



THE LONDON BOROUGH  
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DATE: 19 September 2017

To: Members of the  
**PLANS SUB-COMMITTEE NO. 1**

Councillor Alexa Michael (Chairman)

Councillor Charles Joel (Vice-Chairman)

Councillors Douglas Auld, Katy Boughey, Kevin Brooks, Alan Collins, Robert Evans, Samaris Huntington-Thresher, Terence Nathan and Tony Owen

A meeting of the Plans Sub-Committee No. 1 will be held at Bromley Civic Centre on  
**THURSDAY 28 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 8313 4745**

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

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

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

## A G E N D A

- 1 **APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS**
- 2 **DECLARATIONS OF INTEREST**
- 3 **CONFIRMATION OF MINUTES OF MEETING HELD ON 3 AUGUST 2017**  
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### SECTION 1

(Applications submitted by the London Borough of Bromley)

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### SECTION 2

(Applications meriting special consideration)

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4.3	Kelsey and Eden Park	27 - 34	(17/03082/FULL6) - 38 Aviemore Way, Beckenham, BR3 3RR
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### SECTION 3

(Applications recommended for permission, approval or consent)

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4.7	Chislehurst	73 - 90	(17/02806/FULL1) – Carola, Southfield Road, Chislehurst, BR7 6QR
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4.10	Bickley	121 - 126	(17/03155/FULL6) - 8 Hunts Mead Close, Chislehurst, BR7 5SE
4.11	Chelsfield and Pratts Bottom	127 - 140	(17/03167/FULL1) - 30 Oxenden Wood Road, Orpington, BR6 6HP
4.12	Chislehurst	141 - 148	(17/03240/FULL6) - 61 White Horse Hill, Chislehurst, BR7 6DQ
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#### SECTION 4

(Applications recommended for refusal or disapproval of details)

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NO REPORTS

#### 5 CONTRAVENTIONS AND OTHER ISSUES

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NO REPORTS

**6 TREE PRESERVATION ORDERS**

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

## PLANS SUB-COMMITTEE NO. 1

Minutes of the meeting held at 7.00 pm on 3 August 2017

### Present:

Councillor Alexa Michael (Chairman)  
Councillor Charles Joel (Vice-Chairman)  
Councillors Katy Boughey, Kevin Brooks, Robert Evans,  
Simon Fawthrop, Samaris Huntington-Thresher and Tony Owen

### Also Present:

Councillors Russell Mellor, Catherine Rideout,  
Michael Rutherford and Richard Scoates

## 5 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

An apology for absence was received from Councillor Douglas Auld and Councillor Simon Fawthrop attended as his substitute.

An apology for absence was also received from Councillor Terence Nathan.

## 6 DECLARATIONS OF INTEREST

Councillor Charles Joel declared a non-pecuniary interest in Item 4.2 as he was acquainted with the applicant and her husband. Councillor Joel did not take part in the discussion or vote.

## 7 CONFIRMATION OF MINUTES OF MEETING HELD ON 13 JUNE 2017

**RESOLVED** that the Minutes of the meeting held on 13 June 2017 be confirmed.

## 8 PLANNING APPLICATIONS

### SECTION 1

(Applications submitted by the London Borough of Bromley)

### 8.1 CHELSFIELD AND PRATTS BOTTOM CONSERVATION AREA

**(17/01427/FULL1) - Chelsfield Primary School,  
Warren Road, Orpington, BR6 6EP**  
Description of application – Single storey extension to  
annexe building with access ramp and change to site  
boundary.

The Chief Planner reported that a letter from the Headteacher in support of the application, an email in objection to the application and a letter from the Chairman of Chelsfield Village Society, Councillor Melanie Stevens, had been received and circulated to Members. The Tree Officer had made an additional site inspection following concerns from local residents.

Ward Member, Councillor Samaris Huntington-Thresher, referred to previous applications that had been granted permission (references 14/03336 and 16/05292) and the site being within the Green Belt and also in a Conservation Area. Chelsfield Primary School had removed the tree and cleared the site and in her view, shown disregard to the Conservation Area, neighbours' amenities and taken advantage of the planning process for a larger application.

Councillor Tony Owen objected to the application and referred to the November 2014 permission for a similar outbuilding for essential learning space which had still not been implemented and in his view, essential need was not a strong enough reason to overcome green belt considerations.

Councillor Charles Joel supported the application.

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

1. The proposed extension, by reason of its size and siting, would be harmful to the character of the Chelsfield Conservation Area, and is considered to be inappropriate development in the Green Belt; and therefore by definition is harmful to the Green Belt. The substantial level of harm that would arise from the development by way of harm to the openness of the Green Belt, is not clearly outweighed by any educational or other benefits that would arise. Very special circumstances therefore do not exist. As such the proposal is not sustainable development and is contrary to the aims and objectives of the NPPF (2012) and Policies 7.8 and 7.16 of the London Plan (2015) and G1 and BE11 of the Unitary Development Plan (2006).

A motion for refusal was proposed by Councillor Huntington-Thresher and seconded by Councillor Fawthrop. The vote for refusal was 4:4. The Chairman used her casting vote for refusal

**8.2  
PETTS WOOD AND KNOLL**

**(17/01433/FULL1) - Willett Recreation Ground,  
Crossway, Petts Wood, Orpington, BR5 1PE**

Description of application – Single storey detached timber building for storage and extension to existing 2 metre high palisade fence.

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

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

“4. The building hereby permitted shall only be used for storage and for the duration that Petts Wood Runners is in existence and should the Club cease to require the building it shall be removed from the site and the land reinstated to its former condition.

REASON: To enable the Council to reconsider the situation in the event of a change of user in the interest of the amenities of the area, to comply with Policies BE1 and G8 of the Unitary Development Plan.

INFORMATIVE 1: The applicant is advised to contact the Safer Neighbourhood team regarding security of the building.

INFORMATIVE 2: The applicant is advised of the sensitive nature of the site given its designation as Urban Open Space and as such any further development on the site would need to be considered carefully in light of the relevant planning policies at the time of submission.”

**SECTION 2**

(Applications meriting special consideration)

**8.3  
WEST WICKHAM**

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

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

Oral representations in objection to and in support of the application were received at the meeting. The Chief Planner reported that a further letter of support had been received and circulated to Members. On

page 24, line16 of the Chief Planner's report the words, 'dining room' were deleted as this was not part of the application.

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

#### 8.4 DARWIN

#### **(17/00655/FULL1) - Archies Stables, Cudham Lane North, Sevenoaks, TN14 7QT**

Description of application - Use of land for private Gypsy and Traveller caravan site comprising 1 pitch accommodating one mobile home and one touring caravan. (Revision to planning application ref. 10/02059/FULL2 allowed at appeal comprising removal of existing mobile home and its replacement with twin mobile home unit in a re-sited position within the site with associated slab and access ramps, without compliance with Condition 5).

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

Councillor Scoates referred to the planning history of the site from agriculture land to its current use within the Green Belt and to paragraph 2 of the late representation from Cudham Residents' Association and in his view, the proposed mobile home resembled a large chalet bungalow appearing to be of bricks and mortar and no very special circumstances had been demonstrated. He also referred to the Inspector's comments at a previous appeal and in particular the harm to the Green Belt.

In reply to a question from Councillor Fawthrop regarding very special circumstances, the applicant said she had a personal planning permission to live on the land in a mobile home and her very special circumstances were to provide a larger adapted mobile home for health reasons.

The Chief Planner's representative confirmed that a late representation had been received from Cudham Residents' Association and circulated to Members.



Councillor Bob Evans confirmed the site had been allocated in the draft Local Plan as a traveller site in the Green Belt.

The Chairman and Councillors Joel and Boughey objected to the application and were surprised at the Chief Planner's recommendation for permission as the report referred to inappropriate development and harm in the Green Belt.

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

1. The proposal would constitute inappropriate development in the Green Belt and would by reason of its scale and siting result in harm to the openness and rural character of the Green Belt, constituting an undesirable form of urbanised development and resulting in an intensification of the existing use of the site. No very special circumstances have been demonstrated and the proposal would be contrary to Policies G1, BE1 and H6 of the Unitary Development Plan, Policy 7.16 of the London Plan, the National Planning Policy Framework and the Planning Policy for Traveller Sites (2015).

## 8.5 BICKLEY

### **(17/01241/FULL1) - 42 Orchard Road Bromley BR1 2PS**

Description of application – Demolition of existing dwelling and erection of 8 flats (2x3 bed, 4x2 bed and 2x1 bed) associated parking and landscaping. Revised plans showing private amenity space with screening for ground floor units.

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

The Chief Planner reported that late correspondence from the applicant's agent and further objections to the application had been received and circulated to Members. In reply to a Member the Chief Planner gave a definition of amenity space and a further discussion took place.

Members having considered the report, objections and representations, **RESOLVED that PERMISSION be GRANTED** as recommended, subject to the

conditions set out in the report of the Chief Planner with a further condition to read:-

“18. The proposed windows in the first and second floor western flank elevations hereby permitted, shall be obscure glazed to a minimum of Pilkington privacy Level 3 and shall be non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed within 3 months of the date of this decision, and the windows shall subsequently be permanently retained in accordance as such.

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

**8.6  
COPERS COPE  
CONSERVATION AREA**

**(17/01955/FULL1) - 61 The Avenue, Beckenham, BR3 5EE.**

Description of application – Demolition of existing dwelling and erection of 2 two storey buildings with basements and accommodation in roof space, each comprising 3 no. two bedroom flats (6 flats in total) including formation of lightwells, associated landscaping, cycle and car parking and formation of vehicular access.

Oral representations in objection to the application were received. Oral representations from Ward Member, Councillor Russell Mellor in objection to the application were received at the meeting. Correspondence from Councillor Mellor had been received and circulated to Members.

Councillor Mellor referred to the previous planning history of this site and objected to a flattened development in the conservation area which could set a precedent on grounds of mass, height, bulk and impact on the local amenities and would be an over development of the site where family homes were sought.

Councillor Fawthrop was disappointed with the report and, in his opinion, the report should have been a members view as opposed to officer recommendation report.

Councillor Michael had visited the site and in her view the site was developable for two detached houses.

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

**BE REFUSED** for the following reason:-

1. The proposals, by reason of the size, height, bulk and massing of the buildings, would result in an overdevelopment of the site and would fail to preserve or enhance the character and appearance of the Downs Hill Conservation Area, thereby contrary to Policies BE1, BE11 and H7 of the Unitary Development Plan and Policy 3.5 of the London Plan.

**8.7  
CHISLEHURST**

**(17/01968/FULL6) - 11 Gravelwood Close,  
Chislehurst, BR7 6JT**

Description of application - Part one/two storey rear and single storey front extensions.

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

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

“5. Before any work is commenced details of parking spaces and/or garages and sufficient turning space shall be submitted to and approved in writing by the Local Planning Authority and such provision shall be completed before the commencement of the use of the land or building hereby permitted and shall thereafter be kept available for such use. No development whether permitted by the Town and Country Planning (General Permitted Development Order) 1995 (or any Order amending, revoking and re-enacting this Order) or not, shall be carried out on the land or garages indicated or in such a position as to preclude vehicular access to the said land or garages. REASON: In order to comply with Policy T3 of the Unitary Development Plan and to avoid development without adequate parking or garage provision, which is likely to lead to parking inconvenient to other road users and would be detrimental to amenities and prejudicial to road safety.”

**8.8  
KELSEY AND EDEN PARK**

**(17/02002/FULL1) - 21 Langley Road, Beckenham  
BR3 4AE**

Description of application – The demolition of the existing garage and the construction of a part one/two-storey side/rear extension to create a new 1 bedroom dwelling.

Members having considered the report and objections, **RESOLVED** that the application **BE**

**DEFERRED**, without prejudice to any future consideration,  
**TO SEEK FURTHER DETAILS OF THE OCCUPANCY OF THE HOUSE OF MULTIPLE OCCUPATION AND ASSOCIATED CAR OWNERSHIP.**

**8.9  
BROMLEY COMMON AND  
KESTON**

**(17/02203/FULL1) - Land at Chantry Lane, Bromley, BR2 9RZ.**

Description of application – Construction of a part one/two storey business unit (Use Class B1).

It was reported that no objections to the application had been received.

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 with a further condition to read:-  
“5. Notwithstanding the submitted plans, no development is to commence until revised details for the north-eastern boundary adjacent to the residential unit at Land to the rear of 28 to 30 Chatterton Road showing adequate separation between the proposed development and the existing windows in the flank wall of the residential unit at Land to the rear of 28 to 30 Chatterton Road have been submitted to and approved by the Local Planning Authority. The development shall not be carried out otherwise than in accordance with the approved revised details.  
REASON: In the interests of the amenities of the occupiers of the residential unit at Land to the rear of 28 to 30 Chatterton Road.”

**SECTION 3**

(Applications recommended for permission, approval or consent)

**8.10  
BROMLEY TOWN**

**(17/02290/OUT) - 100 Madeira Avenue, Bromley, BR1 4AS**

Description of application – Demolition of existing dwelling and erection of a three storey terrace comprising 2 three bedroom and 1 four bedroom houses with integral garages, access onto Madeira Avenue and associated landscaping **OUTLINE APPLICATION.**

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

Councillor Rutherford objected to the substantial increase in footprint and poor design which was out of keeping in the local area.

Councillor Joel had visited the site and he and the Chairman considered the application to be an overdevelopment of the site.

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

1. The proposal would represent a cramped overdevelopment of the site which would be out of character with the prevailing pattern of development and relate poorly to its immediate surroundings, therefore harmful to the visual amenities of the streetscene and the character of the area. Therefore, the proposal would be contrary to Policies H7 and BE1 of the Bromley Unitary Development Plan (2006), Policy 3.5 and 7.4 of the London Plan and Section 7 of the National Planning policy Framework (NPPF).

**8.11  
CHISLEHURST  
CONSERVATION AREA**

**(17/02538/FULL6) - 41 Heathfield, Chislehurst, BR7 6AF**

Description of application – Single storey rear extension. Infill porch extension with flat roof canopy above and insertion of door to side elevation with glass canopy above.

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

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

**SECTION 4**

(Applications recommended for refusal or disapproval of details)

**8.12  
HAYES AND CONEY HALL**

**(16/05756/FULL6) - 47 Hayes Wood Avenue, Hayes, Bromley, BR2 7BG**

Description of application – Roof alterations to incorporate hip to gable extension, side and rear dormers and first floor rear extension.

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

**8.13  
HAYES AND CONEY HALL**

**(17/00675/FULL6) - 47 Hayes Wood Avenue,  
Hayes, Bromley, BR2 7BG**

Description of application – Roof alterations to incorporate front/side dormer.

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

**8.14  
COPERS COPE  
CONSERVATION AREA**

**(17/01568/ADV) - 162 High Street Beckenham, BR3  
1EW**

Description of application – The installation of one illuminated fascia and projecting sign.

Oral representations from Ward Member, Councillor Russell Mellor in objection to the application were received at the meeting. The Chief Planner's representative confirmed that the host building was locally listed.

The Chairman said that the proposed sign was oversized and would not fit in with the host dwelling and town conservation area.

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

1. The proposed advertisements, by reason of their scale, design and number, would result in a prominent over-proliferation of advertisements which fails to respect the scale, character and appearance of the locally listed host building, and wider Beckenham Town Centre Conservation Area contrary to Policy BE21 of the Unitary Development Plan (2006).

**8.15  
COPERS COPE  
CONSERVATION AREA**

**(17/01723/FULL1) - 162 High Street Beckenham,  
BR3 1EW**

Description of application – Installation of new shop front with metal shutter and retractable awning.

Oral representations from Ward Member, Councillor Russell Mellor in objection to the application were received at the meeting. The Chief Planner's representative confirmed that the host building was locally listed.

The Chairman commented that the shopfront was not

inkeeping with the character and appearance of the conservation area and did not provide legislative access.

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

1. The design of the replacement shopfront does not provide accessible access and fails to respect or complement the character, appearance, proportions and rhythm of the existing locally listed building and would not therefore preserve or enhance the character and appearance of the Conservation Area, being contrary to Chapters 7 & 12 of the NPPF; Policies 7.2, 7.4, 7.6 and 7.8 of the London Plan (2016) and Policies BE1, BE10, BE11 and BE19 of the Unitary Development Plan (2006).

It was **FURTHER RESOLVED that ENFORCEMENT ACTION BE AUTHORISED to SECURE THE REMOVAL OF THE UNLAWFUL PART OF THE DEVELOPMENT.**

**INFORMATIVE:** You are advised that enforcement action has been authorised in respect of some or all of the development subject of this planning decision and you should contact the Planning Investigation Team on 020 8461 7730 or by email to [planninginvestigation@bromley.gov.uk](mailto:planninginvestigation@bromley.gov.uk) to discuss what you need to do to avoid formal action by the Council.

**8.16  
HAYES AND CONEY HALL**

**(17/02580/FULL6) - 35 Hayes Wood Avenue,  
Hayes, Bromley, BR2 7BG**

Description of application – Roof alterations to incorporate side/rear dormer and rooflights  
RETROSPECTIVE APPLICATION.

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

It was **FURTHER RESOLVED that ENFORCEMENT ACTION BE AUTHORISED to SECURE THE REMOVAL OF THE UNLAWFUL PART OF THE DEVELOPMENT.**

**INFORMATIVE:** You are advised that enforcement action has been authorised in respect of some or all of the development subject of this planning decision and

*Plans Sub-Committee No. 1  
3 August 2017*

you should contact the Planning Investigation Team  
on 020 8461 7730 or by email to  
[planninginvestigation@bromley.gov.uk](mailto:planninginvestigation@bromley.gov.uk)  
to discuss what you need to do to avoid formal action  
by the Council.

