



THE LONDON BOROUGH
www.bromley.gov.uk

BROMLEY CIVIC CENTRE, STOCKWELL CLOSE, BROMLEY BRI 3UH

TELEPHONE: 020 8464 3333

CONTACT: Lisa Thornley
lisa.thornley@bromley.gov.uk

DIRECT LINE: 020 8461 7566

FAX: 020 8290 0608

DATE: 5 September 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 14 SEPTEMBER 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**

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

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

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

A G E N D A

- 1 **APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS**
- 2 **DECLARATIONS OF INTEREST**
- 3 **CONFIRMATION OF MINUTES OF MEETING HELD ON 20 JULY 2017**
(Pages 1 - 6)
- 4 **PLANNING APPLICATIONS**

SECTION 1

(Applications submitted by the London Borough of Bromley)

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

SECTION 2

(Applications meriting special consideration)

Report No.	Ward	Page No.	Application Number and Address
4.1	West Wickham	7 - 12	(17/02202/FULL6) - 71 Corkscrew Hill, West Wickham BR4 9BA
4.2	Crystal Palace	13 - 26	(17/02800/FULL1) - Keswick House, 207a Anerley Road, Penge, London SE20 8ER

SECTION 3

(Applications recommended for permission, approval or consent)

Report No.	Ward	Page No.	Application Number and Address
4.3	Plaistow and Sundridge	27 - 34	(17/01448/RECON) - 76 College Road, Bromley BR1 3PE
4.4	Chislehurst	35 - 40	(17/02441/FULL6) - Wengen, Elmstead Lane, Chislehurst BR7 5EQ

4.5	Chislehurst Conservation Area	41 - 44	(17/02923/FULL6) - 13 Acorn Close, Chislehurst BR7 6LD
4.6	Petts Wood and Knoll	45 - 48	(17/02934/FULL6) - 255 Crescent Drive, Petts Wood, Orpington BR5 1AY
4.7	West Wickham	49 - 54	(17/02983/FULL6) - The Covert, Pickhurst Rise, West Wickham BR4 0AA

SECTION 4

(Applications recommended for refusal or disapproval of details)

Report No.	Ward	Page No.	Application Number and Address
4.8	Petts Wood and Knoll	55 - 68	(17/03267/OUT) - 2 Woodland Way, Petts Wood, Orpington BR5 1ND
4.9	Petts Wood and Knoll	69 - 84	(17/03272/OUT) - 2 Woodland Way, Petts Wood, Orpington BR5 1ND
4.10	Cray Valley East	85 - 88	(17/03291/FULL1) - 5-7 Mountfield Way, Orpington BR5 3NR

5 CONTRAVENTIONS AND OTHER ISSUES

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

6 TREE PRESERVATION ORDERS

Report No.	Ward	Page No.	Application Number and Address
6.1	Copers Cope	89 - 94	(17/01775/TPO) - 156 Bromley Road, Beckenham BR3 6PG

This page is left intentionally blank

PLANS SUB-COMMITTEE NO. 4

Minutes of the meeting held at 7.00 pm on 20 July 2017

Present:

Councillor Simon Fawthrop (Vice-Chair, in the Chair)
Councillors Lydia Buttinger, Nicky Dykes, Robert Evans,
Kate Lymer, Neil Reddin FCCA and Melanie Stevens

Also Present:

Councillors Charles Rideout QPM CVO

5 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

An apology for absence was received from the Chairman, Councillor Richard Scoates. Councillor Simon Fawthrop acted as Chairman for the meeting.

An apology for absence was also received from Councillor Michael Turner; Councillor Robert Evans attended as substitute.

6 DECLARATIONS OF INTEREST

No declarations of interest were received.

7 CONFIRMATION OF MINUTES OF MEETING HELD ON 25 MAY 2017

RESOLVED that the Minutes of the meeting held on 25 May 2017 be confirmed and signed as a correct record.

8 PLANNING APPLICATIONS

SECTION 2

(Applications meriting special consideration)

8.1 BICKLEY

(17/01338/FULL6) - 17 The Spinneys, Bickley, Bromley BR1 2NT

Description of application – Part 1/2 storey side/rear extension.

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

It was reported that a statement from neighbours in objection to the application had been received and circulated to Members.

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

**8.2
BROMLEY COMMON AND
KESTON**

**(17/01780/RECON) - 2A Jackson Road Bromley
BR2 8NP**

Description of application – 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.

Members having considered the report and objections, **RESOLVED that the application BE DEFERRED without prejudice to any future consideration, to seek alteration of the proposed hours of use to 08:45 – 18:30 Monday to Friday; 08:30 - 18:00 Saturday and removal of any opening hours for Sundays and Bank Holidays. IT WAS FURTHER RESOLVED that PERMISSION WILL BE GRANTED under delegated authority if the amended hours of use are agreed to by the applicant; the condition concerning temporary consent would also be removed. Should the applicant not agree to the amended hours of use, the application will be REFUSED.**

**8.3
CHISLEHURST**

**(17/01782/FULL6) - 66 Greenway,
Chislehurst BR7 6JF**

Description amended to read – Detached outbuilding at rear for use as a fitness studio for pilates and sport massage (part-retrospective).

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

1 The use of the outbuilding as proposed would be out of character with the residential nature of the area and harmful to the amenities of the neighbouring residential properties, thereby contrary to Policy BE1 of the Unitary Development Plan.

SECTION 3

(Applications recommended for permission, approval or consent)

**8.4
COPERS COPE**

**(17/00624/OUT) - 56A Foxgrove Road, Beckenham
BR3 5DB**

Description of application – 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).

Written representations from Ward Member Councillor Russell Mellor, were reported and circulated to Members.

Members having considered the report and objections, **RESOLVED that PERMISSION BE GRANTED SUBJECT TO THE PRIOR COMPLETION OF A SECTION 106 LEGAL AGREEMENT** as recommended and subject to the conditions and informatives set out in the report of the Chief Planner. The following condition and informative were also added:-

25 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 or C of part 2 (Minor Operations) of Schedule 2 of the 2015 Order (as amended), shall be erected or made within the curtilage(s) of the building(s) hereby permitted without the prior approval in writing of the Local Planning Authority.

Reason: In order to comply with Policies H7 and BE1 of the Unitary Development Plan and to prevent overdevelopment of the site.

Informative

Please be advised that no less than 21 car parking spaces should be provided in accordance with Drawing No. 1000 Rev C.

**8.5
PETTS WOOD AND KNOLL**

(17/00918/FULL6) - 13 Oakhill Road, Orpington

Description of application – Single storey front, side and rear extension and first floor side 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 with the addition of a further two conditions to read:-
5 Details of the proposed slab levels of the building(s) and the existing site levels shall be submitted to and approved in writing by the Local Planning Authority before work commences and the development shall be completed strictly in accordance with the approved levels.

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

6 The ridge height of the first floor side extension hereby permitted shall be a minimum of 1.9 metres below the ridge height of the main roof of the existing dwelling.

Reason: In order to protect the character and appearance of the surrounding area and the amenity of neighbouring residents and to comply with Policies BE1 and H8 of the Unitary Development Plan.

**8.6
PLAISTOW AND
SUNDRIDGE**

(17/01802/FULL6) - 73 Hillcrest, Bromley BR1 4SA

Description of application – Demolition of existing garage to side and erection of two storey side and rear extension.

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

**8.7
MOTTINGHAM AND
CHISLEHURST NORTH**

(17/01823/FULL6) - 41 Chilham Road, Mottingham, London SE9 4BE

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

Oral representations from Ward Member Councillor Charles Rideout in objection to the application were received at the meeting.

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

1 The proposed two storey side extension, by reason of its size, height and prominent location, would result in an overdevelopment of the site which is out of character and scale with neighbouring properties and would disrupt the established pattern of development within which the property lies, resulting in an incongruous addition to the street scene, thereby

contrary to Policies BE1 and H8 of the Unitary Development Plan, the Council's adopted Supplementary Planning Guidance 1: General Design Principles and Supplementary Planning Guidance 2: Residential Design Guidance and the National Planning Policy Framework.

**8.8
HAYES AND CONEY HALL**

**(17/02099/FULL6) - 9 Farm Close, West Wickham
BR4 9JL**

Description of application – First floor side/rear extension.

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

**8.9
SHORTLANDS**

**(17/02167/FULL1) - 1 The Glen, Shortlands,
Bromley BR2 0JB**

Description of application – 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).

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

**8.10
COPERS COPE**

**(17/02283/FULL1) - Worsley Bridge Junior School,
Brackley Road, BR3 1RF.**

Description of application – Construction of a freestanding outdoor learning shelter.

Written representations from Ward Member Councillor Russell Mellor were reported and circulated to Members.

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.

**8.11
BICKLEY**

**(17/02420/FULL6) - 6 Woodside Road, Bickley,
Bromley BR1 2ES**

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

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

The meeting ended at 7.28 pm

Chairman

SECTION '2' – Applications meriting special consideration

Application No : 17/02202/FULL6

Ward:
West Wickham

Address : 71 Corkscrew Hill, West Wickham
BR4 9BA

OS Grid Ref: E: 538536 N: 165488

Applicant : Mr Mark Power

Objections : NO

Description of Development:

Conversion of loft to habitable accommodation together with the construction two side dormers (one on each side) and one rear dormer with Juliet balcony, alterations to catslide roof and single storey rear, side and front extensions.

Key designations:

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

Proposal

Planning permission is sought for the conversion of the loft to habitable accommodation together with the construction two side dormers (one on each side) and one rear dormer with Juliet balcony, alterations and enlargement to catslide roof incorporating a side extension and single storey rear and front extensions.

This can be divided into 4 main elements:

Front porch: This would project 2m and 2.2m wide with a mono-pitched roof which connects with the single storey side element.

Side extension: This would be replacing/extending the existing garage. The extension would project 1m wider than the existing garage and forward in line with the proposed porch. This element would wrap around the south-eastern corner of the building linking it with the rear extension. This element will also include an enlargement to the existing catslide roof linking it to the enlarged roof to a maximum height of 8.9m.

Single storey rear extension: This would be an "L" shaped extension projecting 5.3m beyond the existing garage decreasing to 2m adjacent to the northern boundary with No. 73 to create a uniform rear elevation. The extension will have a flat roof to a maximum height of 2.8m with a central roof lantern.

Roof alterations and dormers: The catslide roof is to be enlarge and incorporate an extended roof void. A large rear dormer together with a side dormer facing towards No. 73 is proposed.

Location

The application site is a detached two storey dwelling located on the southern side of Corkscrew Hill.

The property is not in a Conservation Area and is not a Listed Building. The surrounding area is mainly residential in nature.

Consultations

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

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

Draft Local Plan (2016):

The Council is preparing a Local Plan. The submission of the Draft Local Plan was made to Secretary of State on 11th August 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

Other Guidance:

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

Planning History:

17/00842/FULL6 – Planning permission was granted for an outbuilding in the rear garden (29.06.2017).

17/00841/PLUD – A Certificate of Lawful Development was granted for the conversion of loft to habitable accommodation together with the construction two side dormers (one on each side) and one rear dormer with Juliet balcony (19.04.2017).

Conclusion

It is considered the planning issues and considerations relate to:

- Design and bulk
- Neighbouring amenity
- Mayoral CIL

Design and Bulk:

London Plan Policy 7.4 requires developments to have regard to the form, function, and structure of an area. Policy BE1 states that all development proposals, including extensions to existing buildings, will be expected to be of a high standard of design and layout. Policy H8 and Draft Policy 6 requires 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.*

Policy H9 and Draft Policy 8 state 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 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.

It should be noted that under permitted development the roof alterations have already been established under ref: 17/00841/PLUD however this would result in an extension which is less sympathetic to the host building than that currently proposed given the design of the side dormer.

Therefore consideration needs to be made as to whether the proposal in this location would have a detrimental impact on the character of the area and amenities of the neighbouring residents given the rights afforded by permitted development.

The single storey rear extension is shown to be an “L” shape and projects 5.3m adjacent to the southern boundary reducing to 2m adjacent to the northern boundary with No. 73. The extension is to have a flat roof resulting in a modern and contemporary design approach which contrasts against the host building. On balance the modern design and use of materials of the development is 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.

With regards to the front porch it is felt that the nature of such a development would not affect the architectural style of the dwelling nor would a development of this kind be out of keeping with the surrounding area as the proposal will enlarge the existing porch. It is therefore considered that the development of this manner is acceptable and would not have an adverse effect on the character of the surrounding area and complies with policy on design.

The side extension combines an enlarged garage at ground floor together with an extended catslide roof above. The ground floor element would be abutting the southern boundary with No. 69, whilst it is acknowledged that the design of the extension hips the first floor and above away gradually away from the boundary, nevertheless the extension is considered to be out of scale to the host building, have an adverse impact on the character and appearance of the host property, the surrounding area and erode the space to the side of the dwelling contrary to Policy H9 which seeks to prevent a cramped overdevelopment of sites.

Policy H8 of the UDP and Draft Policy 6 state that dormer windows should be of a size and design appropriate to the roofscape and sited away from prominent roof pitches, unless dormers are a feature of the area. In addition, paragraph 1.5 of SPG2 (Residential Design Guidance) states that roof alterations should be carefully considered to ensure that they respect the form and appearance of the existing roof, and that large or dominant dormers, or those which harm the over-all appearance of the building, should be avoided.

Concern is raised over the design of the side extension together with the roof alterations and enlargement of the catslide roof that this form of development would constitute a visually dominate additional to the host building, out of scale to the host building and have an adverse impact on the character and appearance of the host property, the surrounding area and erode the space to the side of the dwelling which would be contrary to Policy H9 which seeks to prevent a cramped overdevelopment of the site. Consequently the extension would appear as an 'after-though' contrary to policies BE1, H8 and H9 of the UDP, London Plan Policies 7.4 and 7.6 and Draft Local Plan Policies 6, 8 and 37.

Neighbouring Amenity:

Policy BE1 (v) of the UDP and Draft Policy 37 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 neighbouring properties do benefit from extensions, No. 69 to the south has an “L” rear extension which is approximately the same depth as the existing rear extension and increases over 2m in the central section and towards the southern boundary with No. 67. In terms of the property to the north No. 73 the proposed rear extension would

project 2m beyond the existing rear projection and is screened by dense vegetation along this boundary line. As such it is considered that the proposed developments would not result in any un-neighbourly sense of enclosure and loss of daylight / sunlight, to the detriment of the neighbouring occupiers.

With regards to the side extension together with the enlargement of the catslide roof this element would be located adjacent to the southern boundary with No. 69. No additional windows are proposed in this flank elevation and whilst the garage would be adjacent to the boundary at ground floor given the design of the catslide roof which hips the roof away it is considered that the proposed developments would not result in any un-neighbourly sense of enclosure and loss of daylight / sunlight, to the detriment of the neighbouring occupiers.

It is considered that the proposed alterations to the roof and dormers would not result in any significantly impact on the neighbour's amenities in terms of loss of light, increase sense of enclosure, outlook or loss of privacy.

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 conversion of loft to habitable accommodation together with the construction two side dormers (one on each side) and one rear dormer with Juliet balcony, alterations to catslide roof and single storey rear, side and front extensions would be unacceptable. The proposed extension would due to its design constitute an alien and discordant feature detrimental to the character of the host building and street scene generally. The proposal therefore does not comply with Policies BE1, H8 and H9 of the UDP, 2006, London Plan Policies 7.4 and 7.6 and Draft Local Plan Policies 6, 8 and 37.

Accordingly, and taking all the above into account, it is recommended that planning permission be refused as set out in this report.

Background papers referred to during production of this report comprise all correspondence on the file refs: 17/00842/FULL6, 17/00841/PLUD and 17/02202/FULL6 set out in the Planning History section above, excluding exempt information.

