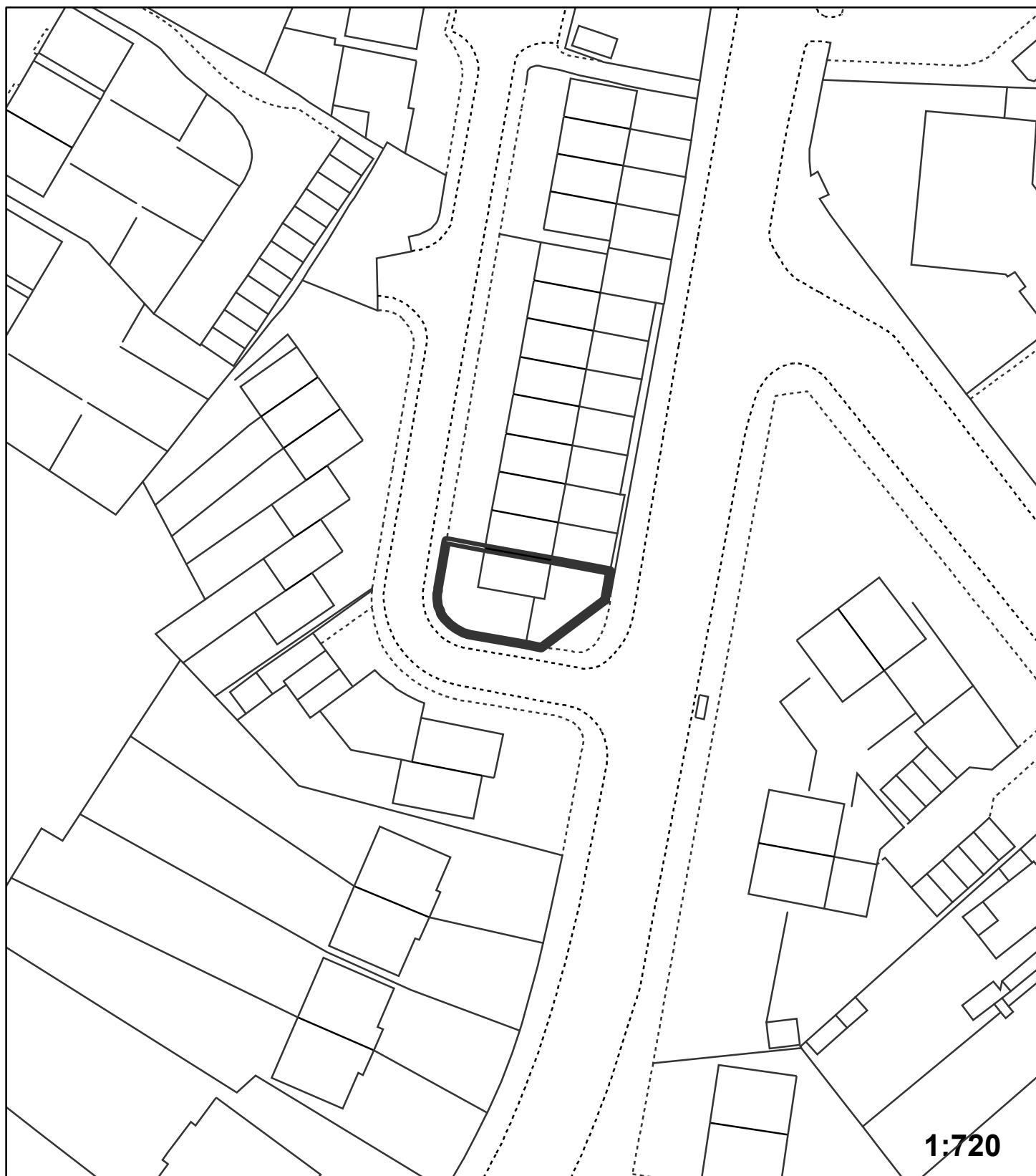
**You are further informed that:**

- 1** You should consult the Land Charges and Street Naming/Numbering Section at the Civic Centre on 020 8313 4742 or e-mail: [address.management@bromley.gov.uk](mailto: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](http://www.bromley.gov.uk)

**Application:**17/02167/FULL1

**Address:** 1 The Glen Shortlands Bromley BR2 0JB

**Proposal:** Elevational alterations including side porch canopy and conversion from single dwelling to 2 self-contained houses (1 x 4 bed and 1 x 1 bed).