The Meeting ended at 9.25 pm

Chairman



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

**Application No :** 17/03321/LBC

**Ward:**  
**Crystal Palace**

**Address :** Pedestrian Subway Under Crystal  
Palace Parade Crystal Palace Parade  
Anerley London

**OS Grid Ref:** E: 533796 N: 170975

**Applicant :** Mr Paul Redman

**Objections :NO**

### **Description of Development:**

Installation of new retaining walls behind the existing north and south retaining walls of the East Courtyard of Crystal Palace Subway. Removal of the trees behind the north retaining wall of the East Courtyard.

### **Proposal**

Installation of new retaining walls behind the existing north and south retaining walls of the East Courtyard of Crystal Palace Subway.

### **Consultations**

Historic England were consulted and are supportive of the proposal.  
APCA raise no objections.

No other representations were received.

### **Planning Considerations**

The application falls to be determined in accordance with S.7 of the Planning (Listed Buildings and Conservation Areas) Act 1990 which requires work to a listed building that would affect its special architectural or historic interest to be authorised by the relevant planning authority. The following policies of the Unitary Development Plan are further considerations:

BE8 Statutory Listed Buildings  
Chapter 12 NPPF

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

### **History**

The masterplan envisaged a museum on the site. The proposal would not conflict with this vision should it come forward at any stage.

## **Conclusions**

The subway and courtyard are listed at Grade II and are described in the list entry as follows:

Subway. C1865. Red and cream brick. Leading from the now demolished Crystal Palace High Level Station (1865). Entrance down 3 flights of steps, the last under plain brick arch, to courtyard, once roofed but now open. Moulded red brick arches, blank on north and south sides, blocked on east and opening on west into parallel rows of octagonal brick columns with moulded stone bases and capitals. Half-octagonal responds against oblong piers at either end, and along moulded walls. Fan-vaulted roof, with roundels between fans in red and cream brick with diaper patterning. Ovolo stone mouldings at edges of roundels and fans. Retaining wall to south east side of Crystal Palace Parade is attached to north and south side walls and is of stock brick with end brick square piers and has six red bricks with dog tooth cornices. Stone paving to subway, largely covered by concrete in courtyard. Terrace at west overlooking old station ground.

The Council's Highways Department and a conservation report by heritage consultants have identified that the north and south retaining walls of the submerged courtyard are in poor condition and at risk of collapse from lateral pressures due to the soil behind. Discussions between the Council and Historic England took place and identified the best solution would be to install a new retaining wall behind the existing Victorian walls. The approach proposed uses drilled micro piles in close succession which would then take all the lateral forces from the soil. The approach is known as a Pali Radice.

Some trees are being removed and as they are on LBB land no application is required but it is understood that the Council's Parks and Green Spaces department have been notified and raise no objection.

The solution proposed would not be visible when completed and would also allow for conservation of the original walls without loss of fabric. The approach is also theoretically reversible. On this basis the proposal is considered good conservation practice with no conflict with Policy BE8 for Statutory Listed Buildings. The approach would also not compromise any future uses of the site which were identified in the 2007 Masterplan and the current park Regeneration Plan.

Background papers referred to during production of this report comprise all correspondence on the file ref(s) 17/03321 and any other applications on the site set out in the Planning History section above, excluding exempt information.

**RECOMMENDATION: GRANT LISTED BUILDING CONSENT**

**subject to the following conditions:**

- 1 The works hereby granted consent shall be commenced within 5 years of the date of this decision notice.**

**Reason: Section 18, Planning (Listed Buildings and Conservation Areas) Act 1990.**

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

**Application No :** 17/02430/FULL1

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

**Address :** 132 Burnt Ash Lane Bromley BR1 5AF

**OS Grid Ref:** E: 540516 N: 170909

**Applicant :** Mr D Anderson

**Objections :** YES

### **Description of Development:**

Change of use of the ground floor to Class D1(Veterinary surgery) and erection of a first/second floor rear extension to provide enlarged residential flat for veterinary surgeon working at the practice.

Key designations:

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

### **Proposal**

Planning permission is sought for:

1. Change of use of the ground floor of the gatehouse to Class D1 veterinary surgery
2. First and second floor rear extension to provide reconfigured flat on first and second floors
3. Parking area in front of the building.

The host building is an attractive locally listed building which due to its height, setting and materials forms a fairly prominent feature in the street scene. The building straddles the access road leading to Plaistow Cemetery. The entry on the local list describes the building: "Gatehouse to cemetery. Victorian gothic building in ragstone. W R. Mallett. 1892."

The building was formerly used to provide a cemetery office and public lavatories on the ground floor and private accommodation for the Cemetery Superintendent. The site lies on the southern side of Burnt Ash Lane which is a London Distributor Road. The host building is sited set back from the main highway, but forward of the front elevations of the neighbouring residential dwellings at Nos. 124 - 130 Burnt Ash Lane which comprise Victorian terraced houses (with No. 130 lying adjacent to the application site). To the east of the application site is the library.

The host building is U-shaped, with the forward central part straddling the roadway leading to the cemetery and two wings projecting to the south. The front and rear elevations of the building are ornately detailed with arched windows at ground and

first floor and a central front projecting gable feature with first floor oriel feature above the cemetery access. At the rear the wings are asymmetric. The western wing comprises a shallow two storey element with a rear facing arched first floor window and a single storey rear projection beyond, which projects approx. 11m beyond the main frontage section to the rear of the site. The west wing incorporates an existing catslide roof which sweeps down to join the two storey gable projection which has a decorative ridge perpendicular to the central element of the building. This two storey projection is one room deep and incorporates an ornate rear facing window. The eastern wing is single storey only.

In terms of its internal layout, the existing building provides an office and public toilets in the east wing at ground floor level and residential accommodation arranged over the ground and first floors of the west wing and central element.

The proposal comprises the erection of a first/second floor extension in place of the existing west wing catslide roof which would be set under a pitched roof of commensurate height with the main building, with roofs sloping down on either side of the ridgeline. The total depth of the resultant three storey element would be approx. 10.5m measured from the rear eaves of the existing building. The rear extension would incorporate first and second floor flank and rear facing windows. It would align with the existing flank elevations of the building below, as a consequence of which the extension would lie immediately adjacent to the western flank boundary with No. 130 Burnt Ash Lane. No windows are proposed to face the neighbouring property.

The resultant first and second floor would comprise an enlarged and reconfigured residential unit associated with the veterinary practice it is proposed to site within the east and west wings at ground floor level.

The applicant has confirmed in writing that should planning permission be granted they would agree to the use of a condition tying the residential accommodation to the Class D1 use, as well as referring to the previous dilapidation of the building which was formerly owned/maintained by the Council. It is stated that the building was purchased by tender from the Council and that there was a reasonable expectation that the future owners of the building would extend the property at the rear to increase the amount of usable space. It is noted in the Design and Access statement that the Council's expectation prior to the sale was that the building would be converted into two or more flats.

## **Consultations**

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

### Support

- The siting of the surgery is very convenient and there is ample parking in the locality, with the surgery making this clear
- The use benefits the local community
- The extension would provide accommodation for a vet

- The parking provision is better than the previous surgery and will attract visitors to local shops

### Objection

- The proposal is an overdevelopment
- The plans inaccurately show the original layout of the ground floor
- The rear bedroom window at the neighbouring dwelling is only 0.90m from a new wall which will be 2 storeys higher than present and over 3m longer
- The extensions will appear as an eyesore from the park area and the neighbouring terrace of houses
- Concern regarding the structural strength of the existing walls to take the load of additional floors
- The driveway beyond the gatehouse is being used as an exercise yard and this does not respect that the land beyond is a cemetery. The neighbouring park should be used instead.
- The use has started without planning permission
- Hilldrop Road is already very busy for parking and is now being used by people attending the surgery.

### **Technical Comments**

#### Highways

From a technical highways perspective a swept path analysis/amended parking details were requested and these have been submitted. However it was also requested that the applicant carry out a road safety audit (Stage 1 and Stage 2) and that this would not be capable of being dealt with by way of condition. The applicant has submitted a response to the highways comments and this is detailed in greater depth in the Conclusions section of this report.

### **Planning Considerations**

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

BE1 Design of New Development  
 BE10 Locally Listed Buildings  
 H8 Residential Extensions  
 C1 Community Facilities  
 T3 Parking  
 T18 Road Safety

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 6 Housing Design  
 Policy 37 General Design of Development

Policy 30 Parking  
Policy 32 Road Safety  
Policy 39 Locally Listed Buildings  
Policy 20 Community Facilities

The London Plan

Policy 7.8 - Heritage Assets and Archaeology  
Policy 7.6 - Architecture  
Policy 7.4 - Local Character

## **Planning History**

Under reference 16/04359 planning permission was refused for a development which was substantially similar to that currently proposed on the grounds:

- 1. The proposed extension, by reason of its size and design would be detrimental to the appearance of this building which is included in the Council's list of buildings of local historic or architectural interest and to the visual amenities of the area in general thereby contrary to Policy BE10 and Policy BE1 of the Unitary Development Plan.*
- 2. The proposed extension by reason of its height and depth in proximity to the boundary would have a detrimental impact on the residential amenities that the occupiers of the neighbouring dwelling might reasonably expect to continue to enjoy, resulting in unacceptable loss of light and outlook and undue visual impact, thereby contrary to Policy BE1 of the Unitary Development Plan.*

## **Conclusions**

The main issues relating to the application are the effect that it would have on the character of the area, the impact that it would have on the appearance and character of the host building and the impact upon the amenities of the occupants of surrounding residential properties. The extent to which adequate parking to service the proposed use would be provided falls to be carefully considered, as do the road safety implications of the proposal as well as the loss of the community facility previously provided within the building.

### Use as a veterinary surgery

It is considered that the use of the premises as proposed would not result in an unacceptable loss of a community facility in view of the existing vacancy of the premises and the relationship between the building and the cemetery which it used to serve. The property formerly provided ancillary residential accommodation for the Cemetery Superintendent, along with an office and toilets associated with the operation and management of the cemetery. It is evident from the sale of the premises and the current lack of occupation that the need for this facility no longer exists. While the cemetery remains open to visitors, it is no longer used for burials



and as a consequence the loss of the use of the building in association with the management and maintenance of the cemetery is difficult to resist.

The use of the property as proposed, as a veterinary surgery on the ground floor and residential flat ancillary to the veterinary surgery, would provide a service within the locality and would allow the re-use of the existing building.

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

The proposed extension would be sited at the rear of the building which would limit the extent to which the proposals would be appreciable from the front of the site and from Burnt Ash Lane. However, the building lies adjacent to a large open space and above the vehicular and pedestrian access to the cemetery. The aspect from the rear to the building is open and unobstructed, as a consequence of which the proposed extension would be clearly appreciable from outside the site and from the public realm. The rear elevation of the locally listed building is attractive and distinctive.

The host building is locally listed and it is appropriate to ensure that proposals to extend such buildings are sympathetic to the character, appearance and special character of the buildings. While in principle an extension to the building may be acceptable, it is important to ensure that development relating to locally listed buildings would not be unsympathetic to the appearance and character of the building.

The application includes a design and access statement which refers to the attempt made to overcome the previous ground of refusal, stating that the height of the extension has been reduced by 0.2m and the first and second floor reduced in depth by 0.8m. The statement refers to the rear of the building being screened from the adjacent public open space by evergreen trees.

While it is acknowledged that the current application has reduced the height and depth of the extension, it is not considered that this modest amendment successfully addresses the first reason for refusal of the previous application. The bulk and depth of the extension and its relationship to the host building would disrupt and undermine the character and appearance of the host building.

While the ridgeline of the extension would be set 0.2m below the main ridgeline which runs parallel to the highway, the extent of subservience would not be significant and immediately apparent from ground level in view of the scale of the building. The height of the extension in tandem with the overall depth over three storeys would cause significant imbalance to the rear elevation which has some significance as a result of the siting of the building in relation to open space and the existing design and detailing of the building. The visual impact of the proposal would be exacerbated by the appreciably three storey appearance of the extension at the rear.

### Impact on the residential amenities of the area

With regards to the impact of the proposal on residential amenity, the concerns expressed regarding the structural integrity of the host building and the increased loading upon existing walls are noted, these are matters that would be dealt with under the Building Regulations.

The neighbouring property at No. 130 incorporates an original two storey rear projection as a result of which the rear facing window nearest to the boundary is inset. The proposed two/three storey extension would be sited immediately adjacent to the boundary and would project by approx. 1.8m beyond the nearest part of the rear elevation of No. 130, taking into account that the existing rear elevation of that property projects significantly to the rear of the host building at present. The submitted design and access statement refers to this depth as being less than the rearward projection of the neighbouring dwelling's two storey projection adjacent to the other boundary.

The application is accompanied by a Daylight, Sunlight and Overshadowing Report which states that the daylight and sunlight to the first floor rear facing window at the neighbouring property would meet the BRE guidance. Members will note that the second reason for refusal of the previous application referred to impact on residential amenity by way of loss of light and outlook and undue visual impact. It falls to consider whether if the findings of the commissioned report in terms of the impact on a first floor window at the neighbouring dwelling are accurate, the amendments to the scheme in terms of the reduction in the rearward projection would overcome the concerns expressed regarding the loss of outlook and the visual impact of the proposed extension.

It is noted that the neighbouring dwelling is a two storey end of terrace dwelling which has at ground floor level a single storey rear extension which wraps around the two storey rear projection at that house. As such the visual impact of the proposed extension would be mitigated in view of the main rear amenity space of the neighbouring dwelling being positioned deeper into the site, and that impact that would exist relates to the outlook from the first floor rear facing window. On balance, in view of the reduction in the depth of the rear extension, the siting of the buildings in relation to each other and the layout of the neighbouring site, it is not considered that the visual impact and loss of outlook resulting from the extension would be so adverse as to warrant the refusal of planning permission on this ground.

### Impact on highways/parking

The applicant has submitted a Swept Path Analysis for the proposed parking spaces in front of the building. The parking/access arrangements are substantially similar to those included in the previous application. It is noted that the previous scheme was not refused on highways grounds, and as such it is not considered that the refusal of planning permission on highways grounds would be reasonable in this instance. The applicant has submitted a statement expressing concern at the request to provide a Road Safety Audit prior to the determination of the application. If planning permission is granted then it would be appropriate to

impose a planning condition on the permission to ensure the submission and approval of a Road Safety Audit as well as to ensure that the parking provided on the site is provided in accordance with the submitted details.

### Summary

The principle of the change of use of the existing building and of the formation of a tied residential flat is considered acceptable.

While the current application represents an improvement over the previous proposal in that slight reductions in the depth and height of the extension are proposed, it is not considered that these amendments would address the first ground of refusal in the previous planning application, which is a material consideration in the determination of this application. It is noted that the applicant has provided more information in the form of a Daylight, Sunlight and Overshadowing analysis and on balance, Members may consider that the reduction in the depth of the proposed extension would overcome the second ground of refusal of application 16/04359, and that the highways requirement for a Road Safety Audit may be capable of being secured by way of a planning condition.

Background papers referred to in the preparation of this report comprise all correspondence on files refs: 16/04359 and 17/02430 excluding exempt information.

**as amended by documents received on 19.06.2017 07.07.2017**

### **RECOMMENDATION: APPLICATION BE REFUSED**

**The reasons for refusal are:**

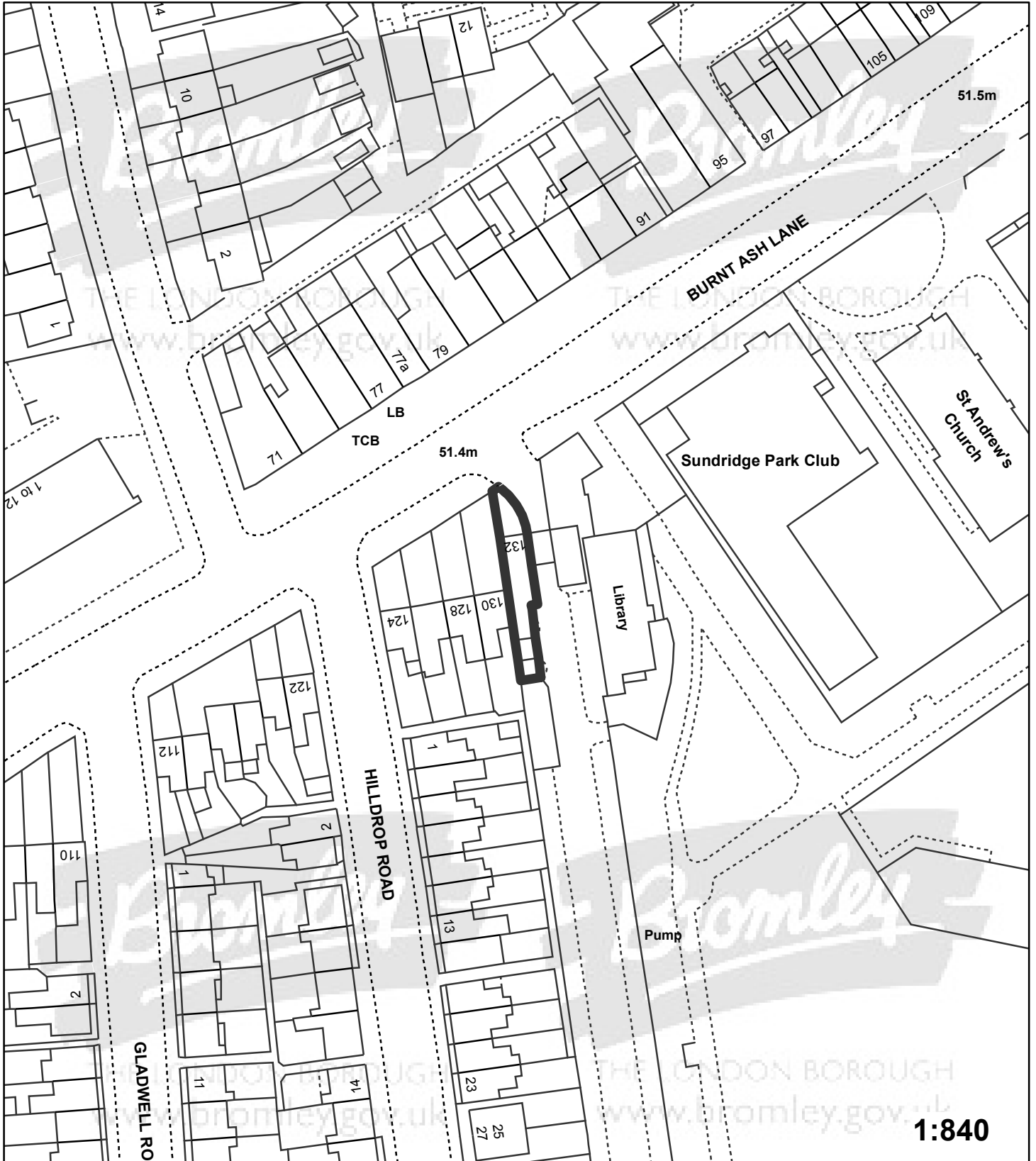
- 1 The proposed extension, by reason of its size and design would be detrimental to the appearance of this building which is included in the Council's list of buildings of local historic or architectural interest and to the visual amenities of the area in general thereby contrary to Policy BE10 and Policy BE1 of the Unitary Development Plan and Policies 37 and 39 of the Draft Local Plan.**

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**Application:**17/02430/FULL1

**Address:** 132 Burnt Ash Lane Bromley BR1 5AF

**Proposal:** Change of use of the ground floor to Class D1(Veterinary surgery) and erection of a first/second floor rear extension to provide enlarged residential flat for veterinary surgeon working at the practice.