RECOMMENDATION: APPLICATION BE REFUSED

- 1. The proposed conversion of loft to habitable accommodation together with the construction two side dormers (one on each side) and one rear dormer with Juliet balcony, alterations to catslide roof and single storey rear, side and front extensions, by reason of its design, scale and bulk would result in an incongruous addition to the host dwelling, out of character with the**

street scene and contrary to Policies 7.4 and 7.6 of the London Plan, 2015, Policies BE1, H8 and H9 of the Unitary Development Plan, 2006 and Policies 6, 8 and 37 of the Draft Local Plan, 2016 (submitted 11.08.2017).

2. The proposal does not comply with the Council's requirement for a minimum 1 metre side space to be maintained to the flank boundary in respect of two-storey development and would constitute a cramped form of development, out of character with the street scene, conducive to a retrograde lowering of the spatial standards to which the area is at present developed and contrary to Policies 7.4 and 7.6 of the London Plan, 2015, Policies BE1, H8 and H9 of the Unitary Development Plan, 2006 and Policies 6, 8 and 37 of the Draft Local Plan, 2016 (submitted 11.08.2017).

SECTION '2' – Applications meriting special consideration

Application No : 17/02800/FULL1

Ward:
Crystal Palace

Address : Keswick House 207A Anerley Road
Penge London SE20 8ER

OS Grid Ref: E: 535035 N: 169627

Applicant : Mr Oliver Denby

Objections : NO

Description of Development:

Roof extension forming 1No 2B3P unit, and alterations to existing mansard, and applied rendered coatings and changes to the glazing forming the main entrance.

Key designations:

Biggin Hill Safeguarding Area
London City Airport Safeguarding
Smoke Control SCA 32

Proposal

Planning permission is sought for a rooftop extension forming 1 two bedroom flat, re-glazing of existing staircase, internal courtyard area and alterations to existing roof mansard to the left of the main entrance to the building.

The application is a resubmission of two previously refused planning applications and one dismissed appeal. Following the refusal of the first application the agent reduced the number of units from two to one. Following the refusal of the second application the agent has modified the drawings and reconfigured the internal layout by swapping the bedrooms with the living area from the east elevation to the west elevation. A private courtyard has been inserted into the centre of the flat which is accessed through sliding doors from the living room and hallway. Two balconies are also shown on the plans via bedroom 1 and the living/dining room area. The footprint of the structure has also been reduced from 75.15m² to 63.4m². Minor alterations to fenestration and external appearance of the building are also proposed.

The application has been accompanied by a supporting statement.

Location

The site is located on the northern side of Anerley Hill. The site is set back from the road and is located behind No 207 Anerley Road (Gilbert House). No 207 comprises a residential block made up of 10 flats.

The site itself comprises a 1980's two-storey purpose-built office building. This was granted prior approval and planning permission in 2014 and 2015 to enable the change of use of the ground and first floors from office accommodation to eight flats with associated parking. An element of the ground floor remains in D1 (office) use.

The site is the subject of a blanket Tree Preservation Order (No 215). The site also falls within an Air Quality Management Area declared for NOx.

Consultations

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

Consultee comments:

Highways: Anerley Road (A214) is a London Distributor Road. The site is located in an area with medium PTAL rate of 4 (on a scale of 1 - 6, where 6 is the most accessible).

There are waiting restrictions and a bus stop immediately outside the development. No additional car parking space is offered. However 9 car (one for commercial and 8 allocating residential) parking spaces can be accommodated within site's curtilage. The applicant should be encouraged to provide two cycle parking spaces within the site's curtilage for the occupier of the development.

Tree officer - No objections to this application.

Environmental Health - Pollution - No objections.

Environmental Health - Housing - In summary, general issues with levels of natural ventilation and the use of combined living/kitchen/dining rooms.

Planning Considerations

London Plan:

- 3.3 Increasing Housing Supply
- 3.4 Optimising Housing Potential
- 3.5 Quality and Design of Housing Developments
- 3.8 Housing Choice
- 3.9 Mixed and Balanced Communities
- 5.1 Climate change mitigation
- 5.2 Minimising Carbon Dioxide Emissions
- 5.3 Sustainable Design and Construction
- 5.7 Renewable Energy
- 5.10 Urban Greening
- 5.11 Green Roofs and Development Site Environs
- 5.12 Flood Risk Management
- 5.13 Sustainable Drainage

- 5.14 Water quality and wastewater Infrastructure
- 5.15 Water use and supplies
- 5.16 Waste self-sufficiency
- 5.17 Waste capacity
- 5.18 Construction, excavation and demolition waste
- 6.3 Assessing Effects of Development on Transport Capacity
- 6.5 Funding Crossrail and other strategically important transport infrastructure
- 6.9 Cycling
- 6.13 Parking
- 7.1 Lifetime Neighbourhoods
- 7.2 An Inclusive Environment
- 7.3 Designing Out Crime
- 7.4 Local Character
- 7.5 Public Realm
- 7.6 Architecture
- 7.14 Improving Air Quality
- 7.15 Reducing and Managing Noise, Improving and Enhancing the Acoustic Environment and Promoting Appropriate Soundscapes.
- 7.21 Trees and Woodlands
- 8.3 Community Infrastructure Levy

Housing: Supplementary Planning Guidance. (March 2016)

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

Unitary Development Plan:

- BE1 Design of New Development
- H1 Housing Supply
- H7 Housing Density and Design
- H12 Conversion of Non-Residential Buildings to Residential Use
- NE7 Development and Trees
- ER10 Light pollution
- T3 Parking
- T6 Pedestrians
- T7 Cyclists
- T16 Traffic Management and Sensitive Environments
- T18 Road Safety

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

- SPG1 General Design Principles
- SPG2 Residential Design Guidance

Emerging Bromley Local Plan:

The Council is preparing a Local Plan. The submission of the Draft Local Plan was made to Secretary of State on 11th August 2017. These documents are a material consideration. The weight attached to the draft policies increases as the Local Plan process advances.

Local Plan process advances.

Draft Policy 1 - Housing supply
Draft Policy 4 - Housing design
Draft Policy 10 - Conversion of Non Residential Buildings to Residential
Draft Policy 30 - Parking
Draft Policy 32 - Road Safety
Draft Policy 33 - Access for All
Draft Policy 34 - Highway Infrastructure Provision
Draft Policy 37 - General design of development
Draft Policy 77 - Landscape Quality and Character
Draft Policy 112 - Planning for Sustainable Waste management
Draft Policy 113 - Waste Management in New Development
Draft Policy 115 - Reducing flood risk
Draft Policy 116 - Sustainable Urban Drainage Systems (SUDS)
Draft Policy 117- Water and Wastewater Infrastructure Capacity
Draft Policy 118 - Contaminated Land
Draft Policy 119 - Noise Pollution
Draft Policy 120 - Air Quality
Draft Policy 122 - Light Pollution
Draft Policy 123 - Sustainable Design and Construction
Draft Policy 124 - Carbon dioxide reduction, Decentralise Energy networks and Renewable Energy

Planning History

96/02761/FUL: Change of use of ground floor from offices to drop in centre for advice counselling and therapy retrospective application. Approved 05.02.1997

02/03628/FULL1: Ventilation ducting from kitchen. Approved 11.12.2002.

14/04021/RESPA: Change of use of first floor from Class B1(a) office to Class C3 dwellinghouses to form four 2 bedroom flats (56 day application for prior approval in respect of transport and highways, contamination and flooding risks under Class J Part 3 of the GPDO). Prior Approval Granted 08.12.2014.

15/01429/RESPA: Change of use of first floor from Class B1 (a) office to Class C3 dwellinghouses to form 2 two bedroom and 3 one bedroom flats (56 day application for prior approval in respect of transport and highways, contamination and flooding risks under Class O Part 3 of the GPDO). Prior Approval Granted 29.06.2015.

15/04171/FULL1 Enlargement of 2No existing velux window and insertion of 1No new Juliette balcony. Refused 30.12.2015.

15/05256/FULL3: Change of use of part of existing Ground floor D1 space to form 3No new residential flats, retaining a separate space for the D1 use, with a new independent entrance. Alterations to Ground floor external elevations, providing

new windows and doors and new hard and soft landscaping. New juliette balcony to first floor. Approved 22.02.2016.

16/02764/FULL1: Rooftop extension to provide 2x1 bedroom residential units. Alterations to existing entrance and mansard roof to left of entrance. Refused 29.09.2016.

Reasons for refusal:

- The proposed addition of two rooftop flats constitutes a cramped and over-intensive use of the property, lacks adequate facilities commensurate with modern living standards, and is thereby contrary to Policy 3.5 of the London Plan, the Council's general requirements for residential conversions and policies BE1 and H7 of the Unitary Development Plan
- The proposed development by reason of limited natural daylight/ventilation, private amenity space and general facilities commensurable with modern living standards represents an overdevelopment and an unsatisfactory form of cramped living accommodation for future occupants of the building, contrary to Policies BE1 and H12 of the Unitary Development Plan, Policy 3.5 of the London Plan and the Technical Housing Standards (DCLG).
- The addition of two rooftop flats would appear an incongruous addition to the host building and the overall bulk and mass would appear out of keeping with the surrounding area and impact on neighbours in Gilbert House through a loss of privacy, overlooking and noise contrary to Policies BE1 and H7 of the Unitary Development Plan.
- The proposed roof extension will present excessive pruning pressures to trees surrounding trees. The application conflicts with policy NE7 of the Bromley Unitary Development Plan (adopted July 2006).
- In the absence of sufficient information to demonstrate satisfactorily otherwise, the proposals would likely result in conditions prejudicial to the wellbeing of trees on the site and immediately adjoining land contrary to Policy NE7 of the Bromley Unitary Development Plan and Policy 7.21 of the London Plan.

The above application (Ref:- 16/02764) was also dismissed at Appeal on 03.04.2017. The Inspector considered that the proposal would harm the living conditions of the residents of both flats, having regard to internal space, outlook and outdoor space.

17/00087/FULL1: Rooftop extension forming 1 two bedroom flat, re-glazing of existing staircase, screening to amenity areas and alterations to existing rear mansard to left of main entrance to building. Refused 24.02.2017

Reasons for refusal:

- The proposed development by reason of its design, siting, scale, bulk and massing and its relationship to adjacent and nearby buildings in this location would be an inappropriate, incongruous and visually obtrusive development resulting in a cramped and over-intensive use of the property detrimental to the character and appearance of the area contrary to Policies BE1 and H7 of the Unitary Development Plan and Policies 3.4, 3.5, 7.4 and 7.6 of the London Plan.
- The proposed development by reason of its overbearing nature, siting and proximity to neighbouring buildings and property boundaries would have a serious and adverse effect on the perceived privacy and amenity enjoyed by the occupants of neighbouring property contrary to Policies BE1, H7 and H12 of the Unitary Development Plan and Policies 7.6 of the London Plan.
- The proposed development would fail to provide a satisfactory standard of good quality accommodation for future occupiers by reason of its lack of reasonable outlook for rear habitable rooms contrary to Policy BE1 and H7 of the Unitary Development Plan, Policy 3.5 of the London Plan, Supplementary Planning Guidance: Housing of the London Plan Implementation Framework.

Conclusions

The primary issues in the assessment of this planning 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 the amenity of neighbouring properties
- The quality of living conditions for future occupiers
- Highways and traffic Issues

Principle of development

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

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

The NPPF sets out in paragraph 14 a presumption in favour of sustainable development. In terms of decision-making, the document states that where a development accords with a local plan, applications should be approved without

delay. Where a plan is absent, silent or relevant policies are out of date, permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits or specific policies in the Framework indicate development should be restricted.

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

Policy H12 - Conversion of non-residential buildings to residential use states that the Council will permit the conversion of genuinely redundant office and other non-residential buildings to residential use, particularly above shops, subject to achieving a satisfactory quality of accommodation and amenity.

Where the above criteria are met any change of use must be sympathetic to the design, character and appearance of the original building if it is considered to be a positive contribution to local character.

In this case the proposed scheme does not greatly affect the lower floor uses except for minor intervention to the second floor to build up a mansard section to facilitate the roof top structure to be built.

The application site currently comprises of an existing office building which has cumulative permissions to be converted into 7 or 8 flats depending on which prior approval permission is implemented on the first floor for 4 or 5 units respectively in connection with the separate full planning permission on the ground floor for 3 units with retention of a small area on the ground floor for D1 use (non-residential institutions). The proposal now seeks to add a further flat to the rooftop of the building. The principle of development therefore needs to be carefully considered and weighed up with regard to whether the need for the development (whether it would add to the Council's target to provide housing) against the impact it will have to the character of the area and impact upon residential amenity.

Therefore with regard to Policy H12 the principle of the additional residential unit on the roof area appears acceptable; however this is subject to the scheme's compliance with all other relevant development plan documents and policies.

Design, Siting and Appearance

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

development to respond to local character and context and optimise the potential of sites.

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

As noted above, the application site comprises of an existing office building which benefits from prior approval/planning permission to be converted into flats with retention of a small area on the ground floor for D1 use (non-residential institutions). This revised proposal seeks to add a single further flat to the rooftop of the building.

The proposal would incorporate a striking contemporary design which is a sharp contrast to the existing building and surrounding residential properties, as such the introduction of a rooftop flat could be seen as an overdevelopment of the existing building. The submitted plans show a variety of different materials being used to construct and build the roof top addition including alum cladding, glass, fabricated metal and louvre screening. The overall scale and bulk of the flat roofed addition may harm the external appearance of the building which has remained two storey since 1980's.

No objection is made to the proposed changes to the existing entrance.

Standard of Residential Accommodation

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

The floor space size of the proposed unit on the rooftop of the building is 63.4m² (a reduction from the previous unit, which had a floor space size of 74.15m²). The nationally described space standard requires 61m² of internal area in relation to the number of persons and bedrooms provided in the unit. On this basis, the floorspace provision for the unit is compliant with the required standards and is considered acceptable. The shape and room size is also considered satisfactory and none of the rooms would have a particularly convoluted shape which would limit their specific use.

However, new homes should not only have adequately sized rooms and convenient and efficient room layouts but should also provide a reasonable outlook for occupants. As part of the current application the submitted drawings show that the unit has been reconfigured and the bedrooms located on the east elevation and

the living/dining room located on the west elevation. The west elevation looks over to the rear garden of 205 Anerley Road and the east elevation the rear gardens of Beeches Close. High level windows are shown on both elevations. A new purpose build amenity area has also been inserted which will overlook onto the north elevation. The Council's Environmental Health Officer has raised concerns about the adequacy of the ventilation arrangements under the scope of Environmental Health legislation but is also a factor in the design of the units.

The development would therefore be contrary to Policy 3.5 of the London Plan and Policies BE1 and H7 of the Bromley UDP, insofar as these policies require new housing to be of the highest quality by providing not only adequate internal space but also an environment that would provide satisfactory living conditions for its occupiers.

Amenity Space

In terms of amenity space a courtyard area has been inserted between the second bedroom and the living area. The courtyard would be accessed by two sliding doors (one from each room). The courtyard measures 4m in width x 6.5m in length with a floor area of 26m².

A balcony would provide rooftop amenity space as shown from Bedroom 1 which measures 2.4m in width x 2.9m in length with a floorarea of 6.96m². The drawing shows a 1m high balustrade with wood handrail.

The existing parapet wall will also act as a partial balcony area to the living and dining area which will be accessed from a door located on the southern elevation.

Members may consider that the balcony screening that has been put forward on an amended plan could be conditioned to ensure that there would be minimum loss of privacy or overlooking between residents in Keswick House and Gilbert House.