"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 :** 17/02283/FULL1

**Ward:**  
Copers Cope

**Address :** Worsley Bridge Junior School Brackley  
Road Beckenham BR3 1RF

**OS Grid Ref:** E: 537322 N: 170426

**Applicant :** Mrs Rebecca Williams

**Objections :** YES

### **Description of Development:**

Construction of a freestanding outdoor learning shelter.

### **Key designations:**

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

### **Proposal**

Planning permission is sought for the construction of a freestanding outdoor learning shelter.

The building proposed is a low rise single storey structure located to the eastern side of the playing field. The structure measures 10.05m by 5.1m by 2.9m maximum height to its ridge and is situated 4m from the boundary from Abbey Lane. An area of bushes, hedging and shrubbery exist between the structure and Abbey Lane. The structure will be made of wood and is open sided and will have bench seating inside on a decked floor area.

### **Location**

Worsley Bridge School is located on the north side of Brackley Road with Worsley Bridge Road to the west and Abbey Lane to the east. The surrounding area is mainly residential in character with sports pitches opposite the school playing fields.

### **Consultations**

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

#### **Support:**

- The outdoor learning centre will benefit the children of the school.
- No concerns regarding the appearance which is largely obscured due to tree foliage.
- Noise levels will be low. Nature and the school will live together happily.
- School has been there for many years.
- Sound of children learning in the building is less than playing. Unlikely therefore to disturb the adjacent residential houses.
- Local noise is of vehicles/people is worse than the children.

Objections:

- Outdoor wildlife disrupted by change of use of this area of land.
- Concerns regarding impact to trees.
- Concerns that the development will increase noise and disturbance to nearby residential properties.
- Concerns that the development will lead to more outdoor developments.

### **Internal Consultations**

Arboriculture and Ecology:

The proposed application is for the construction of a free standing outdoor education structure. The proposed location for the shelter is west of Abbey Lane on the eastern boundary of the school playing field. The boundary of the field is populated by a number of trees creating a thick hedge running the length of Abbey Lane.

The proposed design of the shelter is lightweight and therefore the foundations are unlikely to impact the root network of the surrounding trees. Furthermore, the low height of the shelter is unlikely to affect the branching of the trees.

The shelter is unlikely to have any negative effects on local wildlife as it will not affect the surrounding trees. On the contrary, the construction of an open sided, covered structure is likely to benefit local wildlife as it will act as a new type of habitat.

Drainage:

No comment.

Environmental Health - Pollution:

No objections.

### **Planning Considerations**

London Plan.

3.16 Protection and Enhancement of Social Infrastructure

3.18 Education Facilities

5.1 Climate Change Mitigation

5.2 Minimising Carbon Dioxide Emissions

5.3 Sustainable Design and Construction.

5.7 Renewable Energy

5.13 Sustainable Drainage

5.15 Water Use and Supplies

5.16 Waste Self-Sufficiency

7.2 An Inclusive Environment.

7.3 Designing Out Crime

7.4 Local Character

7.6 Architecture

7.18 Protecting Open Space and Addressing Deficiency

7.19 Biodiversity and Access to Nature

7.21 Trees and Woodlands



### Unitary Development Plan.

BE1 Design of New Development  
NE7 Development and Trees  
G8 Urban Open Space  
C1 Community Facilities  
C7 Educational and Pre School Facilities  
C8 Dual Community Use of Educational Facilities  
T1 Transport Demand  
T3 Parking  
T7 Cyclists  
T18 Road Safety