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

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

**Application No :** 17/03082/FULL6

**Ward:**  
Kelsey And Eden Park

**Address :** 38 Aviemore Way Beckenham BR3 3RR

**OS Grid Ref:** E: 536199 N: 167662

**Applicant :** Mr Anjum Chaudhry

**Objections :** YES

### **Description of Development:**

Single storey rear extension and decking  
PART RETROSPECTIVE

Key designations:

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

### **Proposal**

Planning permission is sought for a single storey rear extension and associated decking. The proposal as submitted has a depth of 6m, a width of 5.4m and a height of 3m. The development is substantially complete and the application is retrospective. The development commenced under a previously approved householder 'prior approval' application for a larger home extension, however the development was not constructed in accordance with that approval.

The application site is a two storey mid-terrace property located on the south-west side of Aviemore Way, Beckenham.

### **Consultations**

Nearby owners/occupiers were notified of the application and representations were received from the neighbouring properties to either side of the application site which can be summarised as follows:

- The existing extension has led to a loss of light to my patio area and rear rooms
- The development is out of scale when compared to the existing property, my property and other properties
- the proposal has led to a visual impact
- The extension is blocking out the light to my kitchen and dining room making everything dark and gloomy
- It is too big for such a small garden and house is encumbering on the properties either side of it

- What has been built so far is a lot higher than 3 metres and is also trespassing on to my property
- During the construction period my garage was damaged by a digger and the residents have not rectified this problem even though they said they would
- I believe that further work would cause a great amount of disruption along the access road and cause a lot of mess and inconvenience

## **Planning Considerations**

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

National Planning Policy Framework:

Chapter 7- Requiring Good Design

London Plan:

Policy 7.4 Local character

Policy 7.6 Architecture

Unitary Development Plan:

BE1 Design of New Development

H8 Residential Extensions

SPG1 General Design Guidance

SPG2 Residential Design Guidance

According to paragraph 216 of the NPPF decision 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.



## **Planning History**

15/02376/HHPA-Single storey rear extension, extending beyond the rear wall of the original house by 6m, for which the maximum height would be 2.5m, and for which the height of the eaves would be 2.5m. (42 Day Notification for Householder Permitted Development Prior Approval)- Prior Approval Not Required- Date issued- 20.07.2015

- Approval was granted for this householder prior approval application on the basis that no objections were received. In those circumstances (no objections received for a householder prior approval) the Local Planning Authority is unable to consider the merits of the proposal and approval is automatically granted in accordance with the legislation.

17/01814/HHPA-Single storey rear extension, extending beyond the rear wall of the original house by 6m, for which the maximum height would be 3m, and for which the height of the eaves would be 3m. (42 Day Notification for Householder Permitted Development Prior Approval)-Proposal Not Permitted Development- Date issued- 10.05.2017

- This subsequent prior approval application was refused as the proposal had commenced and therefore could not be permitted development - this resulted in the submission of the current application. The planning merits of the proposed extension were not considered.

## **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.

Prior Approval was granted under reference: 15/02376/HHPA for a single storey rear extension with a depth of 6m, with a maximum height of 2.5m on the basis that no objections were received at that time (2015). Whilst the Council was unable to consider the merits of this proposal (as it was a householder prior approval and no objections were received) it nevertheless resulted in an approval for an extension of the same depth as the current proposal, although 0.5m lower. The rear extension has been constructed with a height of 3m as opposed to 2.5m and retrospective planning permission is now being sought for the structure as it is not permitted by the previous prior approval, being materially different. The previous approval is a material planning consideration in the determination of this application, however it should be noted that the extension was not able to be assessed on its merits in relation to that approval.

## Design

Both national and local planning policies recognise the importance of local distinctiveness in ensuring an effective planning system which achieves favourable design. Paragraph 60 of the NPPF states that it is proper to seek to promote or reinforce local distinctiveness, whilst paragraph 61 refers to the fact that although visual appearance and architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic considerations. Similarly, policies BE1 and H8 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. Whilst London Plan Policies 7.4 and 7.6 seek to enhance local context and character, as well as encouraging high quality design in assessing the overall acceptability of a proposal.

The proposed rear extension is not anticipated to have a detrimental impact on the character of the surrounding area. The extension would be sited to the rear of the host dwelling, well-screened from public vantage points, set into the gradient of the site. Furthermore, the materials for the external surfaces of the building would complement those of the host dwelling, compliant with the Policy Objectives of the UDP, London Plan and NPPF.

## Impact on Residential Amenity

It is considered that the main concern is the impact the proposal will have to both adjoining neighbouring properties. Policy BE1 seeks to ensure that new development proposals, including residential extensions respect the amenity of occupiers of neighbouring buildings and that their environments are not harmed by noise and disturbance or by inadequate daylight, sunlight or privacy or by overshadowing. This is supported by London Plan Policy 7.6.

The occupiers of both neighbouring properties at No.36 and 40 have raised objections to the development. It is clear that the development does have a significant impact on the amenities of adjoining neighbouring properties, by way of outlook, visual amenity and the reduction of sun/daylight, due to the significant scale, bulk and depth of the development.

Whilst the granted Prior Approval application (ref: 15/02376/HHPA) is a significant material consideration in the assessment of this application in that a 6 metre extension projecting along both adjoining boundary lines could be constructed, albeit with roof level of 2.5m, this is not what has been constructed at the site. Furthermore that decision to approve did not involve an assessment of the merits of the proposal, in particular the potential for harm to neighbouring properties. It is considered that there is harm caused to both neighbouring dwellings by reason of the height and depth of the extension, contrary to Policy BE1 of the Unitary Development Plan.

## Summary

Members are asked to consider whether the proposal does cause such harm as to warrant refusal of the application. Although an approval does exist for a similar but lower extension, this proposal is considered to cause harm, and in light of the height and depth of the rear extension, it is recommended that permission be refused.

Members will also wish to consider the expediency of enforcement action should the application be refused, and are advised that it would potentially be reasonable to require the extension to be lowered to the approved external height of 2.5m as opposed to its complete removal, given the existence of the previous approval for that form of development.

### **RECOMMENDATION: APPLICATION BE REFUSED**

**The reasons for refusal are:**

- 1. The proposed extension, by reason of its height and depth, is harmful to the amenities of neighbouring properties to either side of the site, by reason of visual impact, loss of outlook and loss of light, therefore contrary to Policies BE1 and H8 of the Unitary Development Plan.**

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**Application:**17/03082/FULL6

**Address:** 38 Aviemore Way Beckenham BR3 3RR

**Proposal:** Single storey rear extension and decking  
PART RETROSPECTIVE



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

**Application No :** 17/03364/FULL6

**Ward:**  
**Copers Cope**

**Address :** West Lodge Beckenham Place Park  
Beckenham BR3 5BP

**OS Grid Ref:** E: 537637 N: 170415

**Applicant :** Mr & Mrs Robinson

**Objections :** YES

### **Description of Development:**

Proposed rear garden annexe to provide living accommodation for a family member, subservient to the main house.

Key designations:

Area of Special Residential Character  
Biggin Hill Safeguarding Area  
London City Airport Safeguarding  
Smoke Control SCA 12

### **Proposal**

Permission is sought for a single storey annex to the rear garden of the property to accommodate the applicant's son, wife and grandchild. The extension measures 11m in width x 9m in depth x 4.7m in height. The annex will have a pitched roof, have several solar panels attached to the roof and clad in timber. Doors and windows are shown to be inserted into all four elevations. The property has an existing garage located to the rear curtilage of the property.

This site lies on the west side of Beckenham Place Park, Beckenham and lies within an Area of Special Residential Character. The site has a pathway to the left hand side of the property which leads down to a gate which can only be accessed by the applicant and occupiers of several flatted developments to the rear.

### **Consultations**

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

- This proposal is within an Area of Special Residential Character as designated by LB Bromley UDP and provides an important privacy and buffer space between Wood Lodge, Fairways, Tudor Manor and the residential blocks of Clive Court and Barry Court.
- The scale and placement of this proposal means it could easily become a separate distinct dwelling.

- The proposal appears to be a substantial detached self-contained unit with a 100m<sup>2</sup> footprint featuring 2 bedrooms, a large living area, a bathroom, ancillary spaces, a 4m high pitched roof.
- It is understood that the Applicant has since approached LBC&J with a view to purchasing the adjoining pathway, which is a reflection of the inherent access problems the site has.
- The application states that no trees are to be felled, however it is clear from any inspection and previous extensions already granted to West Lodge that mature trees are located in the proposed location of the new building.
- The path should not be used for the transportation of materials or for use of a car.
- The residents of West Lodge have access only along this path to their garage which has not been used for a very long time.

### **Planning Considerations**

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

BE1 Design of New Development  
 H7 Housing Density and Design  
 H8 Residential Extensions  
 H9 Side Space  
 H10 Areas of Special Residential Character  
 NE7 Development and Trees

#### Draft 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 4 - Housing Design  
 Draft Policy 7 - Accommodation for Family Members  
 Draft Policy 6 - Residential Extensions  
 Draft Policy 8 -Side Space  
 Draft Policy 37 - General Design of Development  
 Draft Policy 44 - Areas of Special Residential Character  
 Draft Policy 73 - Development and Trees

#### London Plan 2015:

3.5 Design and Quality of Housing Developments  
 7.4 Local Character  
 7.6 Architecture



## **Planning History**

Under planning application ref: 04/01545/FULL6 planning permission was granted for a two storey rear, first floor side/rear, single storey rear, 2 front dormers, pitched roof over existing single storey side extension and side roof extensions.

Under planning application ref: 03/03426/FULL6 planning permission was granted for part one/two storey/first floor rear extension, single storey side extension and 2 front dormer extensions.

Under planning application ref: 87/02525/FULL6 planning permission was granted for a front porch.

Under planning application ref: 86/03447/FULL6 planning permission was granted for a single storey rear and side extension and dormer extensions at rear of detached house.

## **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.

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 H8 paragraph 4.47 states 'Problems can arise (with proposed annexe's) where this type of development constitutes self-contained unit which could potentially be severed from the main dwelling. This can result in the creation of a sub-standard accommodation with inadequate privacy, access provision, parking and amenity space. Such accommodation is likely to be out of scale and character with the surrounding area and detrimental to neighbouring amenity. Therefore such extensions should be designed to form an integral part of the main dwelling'.

Draft Policy 9 of the Proposed Draft Local Plan (Accommodation for Family Members) states that:-

An extension to provide space for additional family members will be expected to meet the following criteria:

- a) the extension cannot be severed from the main dwellinghouse, and
- b) is in keeping with the design and scale of the existing dwellinghouse, and
- c) access to the extension is provided and maintained through the original dwellinghouse.

The application proposes a single storey annex at the bottom of the existing garden to facilitate annexed accommodation to the house with a separate bathroom, two bedrooms, reading room, living area, cupboard and hallway. The

annexe will be entered into on the east elevation. No kitchen is proposed but it could be assumed that the reading room could be converted to be used as a kitchen.

In terms of design, the annex is a contemporary design with a pitched roof profile set 19m from the back of the West Lodge. The annex will be located behind an existing row of the trees and be 1.9m from the boundary of Tudor Manor (neighbouring property) and 1.6m from the access path that lies to the left hand side of the site. The upper height of the annex will only be viewed from the south and west elevations, above the height of the existing fence (approximately 2m).

The annex will be timber clad and contain upvc windows and doors in all four elevations. The annex will occupy an area of the garden in front of the rear garage and occupies a footprint (approximately 78m<sup>2</sup>) which extends for the majority of the width of the rear garden. An existing rear/side gate is already in existence which provides access to the path and rear garage. The annex will be large but will not be seen from the neighbouring property because of the existing mature vegetation on either side of the site. The rear of the site is also screened by mature vegetation but will be seen from people utilising the adjacent pathway. Parking will be to the front of the existing property and there is to be no separate parking area for the annexed accommodation.

The extension is located approximately 2m from ether boundary. The location of mature vegetation mitigates the views of the annex, which will only be seen from the adjacent pathway and therefore does not harm the character of the Area of Special Residential Character.

The access to the annexe will be from the main dwellinghouse and via the existing rear/side gate which leads to the adjacent pathway as confirmed by the applicant via email on the 8th September. The applicant also confirms that the all services will run from the main house. In response to a neighbour objection that the applicant was seeking to purchase the sole use of the access path the applicant confirms that they have no intention of restricting access to the path to residents of Barry Court, Clive Court or Jeanette Court or The Old House by either construction of the proposed annex or by a future application to restrict the use. The applicant has indicated that the proposal would be used as accommodation for his family.

The annex is located at the rear most section of the garden and would essentially form a self-contained family annex , which features all of the requirements for self-contained living accommodation; two bedrooms, bathroom, reading room and lounge and is completely dependent of the main dwelling. Furthermore the size and location of the proposed annexe has not been designed to form an integral part of the main dwelling. Therefore, taking into account the policy outlined above and the siting and size of the proposed building, it is considered that the "granny-annexe" in the manner proposed as a detached building has the potential to be severed to form a separate residential property to be used for a family of three.

The annex is considered an overdevelopment of the property's curtilage and could be used as a self-contained unit, given it has its own side/rear access which could be potentially severed from the main property. The applicant has verbally stated he

is happy to accept a condition ensuring that the annex will be occupied by his son and will at no time be severed to form a self-contained form of residential accommodation, however, the annex will be occupied by more than one person and can be independently accessed, which is contrary to Policy H8 of the Bromley UDP (2006) and Draft Policy 9 of the Draft UDP (submitted 11th August 2017).

**RECOMMENDATION: APPLICATION BE REFUSED**

**The reasons for refusal are:**

**The proposal, by reason of its siting and use, is not considered to represent an ancillary form of accommodation to the main dwelling and is capable of being severed and used as a separate dwellinghouse which would result in a cramped form of development, out of character with the area and contrary to policies BE1 and H8 of the Unitary Development Plan (2006) and Draft Policy 9 of the Draft UDP (submitted 11th August 2017).**

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**Application:**17/03364/FULL6

**Address:** West Lodge Beckenham Place Park Beckenham BR3 5BP

**Proposal:** Proposed rear garden annexe to provide living accommodation for a family member, subservient to the main house.



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

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

**Application No :** 17/02701/FULL1

**Ward:**  
Clock House

**Address :** 45 Beckenham Road Beckenham BR3  
4PR

**OS Grid Ref:** E: 536533 N: 169516

**Applicant :** Mr G PATHMAMATHAN

**Objections :** YES

### **Description of Development:**

Change of use from single family dwelling to Sui Generis House of Multiple Occupation (HMO).

Key designations:

Conservation Area: Elm Road  
Biggin Hill Safeguarding Area  
London City Airport Safeguarding  
Open Space Deficiency  
Smoke Control SCA 15

### **Proposal**

Planning permission is sought for the change of use of the existing residential dwelling into an 8 bedroom House of Multiple Occupation (HMO) and internal alterations. It would provide 7 double bedrooms and one single bedroom.

Internally the proposed HMO would provide a communal kitchen measuring approximately 26.4 m<sup>2</sup>, two communal shower rooms and one bathroom. Units 3 and 4 would have separate en-suites. The bedrooms would measure as follows:

Unit 1: 21 m<sup>2</sup>  
Unit 2: 47 m<sup>2</sup>  
Unit 3: 20.59 m<sup>2</sup>  
Unit 4: 20.51 m<sup>2</sup>  
Unit 5: 19.10 m<sup>2</sup>  
Unit 6: 14.40 m<sup>2</sup>  
Unit 7: 19.35 m<sup>2</sup>  
Unit 8: 18.82 m<sup>2</sup>

### **Location**

The application relates to a large two-storey semi-detached property, which includes accommodation within the roof. The property is located on a busy road opposite a gym and close to a Clock House Train Station and a number of bus routes. The surrounding area is a mix of residential and commercial properties.