Impact on Adjoining Properties

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

In terms of residential amenity, the site is surrounded on all sides by residential properties. Following the changes to the layout of the internal floorarea the bedrooms are now located on the eastern flank elevation (overlooking Beeches Close) and the living/dining room on the western flank (overlooking the rear garden of No. 205 Anerley Road); the level of overlooking and loss of privacy is reduced, however a balcony area is still shown from bedroom 1. Previously the main impact was to residents living in No 207 Anerley Road, in particular on the higher floors. The bedrooms are now located on the opposite flank elevation and an amended plan has been forward that show an element of boundary screening to cut down on the loss of privacy and overlooking between future occupiers and nearby residents.

An existing parapet wall will act as a partial balcony area to the living and dining area which will be accessed from a door located on the southern elevation. This outdoor amenity space may cause issues of mutual loss of privacy and overlooking between the new occupier of the flat and those residents already living in 207 Anerley Road.

The new Courtyard area does alleviate previous concerns about mutual loss of privacy and overlooking to the occupants of the new flats and those existing residents living in 207. It will overlook the rear garden of 205 Anerley Road but this is considered to cause no additional overlooking than the first floor windows on the floor below.

The ground and first floors of the existing building have permission to be converted from office development to residential units with nine off-street car parking spaces. The current application seeks permission to add a single but larger unit only to the existing rooftop, which is currently occupied by a water tank.

Highways and Car parking

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

The Council's Highway Officer has reviewed the current application and not raised any objection in this regard. Therefore, the proposal is considered generally acceptable from a highways safety perspective subject to appropriate planning conditions.

Trees and landscaping.

Policy NE7 of the UDP 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 Tree Officer previously raised concerns that the rooftop extension could lead cause post development pressure. The previously dismissed appeal stated however at paragraph 15 that "there would be no trees of significant public value overhanging the roof of the host building or the rooftop additions thus there would be no conflict with UDP Policy NE7".

Members may consider that in light of the Appeal Inspectors comments that the Trees located close to the site would not be impacted if the rooftop extension was to be built .

Cycle parking

Cycle parking is required to be 1 space per studio and 1 bedroom flats and 2 spaces for all other dwellings. The applicant has not provided details of a location

for cycle storage for the units. Further details in this regard are recommended by condition.

Refuse

All new developments shall have adequate facilities for refuse and recycling. The applicant has provided details of refuse storage location for the units in the rear curtilage parking area accessed from Westfield Road. The location point is considered acceptable. Further details in this regard are recommended by condition in relation to capacity and a containment structure.

Sustainability and Energy

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

No details have been supplied in this regard which is not required by policy for schemes of this size.

Community Infrastructure Levy

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

Summary

The proposed internal changes to deal with issues of overlooking and loss of privacy needs to be carefully considered. The agent has taken account of previous refusal grounds and advice given by the Appeal Inspector and shown a reconfigured layout and courtyard area, however, outdoor amenity provision albeit with screening is still shown on the drawings which Members may feel would cause a mutual loss of privacy and overlooking to future occupiers of the flat and that to residents in 207 Anerley Road and 21-24 Beeches Close.

Background papers referred to during production of this report comprise all correspondence on the file ref(s) DC/17/02800/FULL1, 16/02764/FULL1, 15/05256/FULL3, 15/04171/FULL1, 15/01429/RESPA & 14/04021/RESPA as set out in the Planning History section above, excluding exempt information.

RECOMMENDATION: PERMISSION

Subject to the following conditions:

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

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

- 2 The boundary enclosures indicated on the approved drawings shall be completed before any part of the development hereby permitted is first occupied and shall be permanently retained thereafter.**

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

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

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

Reason: 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.

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

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

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

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

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

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

- 9** Whilst the development hereby permitted is being carried out, provision shall be made to accommodate operatives and construction vehicles off-loading, parking and turning within the site in accordance with details to be submitted to and approved in writing by the Local Planning Authority and such provision shall remain available for such uses to the satisfaction of the Local Planning Authority throughout the course of development.

Reason: In the interests of pedestrian and vehicular safety and the amenities of the area and to accord with Policy T18 of the Unitary Development Plan.

- 10** 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.

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

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

Application No : 17/01448/RECON

Ward:
Plaistow And Sundridge

Address : 76 College Road, Bromley BR1 3PE

OS Grid Ref: E: 540202 N: 169987

Applicant : Mrs Vanessa Ward

Objections : YES

Description of Development:

Removal of Condition 8 of Planning Permission 16/02999/FULL1 for the Change of use from a Cafe to hot food takeaway (Use Class A5) together with a new shopfront and installation of ventilation ducting to the rear in order to allow a delivery service.

Key designations:

Biggin Hill Safeguarding Area
London City Airport Safeguarding
Open Space Deficiency
Smoke Control SCA 5

Proposal

The application seeks consent for the removal of Condition 8 of planning permission 16/02999/FULL1 for the Change of use from a Cafe to hot food takeaway (Use Class A5) together with a new shopfront and installation of ventilation ducting to the rear in order to allow a home delivery service.

Condition 8 of 16/02999/FULL1 is worded as follows: *“There shall be no home delivery service provided by the use hereby permitted without written approval from the Local Planning Authority.*

Reason: In order to comply with Policies BE1 and S9 of the Unitary Development Plan and in the interest of the amenities of nearby residential properties and highway safety.”

Location

The application relates to a three-storey semi-detached Locally Listed building, which is located on the east side of College Road. The property forms part of a row of workers cottages from the early 1800s and is also one of eight Locally Listed buildings fronting College Road. It forms part of a local shopping parade and the surrounding area is a mixture of residential and commercial properties. The unit is currently vacant. There is also residential accommodation above the site. An access path leading to a rear service yard is situated next to the property. Within

the rear yard is a single-storey outbuilding, which is currently being used by a restoration company.

Consultations

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

- Parking is already difficult within the area. The existing takeaway uses already result in parking problems.
- Already significant number of takeaways
- There is a very sharp bend outside the application property.
- Other residents within the area do not have parking spaces
- Increased noise and disturbance
- There is not enough business for another takeaway
- People park on existing yellow lines for the existing takeaways in the rear. This blocks the pavement and causes a hazard. Another takeaway will worsen the situation.
- There is not parking available on-street for customers. Unfeasible to operate a delivery service from this spot.
- Will cause accidents and will be a danger to pedestrians and motorists.
- The external appearance will downgrade the area
- Other takeaways within walking distance.
- Light pollution

Environmental Health - No objections

Highways - A2212 College Road north of Tweedy Road is a busy classified road and London Distribution Route. The site is located on a sharp bend. I noticed on drawing number DP/3026/PP/03 that 2 x car parking spaces are shown which is blocking the access of the restoration workshop at the rear of No 76. The applicant has not clarified how this restoration business will operate.

I am not concerned about the existing arrangement i.e. occasional delivery lorry to the café and workshop but it looks like these two parking spaces will end up being used by the customers for the hot food take away and this new takeaway business will intensify the use of this existing access as all these customers will end up reversing on to College Road which is a London Distribution Route. This will create a road safety hazard and also interfere with the free flow of traffic. Therefore, the intensification of use of this existing access that opens onto a busy classified road/LDR, which is on a bend with very poor visibility and close to junction with other side roads off College Road is not justified and unacceptable as it, is contrary to Policy T18 of UDP.

Planning Considerations

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

BE1 Design of New Development
S9 Food and Drink Premises
T3 Parking
T18 Road Safety

London Plan (2016)

7.15 Reducing and managing noise

Local Plan

The Council is preparing a Local Plan. The submission of the Draft Local Plan was made to Secretary of State on 11th August 2017. These documents are a material consideration. The weight attached to the draft policies increases as the Local Plan process advances.

Policy 30 Parking
Policy 32 Road Safety
Policy 37 General Design and Development
Policy 39 Locally Listed Buildings
Policy 96 Neighbourhood Local Centres, Local Parades and Individual Shops
Policy 98 Restaurants, Pubs and Hot Food Takeaways

Planning History

85/01946/FUL - Change of use from shop to take away food bar. Permission
05.09.1985

89/01203/FUL - r/o 74/76 College Road. Single storey extension to garage and
single storey extension to 74 college road. Refused 10.05.1989

97/01756/ADVILL. Externally illuminated fascia sign to front and non illuminated
wall sign to side. Refused 20.08.1997

98/00021/ADVILL non-illuminated wall mounted advertisement sign Refused
04.03.1998

16/02999/FULL1 Change of use from a Cafe to hot food takeaway (Use class
A5) together with a new shopfront and installation of ventilation ducting to the rear.
Permission. 19.12.2016

16/02999/CONDIT Details of conditions submitted in relation to planning
permission ref: 16/02999/FULL1
Condition 3 - Sound Insulation
Condition 5 - Ventilation System Approved 23.05.2017

Conclusions

The main issues relating to the application are the impact on the character and
appearance of the area, neighbouring amenity, parking and highway safety.

The site forms part of a wider local shopping parade which includes a number of A3/A5 uses. The unit is currently vacant but planning permission has been already been granted for the use as a hot food takeaway (A5 Use Class); however a condition was imposed restricting the provision of a home delivery service, which the applicant now seeks to remove.

In relation the character and appearance of the area the site has permission for a takeaway use and there are other A3/A5 uses within the parade. Allowing a home delivery service would not be out of keeping with character of the area.

Policy BE1 Design of New Development states that all development proposals should respect the amenity of occupiers of neighbouring buildings and those of future occupants and ensure their environments are not harmed by way of noise and disturbance.

Policy 7.15 of the London Plan states that development proposals should seek to manage noise by avoiding significant adverse noise impacts on health and quality of life.

In this context, the principle of a takeaway use has already been assessed and deemed acceptable. However, the proposal would see the provision of a home delivery service. The site is located on College Road, within a local parade which includes a number of uses with later opening hours. There is already therefore a low background ambient noise level generated from the passing vehicular traffic, pedestrians and from neighbouring uses. The proposal would have similar opening hours to a number of other takeaways within the vicinity. There are however residential properties within the area and immediately above the proposed use.

The applicant proposes the use of two-cars which would be parked on an existing vehicular access area to the side of the property. This is an established access, which could be used for vehicular parking. The additional comings and goings associated by two delivery vehicles would unlikely result a level of noise and disturbance which is significantly worse than the current arrangement. No objections have been raised by the Council's Environmental Health Officer in respect noise, disturbance or harm to neighbouring residential amenities. Members may therefore consider the proposal to be acceptable.

Policy T18 states that the Council will consider as appropriate the potential impact on road safety and will seek road safety is not adversely affected.

The site has a PTAL of 4 and is located within a small parade of shops. It is however located on a sharp bend within College Road, which is a busy classified London Distributor Route. There are also parking restrictions in the form of single and double yellow lines within the immediate vicinity. The site benefits from an existing vehicular access path to the north of the site, which leads to a service area at the rear. There is also a detached outbuilding, used by restoration business located within this rear service area. This business also shares the vehicular access path. The applicant proposes two dedicated parking spaces for delivery

vehicles on this existing access road. The location of these parking spaces could potentially block access to the restoration business; however the applicant has clarified that the spaces would only be used for parking between 5.30pm -11:30pm, which could be reasonably conditioned via a parking management plan in order to ensure there was no conflict with the adjoining use.

The Council's Highways officer has raised concerns about the spaces potentially being used for parking by Customers, who would potentially be reversing onto College Road thereby resulting in a potential road safety hazard. However, the access is already established and used by vehicles. The spaces proposed would only be for delivery vehicles and a condition could be imposed requiring details of signage and a parking management strategy in order to deter customers parking within these spaces.

Subject to the suggested conditions Members may consider that the removal of Condition 8 and allowing a home delivery service would be acceptable and would not result in harm to the character of the area, neighbouring amenity, and would not result in harm to highway safety.

Background papers referred to during production of this report comprise all correspondence on the file ref: 17/01448 as set out in the sections above.

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- 1 The development to which this permission relates must be begun no later than 16/12/2019**

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 soundproofing details and measures shall be as set out in the approved application forms and drawings under ref: 16/02999/CONDIT and shall be retained permanently in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority**

Reason: In the interests of residential amenity and to comply with Policy 7.15 of the London Plan.

- 4 At any time the combined plant noise rating level shall not exceed the measured typical background L90 level at any noise sensitive location. For the purposes of this condition the rating and background levels shall be calculated fully in accordance with the methodology BS 4142:2014. Furthermore, at any time the measured or calculated absolute plant noise level shall not exceed 10dB below the typical background noise level (LA90 15 minute) in this location.

Reason: In the interests of residential amenity and to comply with Policy 7.15 of the London Plan.

- 5 The ventilation system shall be as set out in the approved application forms and drawings under ref: 16/02999/CONDIT and shall be implemented in accordance with the approved details before the use hereby permitted first commences and shall thereafter be permanently retained in an efficient working manner unless otherwise agreed in writing by the Local Planning Authority

Reason: In order to comply with Policies S9 and ER9 of the Unitary Development Plan and in the interest of the visual and residential amenities of the area.

- 6 The use shall not operate before 9am or after 11:30pm on any day of the week.

Reason: In order to comply with Policy S9 of the Unitary Development Plan and in the interest of the amenities of nearby residential properties.

- 7 The premises shall be used for a takeaway and for no other purpose (including any other purpose in Class A5 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 reacting that Order with or without modification).

Reason: In order to comply with Policies S5 and S9 of the Unitary Development Plan and in order to protect neighbouring amenity and the character and appearance of the area.

- 8 Prior to commencement of development a parking management strategy shall be submitted to and approved in writing by the Local Planning Authority. This parking strategy shall include details of all signage and methods to prevent unauthorised parking within the specified parking area and access detailed on Drawing No DP/3026/PP03 hereby approved. All measures outlined within the strategy shall be maintained in perpetuity.

Reason: In the interest of highway safety and to accord with Policy T18 of the UDP (2006)

9 The use hereby permitted shall have no more than two delivery vehicles.

Reason: In the interest of highway safety, neighbouring amenity and to accord with Policy T18 of the UDP (2006)

10 Delivery vehicles used in conjunction with the A5 Use at 76 College Road shall only occupy the parking spaces outlined on Drawing No DP3026/PP03 hereby approved between the hours of 5:30pm - 11:30pm only.

Reason: In the interest of highway safety and to accord with Policy T18 of the UDP (2006)

You are further informed that:

1 The applicant is advised that details relating to the above planning conditions are available under ref: 16/02999/CONDIT - Details of conditions in relation to planning ref: 16/02999/FULL1:

**Condition 3 - Soundproofing
Condition 5 - Ventilation System.**

This page is left intentionally blank

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

Application No : 17/02441/FULL6

Ward:
Chislehurst

Address : Wengen Elmstead Lane Chislehurst
BR7 5EQ

OS Grid Ref: E: 542443 N: 170989

Applicant : Mrs C Mulock

Objections : YES

Description of Development:

Part one/ two storey front extension and single storey rear extension.

Key designations:

Biggin Hill Safeguarding Area
London City Airport Safeguarding
Smoke Control SCA 10

Proposal

The proposal seeks to amend a previous permission granted under ref. 16/04213/FULL6 for a part one/two storey front and single storey rear extensions. The proposed amendments involve the following:

- Increase in height of 0.25m of the main ridge height
- Increase in height of the first floor front dormer extension of 1m

As in the previously permitted scheme roof alteration are proposed which would incorporate replacing the existing gable ended roof with a hipped roof, however the current proposal would also involve an increase in the main ridge height from 7.75m to 8m.

The proposal involves a two storey front extension which would square off the front elevation at ground floor, would have a width of 5.8m at first floor, and would have a forward projection of 2.6m. This element would have a pitched roof which would be hipped and would have a maximum height of 7.8m.