Supplementary Planning Guidance 1: General Design Principles

### 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 20 - Community Facilities  
Draft Policy 27 - Educational Facilities.  
Draft Policy 33 - Access for All  
Draft Policy 37 - General design of development  
Draft Policy 55 - Urban Open Space  
Draft Policy 73 - Development and Trees  
Draft Policy 74 - Conservation and Management of Trees and woodlands  
Draft policy 75 - Hedgerows and Development  
Draft Policy 77 - Landscape Quality and Character  
Draft Policy 112 - Planning for Sustainable Waste management  
Draft Policy 113 - Waste Management in New Development  
Draft Policy 116 - Sustainable Urban Drainage Systems (SUDS)  
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**

The site has been the subject of numerous previous relevant applications,

89/01187: Five bay mobile classroom

96/00205: Retention of single storey mobile classroom and addition of one bay

13/01898: Erection of single storey temporary classroom building with canopy and link walkway to main school building. Approved 13/8/2013.

14/01411: Replacement glazing to form larger windows and new door openings out on to playground. Approved 25/7/2014.

14/02321: Retention of temporary classroom permitted under ref. 13/01898/FULL1 until no later than 12th August 2015. Approved 5/9/2014.

14/02230: Demolition of existing outbuildings and construction of a two storey classroom wing, single storey staff room extension to the rear and hall extension to the front, enlargement of staff car park and associated external works. Approved 5/9/2014

15/03295/MATAMD: Application submitted under s73 for a Minor- material Amendment to approved planning permission DC/14/02230/FULL1 for demolition of existing outbuildings and construction of a two storey classroom wing, single storey staff room extension to the rear and hall extension to the front, enlargement of staff car park and associated external works in order to allow:-

- Alterations to windows and additional door openings on all elevations
- Relocation of roof level handrails
- Removal of Brise Soleil
- Additional brick cladding on the upper level of the northwest elevation
- Relocation of cycle shelters
- Amendments to landscaping

Approved 30/9/2015.

## **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
- Impact on adjoining properties
- Arboriculture and Ecology

### Principle of development - Educational Need.

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

Draft Policy 27 Education of the Proposed Submission Draft Local Plan details that the Council is committed to choice in education for parents and young people and will work, in partnership with agencies and providers, to ensure the provision of an appropriate range of educational facilities to cater for lifelong learning across the spectrum from early years to further and higher education, and including specialist provision.

In relation to this application the policy further details that it will achieve this by permitting extensions to existing schools which seek to address local need, subject to Local Plan open space and conservation policies, unless there are demonstrably negative local impacts which substantially outweigh the need for additional education provision, which cannot be addressed through planning conditions or obligations.

Further the policy details in all cases new development should be sensitively designed to minimise the footprint of buildings and the impact on open space, particularly playing

fields, as well as seeking to secure, as far as possible the privacy and amenities of any adjoining properties, whilst delivering the necessary educational infrastructure.

Therefore the provision and use of the outdoor learning centre building to enhance the existing teaching facilities at the school 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 residential occupiers, sustainable design, and arboricultural and ecology issues.

#### Design and Impact on Urban Open Space.

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 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 G8 of the UDP details that proposals for built development in Urban Open Space will be permitted where the development is related to the existing use or the development is small scale and supports the outdoor recreational uses or children's play facilities on the site or any replacement buildings do not exceed the site coverage of the existing development on the site. Where built development is involved the Council will weigh any benefits being offered to the community, such as new recreational or employment opportunities, against a proposed loss of open space. In all cases, the scale, siting, and size of the proposal should not unduly impair the open nature of the site. Draft Policy 55 reiterates this approach.

The proposed building is open sided and constructed of wood and is typical for these types of shelters for outdoor learning. The building is located on the east side of the existing playing field in close proximity to the boundary against a wooded backdrop. The existing grassed playing fields have been preserved and are unaffected by the use of this facility.

On this basis it is considered that any harm to the Urban Open Space is extremely limited in the long term and the design is not considered to harm the character and appearance of the wider site.

#### 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.

Concerns have been raised regarding the proximity of the buildings to property in Abbey Lane and resultant noise and disturbance from the use that may affect residential amenity. It was observed at the time of site visit that the backdrop to the location was the school playing fields to the west and residential properties to the east on the opposite side of Abbey Lane at an approximate distance to the learning shelter of 18m to the front elevation of the closest property.