The site is located within the Elm Road Conservation Area. At the time of the site visit it was noted that the property was already in operation as a HMO.

## **Consultations**

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

- The property should be retained as a single-family house.
- Family homes which are converted are not maintained and the detached Edwardian Building is part of Beckenham's heritage and is located within a prominent location
- Out of character with the area
- Overdevelopment
- There are inadequate facilities which may result in antisocial behaviour.
- Inadequate facilities may push people outside into the garden
- Two parking spaces are not sufficient and will cause further congestion
- Fire Risk and no secondary means of escape
- Sets a precedent for future conversions
- Larger than Bromley Council's planning policies for occupation levels and does not meet the required LBB standards
- Noise and disturbance

Highways Officer - The proposal entails a change of use from residential to a house in multiple occupation with 8 units.

The site location has a PTAL rating of 5 (high) where car ownership may be associated with the occupiers of the property, although the type of use proposed may serve to minimise car ownership.

There are no parking standards for such use but experience elsewhere in the Borough with a PTAL of 4 suggests that a ratio up to 0.5 spaces per unit could be appropriate.

The existing forecourt accommodates up to 3 cars parked off street.

The site lies within a controlled parking zone with bus stops and Clock House Station very nearby. All of which could also serve to minimise car ownership associated with this proposal.

In the circumstances there are no highway objections.

Please apply the following to any permission

H03  
H18  
H22



Environment Agency - As the site is within Flood Zone 2, the EA would not raise objections in principle to ground floor sleeping accommodation. The Bromley SFRA is not very strong and nor is EA guidance on proposed ground floor sleeping accommodation. Reviewing the modelled flood extents at the site the 1 in 100 yr plus 25% climate change allowance (plus 300mm freeboard) is 29.28mAOD. The EA would normally ask that FFL's are raised above this. As the application is for a change of use it may not be possible to raise them higher. In this case the EA would suggest the applicant have appropriate mitigation measures in place which are mentioned in the submitted FRA.

Environmental Health (Housing) - I refer to the request for comments on the above.

#### Houses and Flats in Multiple Occupation

The property is a Category A type House in Multiple Occupation (HMO) which was licensed on 5th April 2017 by the local authority for 5 years. It was fully compliant with the local authority's adopted standards for HMOs. The HMO was and is licensed for 7 bedsits occupied by up to 13 persons.

The proposal will create two double bedsits from an existing double bedsit. The HMO will have 8 bedsits suitable for occupation by up to 15 persons. There will be adequate kitchen and bathroom facilities for this purpose.

An additional smoke detector/alarm will need to be fitted in the new bedsit, interlinked with the existing fire alarm system.

The two new bedsits will need 30 minute fire doors fitted to their entrances.

#### **Planning Considerations**

National Planning Policy Framework (NPPF) (2012):

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

Chapter 6 - Delivering a wider choice of high quality homes  
London Plan (2016):

- 3.3 Increasing Housing Supply
- 3.4 Optimising Housing Potential
- 3.5 Quality and Design of Housing Developments
- 3.8 Housing Choice
- 3.9 Mixed and Balanced Communities
- 5.12 Flood Risk management
- 6.9 Cycling
- 6.13 Parking
- 7.1 Lifetime Neighbourhoods
- 7.2 An Inclusive Environment
- 7.3 Designing Out Crime

## 7.4 Local Character

### 7.15 Reducing and Managing Noise, Improving and Enhancing the Acoustic Environment and Promoting Appropriate Soundscapes.

Housing: Supplementary Planning Guidance. (March 2016)

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

Unitary Development Plan (2006):

BE1 Design of New Development

H1 Housing Supply

H11 Residential conversions

T3 Parking

T18 Road Safety

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 (2016):

Draft Policy 1 Housing Supply

Draft Policy 4 Housing Design

Draft Policy 9 Residential Conversions

Daft Policy 37 General Design of Development

Draft Policy 30 Parking

Draft Policy 32 Road Safety

## **Conclusions**

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

- Principle of use
- Standard of accommodation
- Neighbouring amenity
- Highway impact

### Principle of use

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

and appearance of the area; and the proposal will not lead to the shortage of medium or small sized family dwellings in the area.

The application property is a large semi-detached residential dwelling. The applicant describes the area as a 'primarily residential community'. There are however a number of other commercial uses within the wider vicinity, including a small commercial parade and gym. The properties immediately surrounding the site are in residential occupation but the wider area includes larger single family dwellings and flats. There are no external alterations but internal changes would be made to facilitate the change of use. The proposal would see the change of use of the existing single family dwelling to an 8 bedroom HMO, which has the potential to accommodate up to 15 people. The site is located within a conservation area; however it is also situated on a busy road opposite a number of larger commercial uses, including a gym, nursery and community facility (Venue 28). It is also in close proximity to Clock House Train Station, bus stops and a small local parade of shops/restaurants. The above factors have resulted in a situation with a greater level of movement and noise than typically associated with a residential road. Furthermore, the immediate neighbour at Number 47 has been converted and extended into 9 separate flats. The intensification of the property and level of movements associated with the number of bedrooms/occupants, whilst significant, is not considered to be significantly different to the situation at No 47. Furthermore, given the surrounding context, including busy road and intensive uses such as the gym this level of intensification on site is not considered to be significantly out of character with the area in general and would therefore preserve the character and appearance of the Conservation Area.

#### Standard of Accommodation

The Council has adopted Standards of Houses in Multiple Occupation, however it is noted that the property has already received a License to be used as a HMO for up to 15 people. No objections have also been raised by the Council's Environmental Health Housing officer. Notwithstanding this point, the property is large and at the time of the site visit it has been fitted out to a high standard. It would provide an adequate number of bathrooms and shower rooms for the number of intended occupiers in line with the Council's adopted HMO standards. There is only one kitchen; however this is large and incorporates a communal dining area. In respect of bedrooms, the National prescribed housing standards (2015) set out minimum requirements for new residential development, including minimum room sizes. Whilst HMOs do not technically fall within these standards, they are considered to be a reasonable baseline for assessment. They indicate that bedrooms should measure 7.5sqm for a single rooms & 11.5sqm for a double/twin rooms. Each of the bedrooms would well exceed the minimum space standards.

It is noted that the property has already been converted into a HMO, however at the time of the site visit only 6 of the bedrooms were in use and permitted development (GDPO 2015), together with the Use Classes Order (1987) does allow for a single residential dwelling to be used by up to 6 unrelated individuals. This arrangement could therefore be permitted development. It is noted that there has previously been a licence agreed for a 7 bedsit 13 person HMO, however this

falls within a different legislative regime and the applicant has applied on the basis that it is a single dwelling. Each of the existing bedrooms appeared to be spacious and received an acceptable level of light and this would continue to be the case for the proposed arrangement. The proposed areas of communal amenity space are however limited. One small lounge is provided on the second floor, but this space is very cramped and has low ceiling heights. There is also a large entrance hall, which is outlined as being a living area. The entrance hall is not however quiet or private, it would be continually disturbed from the comings and goings of residents and the inclusion of it as 'communal space' for assessment is not considered to be reasonable. The bedrooms are however large and most are almost double the minimum space requirements outlined above. This could compensate for the reduced amount of communal space elsewhere within the house.

Given the above, Members may consider that the proposal would provide an acceptable standard of accommodation.

### Neighbouring residential amenities

The intensification of the site could impact upon the living conditions of the surrounding properties in terms of general noise and disturbance from the comings and goings at the site. Seven out of the 8 bedrooms are double and therefore there could be potentially up to 15 people occupying the building at one time. The intensification of the site could therefore give rise to an unacceptable loss of amenity to the occupiers of surrounding residential dwellings. However, the site is located on a busy road, opposite a number of larger commercial uses including a gym and nursery. The immediate neighbouring building at Number 47 has already been extended and converted into flats, which is a higher intensity use for the site. There may be additional comings and goings; however within this context it would unlikely give rise to significant levels of noise and disturbance. Members may therefore consider the impact on neighbouring amenity to be acceptable.

### Highways

The site has a PTAL of 5 and is within walking distance of a number of bus routes and train stations. There are residential parking restrictions within the local vicinity, which prohibit visitor parking between 10am-12pm. There are no specific parking requirements for such uses; however the site is within a highly accessible location and an area for parking is provided on the existing forecourt. No objections have been received from the Council's Highways Officer with respect to the proposal. Given the accessibility of the site and location, Members may consider that the proposal is acceptable and would not give rise to an unacceptable highway impact.

### Flood Risk

The site is located within Flood Zone 2. The applicant has supplied a Flood Risk Assessment (FRA) in respect of the proposal. The use would see living accommodation on the ground floor, however the building and internal ground floor level are raised above the external ground level. The Environment Agency has not raised specific objections to ground floor sleeping accommodation. As the proposal is for a change of use it would be difficult to increase Finished Floor Levels,

however the FRA does highlight mitigation measures in accordance with the EA's standing advice which would be appropriate, such as registering with a the EA flood line. Given the above, the proposal is considered to be acceptable.

In summary members may consider the development is acceptable in principle, would not result in harm to the character and appearance of the area, is acceptable in this location and would not result in harm to neighbouring residential amenities.

Background papers referred to during production of this report comprise all correspondence on the file ref(s) 17/02701/FULL1 outlined in the Planning History section above, excluding exempt information.

## **RECOMMENDATION: PERMISSION**

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

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

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

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

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

- 3 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.**

- 4 Before any part of the development hereby permitted is first occupied, bicycle parking (including covered storage facilities where appropriate) shall be provided at the site in accordance with details**

to be submitted to and approved in writing by the Local Planning Authority, and the bicycle parking/storage facilities shall be permanently retained thereafter.

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

- 5** 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.

**Application:**17/02701/FULL1

**Address:** 45 Beckenham Road Beckenham BR3 4PR

**Proposal:** Change of use from single family dwelling to Sui Generis House of Multiple Occupation (HMO).



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

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

**Application No :** 17/02709/RECON

**Ward:**  
Crystal Palace

**Address :** 130 Croydon Road Penge London SE20  
7YZ

**OS Grid Ref:** E: 534905 N: 169438

**Applicant :** Mrs Jacqueline Chenoweith

**Objections :** NO

### **Description of Development:**

Minor material amendment under Section 73 of the Town and Country Planning Act 1990 to allow variation of Conditions 2 and 18 pursuant to permission ref. 16/05229/FULL1 (granted on the 12.05.2017) for the construction of a four storey residential block comprising 8 two bedroom self-contained units with 4 car parking spaces, landscaping, cycle and refuse stores to allow for the introduction of rear balconies to Flats 4, 6 & 8, private rear amenity area for Flat 2, internal alterations to main entrance to flats 3-8, alterations to the entrance doors to flats 1 and 2 and heights and sills of the Left elevation corridor windows of flats 3 - 8 and stairwell windows have been altered.

Key designations:

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

### **Proposal**

This is a material amendment application to allow variation of Conditions 2 pursuant to permission ref. 16/05229/FULL1 (granted on the 12.05.2017) for the construction of a four storey residential block comprising 8 two bedroom self-contained units with 4 car parking spaces, landscaping, cycle and refuse stores to allow for the introduction of rear balconies to Flats 4, 6 & 8, private rear amenity area for Flat 2, internal alterations to main entrance to flats 3-8, alterations to the entrance doors to flats 1 and 2 and heights and sills of the Left elevation corridor windows of flats 3 - 8 and stairwell windows have been altered.

The building footprint will measure approximately 10.2m width and 16.8m depth at its maximum extents. The height of the building will be approximately 13.8m at the highest ridge point. The footprint of the building has been arranged with a 1m gap to the boundary with No132 and adjacent to the boundary with No128. Three balconies are proposed on the rear elevation

adjacent to the north-eastern boundary with No. 128. The balconies measure 2.95m wide and project 1.6m with a 1.8m high flank privacy screens. At the front of the building there will be 4 car parking spaces and bin/recycling storage. The cycle parking storage for 16 cycles is located within the rear curtilage. Pedestrian access to the building is from the front via a side entrance door.

At the rear, communal gardens are provided for the flats accessed along the side of the building via the front entrance and also a private section of garden has been sectioned off for Flat 2.

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

### **Location**

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

The site is not located within a conservation area.

### **Consultations**

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

### **Internal and External Consultations**

On the basis that the application is in essence amending the original case 16/05229/FULL1 the comments received previously are set out below for Members information.

Highways:

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

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

Cycle parking -16 spaces are required.

Refuse store - this is acceptable.

Environmental Health - Pollution:

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

Transport for London:

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

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

Thames Water:

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

## **Planning Considerations**

National Planning Policy Framework (NPPF) (2012):

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

Chapter 6 – Delivering a wider choice of high quality homes

Chapter 7 – Requiring Good Design

London Plan (2015):

- 3.3 Increasing Housing Supply
- 3.4 Optimising Housing Potential
- 3.5 Quality and Design of Housing Developments
- 3.8 Housing Choice
- 3.9 Mixed and Balanced Communities
- 5.1 Climate change mitigation
- 5.2 Minimising Carbon Dioxide Emissions

- 5.3 Sustainable Design and Construction
- 5.7 Renewable Energy
- 5.10 Urban Greening
- 5.11 Green Roofs and Development Site Environs
- 5.12 Flood Risk Management
- 5.13 Sustainable Drainage
- 5.14 Water quality and wastewater Infrastructure
- 5.15 Water use and supplies
- 5.16 Waste self-sufficiency
- 5.17 Waste capacity
- 5.18 Construction, excavation and demolition waste
- 5.21 Contaminated land
- 6.3 Assessing Effects of Development on Transport Capacity
- 6.5 Funding Crossrail and other strategically important transport infrastructure
- 6.9 Cycling
- 6.13 Parking
- 7.1 Lifetime Neighbourhoods
- 7.2 An Inclusive Environment
- 7.3 Designing Out Crime
- 7.4 Local Character
- 7.5 Public Realm
- 7.6 Architecture
- 7.14 Improving Air Quality
- 7.15 Reducing and Managing Noise, Improving and Enhancing the Acoustic Environment and Promoting Appropriate Soundscapes.
- 8.3 Community Infrastructure Levy

Housing: Supplementary Planning Guidance. (March 2016)

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

Unitary Development Plan (2006):

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

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

Draft Local Plan (2016):

The Council is preparing a Local Plan. 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 1 Housing Supply  
Draft Policy 4 Housing Design  
Draft Policy 37 General Design of Development  
Draft Policy 30 Parking  
Draft Policy 32 Road Safety

### **Planning History**

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

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

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

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

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

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

16/052229/FULL1: Construction of a four storey residential block comprising 8 two bedroom self-contained units with 4 car parking spaces, landscaping, cycle and refuse stores. Approved 12.05.2017 subject to conditions.

## **Conclusions**

Planning permission has previously been granted for this scheme under Ref: 16/052229/FULL1. This allocation is a minor material amendment under Section 73 of the Town and Country Planning Act 1990 to allow variation of Conditions 2 and 18 pursuant to permission ref. 16/05229/FULL1 (granted on the 12.05.2017) for the construction of a four storey residential block comprising 8 two bedroom self-contained units with 4 car parking spaces, landscaping, cycle and refuse stores to allow for the introduction of rear balconies to Flats 4, 6 & 8, private rear amenity area for Flat 2, internal alterations to main entrance to flats 3-8, alterations to the entrance doors to flats 1 and 2 and heights and sills of the Left elevation corridor windows of flats 3 - 8 and stairwell windows have been altered.

It is noted that the repost is similar to the previous repost for application ref: 16/05229/FULL1 but updates where required.

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

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

### Principle of development

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

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

The NPPF sets out in paragraph 14 a presumption in favour of sustainable development. In terms of decision-making, the document states that where a development accords with a local plan, applications should be approved

without delay. Where a plan is absent, silent or relevant policies are out of date, permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits or specific policies in the Framework indicate development should be restricted.

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

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

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

### Density

The density of the proposal would be 117 units per hectare (u/ha). Table 3.2 of the London Plan sets out the appropriate density range for a site with a PTAL of 3 in an urban area as 55-145 u/ha.

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

### Design, character and appearance

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

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

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

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

The scheme now submitted represents an very similar footprint and siting to the approved 2017 scheme. The scheme also occupies a similar footprint to the original building on site in terms of its width and spatial gaps to boundaries. While not complying with Policy H9 directly, in a report to Planning Committee in 2003 and 2016 this fact was reported. At the time by granting approval Members agreed with the siting of the building. The current building follows this rationale and given the original buildings footprint position, it is still considered that the spatial relationship on site to adjacent buildings is acceptable.

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

The current scheme seeks material alterations to the previous approved scheme and will be slightly larger in terms of height, width and depth. The scheme still takes account of the taller buildings at No128 and lower buildings at No132 and beyond and proposes a pitched roof style on all elevations which reduces the scale of the building and relates well to the roofscape of adjacent property. The double fronted bays and brick band detailing are complimentary to the design vernacular of adjacent buildings. Therefore, it is considered that the proposed design and scale creates a good transition between properties to the north east and the original lesser height detached properties to the south east.



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

### Residential Amenity - Standard of Residential Accommodation

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

The floor space size of each of the 8 units ranges between 61m<sup>2</sup> and 63m<sup>2</sup> respectively. The nationally described space standard requires 61m<sup>2</sup> in terms of total flat size for internal areas in relation to a three person two bedroom unit. On this basis, the floorspace provision for all of the units is considered compliant with the required standards and is considered acceptable.

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

### Amenity Space

In terms of amenity space, an extensive communal garden area is indicated to the rear to be landscaped for use by all residents and there is separate private provision in the form of balconies for Flats 4, 6 and 8 and rear private garden space for Flat 2 is to be now provided, given the close proximity of Betts Park, the provision proposed is acceptable at this location.