To the southern side of the front elevation, a front dormer is proposed which would have a width of 3.8m and a pitched roof which would be hipped and would have a height of 4.5m, matching the extended ridge height of the main roof (8m in height)

A single storey rear extension is also proposed which would have a rearward projection of 4m, a width of 10.7m and it would be set back 1m from the north flank. The proposed rear extension would have a flat roof with a height of 3.2m and would incorporate two lantern rooflights with a maximum height of 3.8m.

Location

The site hosts a detached dwelling which is situated on the western side of Elmstead Lane, not far from the junction with Walden Road. The site is not on any designated land.

Consultations

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

- Existing side windows have already been removed and they would like these replaced life for like, in terms of position, design and openings and should be obscured glazed
- Proposed side window in rear extension is north facing so not required for light, would like for this side window to be removed from proposal as it will look directly into the properties and gardens of No.1 and 2 Walden End including habitable room (office) of No. 2 Walden End
- Contravenes planning policy and right to privacy
- There is no adequate screening as fence drops in height at this point
- Concerned of the overall height of the building will be raised
- No annotations or dimensions on drawings
- Building has been demolished and concern is that existing building levels will not be maintained
- Any additional height to eaves will result in loss of light and adverse impact on their property
- No right of light drawings or studies of impact on neighbouring amenity have been provided
- If height is increase, windows will be at a higher level and this would not be in accordance with previous or present submission
- new steel frame at rear has been constructed and is very high
- Windows at higher level will greatly increase issues of over-looking and loss of privacy
- Issue of residential amenity for No. 2 Walden End will also be important
- Will appear overdominant
- Out of scale with the plot
- Inaccuracy of application as form states works have not commenced which is false
- House has been practically demolished
- Extent of works will make it difficult for any site visits to appreciate the original property and context
- Shrubbery on both sides of boundaries have been removed, removing any screening
- Site plans are inaccurate and out of date for nos. 1 and 2 Walden End
- Even more important if increasing height of the building
- Current elevations are incorrect
- Revisions are not noted on plans

- Misleading layout and room naming on plans as rear extension is listed as an orangery, clearly not an orangery as it involves a kitchen and it is a habitable room. This point was made by Planning Inspector in the dismissed appeal in 2016
- Want to ensure that the applicant follows correct planning laws during construction

Consultee Comments

No technical Highways 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
 NE7 Development and trees

Emerging Local Plan

The Council is preparing a Local Plan. The submission of the Draft Local Plan was made to Secretary of State on 11th August 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 6 - Residential Extensions
 Draft Policy 8 - Side Space
 Draft Policy 32 - Road Safety
 Draft Policy 73 - Development and Trees

NPPF

Chapter 7 - Requiring Good Design

London Plan

Policy 7.4 - Local Character
 Policy 7.6 - Architecture

Planning History

Planning permission was granted under ref. 89/03126 for formation of a pitched roof over front and rear dormer extension

Planning permission was refused under ref. 16/02905 for part one/two storey front and single storey rear extensions. The reason for refusal was as follows:

'1 The proposed rear extension, by reason of its depth of substantial rearward projection, height and proximity to the flank boundary of the site, would result in an overbearing visual impact and tunnelling effect on the rear ground floor window and outdoor amenity space of 1 Walden end Elmstead lane and would result in a overshadowing and a harmful loss of residential amenities to this neighbouring property, contrary to Policies BE1 and H8 of the Unitary Development Plan.'

Planning permission was granted under ref. 16/04213 for part one/two storey front and single storey rear extensions.

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 re-submitted proposal remains the same as the previously permitted scheme under ref. 16/04213 with regards to the single storey rear extension and overall footprint of the development, therefore the principle of this element of the proposal has previously been established. The extensions will have the same depth (4m in rear projection and 2.6m from the front elevation) and eaves height (5m) as the previously permitted application (ref. 16/04213).

Therefore, in this case, careful consideration is required to assess whether the proposed increase in height of the main ridge (by 0.25m) and front dormer extension (by 1m) would have a detrimental impact on the character of the area, the appearance of the host dwelling or the amenity of local neighbouring residents.

Policy H8 relates to residential extensions and states that these should complement the scale, form and materials of the host dwelling and the surrounding development. It further elaborated in the written statement that 'dormer extensions into prominent roof slopes and extensions above the existing ridgeline will not normally be permitted.'

In contrast to the previously granted scheme (ref. 16/04213), the proposal would now involve an increase in height of the existing ridge from 7.75m to 8m. The increase in height is not considered significant (0.25m) and the existing property is stepped down in height compared to the neighbouring dwellings either side of the site. As a result, and given that it is only a limited increase in ridgeline, it is not considered that it would appear overly prominent or conspicuous in the street scene and would not impact detrimentally on the appearance of the host dwelling or the character of the local area.

The width and siting of the proposed front dormer would remain the same as the previously granted proposal and therefore, in this current proposal careful consideration needs to be given to the impact of increase in height of from 3.5m to 4.5m on local character and the amenities of the neighbouring dwellings. The increased height would result in the front dormer matching the main ridge height (also increase by 0.25m) which would result in more of an appearance of the first floor extension, however it would still be set back by 0.6m from the two storey front

extension to the north of the front elevation, therefore retaining a level of subservience. In addition, the front dormer would also be set in 0.6m from the flank, and it would therefore visually retain the appearance of the front catslide roof. It would result in the proposed front dormer having a more top heavy appearance. However, on balance, and given the above, it is not considered that this would have a significantly harmful impact on the appearance of the host dwelling or the visual amenity of the area to an extent which would warrant the refusal of the current proposal.

As for the impact of these revisions on the amenities of local residents, the eaves height and depth of the proposed extension will remain the same as the previously granted application under ref. 16/04213. The increase in ridge height is limited and would be set far back from the site boundaries given the hipped roof profile. Therefore, it is not considered that the proposal would have any significant additional impact in terms of loss of daylight and visual impact than the extension already permitted.

From a Highways point of view, the highways aspects of the proposal remain the same as the previously permitted application under ref. 16/04213. The garage is remaining and parking for 2 to 3 vehicles is to be provided on the site frontage. The Council's Highways Engineer has not raised any objections to the proposal.

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

Background papers referred to during production of this report comprise all correspondence on file ref. 17/02441, 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.

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

Application No : 17/02923/FULL6

Ward:
Chislehurst

Address : 13 Acorn Close Chislehurst BR7 6LD

OS Grid Ref: E: 544354 N: 171020

Applicant : Mr Michael Adams

Objections : NO

Description of Development:

Detached triple garage

Key designations:

Conservation Area: Chislehurst

Biggin Hill Safeguarding Area

London City Airport Safeguarding

Open Space Deficiency

Smoke Control SCA 16

Proposal

The application site is a two storey detached property located at the end of Acorn Close, a cul-de-sac of 13 properties. The site is located within the Chislehurst Conservation Area and adjacent to the Green Belt.

The proposed detached triple garage will be 10.9m wide and 6.3m deep. It will have a dual pitched roof with an eaves height of 2.8m and a maximum height of 4.7m.

Consultations

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

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

- A new triple garage is proposed along with alterations to the vehicle access.
- The garages are slightly shorter than the normally required 6m but are of good size and there is other parking on the frontage.
- There is a maximum width for a residential crossover and so the layout will need to be agreed with highways.
- There appears to be an amount of excavation that will be needed to construct the garages in order to get the turning area level.
- Conditions are recommended regarding parking and highway drainage

The Advisory Panel for Conservation Areas (APCA) did not view the file.

No objection was raised from the Councils Conservation Officer

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
BE11 Conservation Areas
H8 Residential Extensions
T3 Parking

Supplementary Planning Guidance 1 General Design Principles
Supplementary Planning Guidance 2 Residential Design Guidance
Supplementary Planning Guidance Chislehurst Conservation Area

Draft Local Plan

The Council is preparing a Local Plan. The submission of the Draft Local Plan was made to Secretary of State on 11th August 2017. These documents are a material consideration. The weight attached to the draft policies increases as the Local Plan process advances.

Draft Policy 6 Residential Extensions
Draft Policy 30 Parking
Draft Policy 37 General Design of Development
Draft Policy 41 Conservation Areas

The site has been subject to previous planning applications:

- 17/01324/FULL6 - Single storey rear extension, conversion of existing garage to a habitable accommodation, two storey detached garage to front and alterations to existing vehicular access - Refused 24.05.2017
- 17/02914/FULL6 - Single storey rear extensions, alterations to existing front dormer, conversion of garage to habitable accommodation and elevational alterations - Pending consideration

Conclusions

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

The application site has been subject to a recent refusal under planning ref. 17/01324/FULL6 for a single storey rear extension, conversion of existing garage to a habitable accommodation, two storey detached garage to front and alterations to existing vehicular access. The reasons for refusal were as follows:

1. The proposed detached triple garage would result in a bulky form of development and an incongruous addition that does not respect the scale or

form of the host dwelling. Furthermore, it could be easily severed to form a separate substandard unit of accommodation and would also result in an overdevelopment, out of character with the surrounding area, contrary to Policies H8 and BE1 of the Unitary Development Plan.

2. The proposed detached triple garage, by reason of its height, width and bulk, would result in a dominant and visually intrusive form of development, harmful to the visual amenities of neighbouring properties and the character and appearance of the surrounding Conservation Area, contrary to Policies BE1, BE11 and H8 of the Unitary Development Plan.

This current application is for a single storey detached triple garage that is 11m wide and 6.3m deep. The first floor and dormers have been omitted from the proposed garage, thereby reducing the height to 4.7m. The single storey rear extensions and conversion of garage have been submitted under a separate planning application (17/02914/FULL6) and have been granted permission.

The proposed detached triple garage will be 10.9m wide and 6.3m deep. It will have a maximum height of 4.7m. The proposed garage is sited 1.61m away from the eastern boundary and 2.469m from the southern flank boundary. The land will be excavated so the garage will be level with the main house and the crossover and hardstanding will be altered to accommodate the proposal. From visiting the site it was noted that the property to the south, No 4 Copperfield Way, is raised in relation to the application site. Given the separation and the reduction in height, the proposed single storey detached garage is not considered to impact on this neighbouring property with regards to loss of light, outlook or privacy.

The site is located at the end of the cul-de-sac and the proposed detached triple garage will be located at the front of the property, highly visible from the street and neighbouring properties. Given the orientation of the garage in relation to the road, the short side elevation will be fronting Acorn Close. As such, the visual impact is lessened. The application indicates that the proposed external materials will match that of the main dwellinghouse therefore the detached garage would complement the existing property. Given the size and design of the proposed garage, it is not considered to result in overdevelopment of the site. It is noted that no objections were raised by neighbouring properties or the Councils Conservation Officer. It is therefore considered that whilst the proposal would result in an impact on the street scene, it is not sufficient enough to warrant refusal of the application.

The first refusal reason of the previous application (17/01324/FULL6) referred to the severance of the garage to form a separate unit of accommodation. The first floor element and the front dormers have been removed from this application. It is therefore considered that this revised application has overcome this concern.

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

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

RECOMMENDATION: PERMISSION

Subject to the following conditions:

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

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

- 2** 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 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.

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

REASON: To ensure satisfactory means of surface water drainage and to accord with Policy 4A.14 of the London Plan.

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

Application No : 17/02934/FULL6

Ward:
Petts Wood And Knoll

Address : 255 Crescent Drive Petts Wood
Orpington BR5 1AY

OS Grid Ref: E: 543918 N: 167315

Applicant : Mr & Mrs Lange

Objections : NO

Description of Development:

First floor side extension

Key designations:

Biggin Hill Safeguarding Area
London City Airport Safeguarding
Smoke Control SCA 8

Proposal

Planning permission is sought for a first floor side extension to enlarge the existing bathroom. The proposed extension would project 1.05m to the side of the property and would be sited above an existing single storey side extension. The proposed extension would be sited approximately 1.35m away from the shared boundary with No. 257. No additional windows are proposed.

Location

The property is sited on the western side of Crescent Drive and is a two storey semi-detached property.

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

The Council is preparing a Local Plan. The submission of the Draft Local Plan was made to Secretary of State on 11th August 2017. These documents are a material consideration. The weight attached to the draft policies increases as the Local Plan process advances.

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

Planning History

Planning permission was granted under ref. 10/00806 for a single storey side and rear extension.

Conclusions

The main issues relating to the application are the effect that it would have on the character and appearance of the host dwelling and the streetscene in general and the impact that it would have on the amenities of the occupants of surrounding residential properties.

The extension of a residential dwelling is acceptable in principle subject to the size, mass, scale and form proposed and the subsequent impact upon the amenities, outlook and privacy of neighbouring residents, the character of the area and of the host dwelling and any impacts relating to parking provision or other highways matters.

Policies H8, BE1 and the Council's Supplementary design guidance seek to ensure that new development, including residential extensions are of a high quality design that respect the scale and form of the host dwelling and are compatible with surrounding development. Policy BE1 also seeks to ensure that new development proposals, including residential extensions respect the amenity of occupiers of neighbouring buildings and that their environments are not harmed by noise and disturbance or by inadequate daylight, sunlight or privacy or by loss of outlook or overshadowing.

In addition to the above policies, Policy H9 of the UDP relates specifically to side space and seeks to prevent a cramped appearance within the streetscene and to safeguard the amenities of the neighbouring properties for development, including residential extensions, of two storeys or more.

The proposed first floor side extension will project to the northern side of the property. A side space of approximately 1.35m will be maintained between the first floor side extension and the northern flank boundary. However, the proposed first floor side extension would be constructed above an existing single storey extension (granted under ref. 10/00806) which is up to the adjoining boundary.

Although the proposed extension would be set in from the boundary at first floor level, there is a lack 1m side space for the full height and length of the extension. Policy H9 states that the Council will normally expect a minimum of 1m space from the side boundary of the site for the full height and length of the building. Whilst this

would not be the case for the proposed extension, the proposal would be well set back into the site (approx.. 5.8m from the front of the house) and is modest in scale and design. Members may consider that the proposed extension would be compliant with the objectives that Policy H9 seeks to achieve.

It is noted that no local objections have been received. Members may agree that given the proposed extension is not close to adjoining windows it is considered that on balance the proposal would be acceptable in terms of the impact upon residential amenity.

Taking the above all into account, the siting, size and design of the proposed extension is considered to be acceptable, and would not result in any significant harm to the character and appearance of the host dwelling or streetscene in general nor the amenities of the host or neighbouring properties. Accordingly, the extension is considered to comply with the aims and objectives of Policies BE1, H8 and H9 of the UDP.

Background papers referred to during production of this report comprise all correspondence on the file, excluding exempt information.

RECOMMENDATION: PERMISSION

Subject to the following conditions:

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

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

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

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

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

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

This page is left intentionally blank

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

Application No : 17/02983/FULL6

Ward:
West Wickham

Address : The Covert, Pickhurst Rise,
West Wickham BR4 0AA

OS Grid Ref: E: 538426 N: 166553

Applicant : Mrs Mary Brown

Objections : NO

Description of Development:

First floor side extension

Key designations:

Biggin Hill Safeguarding Area
London City Airport Safeguarding
Open Space Deficiency
Smoke Control SCA 2

Proposal

Permission is sought for a first floor side extension with a width of approx. 3.8m and depth of 5m. The proposed first floor extension would sit above an existing single storey front element which forms the garage, and would match its footprint. The roof would be hipped and would have a ridge height of 7.295m to match that of the existing two storey side extension.

Location

The application site hosts a two storey detached dwelling located on the northern side of Pickhurst Rise, close to the junction with Red Lodge Road.