It is noted that the school fields can be noisy due to children playing. However this needs to be measured against the background noise of the local urban environment and the level of addition in this respect that a learning shelter would add to this. Given that it would be expected that noise from a school would take place in the natural course of a school day it is not considered, given the location of the outdoor learning centre building along this boundary, that any increase in noise and disturbance from the use will be significant enough to withhold planning permission on this basis.

#### Arboriculture and Ecology.

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.

The Council's Arboricultural Officer has reviewed the scheme and not raised any objections as regards effects to trees and ecology.

#### **Summary**

Therefore, given the relatively low impact of the structure, the use and siting of the structure is considered acceptable.

Background papers referred to during production of this report comprise all correspondence on the file ref(s) 17/02283/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 The materials to be used for the external surfaces of the building shall be as set out in the planning application forms and / or drawings unless otherwise agreed in writing by the Local Planning Authority.**

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

- 4 The detached single storey outdoor learning building hereby permitted shall be used as an ancillary classroom in direct association with the main school on the site and for no other purpose.**

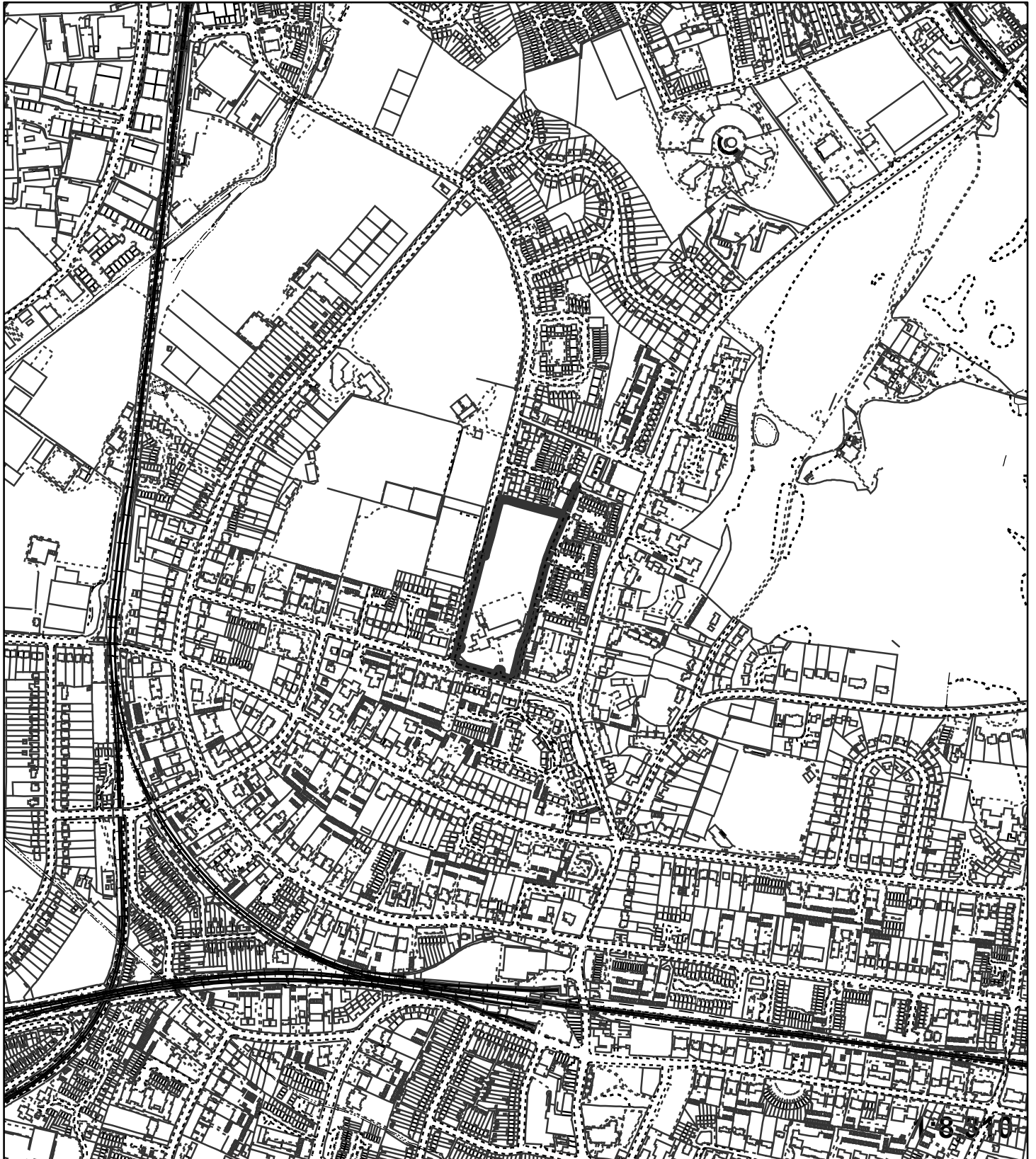
**Reason: In order to prevent an overdevelopment or over intensive use of the site and in the interests of the amenities of adjacent properties and in order to comply with Policy BE1 of the Unitary Development Plan.**