### Car parking

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

### Cycle parking

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

### Refuse

All new developments shall have adequate facilities for refuse and recycling. The applicant has provided details of refuse storage for the units within the

front curtilage. The location point is considered acceptable and within close proximity of the highway for collection services. Further details regarding a containment structure can be conditioned as necessary.

### Impact on Adjoining Properties

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

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

The proposed balconies have 1.8m privacy screens on the flank elevations thereby preventing views towards the adjacent properties.

In terms of privacy, the second floor balcony would be located ~0.7m from the boundary with No. 128 and ~7.7 m with No. 132. To mitigate any overlooking or perceived overlooking the plans show the balustrading to the flank elevations to be 1.8m high and to ensure this mitigation measures have also been proposed in terms of obscure glazing. To ensure the correct level of obscurity is obtained a condition requiring this has been proposed.

The balconies are also 4.72sqm which will provide some outdoor amenity space as required by the London Plan but by reducing the size will ensure that it will not result in increased noise and disturbance at the elevated level.

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

### Sustainability and Energy

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

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

## Landscaping

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

## Community Infrastructure Levy

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

## Summary

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

Background papers referred to during production of this report comprise all correspondence on the file ref: 16/01266/FULL1, 16/05229/FULL1 and 17/02709/RECON 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.**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

undertaken in accordance with the terms of the approved piling method statement.

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

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

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

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

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

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

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

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

**Authority, and the bicycle parking/storage facilities shall be permanently retained thereafter.**

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

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

**Reason: To minimise the effect of the development on local air quality within an Air Quality Management Area to accord with Policy 7.14 of the London Plan**

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

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

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

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

**18 The amenity space as shown on Drawing No A102 Rev. D hereby approved shall be retained permanently for the benefit of the occupiers of the residential units hereby permitted.**

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

**19 No part of the development hereby permitted shall be occupied until details have been submitted to and approved in writing by the Local Planning Authority of arrangements for establishment of a car club to serve the development. The approved arrangements for the car club shall be in operation before first occupation of any part of the development and shall be permanently retained thereafter.**

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

**20 The privacy screening for the balconies shall be carried in complete accordance with the plans hereby approved under planning ref: 17/02709/RECON (Drawing No. A103 Rev C). The balustrading shall be obscure glazed to a minimum level equivalent to level 4 Pilkington and permanently retained thereafter unless agreed in writing by the Local Planning Authority.**

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

**You are further informed that :**

**1 The applicant is advised that any works associated with the implementation of this permission (including the demolition of any existing buildings or structures) will constitute commencement of development. Further, all pre commencement conditions attached to this permission must be discharged, by way of a written approval in the form of an application to the Planning Authority, before any such works of demolition take place.**

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

**3 You are advised that this application may be liable for the payment of the Mayoral Community Infrastructure Levy under the Community Infrastructure Levy Regulations (2010) and the Planning Act 2008. The London Borough of Bromley is the Collecting Authority for the Mayor and this Levy is payable on the commencement of development (defined in Part 2, para 7 of the Community Infrastructure Levy Regulations (2010)). It is the responsibility of the owner and /or person(s) who have a material interest in the relevant land to pay the Levy (defined under Part 2, para 4(2) of the Community Infrastructure Levy Regulations (2010)). If you fail to follow the payment procedure, the collecting authority may impose surcharges on this liability, take enforcement action, serve a stop notice to prohibit further development on the site and/or take action to recover the debt. Further information about Community Infrastructure Levy can be found on attached information note and the Bromley website [www.bromley.gov.uk/CIL](http://www.bromley.gov.uk/CIL)**

**4 Any repositioning, alteration and/ or adjustment to street furniture or Statutory Undertaker's apparatus, considered necessary and practical**



to help with the modification of vehicular crossover hereby permitted, shall be undertaken at the cost of the applicant.

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

6 A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing [wwqriskmanagement@thameswater.co.uk](mailto:wwqriskmanagement@thameswater.co.uk). Application forms should be completed on line via [www.thameswater.co.uk/wastewaterquality](http://www.thameswater.co.uk/wastewaterquality).

7 The applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0800 009 3921. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

8 Legal changes under The Water Industry (Scheme for the Adoption of private sewers) Regulations 2011 mean that the sections of pipes you share with your neighbours, or are situated outside of your property boundary which connect to a public sewer are likely to have transferred to Thames Water's ownership. Should your proposed building work fall within 3 metres of these pipes we recommend you contact Thames Water to discuss their status in more detail and to determine if a building over / near to agreement is required. You can contact Thames Water on 0800 009 3921 or for more information please visit our website at [www.thameswater.co.uk](http://www.thameswater.co.uk)

9 Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at

**the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.**

**Application:**17/02709/RECON

**Address:** 130 Croydon Road Penge London SE20 7YZ

<BOL>Proposal:</BOL> Minor material amendment under Section 73 of the Town and Country Planning Act 1990 to allow variation of Conditions 2 and 18 pursuant to permission ref. 16/05229/FULL1 (granted on the 12.05.2017) for the construction of a four storey residential block



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

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

**Application No :** 17/02806/FULL1

**Ward:**  
**Chislehurst**

**Address :** Carola Southfield Road Chislehurst BR7  
6QR

**OS Grid Ref:** E: 546077 N: 168824

**Applicant :** Neil Cooper

**Objections :** YES

### **Description of Development:**

Demolition of existing bungalow and construction of 4-bed dwelling with accommodation in the roofspace

Key designations:

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

### **Proposal**

Planning permission is sought for the demolition of existing bungalow and construction of 4-bed dwelling with accommodation in the roofspace. The new dwelling would have a maximum height of 7m, width of 17.5m and depth of 15.1 increasing to 17.6m in the centre.

Planning permission was recently granted under ref: 16/02911/FULL1 (at Plans Sub Committee held on the 15<sup>th</sup> December 2016) for the demolition of existing bungalow and construction of 5-bed dwelling with accommodation in the roofspace, the dwelling had a maximum height of 6.5m width of 17.5 and depth of 15.7m.

### **Location**

The application site is located on the northern side of Southfield Road and is one of five identical bungalows.

### **Consultations**

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

- New house will not be in keeping with the existing street scene;
- Development will cause noise, disturbance, dust etc. during construction that will damage the road in which residents have to pay for;

- No site notice has been displayed (not formally required in this case);
- The new house is garish in a small road;
- Disapprove strongly of these plans;
- The upgrading of the existing houses in this area will enhance the overall appearance and value of the other properties and as such support the proposal;
- Raise the street scene and improve the plot by using available space without impacting neighbours.

#### Drainage:

Thames Water should be consulted because a public foul sewer crosses the back garden of this site.

There is no public surface water sewer near the site, so the applicant is required to make his own arrangement as how to dispose of surface water run-off. Please impose conditions relating to Surface water drainage and Sustainable drainage system.

Thames Water have been consulted and no comments have been received at the time of writing the report, if comments are received they will be reported verbally to Members at Committee.

#### **Planning Considerations**

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

#### National Planning Policy Framework (NPPF) (2012):

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

Chapter 6 – Delivering a wider choice of high quality homes

Chapter 7 – Requiring Good Design

#### London Plan (2015):

- 3.3 Increasing Housing Supply
- 3.4 Optimising Housing Potential
- 3.5 Quality and Design of Housing Developments
- 3.8 Housing Choice
- 3.9 Mixed and Balanced Communities
- 5.1 Climate change mitigation

- 5.2 Minimising Carbon Dioxide Emissions
- 5.3 Sustainable Design and Construction
- 5.7 Renewable Energy
- 5.9 Overheating and cooling
- 5.10 Urban Greening
- 5.11 Green Roofs and Development Site Environs
- 5.12 Flood Risk Management
- 5.13 Sustainable Drainage
- 5.14 Water quality and wastewater Infrastructure
- 5.15 Water use and supplies
- 5.16 Waste self-sufficiency
- 5.17 Waste capacity
- 5.18 Construction, excavation and demolition waste
- 6.5 Funding Crossrail and other strategically important transport infrastructure
- 6.9 Cycling
- 6.12 Road Network Capacity
- 6.13 Parking
- 7.1 Lifetime Neighbourhoods
- 7.2 An Inclusive Environment
- 7.3 Designing Out Crime
- 7.4 Local Character
- 7.5 Public Realm
- 7.6 Architecture
- 7.14 Improving Air Quality
- 7.15 Reducing and Managing Noise, Improving and Enhancing the Acoustic Environment and Promoting Appropriate Soundscapes.
- 7.19 Biodiversity and Access to Nature
- 8.3 Community Infrastructure Levy

Housing: Supplementary Planning Guidance. (March 2016)

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

Unitary Development Plan (2006):

- BE1 Design of New Development
- BE7 Railings, Boundary Walls and Other Means of Enclosure
- H1 Housing Supply
- H7 Housing Density and Design
- H9 Side Space
- NE7 Development and Trees
- T3 Parking
- T5 Access for People with Restricted Mobility
- T6 Pedestrians
- T7 Cyclists
- T16 Traffic Management and Sensitive Environments
- T18 Road Safety

### 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 1 Housing Supply  
Draft Policy 4 Housing Design  
Draft Policy 37 General Design of Development  
Draft Policy 30 Parking  
Draft Policy 32 Road Safety

### Other Documents:

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

### **Planning History**

Under planning reference 12/03816/FULL6 planning permission was granted on the 28<sup>th</sup> January 2013 for a ground floor front extension, first floor rear extension, increase of the roof height and rear dormers.

Recently under planning reference 16/02911/FULL1 planning permission was granted on the 22.12.2016 for the demolition of existing bungalow and construction of 5-bed dwelling with accommodation in the roofspace.

### **Conclusions**

It is considered the planning issues and considerations relate to:

- Principle of development and density;
- Design and scale;
- Neighbouring amenity;
- Standard of accommodation;
- Car parking and access;
- Cycle parking;
- Refuse;
- Trees;
- Sustainability and energy; and
- Community Infrastructure Levy.

### Principle of development and density

The proposed development would make a minor contribution of 1 new dwelling towards the Council's target in accordance with Policy 3.3 of the London Plan.



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

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

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

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

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

This is supported in London Plan Policies 3.4 and 3.5.

The application site fronts onto Southfield Road and this would form the basis of its character reference for the proposal. This dwelling is one of five identical bungalows located on the northern side with two story houses on the southern side. The area generally has a mix of dwelling styles and designs. Whilst the proposal would result in the loss of one of the five bungalows this principal has

already been accepted previously under Ref: it is considered that the proposal would fit into the established pattern and would not appear shoe horned into the built environment to the detriment of the areas character.

The site has a public transport accessibility level (PTAL) of 1b on a scale where 1 is poor and 6 is excellent. In terms of density Table 3.2 of the London Plan (LP) and Policy H7 of the UDP provide a density matrix and states for Suburban areas with a PTAL of 0-1 in LP or 1-2 in UDP the density level should be between 150-200hr/ha. The density level at this site is proposed to be approximately 79hr/ha. Whilst this density is well below the ranges set out above, density is only one aspect of applications acceptability.

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

Given the extant permission on the site and the above it is considered that the principle of development can be accepted as the development is in compliance with Policies 3.4 and 3.5 of the London Plan and Policies H1 and H7 of the UDP.

#### Design and Scale

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

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

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

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

*(ii) where higher standards of separation already exist within residential areas,*

*proposals will be expected to provide a more generous side space. This will be the case on some corner properties.*

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

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

The proposed new dwelling is to be located centrally within the plot and on approximately the same footprint as the original dwelling and the recently approved scheme under ref: 16/02911/FULL1 and the current scheme under ref: 17/02806/FULL1 provided a side space of 1.48m to the eastern boundary and 1.69 (reducing to 1.02m) adjacent to the western boundary, the new dwelling proposes however the angular orientation has been altered to face directly onto Southfield Road (south) the design of the new house and are seen within the borough, the properties within the neighbouring roads and as such would not appear alien to the established layout, pattern and distinctive character and appearance of dwellings in the area.

Therefore, it is considered the proposed development would comply with Policies 7.4 and 7.6 of the London Plan and Policies BE1 and H9 of the UDP in that the dwelling does have proportion, composition and scale that enhances, activates and appropriately defines the public realm. The proposal would have regard to the form, function, and structure of the surrounding area and would not provide a positive relationship between the proposed and existing urban context.

### Neighbouring Amenity

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

The proposed new house would be located to the west of Sunny Field and east of Red Roof a shadow study has been produced which shows the new development would not have any significant impact on neighbouring properties in terms of loss of light over and beyond the approved 12/03816/FULL6 and the 16/02911/FULL1 whilst these permissions was never implemented and it is noted that 12/03816/FULL6 has subsequently expired, ref: 16/02911/FULL1 remains extant.

Given the location of the new house it is considered that this increase would not result in a loss of amenity in terms of light and increased sense of enclosure to any neighbouring property.

In terms of outlook, the fenestration arrangement will provide front and rear outlook for the new house overlooking the rear amenity space and street. The outlook from windows from the proposed property is considered to maintain a suitable level of privacy at the intended distances to existing neighbouring property. There are no flank windows proposed.

### Standard of accommodation

The mayoral Housing SPG and the National Space Standards provides further guidance on suitable floor area standards, some examples are set out below for your information:

Single bedroom – floor area of at least 7.5m<sup>2</sup> and is at least 2.15m wide.

Double bedroom – floor area of at least 11.5m<sup>2</sup> one double (or twin bedroom) is at least 2.75m wide and every other double (or twin) bedroom is at least 2.55m wide.

Adequate private amenity space also needs to be provided with a minimum of 5 sq m of private outdoor space should be provided for 1-2 person dwellings and an extra 1 sq m should be provided for each additional occupant.

In addition, consideration needs to be given to Policies 3.5, 3.8 and 7.2 of the London Plan.

The proposed dwelling is a 4- bed dwelling and could theoretically house up to 8 persons due to the size of the bedrooms proposed. The minimum Gross Internal Area (GIA) of 124 sqm. The GIA+ of the proposed dwelling would be over this and therefore complies with the minimum GIA.

The proposed amenity space to the rear would be accessed from the ground floor and would exceed the requirements of the Housing SPG.

### Car Parking and Access

London Plan Policy 6.13 requires the maximum standards for car parking, which is supported by Policy T3 of the UDP. The proposed development would provide off-street parking spaces as the original unit and as such no highways objections are raised.

### Cycle parking

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

## Refuse

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

## Trees and landscaping

The Design and Access Statement confirms that garden to the rear will provide external amenity for future occupiers and as such no objection is raised in this regard.

## Sustainability and Energy

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

The applicant has not submitted any information which outlines that it will be possible for the development to meet these objectives. Further details regarding this can be conditioned as necessary.

## Community Infrastructure Levy

The Mayor of London's CIL is a material consideration. CIL is liable for the construction of a new dwelling.

## Conclusion:

Having had regard to the above it is considered that the It is considered that the development has been carefully and sympathetically designed to ensure that the proposal would not result in amenity implications that would harm the quality of life of existing surrounding in accordance with Policies 3.3, 3.4, 3.5, 3.8, 3.9, 5.1, 5.2, 5.3, 5.7, 5.9, 5.10, 5.11, 5.12, 5.13, 5.14, 5.15, 5.16, 5.17, 5.18, 6.5, 6.9, 6.12, 7.1, 7.2, 7.3, 7.4, 7.5, 7.6, 7.14, 7.15, 7.19 and 8.3 of the London Plan and BE1, BE7, H1, H7, H9, NE7, T3, T5, T6, T7, T16 and T18 of the UDP.

Having had regard to the above, Members are asked to consider if the proposed demolition of the existing bungalow and construction of a 4-bed detached dwelling is acceptable as detailed in the report. It is considered that the development has been carefully and sympathetically designed to ensure that the proposal would not result in any amenity implications that would harm the existing quality of life or character of the surrounding area.

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

Background papers referred to during production of this report comprise all correspondence on the file ref: 16/02911/FULL1 and 17/02806/FULL1 set out in the Planning History section above, excluding exempt information.

## **RECOMMENDATION: PERMISSION**

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

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

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

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

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

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

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

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

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

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

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

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

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

**Reason: To reduce the impact of flooding both to and from the proposed development and third parties and to accord with Policies 5.12 and 5.13 of the London Plan.**

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

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

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

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

- 9 Before commencement of the use of the land or building hereby permitted the parking spaces shall be completed in accordance with**

the details hereby approved and shall thereafter be kept available for such use. No development whether permitted by the Town and Country Planning (General Permitted Development Order) 2015 (or any Order amending, revoking and re-enacting this Order) or not, shall be carried out on the land or garages indicated or in such a position as to preclude vehicular access to the said land.

**Reason:** In order avoid development without adequate parking provision, which is likely to lead to parking inconvenient to other road users and would be detrimental to amenities and prejudicial to road safety to comply with Policy T3 of the Unitary Development Plan and Policy 6.13 of the London Plan.

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

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

- 11 Notwithstanding the plans hereby approved no gates shall be installed at the vehicle entrance/exit to the site unless agreed in writing by the Local Planning Authority.

**Reason:** In order to ensure that satisfactory means of access is provided and to comply with the Policy T18 of the Unitary Development Plan and Policy 6.12 of the London Plan

- 12 No extensions or alterations to the building hereby approved, whether or not permitted under Article 3 to Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking, re-enacting or modifying that Order) of that Order, shall be carried out without the prior written permission 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.