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:

National Planning Policy Framework (NPPF) (2012):

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

London Plan (2016):

7.4 Local Character

7.6 Architecture

Unitary Development Plan

BE1 Design of New Development

H8 Residential Extensions

H9 Side Space

Draft Local Plan

The Council is preparing a Local Plan. The submission of the Draft Local Plan was made to Secretary of State on 11th August 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 site has previously been the subject of the following applications;

- 87/02133/FUL - Part one/two storey side and single storey rear extensions - Permitted 19.08.1987
- 14/01698/FULL6 - Single storey rear extension - Permitted 07.07.2014
- 14/01698/AMD - Non-material amendment to change bifold door and window to larger bifold doors to rear elevation - Approved 15.09.2014

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

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 proposed first floor extension would sit above an existing single storey front element which forms the garage, and would match its footprint. It would have a maximum width of approx. 3.8m and depth of 5m. The roof would be hipped and would have a ridge height of 7.295m to match that of the existing two storey side extension (approx. 0.7m lower than the main ridge height).

The proposed extension would be sited in a prominent position on the property, but would retain a subservient appearance with the host dwelling given its lower ridge height. The additional bulk is not considered to be excessive and the proposed materials would match the existing property. As such, it is not considered the proposal would result in significant harm to the appearance of the host dwelling or the character of the area.

Side Space

In this case H9 of the London Borough of Bromley's Unitary Development Plan (2006) (UDP) is relevant. This policy provides (in part):

"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;"

This policy seeks to ensure "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."

It is noted that, the presence of the term 'normally' in the body of UDP policy H9 strongly implies, a need for discretion in the application of the 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.

The proposed first floor side extension would be sited above the existing single storey front part of the dwelling, which provides a side space of 0.96m to the shared boundary with Torduff.

The spatial relationship between The Covert and Torduff as a pair of dwellings is unique within the area given their siting on a bend on the road and their orientations, and this would reduce the impact on the overall character of the area of the extension. The proposed first floor extension would not project closer to the

flank boundary than the existing two storey side extension, and therefore in this instance it is considered that a 0.96m side space would not result in any significant harm to the spatial standards of the area, and the proposed extension would be considered an acceptable addition. Accordingly, it can be considered that there is no material conflict with Policy H9.

Residential Amenity

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

The proposed extension would not project beyond the front of the property and would have a lower ridge height than the main dwelling. As such, it would be visible from the adjacent properties which face The Avenue, and would therefore not impact significantly on the amenities of these neighbours.

In terms of the impact on Torduff, Pickhurst Rise, the host dwelling is sited forwards of this neighbour, and the proposed first floor extension would result in the dwelling projecting an addition 4.763m along the shared boundary in front of this neighbour. Whilst the extension would project further forwards it would not extend beyond the front of the property or closer to the boundary than the existing dwelling. The roof would pitch away from the boundary to lessen its impact, and therefore on balance is it not considered the proposal would result in an unacceptable loss of light or outlook to the neighbouring property above that which already exists. Furthermore, the flank wall would be blank and the proposal would not result in a significant loss of light or privacy to this neighbour.

Summary

Having had regard to the above, it was considered that the development in the manner proposed is acceptable in that it would not result in a significant loss of amenity to local residents and would not unduly harm the character and spatial standards 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 first floor flank elevation(s) 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.

This page is left intentionally blank

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

Application No : 17/03267/OUT

Ward:
Petts Wood And Knoll

Address : 2 Woodland Way, Petts Wood,
Orpington BR5 1ND

OS Grid Ref: E: 544361 N: 167922

Applicant : Mr Rafael Porzycki

Objections : YES

Description of Development:

Proposed outline application to consider matters of access, layout and scale for the demolition of the existing two storey dwelling house and the erection of a three storey block containing 6 residential units with associated access, parking, refuse storage and cycle storage.

Key designations:

Area of Special Residential Character
Biggin Hill Safeguarding Area
London City Airport Safeguarding
Smoke Control SCA 4

Proposal

The application proposes the demolition of a two storey family dwelling and the construction of a 2.5 storey block of 5x 2 bedroom flats and 1 x 3 bedroom flat. The building measures 15.2m in depth by 13.8m in width. The building is proposed with a crown pitched roof with three, double height gables to the front and two, double height gables to the rear. Habitable accommodation is provided over three floors, including within the roof space. Private amenity space is proposed for units 1 and 2 to the front of the property, units 4 and 6 are proposed with first floor balconies and units 3 and 5 will make use of the communal amenity area. Parking is to be provided adjacent to the flank elevation of the property for 6 vehicles with a communal bin store also proposed to be located to the front of the property, adjacent to the highway sited behind the existing close boarded timber fencing.

The application has been submitted in 'outline' for provision of access, layout and scale of the development, while all other matters (appearance and landscaping) are reserved.

Location

2 Woodland Way is a large detached two storey property sited within a considerable plot designated as part of the Petts Wood Area of Special Residential Character. The property has off street parking for two vehicles within the front

amenity space and bounds Woodland Way to the south with a close boarded timber fence that extends approximately 21m along the frontage.

Consultations

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

- Parking issues will occur
- Increased pollution
- Highways safety problems (inadequate parking)
- Noise, smells and disturbance from the development
- Would set a dangerous precedent in the ASRC
- Out of character with the wider area
- Out of character with the wider ASRC
- The development would increase six fold
- LBB should use all available powers to decline further consideration of similar application for the site. Object to the use of the borough's resources to examine multiple concurrent planning applications for the same site.
- Large and imposing building
- Potential overshadowing
- Overdevelopment of the plot
- To save time, can the Case Officer, Applicant and Owners of 2 Woodland Way confirm they have read all relevant policy including the PWASRC guidelines
- The proportion of the plot left as garden would be substantially lower than the surrounding properties
- The application is contrary to Policy H10 - ASRC
- The appeal decision on 6 Ladywood Avenue is relevant to this scheme
- Example of 'garden grabbing'
- Outlook and privacy of neighbouring properties would be damaged
- The building contravenes front and rear building lines
- All functional living space and external patio seating area is directly next to the proposed development and at the side of the building closest to the development. The shadowing of the neighbouring property, as per page 16 of Aventier's Detailed Design Review, is doubled by the proposed development
- All light drawings are before the impact of the proposed additional trees on the boundary line are taken into account which would further reduce daylight.
- The proposal fails to make allowances for disabled parking or lifetime home standards
- The development goes against the Garden Suburb principles which the area is developed to
- Potential drainage issues
- Whether for 6 or 7 apartments, the development is out of character

- The extra storey will deprive the neighbouring dwelling of sunlight early in the winter mornings and as a house with windows facing east-west with no southerly facing windows this will be noticeable.
- Car parking will look unsightly
- The development will spoil the areas reputation
- It is not clear if the car park is to be level with large excavation and wall, or would be built on a gradient.
- The number of residents in the proposed building would be many times higher than the number of residents in each surrounding property

Consultee Comments

Highways: The previous application was for an additional house, which was refused, and this is an outline application to demolish the existing house and construct a block of 6 x 2 bed flats. The site has a moderate (3) PTAL assessment.

A new access is proposed leading to a parking area with 6 spaces. The swept paths provided in the Detailed Design Review show that manoeuvring is tight within the parking area. Woodland Way has a waiting restriction from 8am-10am Monday to Friday in the vicinity of the site and there appears to be a high demand for on-street parking outside of those times. It would be preferred to see some visitor parking provided in this location as well as better manoeuvring space.

The cycle store appears too small for the 12 spaces required under the London Plan standards. The refuse store also looks too small for the number of flats.

As it stands the proposal appears cramped, and the site overdeveloped, and should be amended to take account of the above points.

Drainage: The Officer considers the proposed layout and scale of the development appropriate to use SUDS to attenuate for surface water run-off. No objections subject to conditions.

Environmental Health Pollution: No objections subject to conditions

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

Trees: The arboricultural submissions have addressed the implications of both developments on existing trees. No objections are raised subject to conditions.

Planning Considerations

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

Unitary Development Plan 2006:

BE1 (Design of New Development)
H8 (Residential Extensions)
BE7 (Railings, Boundary Wall and Other Means of Enclosure)
BE10 (Areas of Special Residential Character)
H1 (Housing Supply)
H7 (Housing Density and Design)
H9 (Side Space)
T1 (Transport Demand)
T3 (Parking)
T7 (Cyclists)
T18 (Road Safety)

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

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

The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);

The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given);

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

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

The following emerging plans are relevant to this application.

Draft Local Plan

The Council is preparing a Local Plan. The submission of the Draft Local Plan was made to Secretary of State on 11th August 2017. These documents are a material consideration. The weight attached to the draft policies increases as the Local Plan process advances.

Emerging Local Plan Policies

Draft Policy 1 - Housing Supply
Draft Policy 4 - Housing Design
Draft Policy 8 - Side Space
Draft Policy 30 - Parking
Draft Policy 31 - Relieving Congestion

Draft Policy 32 - Highways Safety
Draft Policy 37 - General Design of Development
Draft Policy 113 - Waste Management in new Development
Draft Policy 116 - Sustainable Urban Drainage Systems (SUDS)
Draft Policy 119 - Noise Pollution
Draft Policy 120 - Air Quality
Draft Policy 122 - Light Pollution
Draft Policy 123 - Sustainable Design and Construction

London Plan (2015) Policies:

Policy 3.3 Increasing Housing Supply.
Policy 3.4 Optimising Housing Potential
Policy 3.5 Quality and design of housing developments
Policy 3.8 Housing choice
Policy 5.1 Climate change mitigation
Policy 5.2 Minimising carbon dioxide emissions
Policy 5.3 Sustainable design and construction
Policy 5.7 Renewable energy
Policy 5.9 Overheating and cooling
Policy 5.10 Urban greening
Policy 5.11 Green roofs and development site environs
Policy 5.12 Flood risk management
Policy 5.13 Sustainable drainage
Policy 5.14 Water quality and wastewater Infrastructure
Policy 5.15 Water use and supplies
Policy 5.16 Waste net self-sufficiency
Policy 5.17 Waste capacity
Policy 5.18 Construction, excavation and demolition waste
Policy 6.5 Funding Crossrail and other strategically important transport infrastructure
Policy 6.9 Cycling
Policy 6.13 Parking
Policy 7.2 An inclusive environment
Policy 7.3 Designing out crime
Policy 7.4 Local character
Policy 7.6 Architecture
Policy 7.14 Improving Air Quality
Policy 7.19 Biodiversity and Access to Nature
Policy 8.2 Planning obligations
Policy 8.3 Community infrastructure levy

Mayor's Housing Supplementary Planning Guidance 2016

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

Planning History

15/03933/FULL1 - Proposed three bedroom dwelling on land adjoining 2 Woodland Way - Refused

Reasons for refusal:

1. The proposal would be an overdevelopment of the site on land which is not previously developed, out of character with the spatial characteristics of the locality thereby detrimental to its visual amenities and special character, contrary to Policies H7, H10 and BE1 of the Unitary Development Plan, the London Plan and the National Planning Policy Framework.

2. The application site is a singular plot within the Petts Wood Area of Special Residential Character and the proposal would deteriorate the special character of the area thereby contrary to the agreed revised Petts Wood Area of Special Residential Character description and Policy H10 of the Unitary Development Plan.

(Appeal dismissed ref: APP/G5180/W/15/3141139)

Whilst this scheme proposed the sub-division of the site for a new dwelling, the Inspector made the following comment which is pertinent to this application:

- The front boundary of the appeal site adjacent to Woodland Way is marked by a low brick wall with a solid timber fence above with the side boundary away from the existing dwelling marked by a timber fence and landscaping both within the appeal site and within neighbouring gardens. The appeal site is mainly laid to lawn and it allows views through the site to mature landscaping to the rear. It makes a positive contribution to the character and appearance of the area. The appeal site is located within the Petts Wood Area of Special Residential Character (ASRC) and the immediate surrounding area mainly comprises detached and semi-detached dwellings in generous sized plots with reasonable spacing between dwellings.

Application reference 17/03272/OUT for a proposed outline application to consider matters of access, layout and scale for the demolition of the existing two storey dwelling house and the erection of a three storey block containing 7 residential units with associated access, parking, refuse storage and cycle storage, has been submitted and will be considered within this agenda.

Conclusions

The main issues relating to the application are the principle of the development and the effect that a residential development would have on the character of the locality, the effect of the design layout and scale on the locality and visual amenity of the area, access arrangements and the impact the scheme would have on the living conditions and amenities of nearby properties.

The application is an outline application to consider access, layout and scale. In this respect the following criteria can be assessed:

Layout: the way in which buildings, routes and open spaces within the development are provided, situated and orientated in relation to each other and to buildings and spaces outside the development

Scale: relates to information on the size of the development, including the height, width, length and massing of the proposed building and the relationship to surrounding buildings.

Access: means the accessibility to and within the site, for vehicles, cycles and pedestrians in terms of the positioning and treatment of access and circulation routes and how these fit into the surrounding access network.

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

Principle of Development

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

The London Plan seeks mixed and balanced communities in accordance with Policy 3.9, which states that communities should be mixed and balanced by tenure and household income, supported by effective design, adequate infrastructure and an enhanced environment.

UDP Policy H1 requires the Borough to make provision for at least 11,450 additional dwellings over the plan period acknowledging a requirement to make the most efficient use of sites in accordance with the density/location matrix. As existing residential land, an increased density and housing provision could make a valuable contribution to the Boroughs housing supply. However, it is necessary to demonstrate that an appropriate density can be achieved having regard to the context of the surroundings, standard of accommodation to be provided and detailed design considerations.

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

Policy H10 of the UDP states that applications for development within Areas of Special Residential Character (ASRC) will be required to respect and complement the established and individual areas. The site is located within the Petts Wood Area of Special Residential Character which is characterised by a distinct road layout and plot sizes which have remained largely intact since the late 1920s early 1930s. The style and design of properties within the ASRC are of similar though marginally varied styles.

Applications for residential development will be expected to comply with the density matrix set out in table 4.2 of policy H7; have an adequate site layout and ensure that buildings and space around buildings are of a high quality and provide adequate private or communal amenity spaces and off-street parking at levels no more than as set out in Appendix II.

In considering planning proposals the Council gives particular regard to the amenity of adjoining occupiers. 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.

Large detached and semi-detached dwellings surround the site on all sides. The site is currently developed for a less dense residential use. Therefore, in this location and given the accessibility of the site, the Council will consider a higher density residential infill development provided that it is designed to complement the character of surrounding developments, the design and layout make suitable residential accommodation, and it provides for garden and amenity space. It should be noted however that there are no flatted developments within the wider locality and therefore Officers consider that this form of development would appear out of character with the prevailing residential form.

The development is also required to be assessed in line with the requirements and character assessment of Policy H10 (ASRC) and any adverse impact on neighbouring amenity, conservation and historic issues, biodiversity or open space will need to be addressed. Therefore the provision of a higher density residential development may be acceptable in principle however as previously discussed; flats are not a commonly found residential form and not considered appropriate in this context.

Layout, Scale, Massing and Design

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

The NPPF emphasises good design as both a key aspect of sustainable development and being indivisible from good planning. Furthermore, paragraph 64 is clear that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

Policy 7.4 of the London Plan requires that buildings, streets and open spaces should provide a high quality design response that has regard to the pattern and grain of the existing spaces and streets in orientation, scale, proportion and mass;

contributes to a positive relationship between the urban structure and natural landscape features, including the underlying landform and topography of an area; is human in scale, ensuring buildings create a positive relationship with street level activity and people feel comfortable with their surroundings; allows existing buildings and structures that make a positive contribution to the character of a place to influence the future character of the area; and is informed by the surrounding historic environment.

Policy 7.6 states that architecture should make a positive contribution to a coherent public realm, streetscape and wider cityscape and should incorporate the highest quality materials and design appropriate to its context.