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**Application:**17/02283/FULL1

**Address:** Worsley Bridge Junior School Brackley Road Beckenham  
BR3 1RF

**Proposal:** Construction of a freestanding outdoor learning shelter.



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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 :** 17/02420/FULL6

**Ward:**  
Bickley

**Address :** 6 Woodside Road Bickley Bromley BR1 2ES

**OS Grid Ref:** E: 542317 N: 167854

**Applicant :** Mrs Sara Salari

**Objections :** No

### **Description of Development:**

Demolition of existing garage to form part one/ two storey side extension.

### **Key designations:**

Biggin Hill Safeguarding Area  
London City Airport Safeguarding  
Smoke Control SCA 13  
Smoke Control SCA 12

### **Proposal**

The application proposes a part one/two storey side extension that would have the following dimensions:

On the ground floor it would have a total depth of 11m, a maximum width of 3.4m, a minimum width of 2m and would provide 1m side space to the front which reduces to 0.3m towards the rear due to the stepping in of the boundary.

On the first floor the dimensions would be the same however there is a bay window to the front to match the existing bay window to the West of the existing dwelling.

It would have an eaves height of 5.3m and a ridge height of 6.8m

The application site hosts a two storey semi-detached dwelling on the Northern side of Woodside Road, Bickley.

### **Consultations**

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

Highways raised no objections.

### **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 closed on December 31st 2016 (under The Town and Country Planning (Local Planning) (England) Regulations 2012 as amended). It is anticipated that submission of the draft Local Plan to the Secretary of State will occur in the 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

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

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:**

84/03150/FUL; Two storey rear extension; Permitted

### **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.

### **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 the extensions would be highly visible from both the front and side this is considered to be acceptable. The extensions would have a ridge height lower than that of the existing dwelling and this would help to make the extension appear subservient to the host dwelling.

### **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 1m side space to the front of the property but due to the way the boundary steps in this reduces to 0.3m to the rear, however the rear part would reduce in width by 1.4m and would therefore not be visible from the front.

In addition, the property currently adjoins to the rear gardens of properties on Southborough Road and as such there would be no opportunity for unrelated terracing in this location. Accordingly the application complies with the thrust of Policy H9.

### **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.

The nearest adjoining dwellings to the East of number 6 adjoin by their rear boundary and it is considered therefore that there would no impact on the nearest adjoining dwellings this side given the large separation distance.

The extension would not project past the existing front or rear building line and as such there would be no impact on the adjoining occupiers to the West of the site.

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 and appearance 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 shall at any time be inserted in the flank elevation(s) of the side extension hereby permitted, without the prior approval in writing of the Local Planning Authority.

**Reason:** In order to comply with Policies BE1 and H8 of the Unitary Development Plan and in the interest of the amenities of the adjacent properties.

**Application:** 17/02420/FULL6

**Address:** 6 Woodside Road Bickley Bromley BR1 2ES

**Proposal:** Demolition of existing garage to form part one/ two storey side extension.



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

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