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



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

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

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

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

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

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

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

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

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

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

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

**You are further informed that:**

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

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

**Further information about Community Infrastructure Levy can be found on attached information note and the Bromley website [www.bromley.gov.uk/CIL](http://www.bromley.gov.uk/CIL)**

- 4** Conditions imposed on this planning permission require compliance with Part M4 of the Building Regulations. The developer is required to notify Building Control or their Approved Inspector of the requirements of these conditions prior to the commencement of development.
- 5** Before works commence, the Applicant is advised to contact the Pollution Team of Environmental Health & Trading Standards regarding compliance with the Control of Pollution Act 1974 and/or the Environmental Protection Act 1990. The Applicant should also ensure compliance with the Control of Pollution and Noise from Demolition and Construction Sites Code of Practice 2008 which is available on the Bromley web site.
- 6** Before demolition commences, the Applicant is advised to have a full pre-demolition survey carried out to identify any asbestos containing products which may be in the building, and then contact the Health & Safety Executive to ensure compliance with all relevant legislation. The Applicant should ensure compliance with the Control of Asbestos Regulations 2012 and the Health and Safety at Work Act 1974 in relation to the safe removal of any asbestos on site prior to demolition.
- 7** If during the works on site any suspected contamination is encountered, Environmental Health should be contacted immediately. The contamination shall be fully assessed and an appropriate remediation scheme submitted to the Local Authority for approval in writing.
- 8** It is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0800 009 3921. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.
- 9** Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

- 10** You should contact extension 4621 (020 8313 4621 direct line) at the Environmental Services Department at the Civic Centre with regard to the laying out of the crossover(s) and/or reinstatement of the existing crossover(s) as footway. A fee is payable for the estimate for the work which is refundable when the crossover (or other work) is carried out. A form to apply for an estimate for the work can be obtained by telephoning the Highways Customer Services Desk on the above number.

**Application:**17/02806/FULL1

**Address:** Carola Southfield Road Chislehurst BR7 6QR

**Proposal:** Demolition of existing bungalow and construction of 4-bed dwelling with accommodation in the roofspace



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

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

**Application No :** 17/02900/FULL6

**Ward:**  
Chislehurst

**Address :** 59 White Horse Hill, Chislehurst, BR7  
6DQ

**OS Grid Ref:** E: 543338 N: 171359

**Applicant :** Mr D. McMahon

**Objections :** NO

### **Description of Development:**

First floor rear extension and elevational alterations.

Key designations:

Biggin Hill Safeguarding Area  
London City Airport Safeguarding  
Smoke Control SCA 16

### **Description of Development:**

The proposed first floor extension will have a rear projection of 4.9m and a width of 4.1m, with a tapered rear wall (width reduced from 5.4m previously proposed under ref. 17/01096). The roof will be flat with a maximum height of 5.7m (previously sloped to the same height), matching the height of the eaves of the main dwelling. The extension will be sited on top of the existing flat roofed single storey rear extension and will provide an additional bedroom.

Elevational alterations include changes to the ground floor flank and rear windows.

### **Location**

The site is located on the western side of White Horse Hill and comprises an end of terrace two storey residential dwelling. The wider area is characterised by similar residential development.

### **Comments from Local Residents**

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

- The development will enhance the back of the house and terrace and will be a refreshing and exciting design that works with and not against the Victorian history of the houses on the terrace.

## **Consultations**

None.

## **Planning Considerations**

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

### National Planning Policy Framework (NPPF) (2012)

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

Chapter 7 - Requiring Good Design

### 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

### Other Guidance

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

Supplementary Planning Guidance – The Chislehurst Conservation Area

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

## **Planning History**

Planning permission was refused under ref. 17/01096 for a first floor rear extension and elevational alterations. The refusal grounds were as follows:

‘The proposed extension, by reason of its design, siting and excessive rear projection, would result in a detrimental impact on the amenities of No. 61 White Horse Hill by way of loss of outlook, a tunnelling visual impact and loss of light,



thereby contrary to Policies BE1 and H8 of the Unitary Development Plan and Policies 6 and 37 of the Emerging Local Plan.'

Planning permission was refused under ref. 08/01222 for a single storey rear extension. The refusal grounds were as follows:

'The proposal, by reason of its location on an existing rear extension, would be detrimental to the amenities that the occupiers of 57, White Horse Hill might reasonably expect to be able to continue to enjoy by reason of visual impact, loss of prospect and loss of light in view of the depth of rearward projection.'

## **Conclusion**

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

Following the refusal of application ref. 17/01096, the proposal seeks to alter the design by reducing the width from 5.4m to 4.1m. This results in a separation of the flank wall from the shared boundary with No. 61 of 1.3m. The roof will be flat as opposed to the previously considered sloped roof, however the height of 5.7m at the point closest to No. 61 would remain as previously proposed.

## Design and Character

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

London Plan and UDP policies further reinforce the principles of the NPPF setting out a clear rationale for high quality design.

The proposed extension has a modern angled design that, whilst different to the architecture of the host building, would complement it without dominating the building. The extension will be sited to the rear of the house and would not be visible from the highway. It is considered on balance that the proposed extension would not impact harmfully on the character of the area and indeed this view when considering application ref. 17/01096.

## Impact on neighbouring amenities

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 proposal would present a vertical flank wall of 4.9m in length in close proximity to the flank boundary adjoining No. 61. This relationship was considered unacceptable under ref. 17/01096 however the current application is submitted in accompaniment with a similar proposal at No. 61 (ref. 17/03240). The construction of both extensions together is considered to adequately address the previous concerns regarding oppressive visual impact, loss of outlook and loss of light to No. 61, which is sited to the

north. The previous concerns in terms of tunnelling would be addressed by the proposed neighbouring first floor extension, with only a first floor bathroom window affected.

It is considered that on balance the proposal would not have a significant impact on the amenities of No. 61, provided that both extensions are constructed together. An appropriate condition is recommended to ensure this, and Members are asked to consider the pertinence of this condition in light of the intention of both property owners to construct both developments in the future.

To the south, No 57 would not suffer a loss of light and has a separation from the site of 3.5m that would avoid significant visual impact. The slope of the proposed roof will also reduce the bulk of the development facing No. 57 and this would mitigate the impact of the extension.

### 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 impact detrimentally on the character of the area. It is therefore recommended that Members grant planning permission.

Background papers referred to during production of this report comprise all correspondence on the file refs. 17/01096, 17/02900 and 17/03240 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 materials to be used for the external surfaces of the building shall be as set out in the planning application forms and / or drawings unless otherwise agreed in writing by the Local Planning Authority.**

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

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

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

- 4 No windows or doors additional to those shown on the permitted drawing(s) shall at any time be inserted in the 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 Policy BE1 of the Unitary Development Plan and in the interest of the amenities of the adjacent properties.**

**5 The developments permitted at Nos. 59 and 61 under refs. 17/02900 and 17/03240 shall be constructed simultaneously.**

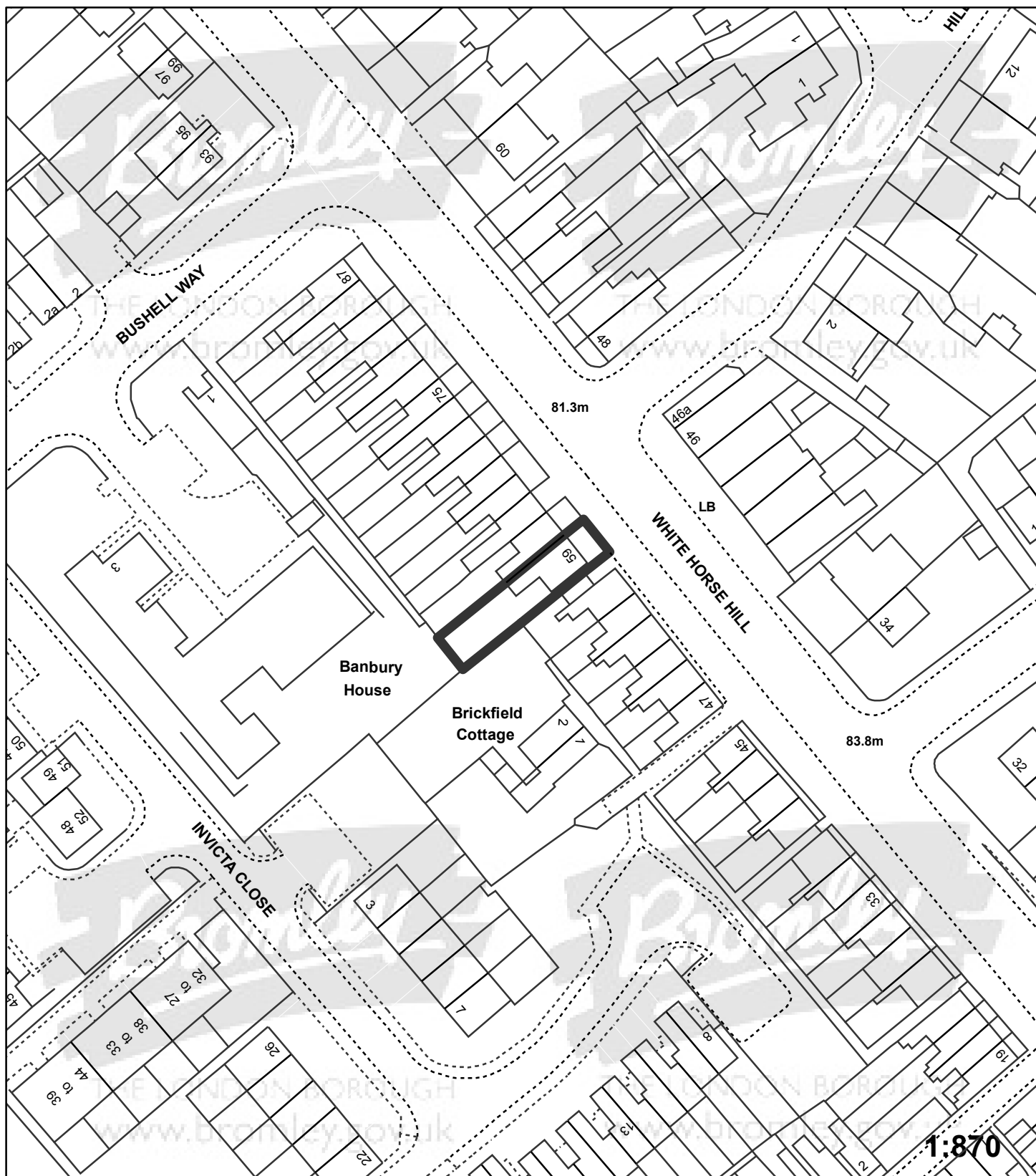
**Reason: In order to comply with Policy BE1 of the Unitary Development Plan and to preserve the residential amenities of both properties.**

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**Application:**17/02900/FULL6

**Address:** 59 White Horse Hill Chislehurst BR7 6DQ

**Proposal:** First floor rear extension and elevational alterations.



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

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

**Application No :** 17/03076/OUT

**Ward:**  
Chislehurst

**Address :** Kemnal Stables Kemnal Road  
Chislehurst BR7 6LT

**OS Grid Ref:** E: 544638 N: 171611

**Applicant :** Mr T Pullen

**Objections :** YES

### **Description of Development:**

Demolition of existing residential building, stables with sand schools, flood lighting and office and the provision of 1 no. 4 bedroom house, 2 no. 2 bedroom and 6 1 bedroom dwellings with communal parking and private terraces

Key designations:

Conservation Area: Chislehurst

Biggin Hill Safeguarding Area

Green Belt

London City Airport Safeguarding

Smoke Control SCA 16

### **Proposal**

The application seeks outline planning permission with all matters reserved for the demolition of the existing residential building (Toppers Oak), stables with sand schools, flood lighting and office and the provision of 1 no. 4 bedroom house, 2 no. 2 bedroom and 6no. 1 bedroom dwellings with communal parking and private terraces.

Whilst plans have been submitted with the application, these are no more than illustrative given that the scheme is in outline provision with all matters reserved. The plans are considered to be an indicative representation of what the Applicant considers could be achieved on site. In determining the application Officers make reference only to the principle of the redevelopment of the site which includes an assessment on all relevant policy. Matters of appearance, means of access, landscaping, layout and scale will be subject to a reserved matters application at a later date. The decision on this application does not mean that the submitted plans are acceptable or not, as the detail within them is for consideration at reserved matters stage.

### **Location**

The site measures 1.24ha in size and is located within the Chislehurst Conservation Area and the Green Belt. A livery business is located at the site with an associated dwelling.

The existing built development comprises a four bedroom, single storey dwelling with accommodation in the roofspace including dormers, and a courtyard arrangement of single storey self-livery stables with 29 boxes located around a courtyard, offices, sand schools with associated floodlighting and car parking. To the north of the site a combined vehicular and pedestrian access leads to the stables.

Mature planting is located throughout the site, including to the rear of the residential dwelling and northern most sand school. The site is bounded from Kemnal Road by a post and rail fence, with the residential dwelling and stables at a significantly higher land level than the highway. The site has a semi-rural appearance and the existing development is appropriate in its context being low key and predominantly related to the equestrian business.

## **Consultations**

Nearby owners/occupiers were notified of the application and the following comments were received:

- The Kemnal Residents Association objects to this proposal on the grounds that it does not comply with the area's Green Belt status and would remove the type of "country" activity currently generated by the riding school/stables which contributes to the semi-rural character of the main part of Kemnal Road - a character which the Association is anxious to retain and to avoid further urbanisation of the northern part of the road.
- The Association's members are responsible for the maintenance of the main metalled part of Kemnal Road (unadopted) leading to the private roadway on which the site is situated. There is no means of access to the site other than via this part of Kemnal Road, and we are concerned that the proposed development would (because of the need for regular access and parking by residents of and visitors to the proposed new dwellings) generate more traffic in this quiet residential road. During the construction period, considerable additional heavy goods traffic can be expected. Previous experience has shown that this causes damage to the road (which residents would have to pay for) and nuisance to residents as a result of queueing heavy vehicles and vans.
- If the development is approved, the Association would strongly advocate a planning condition requiring formal before and after road inspections by highway engineers and the deposit of a financial bond to cover any necessary repairs.

Neighbours were consulted again on the 5<sup>th</sup> September due to an error in the description however no comments were received.

Highways - 'It is noted that this is an outline application with all matters reserved. The site has a PTAL assessment of 0 so the vast majority of trips are likely to be vehicular. This section of the Kemnal Road is private although there is a registered footpath (FP 35) over it.



The proposal is to demolish the existing stables and construct 6 x 1 bed and 2 x 2 bed dwellings. There are 8 parking spaces shown. The Planning Statement refers to a Transport Assessment (para 6.17) but one could not be seen with the application.

There are no visitor's spaces parking shown. More spaces are likely to be required and there does seem adequate space to provide them. There is no indication of how the refuse collection will be undertaken.

There is also a proposal for a replacement dwelling at Toppers Oak. As that is like for like I would have no issue with the principle'.

Following receipt of the Highways Officers comments, a transport note was submitted (25th July 2017) and the following comments were received from the Council's Highways Officer:

'The vehicular trip generation from the proposed residential units may be slightly underestimated given the poor public transport links but it is accepted they are unlikely to be significantly more than the stables appear to generate. There is no mention of the access layout and no further comments are made'.

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.

Environmental Health (Pollution) – No objections subject to conditions

Drainage - There is no public surface water sewer near the site, so the applicant is required to make his own arrangement as how to dispose of surface water run-off. No objections are made subject to conditions

Conservation Officer - Although clearly quite indicative due to this being Outline, I consider that this proposal could be similar in bulk, scale and site layout to what is there at present and therefore may be considered to preserve the character and appearance of the CA. The elevations are at 1:250 which even at Outline stage is a very small scale and it would be useful at least to have 1:100 sections clearly showing max heights. It could be an improvement on the previously refused scheme 16/03627/FULL1.

Trees - The arboricultural submissions have adequately addressed tree constraints and implemented protection measures. Trees to be removed are not considered significant enough to prevent the proposals. Conditions are recommended.

## **Planning Considerations**

The National Planning Policy Framework is a material consideration. Sections 4 'Promoting sustainable transport'; 6 'Delivering a wide choice of high quality homes'; 7 'Requiring good design'; 9 'Protecting Green Belt land'; and 10 'Meeting

the challenge of climate change, flooding and coastal change' are of particular relevance.

London Plan 2015:

- 2.6 Outer London: Vision and Strategy
- 2.7 Outer London Economy
- 2.8 Outer London: Transport
- 3.3 Increasing Housing Supply
- 3.4 Optimising Housing Potential
- 3.5 Quality and Design of Housing Developments
- 3.6 Children and Young Peoples Play and Informal Recreation Facilities
- 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
- 6.3 Assessing Effects of Development on Transport Capacity
- 6.9 Cycling
- 6.13 Parking
- 7.1 Lifetime Neighbourhoods
- 7.2 An Inclusive Environment
- 7.3 Designing Out Crime
- 7.4 Local Character
- 7.5 Public Realm
- 7.6 Architecture
- 7.8 Heritage Assets and Archaeology

7.16 Green Belt

8.3 Community Infrastructure Levy Housing: Supplementary Planning Guidance.

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
- ER10 Light pollution G1 The Green Belt
- L3 Horses, stabling and riding facilities NE7 Development and Trees
- H1 Housing Supply
- H7 Housing Density and Design H9 Side Space
- T1 Transport Demand
- T2 Assessment of Transport Effects T3 Parking
- T6 Pedestrians
- T7 Cyclists
- T16 Traffic Management and Sensitive Environments T18 Road Safety

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

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 4 - Housing Design
- Draft Policy 8 - Side Space
- Draft Policy 30 - Parking
- Draft Policy 31 - Relieving Congestion
- Draft Policy 32 - Road Safety
- Draft Policy 37 - General Design of Development
- Draft Policy 41 - Conservation Areas
- Draft Policy 49 - The Green Belt
- Draft Policy 61 - Horses, stabling and riding facilities
- Draft Policy 113 - Waste Management in new Development
- Draft Policy 116 - Sustainable Urban Drainage Systems
- Draft Policy 119 - Noise Pollution
- Draft Policy 120 - Air Quality
- Draft Policy 122 - Light Pollution
- Draft Policy 123 - Sustainable Design and Construction

Green Belt policies are particularly relevant to this application:

Chapter 9 of the National Planning Policy Framework (NPPF) 2012 is a material planning consideration. The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.