Policy BE1 requires that new development is of a high standard of design and layout. It should be imaginative and attractive to look at, should complement the scale, form, layout and materials of adjacent buildings and areas and should respect the amenity of the occupiers of neighbouring buildings.

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 Policy 7.4 and with public transport capacity. Table 3.2 identifies appropriate residential density ranges related to a sites setting (assessed in terms of its location, existing building form and massing) and public transport accessibility (PTAL). The site is within PTAL zone 3 and is suburban in character where there is a maximum range of 250 habitable rooms and 95 units per hectare. With a site area of 0.09 hectares this results in a density of 66.66 units per hectare and 200 habitable rooms per hectare which is at a mid-range point of the density identified within the density matrix. Policy 3.4 is clear that in optimising housing potential, developments should take account of local context and character, design principles and public transport capacity.

Whilst matters of design are not to be considered within this application Officers can make indicative comments based on the level of information submitted. The development proposes a significant increase in floor space over and above the existing two storey family dwelling, providing habitable accommodation over three floors. The site is considered to contribute to the openness and undeveloped nature of the southern part of Woodland Way leading into Towncourt Crescent. The area is characterised by spacious plots with considerable distance between the dwelling and the common side boundaries and this should be replicated within future development.

The proposal would extend forward of the existing front building line by a maximum of 6m and minimum of 1.8m, lying 1.2m in front of the neighbouring dwelling at number 4 and approximately 3.6m-2m in front of number 2a. A bin store is proposed to the front of the site, accessed from the communal car park however obscured from view by the close boarded timber fencing. The width of the proposed development is approximately 1.2m wider than the existing dwelling, with an increase in depth of between 3.8-8m. The development is proposed to be sited 1.4m from the northern common side boundary similar to the existing dwelling, and between 9.8-23.2m from the southern boundary. Whilst the building would meet the policy requirement for distances to the boundary as stated within Policy H9 of

the Unitary Development Plan and is similar in terms of siting to the existing dwelling, this is a single, stand-alone family dwelling and not a substantial, triple fronted development as proposed in this case and as such this scheme must be considered on its own merits.

The overall site coverage has been vastly increased given that the open, lawned area to the south of the dwelling is to be turned over to surface car parking for the majority of the width of the site frontage. The Inspector stated within his previous appeal decision that 'the site is mainly laid to lawn and it allows views through the site to mature landscaping to the rear. It makes a positive contribution to the character and appearance of the area'. Whilst the inclusion of parking to the southern elevation would retain the openness of the site, it creates an urbanising impact which when considered with the resulting vehicle movements within this space, would create an over-intensive use, where currently the site makes a positive contribution to the openness and verdant qualities of the wider area.

However, Officers do note that the existing boundary treatment is to be retained, and therefore the parking area and bin store would be obscured from view, similar to the existing views of the site and on balance the use of the land in this location for parking when considered with the boundary treatment is not considered to result in a cogent reason for refusal in terms of aesthetic appearance. Nevertheless, when considered cumulatively, the proposed building and parking area covers the majority of the width of the plot with minimal soft landscaping proposed, this is not considered to be adequate in terms of the prevailing residential form of the ASRC and when considered with the increase in the massing and bulk of the property, would exacerbate the built form on the site resulting in an overdevelopment of the area.

The layout of the development submitted shows that the building is broadly square shaped and has a considerable depth and width. The resultant scale of the development would be substantial. The bulk of the proposal would be most evident when viewed from the north given the single storey nature of the extension at number 2a, which contributes to the openness of the roadway. The size of the development is further exacerbated by the topography of the land which slopes down towards the development site. The location of the bin store, set slightly back from the highway, would also be prominent from wider ranging views given the topography of the locality despite being located behind the close boarded fencing.

In terms of design, Officers note that some consideration has been given as to the character of the wider ASRC when designing this scheme with the illustrative elevations including a steep gable frontage and mock Tudor beams which are widely found within the locality. Nevertheless, Members may consider that a crown roof profile such as that proposed within this application would appear out of place and would only seek to contribute to the overall massing of the development, appearing overtly bulky and out of character with the detached single dwellings that make up much of the wider area. The bulk of the property is also exacerbated by the absence of first floor windows along the flank elevations which allow for a stark and unrelieved appearance.

Officers acknowledge that there are various errors made throughout the submission siting policies and area specific observations which do not pertain to this site or the London Borough of Bromley. Whilst these are noted, given that the principle of the development was found to be unacceptable, amendments were not requested to rectify this matter.

Impact on Neighbouring Amenity

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

The proposed development is sited 1.2m in front of the neighbouring dwelling at number 4 and approximately 3.6m-2m in front of number 2a. As a result, the development is not considered to result in any material loss of light or oppressive outlook when viewed from within the neighbouring properties. Nevertheless, number 4 has a large amount of private amenity space along the southern flank boundary and Members may consider that the proposed unrelieved, stark upper floor will appear unduly oppressive when viewed from the neighbouring property which is only exacerbated as a result of the proposed crown roof and proximity to the boundary and ultimately harmful to the amenity of the neighbouring property.

In terms of the properties to the south of the development site, it is noted that the car parking area runs along the side/rear boundaries of number 2a Woodland Way and 3 Towncourt Road. Whilst the parking area is sited over 40m from the rear of number 3 which may be considered acceptable, given the constrained nature of the amenity space of number 2A, the parking area would cause undue impacts in terms of noise and nuisance given the amount of transient vehicular movements within close proximity to the common side boundary. No acoustic assessment has been provided to assess the impact of this area on the amenity of the neighbouring properties.

It is noted that an external terrace area is proposed to units 5 and 4 which face into the rear of the site. The terrace areas are slightly recessed into the building however also project approximately 800mm from the rear elevation. Privacy screens are proposed to the balconies to prevent overlooking into the rear amenity space however Officers consider that as a result of the proximity of the development to the boundary with number 4, the balconies would allow for wide ranging views towards the rear of the amenity space, which as a result of its confined nature of the neighbouring garden would result in a large proportion of this area being overlooked causing a detrimental loss of privacy.

Standard of Residential Accommodation

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

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

A two bedroom, three person single storey property should provide a minimum of 61sqm of habitable floor space with those units split over two floors required to provide 70sqm. A three bedroom, four person dwelling should provide a minimum of 74sqm. The development is considered to meet these standards.

Adequate private amenity space also needs to be provided with a minimum of 5 sqm of private outdoor space for a 1-2 person dwelling and an extra 1 sqm should be provided for each additional occupant in line with the London Plan housing standards. It is noted that there is sufficient amenity space to the rear of the property with a private garden for the use of unit 1 and 2 to the front. Private amenity areas are proposed to units 1 and 2 on the ground floor level to the front of the property, however the extent to which these are truly private is questioned given that they are sited adjacent to the sole entrance to the property, and would be subject to overlooking from the transient pedestrian movements to and from the development. In the case of Unit 1 also, the garden would be subject to overlooking and noise and nuisance from the adjacent communal parking area. The impact in terms of noise, overlooking and outlook from this area makes it inappropriate for recreational use. As previously stated, within units 4 and 6, outdoor projecting terrace areas are proposed to the rear at first floor level. Concern is raised over the potential to overlook neighbouring properties from this height and projection despite them meeting the minimum size standards.

The London Plan states that for new residential development, the minimum floor to ceiling height is 2.3m for at least 75% of the Gross Internal Area where it also states that to address the unique heat island effect of London and the distinct density and flatted nature of most of its residential development, a minimum ceiling height of 2.5m for at least 75% of the gross internal area is strongly encouraged so that new housing is of adequate quality, especially in terms of light, ventilation and sense of space. When assessing the cross section drawing that has been submitted it is considered that over 75% of the head height of the loft accommodation measures 2.4m, over the minimum requirement 2.3m. Concern is however raised as to the level of outlook and natural light provision to the habitable rooms within this level given that all bedrooms do not benefit from any flank windows and will be served solely by roof lights, some of which are located solely within the northern elevation of the property, which Members may find to allow for a poor quality of residential accommodation.

In accordance with Standard 11 of Housing: Supplementary Planning Guidance. (March 2016) of the London Plan 90% of all new dwellings should meet building regulation M4(2) 'accessible and adaptable dwellings'. Whilst no details have been provided to support compliance with this standard, this information can be conditioned for submission at a later date.

Car Parking and Access:

London Plan Policy 6.13 requires the maximum standards for car parking, which is supported by Policy T3 of the UDP. The site is located within a PTAL 2 area

(where 1a is the lowest) therefore off street parking will be required to be provided in line with the standards.

Highways comments have been received in which the Officer states:

'The previous application was for an additional house, which was refused, and this is an outline application to demolish the existing house and construct a block of 6 x 2 bed flats. The site has a moderate (3) PTAL assessment.

A new access is proposed leading to a parking area with 6 spaces. The swept paths provided in the Detailed Design Review show that manoeuvring is tight within the parking area. Woodland Way has a waiting restriction from 8am-10am Monday to Friday in the vicinity of the site and there appears to be a high demand for on-street parking outside of those times. It would be preferred to see some visitor parking provided in this location as well as better manoeuvring space.

The cycle store appears too small for the 12 spaces required under the London Plan standards. The refuse store also looks too small for the number of flats.

As it stands the proposal appears cramped, and the site overdeveloped, and should be amended to take account of the above points'.

Whilst the Highways Officer considers that amended plans are necessary to overcome highways concerns, given the issues raised in terms of principle of development, impact on neighbouring properties and future residents amenity, Officers did not consider that amended plans were necessary or reasonable to request. As per the submission, Members may consider that the development does not allow for adequate parking or cycling provision with poor manoeuvring capabilities for vehicles which would ultimately lead to an increase in parking demand in an area where few spaces are available, generating considerable pressure to find spaces with a significant risk of illegal or unsuitable parking and on-street manoeuvring. This would cause inconvenience and in some locations, risk to traffic and pedestrian safety, contrary to Policy T3 and T18 of the UDP.

Conclusion

The proposed scheme is considered an overdevelopment of the site and of a size and scale not complimentary or indicative of surrounding land development or characteristics of the Petts Wood Area of Special Residential Character. The scheme would not provide suitable accommodation for future owner/occupiers and would appear over dominant and result in a loss of privacy for the neighbouring owner occupiers of number 4 and amenity issues as a result of transient vehicular movements to the adjoining property at number 2A.

RECOMMENDATION: APPLICATION BE REFUSED

The reasons for refusal are:

- 1. The proposed development, by reason of its size, bulk and layout would appear incongruous and out of character with the surrounding**

area and would be ultimately harmful to the character of locality, contrary to Policies BE1, BE10 and H7 of the Unitary Development Plan (2006) and Supplementary Planning Guidance No 1 and 2, London Plan Policies 3.4, 3.5 7.4 and 7.6 (2015) and the objectives of the NPPF (2012).

2. The proposed development by reason of its siting and layout would be detrimental to the visual amenities of occupiers of surrounding properties and would lead to a significant loss of privacy by way of overlooking from the rear balconies. The development would also have a detrimental impact by way of noise and disturbance to neighbouring occupiers whereby no noise assessment has been submitted to disprove this, contrary to Policy BE1, BE10 and H7 Unitary Development Plan (2006) and Supplementary Planning Guidance No 1 General Design Principles and No 2 Residential Design Guidance.
3. The proposed development by reason of its size, siting and layout would be detrimental to the amenities of future owner/occupiers of the proposed development as a result of inadequate outlook from the habitable accommodation within the roof space and the potential for overlooking and loss of privacy to the private amenity areas for units 1 and 2. The development would also have a detrimental impact by way of noise and disturbance to future owner/occupiers as a result of the proximity of the amenity space for unit 1 to the car parking area contrary to Policy BE1, BE10 and H7 Unitary Development Plan (2006) and Supplementary Planning Guidance No 1 General Design Principles and No 2 Residential Design Guidance
4. The proposal has the potential to lead to an increase in local residents parking on surrounding streets, thus generating considerable on-street car parking pressure, leading to a significant risk to traffic and pedestrian safety by reasons of illegal or unsuitable parking and on-street manoeuvring, which would be prejudicial to the free flow of traffic conditions and general safety in the highway, contrary to Policy T3 and T18 of the Unitary Development Plan.

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

Application No : 17/03272/OUT

Ward:
Petts Wood And Knoll

Address : 2 Woodland Way, Petts Wood,
Orpington BR5 1ND

OS Grid Ref: E: 544361 N: 167922

Applicant : Mr Rafael Porzycki

Objections : YES

Description of Development:

Proposed outline application to consider matters of access, layout and scale for the demolition of the existing two storey dwelling house and the erection of a three storey block containing 7 residential units with associated access, parking, refuse storage and cycle storage.

Key designations:

Area of Special Residential Character
Smoke Control SCA 4

Proposal

The application proposes the demolition of a two storey family dwelling and the construction of a 3.5 storey block of 7x 2 bedroom flats. The building measures 14.5m in depth by 13.3m in width. The building is proposed with a crown pitched roof with a double two storey hipped gabled facade to the front and rear elevations. Habitable accommodation is provided over four floors, including within the basement and roof space. Private amenity space is proposed for units 1, 2 and 3 with a sunken garden to the front and rear, units 4 and 5 are proposed with first floor balconies and units 6 and 7 will make use of the communal amenity area. Parking is to be provided adjacent to the flank elevation of the property for 7 vehicles with a communal bin store also proposed to be located to the front of the property, adjacent to the highway.

The application has been submitted in 'outline' for provision of access, layout and scale of the development, while all other matters (appearance and landscaping) are reserved.

Location

2 Woodland Way is a large detached two storey property sited within a considerable plot designated as part of the Petts Wood Area of Special Residential Character. The property has off street parking for two vehicles within the front amenity space and bounds Woodland Way to the south with a close boarded timber fence that extends approximately 21m along the frontage.

Consultations

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

- Parking issues will occur
- Increased pollution
- Highways safety problems
- Out of character with the wider area
- Out of character with the wider ASRC
- Infilling the site with a car park will mean a reduction in green garden space
- The bin store will be sited in full view of the road
- Potential overshadowing
- Overdevelopment of the plot
- The application is contrary to Policy H10 - ASRC
- The majority of properties within the ASRC are houses not flats
- The appeal decision on 6 Ladywood Avenue is relevant to this scheme
- The proposal contravenes the front and rear building lines
- The design of the development, particularly the roof, would be out of keeping with surrounding properties
- The level of activity and noise in the proposed building would be many times that of the surrounding properties
- The proportion of the plot left as garden would be substantially lower than the surrounding properties
- The development will create a precedent for basement developments
- Outlook and privacy of neighbouring properties would be damaged
- Would exacerbate existing drainage problems
- The auto tracking plans for the car park are based on a car size below that of an average car, therefore there are questions as to the usability of the spaces and the sight lines from the driveway to the road
- The TFL transport documentation contained within the application does not identify the current site as it indicates a position further down Woodland Way, past the junction with Manor Way
- All functional living space and external patio seating area is directly next to the proposed development and at the side of the building closest to the development. The shadowing of the neighbouring property, as per page 16 of Aventier's Detailed Design Review, is doubled by the proposed development
- All light drawings are before the impact of the proposed additional trees on the boundary line are taken into account which would further reduce daylight.
- The flat roof of the proposal will be taller than the neighbouring property
- Flat roofs aren't in keeping with the area
- Overlooking into neighbouring properties from unit 4 and 5 terraces

- The lack of front door provides an incongruous front elevation without context
- School places are already a struggle in this area, there should not be an increase in residents until this is resolved.
- Long term accessibility issues with wheelchair users getting to the shops due to construction work
- The windows to the basement units are NE facing and would not give sufficient light
- The accommodation would be substandard
- No provision has been made for recycling
- The proposal fails to make allowances for disabled parking or lifetime home standards
- Side space provision is not in keeping with wider area
- The flat sizes are undersized as detailed in the London Plan
- The submission of multiple applications is a deliberate abuse of the planning system by the developer to create 'objection fatigue'
- The submission contains many errors
- The extent of the stated landscaping is questioned
- Hardstanding calculation omit access paths, bin stores and hardstanding around the building
- Bin store and cycle store is too small
- The distance to the boundaries shown on some drawings has been shown in a misleading way
- Issues getting doctors places as it is without replacing single houses with multiple flats
- The development goes against the Garden Suburb principles which the area is developed to

Consultee Comments

Highways: The previous application was for an additional house, which was refused, and this is an outline application to demolish the existing house and construct a block of 7 x 2 bed flats. The site has a moderate (3) PTAL assessment.