The National Planning Practice Guidance details that the NPPF is clear that local planning authorities should, through their Local Plans, meet objectively assessed needs unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole, or specific policies in the Framework indicate development should be restricted. Such policies include those relating to sites protected, as in this case as land designated as Green Belt.

Policy 7.16 of the London Plan gives the strongest protection to London's Green Belt in accordance with national guidance. Inappropriate development should be refused except in very special circumstances and development will be supported if it is appropriate and helps secure the objectives of improving the Green Belt as set out in national guidance; such improvements are likely to help human health, biodiversity and improve overall quality of life.

Policy G1 of the UDP states that within the Green Belt permission will not be given for inappropriate development unless very special circumstances can be demonstrated that clearly outweigh the harm by reason of inappropriateness or any other harm. In this regard the policy does accord with the NPPF and is a material consideration.

The NPPF notes at Paragraph 87 that as with previous Green Belt policy, inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 89 notes that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt subject to certain exceptions. Paragraph 89 states that the replacement of a building, provided that the new building is in the same use and not materials larger than the one it replaces is appropriate development in the Green Belt". Paragraph 89 also allows for "limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.

NPPF Paragraph 90 states that: "Certain other forms of development are also not inappropriate in Green Belt provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land in Green Belt. These are: mineral extraction; engineering operations; local transport infrastructure which can demonstrate a requirement for a Green Belt location; the re-use of buildings provided that the buildings are of permanent and substantial construction; and development brought forward under a Community Right to Build Order".

## **Planning History**

87/00049/FUL - Four detached single storey buildings comprising stables, tack room, toilets, rest room, store and garage - Refused and allowed at appeal.

16/03627/FULL1 - Demolition of existing residential building, stables with sand schools, flood lighting and offices and the erection of 3x five bedroom houses with underground swimming pool, basement accommodation, orangery and garages.

Reasons for refusal:

1. The proposal is inappropriate development which in principle and by reason of its size, location, design and siting would have a harmful impact upon the openness and character of the Green Belt and the purposes of including land within it, and for which no very special circumstances are considered to exist to clearly outweigh the harm to the Green Belt contrary to Policy G1 of the Unitary Development Plan, Policy 7.16 of the London Plan and the National Planning Policy Framework (2012).

2. The proposal, by reason of its design, scale and urban character would be at odds with the identified semi-rural character and landscape qualities of the conservation sub-area which contributes to the character and appearance of the Chislehurst Conservation Area and the proposal would therefore fail to either

preserve or enhance the character and appearance of the Conservation Area and the character of the area in general, contrary to Policies BE1, BE11 of the Unitary Development Plan.

This application is currently at appeal with a Public Inquiry scheduled for February 2018.

## **Conclusions**

Members will need to consider the principle of development as set out in the description within the site area defined. The submitted plans are not what is being considered at this stage as the application is in outline with all matters reserved. The decision on this application will not mean that the illustrative plans are acceptable or not acceptable, this will be determined at reserved matters stage.

The decision for Members is therefore whether a development of "Demolition of existing residential building, stables with sand schools, flood lighting and office and the provision of 1 no. 4 bedroom house, 2 no. 2 bedroom and 6 1 bedroom dwellings with communal parking and private terraces" could be accommodated within the site in some form.

## Green Belt

The main Green Belt issues for consideration are: the appropriateness of this development in the Green Belt; its impact on the openness of the Green Belt and the purpose of including land within it; and whether, if the development is inappropriate in the Green Belt, the harm by reason of inappropriateness or any other harm, would be outweighed by other considerations so as to amount to very special circumstances. Members should note that as the application is in outline provision with all matters reserved, Officers are not considering the overall scale or layout of the development which will be subject to assessment within a future reserved matters application.

## Green Belt - Whether the development is appropriate:

The applicant, as per the previously refused application, presents an argument to justify the proposal in Green Belt policy terms which argues that the proposal is appropriate development under both bullet points 4 and 6 of paragraph 89 of the NPPF. These are:

- the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces; and
- limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.

With regard to bullet point 4, this refers to the replacement of a building. Given that the application involves the replacement of the stable buildings with the provision of 8 dwellings, it is not appropriate to consider the principle of one of the new dwellings under bullet point 4 but the redevelopment of the site should be considered as a single proposal as it is all part of the same outline application. The application is therefore considered under bullet point 6 of paragraph 89 of the NPPF.

With regard to bullet point 6 it is claimed that the site comprises previously developed land. The application site can be considered 'previously developed land' (PDL) as defined in the glossary of the NPPF, however it is important to note that this does not automatically mean that any development on PDL is appropriate or acceptable in the Green Belt. The only relevance of land being PDL in Green Belt terms is that it would fall to be considered under the exception in bullet point 6 of paragraph 89 in the list of new development which may be appropriate. It would need to then meet the further tests set out in that bullet point. The full test under this bullet point is that the limited infilling or complete redevelopment of such land can be appropriate development in the Green Belt "provided it does not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development."

Whilst calculations have been made to attempt to demonstrate that the proposed development meets the aims of bullet point 6 with regard to not having a greater impact on openness than the existing development, Members should note that this application is in outline provision with all matters reserved, and matters of scale and layout which would be pertinent in assessing the impact of openness within the Green Belt, will be considered within a later application. This includes any footprint or volume, design and layout of the proposed dwellings and any associated development such as hard surfacing. The plans submitted by the Applicant are not the proposal to be considered, but an illustration of how the scheme could be taken forwards. .

Nevertheless, bullet point 6 makes explicit that limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development is appropriate within the Green Belt. The site is considered PDL as established within application reference: 16/03627/FULL1 therefore the partial or complete redevelopment of previously developed sites would be considered appropriate as long as the development would not have a greater impact on the openness of the Green Belt. The approach to considering openness on the basis of simple calculation of floor areas, volume or footprint is not set out in any policy and is too simplistic an approach to solely rely upon. In order to make a full assessment other matters such as the height, layout, character and materials of existing and proposed development can also assist in determining whether there is a greater impact on openness.

Officers note that the scheme is to provide 9 separate dwellings which, given the low PTAL rating of the site (1a) would result in transient vehicular and people movements across the site. Nevertheless, whilst there would be some impact to

the openness as a result of this, given the existing use of the site for 29 self-serving livery stables, the impact from the movements within the site is not considered materially worse than the existing use. As a result, Members may consider that in terms of activity, the proposed use would have no further impact upon openness.

It is therefore acknowledged that subject to a necessary future assessment of openness at reserved matters stage, the principle of a whole site re-development may be found to be acceptable subject to 9 dwellings of the sizes stipulated within the description of development being adequately accommodated on the site:

### Proposed residential floor space

The description of development relates to the provision of 1 no. 4 bedroom house, 2 no. 2 bedroom and 6 1 bedroom dwellings with communal parking and private terraces. In order to ascertain whether the quantum of development proposed could be satisfactorily achieved within the site to comply with Green Belt policy, it is necessary to assess the minimum sizes these dwellings are likely to be with regard to relevant policy.

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 nationally described space standard requires various sizes of internal areas in relation to the number of persons and bedrooms provided in each unit.

The existing floor space for the stables equates to 568sqm and 143sqm for the house. Policy 3.5 of the London Plan requires a minimum of 90sqm and a maximum of 130sqm for a four bedroom property, a minimum of 61sqm and a maximum of 79sqm for a two bedroom property and a minimum of 39sqm and a maximum of 58sqm for a one bedroom property. When considering the minimum floor space requirement of the London Plan standards, a floorspace of 446sqm would be required to be compliant with the standards and when considering the maximum, a floorspace of 636sqm would be required, both of which seem feasible based on the existing floor space within the site and that proposed to be developed. As previously stated however, calculation regarding floor space are one element in assessing openness of which a future assessment must be made within a reserved matters application.

### Density

Policy 3.4 in the London Plan seeks to ensure that development proposals achieve the optimum housing density compatible with local context, the design principles in Chapter 7 of the plan, and with public transport capacity. Table 3.2 (Sustainable residential quality) identifies appropriate residential density ranges related to a site's setting (assessed in terms of its location, existing building form and massing) and public transport accessibility (PTAL).

The site has a PTAL rating of 1a (the lowest on a scale of 1a-6) and is considered a suburban setting for the purposes of this calculation. In accordance with Table 3.2, the recommended density range for the site would be 35-55 dwellings per hectare. The proposed development would have an indicative density of 21.84 dwellings per hectare. The proposed development would therefore sit below these ranges.

A numerical calculation of density is only one aspect in assessing the acceptability of a residential development. Policy 3.4 is clear that in optimising housing potential, developments should take account of local context and character, design principles and public transport capacity. Subject to more detailed consideration which will occur with the submission of the reserved matters application, the proposed residential density is deemed acceptable.

### Highways

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 site is located in an area with a PTAL rate of 1A (on a scale of 1 - 6, where 6 is the most accessible).

Whilst matters of access are a reserved matter, it is pertinent for Officers to consider whether it would be possible to accommodate parking for 9 dwellings within the confines of the site in order to adequately assess whether the site is capable for the siting of 9 dwellings. Comments have been received from the Council's Highways Officer who states:

'It is noted that this is an outline application with all matters reserved. The site has a PTAL assessment of 0 so the vast majority of trips are likely to be vehicular. This section of the Kemnal Road is private although there is a registered footpath (FP 35) over it.

The proposal is to demolish the existing stables and construct 6 x 1 bed and 2 x 2 bed dwellings. There are 8 parking spaces shown. The Planning Statement refers to a Transport Assessment (para 6.17) but one could not be seen with the application.

There are no visitor's spaces parking shown. More spaces are likely to be required and there does seem adequate space to provide them. There is no indication of how the refuse collection will be undertaken.

There is also a proposal for a replacement dwelling at Toppers Oak. As that is like for like I would have no issue with the principle'.

Following receipt of the Highways Officers comments, a transport note was submitted (25th July 2017) and the following comments were received from the Council's Highways Officer:



'The vehicular trip generation from the proposed residential units may be slightly underestimated given the poor public transport links but it is accepted they are unlikely to be significantly more than the stables appear to generate. There is no mention of the access layout and no further comments are made'.

The Officer acknowledges that further parking spaces will be required to be provided but states that there appears to be adequate space to provide them. A full assessment of highways matters, including an assessment of the impact on openness, will be considered within any future reserved matters application.

On balance, Officers consider that at this stage it may be possible to redevelop the site with regard to paragraph 89 bullet point 6 subject to any future development submitted within a reserved matters application not having a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development. Members may consider that given that this is an outline application with all matters reserved, that at this point very special circumstances are not required given that the principle of the redevelopment of the land is acceptable. Should reserved matters be submitted which show a scheme of development found to have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development, then a very special circumstances argument may be required (or could be submitted) at that point.

#### Conservation Area and Local Character

In terms of visual amenity, the existing site forms part of a ribbon development with Uplands to the north and Brookside to the south on the western side of Kemnal road, heading out into open Green Belt land to the north. The site has a rural character, indicative of this part of the Chislehurst Conservation Area. The site is made up of several single storey buildings of a traditional rural character, which blend well with the verdant and pleasant surroundings.

The character and appearance of this sub-unit of the conservation area is essentially a rural character, described in the Chislehurst Conservation Area SPG as being "predominantly rural land in a diversity of tenures and activities... the land remains predominantly open, providing a largely rural atmosphere along the eastern boundary of the Conservation Area". The rural character of this part of Chislehurst is considered to provide an important buffer along the eastern part of the Conservation Area, and makes an important contribution to the context and setting for the remainder of the Conservation Area. The presence of rural activities and agriculture greatly enhances the sense of adjacency to the countryside, which is present throughout the Conservation Area.

The existing stables are not of particular historic interest, but nonetheless are sensitively designed and respond to the semi-rural context. This application is in outline provision with all matters reserved, as such matters concerning design and impact upon the Conservation Area are all for future consideration. Nevertheless, it is considered that the site is capable of redevelopment for residential dwellings which could preserve or enhance the character and appearance of the

Conservation Area, and the Applicant should make specific reference to the local plan policies and Chislehurst SPG guidance when finalising any future design.

### 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.

The property is sited within a centralised location between Brookside to the south and Uplands to the north. Matters of layout and massing are subject to a future reserved matters application however the Applicant should be mindful of the impact of the development upon the residential amenity of the neighbouring properties. The car parking in respect of the dwelling should be sensitively located and not cause any nuisance by way of transient vehicular movements. Windows within the flank elevations should not cause any undue loss of privacy or overlooking. The property should not overshadow or appear overbearing to the surrounding neighbouring properties in compliance with Policy BE1. It would appear possible to accommodate the number of dwellings proposed without unacceptable impact on neighbouring properties subject to suitable design and layout.

### Sustainability and Energy

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

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

### Landscaping

Landscaping matters are a reserved matter and will be subject to a future application.

Given the verdant nature of the site, the Tree Officer has made indicative comments on the application which are as follows: The arboricultural submissions have adequately addressed tree constraints and implemented protection measures. Trees to be removed are not considered significant enough to prevent the proposals. Conditions are recommended.

## 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 site is considered to be able to be redeveloped for residential use as per paragraph 6 of the NPPF subject to an assessment as to the developments impact upon openness within a future reserved matters application. It is considered that the density of the proposed dwellings is likely to be acceptable and that the required floor space provision for compliance with the London Plan standards is not over and above that which already exists on site. On balance, Officers consider that at this point Very Special Circumstances are not required given that the application is in outline provision with all matters reserved, and subject to future applications, the principle of a whole site re-development for 9 dwellings of the size outlined within the description, is found to be acceptable in principle, subject to suitable reserved matters.

Background papers referred to during production of this report comprise all correspondence on the file ref(s) 16/03627/FULL1 and 17/03076/OUT as set out in the Planning History section above, excluding exempt information.

### **RECOMMENDATION: PERMISSION**

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

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

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

- 2 **No part of the development hereby permitted shall be commenced prior to a contaminated land assessment and associated remedial strategy, together with a timetable of works, being submitted to and approved in writing by the Local Planning Authority.**
  - a) **The contaminated land assessment shall include a desk study to be submitted to the Local Planning Authority for approval in writing. The desk study shall detail the history of the sites uses and propose a site investigation strategy based on the relevant information discovered by the**

desk study. The strategy shall be approved in writing by the Local Planning Authority prior to investigations commencing on site.

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

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

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

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

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

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

**3** Before the use commences the applicant shall submit to the Local Planning Authority details of any external lighting which provides details of light spillage to any neighbouring property. Once approved in writing by the Local Planning Authority the lighting shall be installed in accordance with the approved scheme and shall be permanently maintained thereafter, and no further external lighting shall be installed without the approval in writing of the Local Planning Authority

**Reason:**In order to ensure that no adverse impacts occur as a result of the lighting on residential amenity and surrounding open Green Belt land in compliance with Policy G1, BE1 and H7 of the Unitary Development Plan

**4** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order amending, revoking and re-enacting this Order) no buildings, structures, alterations, walls or fences of any kind shall be erected or made within the curtilage(s)

of the dwelling(s) hereby permitted without the prior approval in writing of the Local Planning Authority.

**Reason:**In order for the Local Planning Authority to consider all future application to protect the site from overdevelopment within the Green Belt and to ensure a high level of residential amenity is maintained for neighbouring owner/occupiers in compliance with Policy G1 and BE1 of the Unitary Development Plan

- 5 Details of the layout of the access road and turning area including its junction with Kemnal Road and dimensions of visibility splays shall be submitted to and approved in writing by the Local Planning Authority and these access arrangements shall be substantially completed before any part of the development hereby permitted is first occupied. There shall be no obstruction to visibility in excess of 1m in height within the approved splays except for trees selected by the Authority, and which shall be permanently retained.

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

- 6 Before any work is commenced details of parking spaces and/or garages and sufficient turning space shall be submitted to and approved in writing by the Local Planning Authority and such provision shall be completed before the commencement of the use of the land or building hereby permitted and shall thereafter be kept available for such use. No development whether permitted by the Town and Country Planning (General Permitted Development Order) 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 Parking bays shall measure 2.4m x 5m and there shall be a clear space of 6m in front of each space (or 7.5m if garages are provided) to allow for manoeuvring and these spaces shall be permanently retained as such thereafter.

**Reason:** In order to comply with Appendix II of the Unitary Development Plan and to the interest of pedestrian and vehicular safety.

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

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

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

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

**11** Prior to the commencement of the development hereby permitted, a survey of the condition of the road shall be submitted and agreed by the Local Planning Authority and any damage caused to the surface of the road during the construction phase of the development will be reinstated to a standard at least commensurate with its condition prior to the commencement of the 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.

**12** 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.

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

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

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

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

**15** Details of a scheme of landscaping, which shall include the materials of paved areas and other hard surfaces, shall be submitted to and approved

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

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

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

The statement shall include details of:

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

Type and siting of scaffolding (if required);

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

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

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

Location of bonfire site (if required);

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

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

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

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

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

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

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

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

**18** 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.

You are further informed that :

**1** Registered footpath 35 runs along the eastern boundary of the application site. It is outside of the site and should not be affected by the granting of planning permission. However, due to its close proximity to the development, the applicant should be made aware, by means of an informative attached to any permission, of the need to safeguard pedestrians using the route, and that it must not be damaged or obstructed either during, or as result of, the development.