A new access is proposed leading to a parking area with 7 spaces. The swept paths provided in the Detailed Design Review show that manoeuvring is tight within the parking area. Woodland Way has a waiting restriction from 8am-10am Monday to Friday in the vicinity of the site and there appears to be a high demand for on-street parking outside of those times. I would prefer to see some visitor parking provided in this location as well as better manoeuvring space.

The cycle store is too small for the 14 spaces required under the London Plan standards. The refuse store also looks too small for the number of flats, Waste Services should be asked for their view.

As it stands the proposal appears cramped, and the site overdeveloped, and should be amended to take account of the above points.

Drainage: The proposed layout and scale of the development is appropriate to use SUDS to attenuate for surface water run-off. No objections subject to conditions.

Environmental Health Pollution: 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.

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

Trees: The arboricultural submissions have addressed the implications of both developments on existing trees. No objections are made subject to conditions

Planning Considerations

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

Unitary Development Plan 2006:

BE1 (Design of New Development)
H8 (Residential Extensions)
BE7 (Railings, Boundary Wall and Other Means of Enclosure)
BE10 (Areas of Special Residential Character)
H1 (Housing Supply)
H7 (Housing Density and Design)
H9 (Side Space)
T1 (Transport Demand)
T3 (Parking)
T7 (Cyclists)
T18 (Road Safety)

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

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

The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);

The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given);
and

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

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

The following emerging plans are relevant to this application.

Draft Local Plan

The Council is preparing a Local Plan. The submission of the Draft Local Plan was made to Secretary of State on 11th August 2017. These documents are a material consideration. The weight attached to the draft policies increases as the Local Plan process advances.

Emerging Local Plan Policies

Draft Policy 1 - Housing Supply
Draft Policy 4 - Housing Design
Draft Policy 8 - Side Space
Draft Policy 30 - Parking
Draft Policy 31 - Relieving Congestion
Draft Policy 32 - Highways Safety
Draft Policy 37 - General Design of Development
Draft Policy 113 - Waste Management in new Development
Draft Policy 116 - Sustainable Urban Drainage Systems (SUDS)
Draft Policy 119 - Noise Pollution
Draft Policy 120 - Air Quality
Draft Policy 122 - Light Pollution
Draft Policy 123 - Sustainable Design and Construction

London Plan (2015) Policies:

Policy 3.3 Increasing Housing Supply.
Policy 3.4 Optimising Housing Potential
Policy 3.5 Quality and design of housing developments
Policy 3.8 Housing choice
Policy 5.1 Climate change mitigation
Policy 5.2 Minimising carbon dioxide emissions
Policy 5.3 Sustainable design and construction
Policy 5.7 Renewable energy
Policy 5.9 Overheating and cooling
Policy 5.10 Urban greening

Policy 5.11 Green roofs and development site environs
Policy 5.12 Flood risk management
Policy 5.13 Sustainable drainage
Policy 5.14 Water quality and wastewater Infrastructure
Policy 5.15 Water use and supplies
Policy 5.16 Waste net self-sufficiency
Policy 5.17 Waste capacity
Policy 5.18 Construction, excavation and demolition waste
Policy 6.5 Funding Crossrail and other strategically important transport infrastructure
Policy 6.9 Cycling
Policy 6.13 Parking
Policy 7.2 An inclusive environment
Policy 7.3 Designing out crime
Policy 7.4 Local character
Policy 7.6 Architecture
Policy 7.14 Improving Air Quality
Policy 7.19 Biodiversity and Access to Nature
Policy 8.2 Planning obligations
Policy 8.3 Community infrastructure levy

Mayor's Housing Supplementary Planning Guidance 2016

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

Planning History

15/03933/FULL1 - Proposed three bedroom dwelling on land adjoining 2 Woodland Way - Refused

Reasons for refusal:

1. The proposal would be an overdevelopment of the site on land which is not previously developed, out of character with the spatial characteristics of the locality thereby detrimental to its visual amenities and special character, contrary to Policies H7, H10 and BE1 of the Unitary Development Plan, the London Plan and the National Planning Policy Framework.
2. The application site is a singular plot within the Petts Wood Area of Special Residential Character and the proposal would deteriorate the special character of the area thereby contrary to the agreed revised Petts Wood Area of Special Residential Character description and Policy H10 of the Unitary Development Plan.

(Appeal dismissed ref: APP/G5180/W/15/3141139)

Whilst this scheme proposed the sub-division of the site for a new dwelling, the Inspector made the following comment which is pertinent to this application:

- The front boundary of the appeal site adjacent to Woodland Way is marked by a low brick wall with a solid timber fence above with the side boundary away from the existing dwelling marked by a timber fence and landscaping both within the appeal site and within neighbouring gardens. The appeal site is mainly laid to lawn and it allows views through the site to mature landscaping to the rear. It makes a positive contribution to the character and appearance of the area. The appeal site is located within the Petts Wood Area of Special Residential Character (ASRC) and the immediate surrounding area mainly comprises detached and semi-detached dwellings in generous sized plots with reasonable spacing between dwellings.

Application reference 17/03267/OUT for a proposed outline application to consider matters of access, layout and scale for the demolition of the existing two storey dwelling house and the erection of a three storey block containing 6 residential units with associated access, parking, refuse storage and cycle storage, has been submitted and will be considered within this agenda.

Conclusions

The main issues relating to the application are the principle of the development and the effect in principle that a residential development would have on the character of the locality, the effect of the design layout and scale on the locality and visual amenity of the area, access arrangements and the impact the scheme would have on the living conditions and amenities of nearby properties.

The application is an outline application to consider access, layout and scale. In this respect the following criteria can be assessed:

Layout: the way in which buildings, routes and open spaces within the development are provided, situated and orientated in relation to each other and to buildings and spaces outside the development

Scale: relates to information on the size of the development, including the height, width, length and massing of the proposed building and the relationship to surrounding buildings.

Access: means the accessibility to and within the site, for vehicles, cycles and pedestrians in terms of the positioning and treatment of access and circulation routes and how these fit into the surrounding access network.

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

Principle of Development

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

The London Plan seeks mixed and balanced communities in accordance with Policy 3.9, which states that communities should be mixed and balanced by tenure and household income, supported by effective design, adequate infrastructure and an enhanced environment.

UDP Policy H1 requires the Borough to make provision for at least 11,450 additional dwellings over the plan period acknowledging a requirement to make the most efficient use of sites in accordance with the density/location matrix. As existing residential land, an increased density and housing provision could make a valuable contribution to the Boroughs housing supply. However, it is necessary to demonstrate that an appropriate density can be achieved having regard to the context of the surroundings, standard of accommodation to be provided and detailed design considerations.

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

Policy H10 of the UDP states that applications for development within Areas of Special Residential Character (ASRC) will be required to respect and complement the established and individual areas. The site is located within the Petts Wood Area of Special Residential Character which is characterised by a distinct road layout and plot sizes which have remained largely intact since the late 1920s early 1930s. The style and design of properties within the ASRC are of similar though marginally varied styles.

Applications for residential development will be expected to comply with the density matrix set out in table 4.2 of policy H7; have an adequate site layout and ensure that buildings and space around buildings are of a high quality and provide adequate private or communal amenity spaces and off-street parking at levels no more than set out in Appendix II.

In considering planning proposals the Council gives particular regard to the amenity of adjoining occupiers. 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.

Large detached and semi-detached dwellings surround the site on all sides. The site is currently developed for a less dense residential use. Therefore, in this location and given the accessibility of the site, the Council will consider a higher density residential infill development provided that it is designed to complement the character of surrounding developments, the design and layout make suitable residential accommodation, and it provides for garden and amenity space. It should be noted however that there are no flatted developments within the wider locality and therefore Officers consider that this form of development would appear out of character with the prevailing residential form.

The development is also required to be assessed in line with the requirements and character assessment of Policy H10 (ASRC) and any adverse impact on neighbouring amenity, conservation and historic issues, biodiversity or open space will need to be addressed. Therefore the provision of a higher density residential development may be acceptable in principle however as previously discussed; flats are not a commonly found residential form and not considered appropriate in this context.

Layout, Scale, Massing and Design

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

The NPPF emphasises good design as both a key aspect of sustainable development and being indivisible from good planning. Furthermore, paragraph 64 is clear that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

Policy 7.4 of the London Plan requires that buildings, streets and open spaces should provide a high quality design response that has regard to the pattern and grain of the existing spaces and streets in orientation, scale, proportion and mass; contributes to a positive relationship between the urban structure and natural landscape features, including the underlying landform and topography of an area; is human in scale, ensuring buildings create a positive relationship with street level activity and people feel comfortable with their surroundings; allows existing buildings and structures that make a positive contribution to the character of a place to influence the future character of the area; and is informed by the surrounding historic environment.

Policy 7.6 states that architecture should make a positive contribution to a coherent public realm, streetscape and wider cityscape and should incorporate the highest quality materials and design appropriate to its context.

Policy BE1 requires that new development is of a high standard of design and layout. It should be imaginative and attractive to look at, should complement the scale, form, layout and materials of adjacent buildings and areas and should respect the amenity of the occupiers of neighbouring buildings.

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 Policy 7.4 and with public transport capacity. Table 3.2 identifies appropriate residential density ranges related to a sites setting (assessed in terms of its location, existing building form and massing) and public transport accessibility (PTAL). The site is within PTAL zone 3 and is suburban in character where there is a maximum range of 250 habitable rooms and 95 units per hectare. With a site area of 0.09 hectares this results in a density of 77 units per hectare and 233 habitable rooms per hectare which is at the upper limit of the density identified within the density matrix. Policy 3.4 is clear that in optimising housing potential, developments should take account of local context and character, design principles and public transport capacity.

In terms of layout and scale, the development proposes a significant increase in floor space over and above the existing two storey family dwelling, providing habitable accommodation over four floors. The site is considered to contribute to the openness and undeveloped nature of the southern part of Woodland Way leading into Towncourt Crescent. The area is characterised by spacious plots with considerable distance between the dwelling and the common side boundaries and this should be replicated within future development. The new development would need to respect the prevailing architectural style of the locality which is of a partially uniformed and characterful appearance.

The proposal would extend forward of the existing front building line by a maximum of 4.5m and minimum of 1.4m, lying broadly flush with the front of the neighbouring dwelling at number 4 and approximately 1.2m in front of number 2a. A bin store is proposed to the front elevation of the property, set slightly back from the highway. The width of the proposed development is approximately 1m wider than the existing dwelling, with an increase in maximum of approximately 7m. The development is proposed to be sited between 1.2-2m from the northern common side boundary similar to the existing dwelling, and between 8.5-20.2m from the southern boundary. Whilst the building would meet the policy requirement for distances to the boundary as stated within Policy H9 of the Unitary Development Plan and is similar in terms of siting to the existing dwelling, this is a single, stand-alone family dwelling and not a substantial, double fronted development as proposed in this case and as such this scheme must be considered on its own merits.

The overall site coverage has been vastly increased given that the open, lawned area to the south of the dwelling is to be turned over to surface car parking for the entire width of the site frontage. The Inspector stated within his previous appeal decision that 'the site is mainly laid to lawn and it allows views through the site to mature landscaping to the rear. It makes a positive contribution to the character and appearance of the area'. Whilst the inclusion of parking to the southern elevation would retain the openness of the site, it creates an urbanising impact

within the street scene, which when considered with the resulting vehicle movements within this space, would create an overtly prominent and over-intensive use, where currently the site makes a positive contribution to the openness and verdant qualities of the wider area. Cumulatively, the proposed building and parking area covers the entire width of the plot with minimal soft landscaping proposed, this is not considered to be adequate in terms of the prevailing residential form of the ASRC and not considered appropriate within this location.

The layout of the development submitted shows that the building is broadly square shaped and has a considerable depth and width. As a result of this and the level of accommodation proposed across four floors, the resultant scale would be substantial. The scale of the proposal would be most evident when viewed from the north given the single storey nature of the extension at number 2a, which contributes to the openness of the roadway. The size of the development is further exacerbated by the topography of the land which slopes down towards the development site. The location of the bin store, set slightly back from the highway, would also highlight the prominence of the development from wide ranging views.

Whilst matters of design are a reserved matter in the determination of the application, Officers can provide indicative comments based on the level of information submitted with the application. In terms of design, the proposed indicative elevations do not replicate any design features commonly found within the surrounding street scene and wider ASRC including single steep gable frontages, tile hung bay windows and mock Tudor beams and instead proposes a monolithic red brick and white rendered double fronted development, out of character with the prevailing residential form. Double fronted developments are not a feature of the wider area and it is clear to see from visiting the site just how incongruent the proposal would be within the street scene of characterful and similarly designed properties.

Officers acknowledge that there are various errors made throughout the submission siting policies and area specific observations which do not pertain to this site or the London Borough of Bromley. Whilst these are noted, given that the principle of the development was found to be unacceptable, amendments were not requested to rectify this matter.

Impact on Neighbouring Amenity

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

The proposed development is sited 400mm forwards of the front elevation of number 4 and 1.2m to the rear elevation and is proposed to be set away from the property at number 2a. As a result, the development is not considered to result in any material loss of light or oppressive outlook when viewed from within the neighbouring properties. Nevertheless, number 4 has a large amount of private amenity space along the southern flank boundary and Members may consider that

the proposed unrelieved, stark flank elevation will appear unduly oppressive when viewed from the neighbouring property which is only exacerbated as a result of the proposed crown roof and proximity to the boundary and ultimately harmful to the amenity of the neighbouring property.

In terms of the properties to the north of the development site, it is noted that the car parking area runs along the side/rear boundaries of number 2a Woodland Way and 3 Towncourt Road. Whilst the parking area is sited over 40m from the rear of number 3 which may be considered acceptable, given the constrained nature of the amenity space of number 2A, the parking area would cause undue impacts in terms of noise and nuisance given the amount of transient vehicular movements within close proximity to the common side boundary. No acoustic assessment has been provided to assess the impact of this area on the amenity of the neighbouring properties.

It is noted that an external terrace area is proposed to units 5 and 4 which face into the rear of the site. The terrace areas are slightly recessed into the building however given that they also project slightly out from the rear elevation Members may consider that this would give rise to actual and perceived overlooking specifically from Unit 5 which is located only 2m from the common side boundary at the closest point. The terrace areas would result in a detrimental loss of privacy to the neighbouring owner/occupiers.

Standard of Residential Accommodation

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

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

A two bedroom, three person single storey property should provide a minimum of 61sqm of habitable floor space with those units split over two floors required to provide 70sqm. The development is considered to meet these standards.

Adequate private amenity space also needs to be provided with a minimum of 5 sqm of private outdoor space for a 1-2 person dwelling and an extra 1 sqm should be provided for each additional occupant in line with the London Plan housing standards. It is noted that there is sufficient amenity space to the rear of the property with a private garden for the use of unit 3 to the front. Private amenity areas are proposed to units 1 and 2 on the lower ground floor, however the extent to which these are truly private is questioned given that they face into the rear communal amenity space of the flats where there is a potential for direct overlooking into the rear facing lower ground windows. Furthermore, the private garden space allocated to Unit 3 is neither considered private nor sufficient in terms of private outdoor space. The garden is located adjacent to the car parking area, behind the bin store where there are direct views from the highway. The impact in terms of noise, overlooking and outlook from this area makes it inappropriate for recreational use. As previously stated, within units 5 and 4,

outdoor projecting terrace areas are proposed to the rear at first floor level. Concern is raised over the potential to overlook neighbouring properties from this height and projection.

The London Plan states that for new residential development, the minimum floor to ceiling height is 2.3m for at least 75% of the Gross Internal Area where it also states that to address the unique heat island effect of London and the distinct density and flatted nature of most of its residential development, a minimum ceiling height of 2.5m for at least 75% of the gross internal area is strongly encouraged so that new housing is of adequate quality, especially in terms of light, ventilation and sense of space. When assessing the cross section drawing that has been submitted it is considered that over 75% of the head height of the loft accommodation measures 2.4m, over the minimum requirement 2.3m. Concern is however raised as to the level of outlook and natural light provision to the habitable rooms within this level given that all bedrooms do not benefit from any windows within the elevations and will be served solely by roof lights, some of which are located solely within the northern elevation of the property, which Members may find to allow for a poor quality of residential accommodation.

In accordance with Standard 11 of Housing: Supplementary Planning Guidance. (March 2016) of the London Plan 90% of all new dwellings should meet building regulation M4(2) 'accessible and adaptable dwellings'. Whilst no details have been provided to support compliance with this standard, this information can be conditioned for submission at a later date.

Car Parking and Access:

London Plan Policy 6.13 requires the maximum standards for car parking, which is supported by Policy T3 of the UDP. The site is located within a PTAL 2 area (where 1a is the lowest) therefore off street parking will be required to be provided in line with the standards.

Highways comments have been received in which the Officer states:

'The previous application was for an additional house, which was refused, and this is an outline application to demolish the existing house and construct a block of 7 x 2 bed flats. The site has a moderate (3) PTAL assessment.

A new access is proposed leading to a parking area with 7 spaces. The swept paths provided in the Detailed Design Review show that manoeuvring is tight within the parking area. Woodland Way has a waiting restriction from 8am-10am Monday to Friday in the vicinity of the site and there appears to be a high demand for on-street parking outside of those times. I would prefer to see some visitor parking provided in this location as well as better manoeuvring space.

The cycle store is too small for the 14 spaces required under the London Plan standards. The refuse store also looks too small for the number of flats, Waste Services should be asked for their view.

As it stands the proposal appears cramped, and the site overdeveloped, and should be amended to take account of the above points'.

Whilst the Highways Officer considers that amended plans are necessary to overcome highways concerns, given the issues raised in terms of principle of development, impact on neighbouring properties and future residents amenity, Officers did not consider that amended plans were necessary or reasonable to request. As per the submission, Members may consider that the development does not allow for adequate parking or cycling provision with poor manoeuvring capabilities for vehicles which would ultimately lead to an increase in parking demand in an area where few spaces are available, generating considerable pressure to find spaces with a significant risk of illegal or unsuitable parking and on-street manoeuvring. This would cause inconvenience and in some locations, risk to traffic and pedestrian safety, contrary to Policy T3 and T18 of the UDP.

Conclusion

The proposed scheme is considered an overdevelopment of the site and of a size and scale not complimentary or indicative of surrounding land development or characteristics of the Petts Wood Area of Special Residential Character. The scheme would not provide suitable accommodation for future owner/occupiers and would appear over dominant and result in a loss of privacy for the neighbouring owner occupiers of number 4 and amenity issues as a result of transient vehicular movements to the adjoining property at number 2A.

RECOMMENDATION: APPLICATION BE REFUSED

The reasons for refusal are:

- 1. The proposed development, by reason of its size, bulk and layout would appear incongruous and out of character with the surrounding area and would be ultimately harmful to the character of locality, contrary to Policies BE1, BE10 and H7 of the Unitary Development Plan (2006) and Supplementary Planning Guidance No 1 and 2, London Plan Policies 3.4, 3.5 7.4 and 7.6 (2015) and the objectives of the NPPF (2012).**
- 2. The proposed development by reason of its siting and layout would be detrimental to the visual amenities of occupiers of surrounding properties and would lead to a significant loss of privacy by way of overlooking from the rear balconies. The development would also have a detrimental impact by way of noise and disturbance to neighbouring occupiers whereby no noise assessment has been submitted to disprove this, contrary to Policy BE1, BE10 and H7 Unitary Development Plan (2006) and Supplementary Planning Guidance No 1 General Design Principles and No 2 Residential Design Guidance.**

- 3. The proposed development by reason of its size, siting and layout would be detrimental to the amenities of future owner/occupiers of the proposed development as a result of inadequate outlook from the habitable accommodation within the roof space and the potential for overlooking and loss of privacy to the basement units/private amenity area from the communal garden. The development would also have a detrimental impact by way of noise and disturbance to future owner/occupiers as a result of the proximity of unit 3 to the car parking area contrary to Policy BE1, BE10 and H7 Unitary Development Plan (2006) and Supplementary Planning Guidance No 1 General Design Principles and No 2 Residential Design Guidance.**

- 4. The proposal has the potential to lead to an increase in local residents parking on surrounding streets, thus generating considerable on-street car parking pressure, leading to a significant risk to traffic and pedestrian safety by reasons of illegal or unsuitable parking and on-street manoeuvring, which would be prejudicial to the free flow of traffic conditions and general safety in the highway, contrary to Policy T3 and T18 of the Unitary Development Plan.**

This page is left intentionally blank

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

Application No : 17/03291/FULL1

Ward:
Cray Valley East

Address : 5 - 7 Mountfield Way, Orpington
BR5 3NR

OS Grid Ref: E: 547319 N: 168173

Applicant : Ms T Patel

Objections : NO

Description of Development:

Retrospective installation of roller shutters.

Key designations:

Areas of Archaeological Significance
Biggin Hill Safeguarding Area
London City Airport Safeguarding
Smoke Control SCA 26

Proposal

The application relates to the retrospective installation of roller shutters at the commercial unit 5-7 Mountfield Way.

The newsagents and post office is a combined unit situated to the east of Mountfield Way. The roller shutters form part of the front elevation facing Mountfield Way. The property lies within a local shopping parade with residential units above accessed from Mountfield Way.

Consultations

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

Highways - No objections

Planning Considerations

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

BE1 Design of New Development
BE19 Shopfronts
BE20 Security Shutters

Draft Local Plan (2016)

The Council is preparing a Local Plan. The submission of the Draft Local Plan was made to Secretary of State on 11th August 2017. These documents are a material consideration. The weight attached to the draft policies increases as the Local Plan process advances.

The following policies are most relevant:

Draft Policy 37 General Design of Development
Draft Policy 101 Shop fronts and shutters

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

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

7.2 An Inclusive Access
7.4 Local Character
7.6 Architecture

The National Planning Policy Framework is also a key consideration in the determination of this application. The above policies are considered to be consistent with the principles and objectives of the National Planning Policy Framework.

History

14/04258/FULL1 - Proposed 2 no. illuminated fascia signs, new shopfront, roller shutters and 3 no. condensing units to the rear- Permitted

Conclusions

The main issue in this case is to judge the level of harm that the proposed roller shutters would cause to the appearance of the host building and streetscene. Consideration should also be given to accessibility and any highways issues.

The application is retrospective in nature. Roller shutters were approved to be installed under application ref: 14/04258/FULL1 with the details of the appearance subject to a pre-commencement condition. On submission of the details in May 2017, it was found that the installed shutters were not in compliance with those approved in 2014, being solid in appearance, and therefore a retrospective application was sought.

No objections have been raised by the highways officer with regarding to vehicular or pedestrian safety.

Policy BE20 states when considering applications for security shutters, the Council will resist solid shutters, or those shutters that give the appearance of being solid. It will normally permit shutters of an open type where:

(i) shutter boxes are not over dominant, are contained within the shopfront and do not project from the face of the building; and

(ii) both shutter boxes and shutters are not of untreated metal and are colour coordinated to match the shopfront.

Paragraph 6.51 of the above policy states that the design of shop fronts has a critical role to play in the creation of attractive and vibrant town centres. They are frequently replaced and altered as tenants change. As the character and appearance of a shopping parade or street is determined by its individual components, it is important that any proposals are viewed in respect of the wider environment as well as the individual unit. It goes on to state that good design can make a positive contribution to urban character. It is vital that designs and materials of shopfronts are sympathetic to the scale and existing features of the host building and its surroundings. In particular the standardisation of shop design is often at odds with the traditional scale of the buildings. The original character and individual qualities of buildings in shopping centres should be preserved.

The area is characterised by several commercial properties on Mountfield Way, some have solid roller shutters installed and which it is stated within the Applicants planning statement, are not known to have planning history. Officers would agree with this statement.

Policy BE20 is explicit in stating that the Council will resist solid shutters or those of a solid appearance. The shutters which are sited upon the commercial premises are considered contrary to Policy BE20, and whilst examples of solid shutters are found within the street scene these, as previously stated, have been erected without the benefit of planning permission and are not a reason to allow the development. The shutters appearance allows for a 'deadening effect' along the parade of shops and do not allow for views through to the shop front when pulled down adversely impacting the appearance of the street scene.

The security shutter box projects from the face of the building and therefore is contrary to policy requirements. However, the box is painted to match the wider shop front and Members may consider that this works within the context of this particular shopfront and does not appear to be too visually intrusive within the street scene or have a significant detrimental impact on the character and appearance of the area and therefore in this particular instance may not be considered unacceptable.

The Applicant has submitted a planning statement which references the requirement to have a solid shutter based on continuing crime at the commercial premises. Several crime reference numbers have been provided in evidence including instances of burglary and robbery. The Applicant states that the replacement shutters are like for like to the previous installation (however no evidence to this effect has been submitted), are an essential crime deterrent, are a

necessity to keep insurance premiums at a minimum, are in keeping with the existing shop front and improve the visual quality of the row of shops as a whole.

While the Council is aware of the mitigating circumstances advanced, it is considered that these do not outweigh the material harm that the proposal would have on the character and appearance of the street scene in general. The shopfront is wider than most in the surrounding area, and the resultant visual impact of an expanse of solid shutters would be unacceptable, resulting in a deadening of the retail frontage and lending an uncompromising and visually intrusive appearance to a wide frontage. Having had regard to the above, Members may consider that the roller shutter is considered to be of an unsympathetic design which harms the appearance of the wider street scene of which the mitigating circumstances raised do not outweigh the harm as a result of the installation.

Background papers referred to during production of this report comprise all correspondence on the file ref(s) 17/03291/FULL1 and 14/04258/FULL1 as set out in the Planning History section above, excluding exempt information.

RECOMMENDATION: APPLICATION BE REFUSED

The reasons for refusal are:

- 1 The proposed shutters, by reason of their design and solid appearance, would have a seriously detrimental impact on the visual amenities and character of the locality thereby contrary to Policies BE1 and BE20 of the Unitary Development Plan and SPG1.**

Application No : 17/01775/TPO

Ward:
Copers Cope

Address : 156 Bromley Road Beckenham BR3 6PG

OS Grid Ref: E: 538403 N: 169363

Applicant : Subsidence Management Services

Objections : YES

Description of Development:

Fell Oak x 1.
SUBJECT TO TPO 1501 (T1)

Proposal

This application has been made to fell a large oak tree (T2) located towards the end of the rear garden, approximately 25m from the rear of the dwelling. The tree is referenced as T2 on the application details. This application has been made by the insured neighbouring resident, as a result of a subsidence claim. A number of supporting documents have been supplied which include the following:

- Level Monitoring
- Foundation diagrams
- Root Identification
- Soil Analysis
- Claim Assessment Report
- Arboricultural Report
- Crack Monitoring

The data supplied indicates a seasonal movement resulting in damage to the kitchen extension and rear portion of the dwelling. The report details the dimensions of the tree within the survey data.

The details supplied are sufficient to enable consideration of the application.

Costs of Repairs

The cost of repairs with the tree removed has been calculated by the applicant to be £5675. If the tree remains as a result of refused permission, the costs of repairs to the superstructure could increase by £10,000, totalling £15,675. This is a calculation submitted by the applicant in section 7 of the application form.

Location

The application site is comprised of a detached dwelling located on the south side of Bromley Road. The property is typical of this part of Beckenham and appears to be of a similar age and design to other properties in the vicinity.

The garden tapers to a point measured approximately 37m from the rear of the dwelling. Due to the position of the plot, the garden is smaller than the neighbouring plots.

Consultations

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

- The oak tree has a Tree Preservation Order (TPO) dating back to 1998. The evidence submitted relate to a dwelling 100 feet away from the tree. There is no evidence that the subsidence is a result of roots. The houses 156 and 158 are at a higher level than the main road. There is subsidence on the external steps, driveway and front boundary wall showing that subsidence is due to geological conditions. The objector disagrees with the proposal to fell the tree.

Conclusion

It is recommended that the application be refused.

The information supplied indicates movement affecting the dwelling and extension. The extension was underpinned in 1995 and was aimed at stabilising previously noted movement. Given the depth of the foundations noted in Trail Pit 2, which relates to the original dwelling's foundation depth, reveals foundations are 0.5m deep. Trail Pit 1 reveals the depth of the foundations associated with the extension to be 1.9m.

Based on the tree species, zone of influence and soil type, foundations would need to be a minimum of 1.2m deep. The foundation depth of the extension is therefore sufficient to take account of the oak tree's influence. The foundations of the dwelling are too shallow and the majority of the damage noted internally, is believed to be a result of movement across the whole dwelling. The damage noted around the junction of the dwelling and extension show separation has occurred between the two. The movement is more likely to be associated with the main dwelling and this is further indicated by the damage noted internally around the door frames, ceiling and plaster finish. Other cosmetic damage is believed to be general aging of the internal décor.

A heave assessment has not been included in the investigation. As T2 existed prior to the construction of the claimant's property, soil conditions are likely to have already been influenced by the tree. Further movement caused by the removal of the tree should not be overlooked.

The subject oak tree is awarded high amenity value primarily on the basis of age/maturity. This is reflected by the making of the TPO in 1998.

Value of the Tree

Capital Asset Value for Amenity Trees (CAVAT), provides a method for managing trees as public assets rather than liabilities. It is designed not only to be a strategic tool and aid to decision-making in relation to the tree stock as a whole, but also to be applicable to individual cases, where the value of a single tree needs to be expressed in monetary terms.

A CAVAT assessment has been calculated for the subject oak tree (T2). The value of the tree has been calculated as £70,647. This takes into account variable factors including public visibility, condition and life expectancy.

The value of the tree outweighs the cost of repairs with the retention of the tree. It is therefore recommended that the application be refused. The felling of the tree is considered an extreme solution to address the damage that is expected to endure.

The applicant has indicated the intention of lodging a compensation claim in accordance with section 202E of the Town and Country Planning Act 1990. Members should be mindful of the potential financial implications prior to reaching a decision.

DECISION

Refusal for:
Fell Oak x 1.
SUBJECT TO TPO 1501 (T1)

Reason:

The oak tree makes a positive contribution to the locality and is a good example of the species. The loss of the tree would be damaging to the greater locality. The Council consider that insufficient consideration has been given to the cause of subsidence and the appropriate solution. The proposals would negate the objectives of the TPO and therefore conflict with Policy NE7 of the Bromley Unitary Development Plan (adopted July 2006).

This page is left intentionally blank

Application:

Address: 156 Bromley Road, Beckenham.

Proposal: Tree Preservation Order



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

This page is left intentionally blank