**2** 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.

**3** You are advised that this application may be liable for the payment of the Mayoral Community Infrastructure Levy under the Community Infrastructure Levy Regulations (2010) and the Planning Act 2008. The London Borough of Bromley is the Collecting Authority for the Mayor and this Levy is payable on the commencement of development (defined in Part 2, para 7 of the Community Infrastructure Levy Regulations (2010)). It is the responsibility of the owner and /or person(s) who have a material interest in the relevant land to pay the Levy (defined under Part 2, para 4(2) of the Community Infrastructure Levy Regulations (2010)). If you fail to follow the payment procedure, the collecting authority may impose surcharges on this liability, take enforcement action, serve a stop notice to prohibit further development on the site and/or take action to recover the debt. Further information about Community Infrastructure Levy can be found on attached information note and the Bromley website [www.bromley.gov.uk/CIL](http://www.bromley.gov.uk/CIL)

**4** Conditions imposed on this planning permission require compliance with Part M4 of the Building Regulations. The developer is required to notify



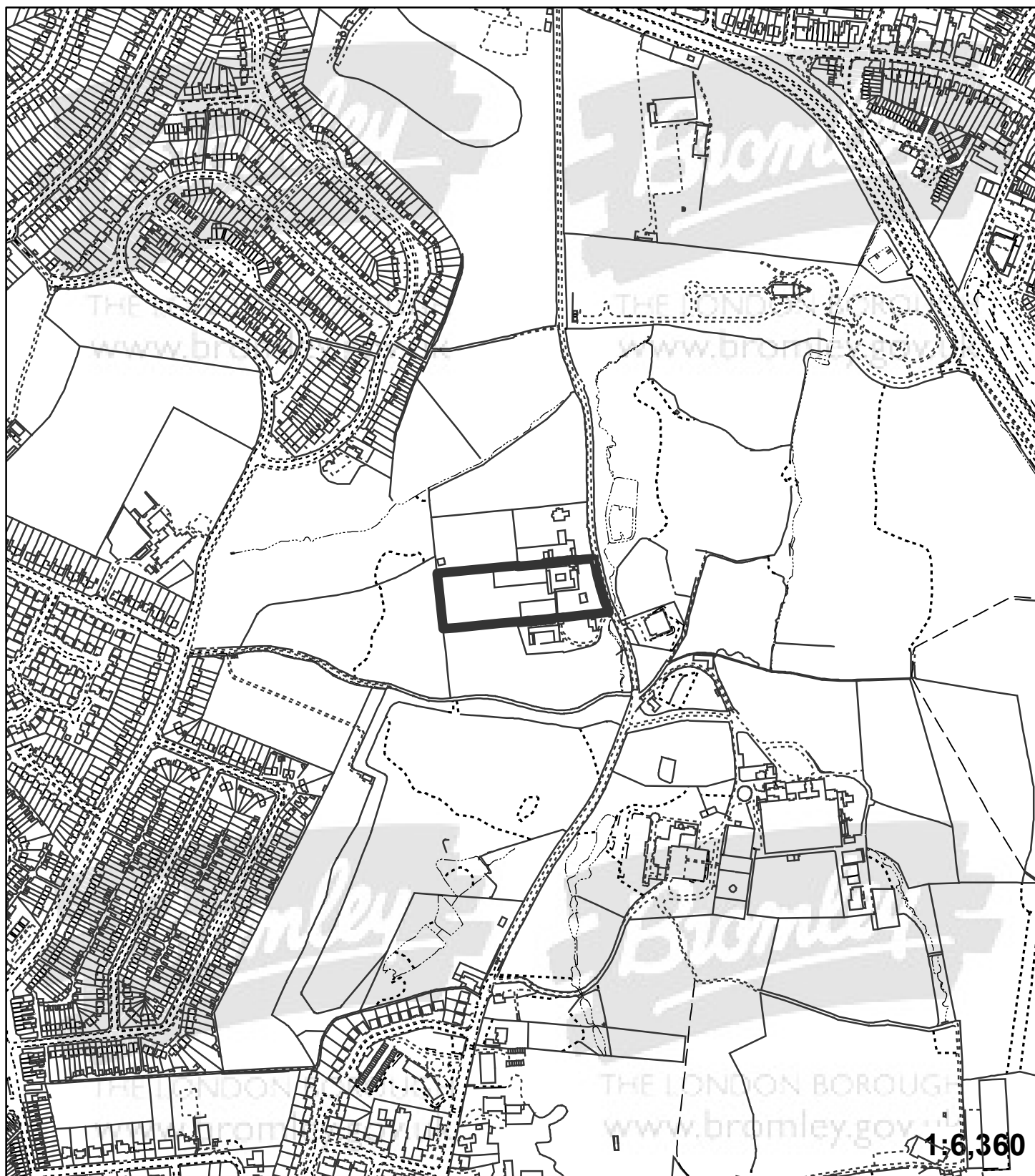
**Building Control or their Approved Inspector of the requirements of these conditions prior to the commencement of development**

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**Application:**17/03076/OUT

**Address:** Kemnal Stables Kemnal Road Chislehurst BR7 6LT

**Proposal:** Demolition of existing residential building, stables with sand schools, flood lighting and office and the provision of 1 no. 4 bedroom house, 2 no. 2 bedroom and 6 no. 1 bedroom dwellings with communal parking and private terraces



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

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

**Application No :** 17/03155/FULL6

**Ward:**  
Bickley

**Address :** 8 Hunts Mead Close Chislehurst BR7  
5SE

**OS Grid Ref:** E: 542525 N: 169959

**Applicant :** Mr G Raileanu

**Objections :** YES

### **Description of Development:**

Single storey outbuilding to house swimming pool

Key designations:

Biggin Hill Safeguarding Area  
London City Airport Safeguarding  
Open Space Deficiency  
Sites of Interest for Nat. Conservation  
Smoke Control SCA 10  
Urban Open Space

### **Proposal**

The application site is a two storey detached property located on Hunts Mead Close, a cul-de-sac of 11 properties.

Permission is sought for a single storey detached outbuilding, within the rear garden, to house a swimming pool. The irregular outbuilding will be 5-sided and situated 2.5m from the boundary with No.7, and will be 14m deep. It will be 9.036m wide, increasing to 11.3m wide. The roof will have an eaves height of 2.5m and a maximum height of 3m.

### **Consultations**

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

- The overall size of the building (albeit smaller than in the previous application) still appears large for the size of garden
- The document entitled Proposed Section B:B seems misleading in that it appears to show the proposed building being below the level of the fence. The proposed excavation of 500mm will only lower the ground level to that in the adjoining garden. Given that the building will be over 2m in height, it will be significantly higher than the fence which is approximately 1.5 m high.

- In the application form the walls are described as being of white weatherboard. This would make such a large structure very obtrusive. Natural wood finish would be more appropriate

## **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

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

The site has been subject to previous planning applications:

- 11/03192/FULL6 - Part two storey/first floor side extension and single storey front extension - Permitted 20.12.2011
- 16/05159/FULL6 - Single storey outbuilding to house swimming pool - Refused 05.01.2017

## **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 site has been subject to a previous application under planning ref: 16/05159/FULL6 for a single storey outbuilding to house swimming pool. The reason for refusal was as follows:

1. The proposed outbuilding, by way of its proposed depth, elevated position and proximity to the boundary, would result in a dominant and visually intrusive form of development, harmful the amenities of No.7 by reason of outlook and visual amenity, contrary to Policies BE1 and H8 of the Unitary Development Plan.

The current application is for a single storey detached outbuilding however the distance between the flank elevation and the shared boundary has increased to 2.5m (previous refusal was 0.5m)

## Design

Policy BE1 of the Bromley Unitary Development Plan 2006 (UDP) sets out criteria which proposals for new development will be expected to meet. Policy BE1 of the

UDP requires new buildings to complement the scale, form, layout and materials of adjacent buildings and areas. Importantly Policy BE1 states that development should respect the amenity of occupiers of neighbouring buildings and those of future occupants and ensure their amenities are not harmed by noise or disturbance.

The proposed single storey detached outbuilding will be located within the rear garden, to house a swimming pool. The irregular outbuilding will be 5-sided and situated 2.5m from the boundary with No.7, and will be 14m deep. It will be 9.036m wide, increasing to 11.3m wide. The roof will have an eaves height of 2.5m and a maximum height of 3m.

This revised application has been set in 2.5m from the eastern flank boundary for the full height and depth of the flank elevation. As a result, the overall footprint will reduce by approximately 20sqm (previous footprint 150sqm).

The proposed outbuilding is to be finished with white weatherboard. Whilst this material will not match the surrounding properties, the outbuilding is of a modest height and located to the rear of the property and as such is not visible from the street. It is therefore considered that the proposed outbuilding will not impact on the character or appearance of the surrounding area.

#### Impact on Adjoining Occupiers

Policy BE1 of the UDP states that the development should respect the amenity of occupiers of future occupants and should also respect the amenity of occupiers of neighbouring buildings 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.

Concerns have been raised regarding the impact on this neighbouring property to the east, No.7. From visiting the site, it was noted that the rear garden is raised significantly compared to the main house and neighbouring garden.

The proposed outbuilding will have a maximum height of 3m which reduces to 2.5m close to the eastern flank boundary. The proposed outbuilding remains 14m deep however the current proposal provides 2.5m side space the shared boundary and reduces the overall footprint. Furthermore, an amended plan was received 14/09/17 which indicates that the proposal is set 0.7m below the existing ground level. The elevated nature of the garden would not alter however given the modest height and the increase in side space, the proposal is not considered to impact significantly on the amenities of this neighbouring property.

#### 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 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.

**as amended by documents received on 14.09.2017**

**RECOMMENDATION: PERMISSION**

**Subject to the following conditions:**

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

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

- 2 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.**

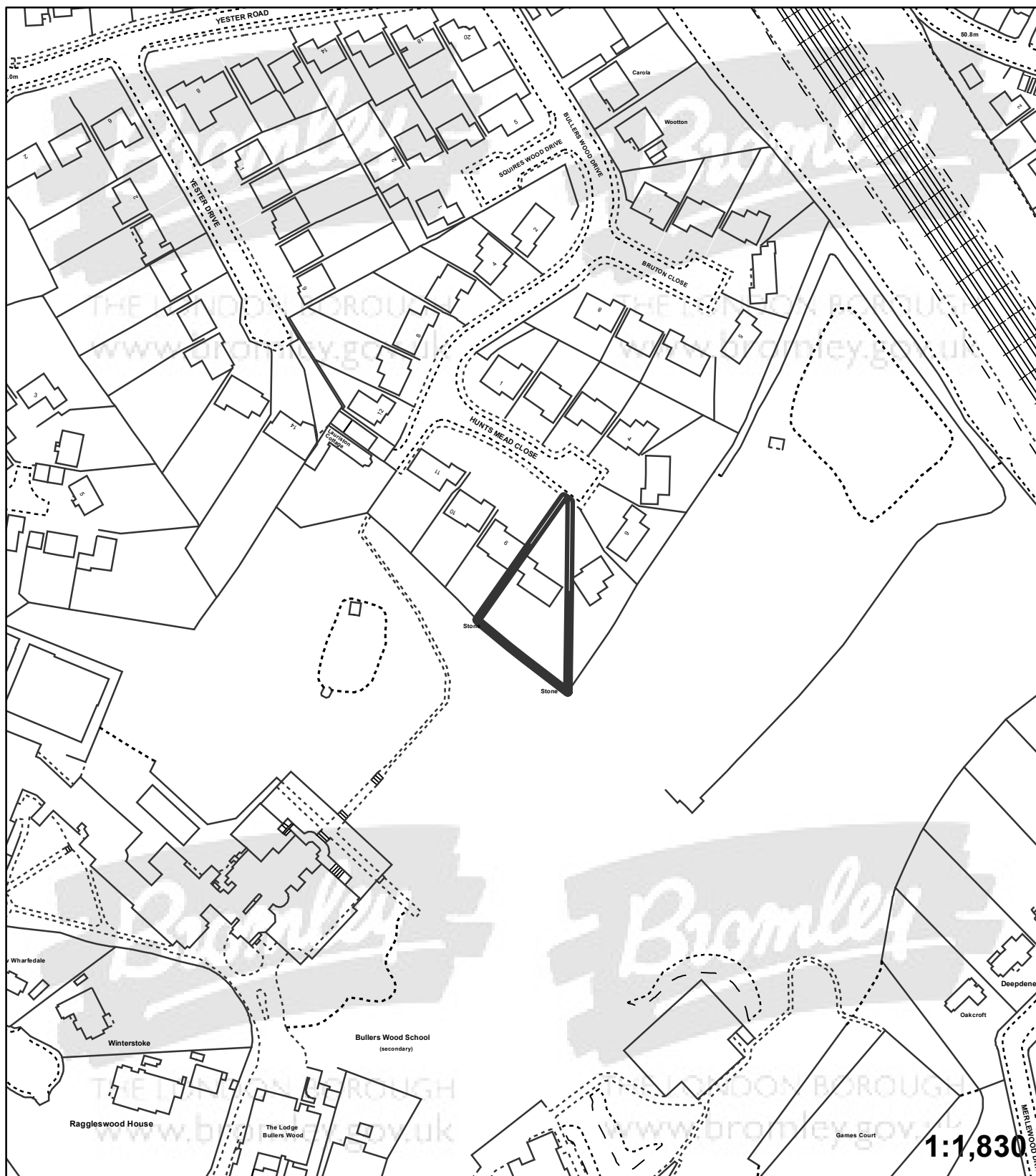
**REASON: In order to comply with Policy BE1 of the Unitary Development Plan and in the interest of the visual and residential amenities of the area.**



**Application:**17/03155/FULL6

**Address:** 8 Hunts Mead Close Chislehurst BR7 5SE

**Proposal:** Single storey outbuilding to house swimming pool



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

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

**Application No :** 17/03167/FULL1

**Ward:**  
**Chelsfield And Pratts**  
**Bottom**

**Address :** 30 Oxenden Wood Road Orpington BR6  
6HP

**OS Grid Ref:** E: 547047 N: 163659

**Applicant :** Mr J & Mrs A Bushnell

**Objections :** YES

### **Description of Development:**

Demolition of existing dwelling and garages and erection of detached two storey 6 bedroom dwelling with accommodation in roofspace and integral garage

Key designations:

Biggin Hill Safeguarding Area  
London City Airport Safeguarding  
Open Space Deficiency

### **Proposal**

Permission is sought for the replacement of this dwelling with a detached two storey 6 bedroom dwelling which would include accommodation in the roof. The new dwelling would be set in line with the front of the existing dwelling, but would project a further 4.5-9m to the rear. It would maintain separations of 2m to the flank boundaries with Nos. 28 and 32, and would be set back 10.7m from the road.

The new dwelling would have a height of 9m to the roof apex, and the roof accommodation would have side rooflights and rear dormers.

The plans have been revised since originally submitted to lower the main roof ridge by 0.2m, replace the rear gable to a barn hip roof, and replace the side dormers with rooflights.

### **Location**

The application site lies on the north-eastern side of Oxenden Wood Road and is currently occupied by a detached two storey 3 bedroom dwelling and a detached garage along with other outbuildings to the rear of the house. The site measures 0.29ha in area, and has a long rear garden approximately 120m in depth.

The surrounding area is generally characterised by detached dwellings of varying sizes and designs set within spacious plots. The road rises gently towards the

south-east such that No.28 to the south-east is at a slightly higher level, and No.32 to the north-west is slightly lower.

## **Consultations**

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

- overdevelopment of the site
- detrimental impact on the street scene
- excessive depth of the dwelling would adversely affect the neighbouring properties
- loss of outlook from adjacent properties
- overlooking of neighbouring properties and gardens
- loss of light to flank windows at No.28
- loss of a mature sycamore
- a number of trees on the site have already been removed
- roofline of the dwelling is still too high
- a third storey is not typical of the surrounding area
- overlooking from side dormers (now replaced by rooflights).

A number of letters in support of the proposals have also been received.

The application was called into committee by a Ward Councillor.

## **Comments from Consultees**

With regard to highways matters, the site has a low (1b) PTAL rating, so car ownership is expected to be associated with future occupiers of the property. A minimum 1.5 car parking spaces would be required, and the proposals provide a garage space (part of the garage is for storage space and is not usable by a car), along with 2 car parking spaces on the double width drive at the front.

Oxenden Wood Road is subject to part-time waiting restrictions, and accommodates on-street parking without any significant detriment to the free flow of traffic or conditions of safety in the highway. No highways objections are therefore raised to the proposals.

With regard to drainage, there is no public surface water sewer near the site, and the use of soakaways is recommended in the area. No drainage objections are raised to the proposals.

## **Planning Considerations**

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

BE1 Design of New Development  
H7 Housing Density & Design

H9 Side Space  
T3 Parking  
T18 Road Safety  
NE7 Development and Trees

The Council is preparing a Local Plan. The submission of the draft Local Plan was made to the 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 relevant policies are as follows:

Draft Policy 4 - Housing Design  
Draft Policy 8 - Side Space  
Draft Policy 30 - Parking  
Draft Policy 32 - Road Safety  
Draft Policy 37 - General Design of Development  
Draft Policy 73 - Development and Trees

London Plan (2015) Policies:

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

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

## **Conclusions**

The main issues in this case are the impact of the proposals on the character and spatial standards of the surrounding area, on the amenities of neighbouring residential properties, on parking and road safety in the adjacent highway, and on important trees on the site.

### Amount of development and character and appearance of the area

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

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

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

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

With regard to the density of the proposed development, Table 3.2 of Policy 3.4 (Optimising Housing Potential) of the London Plan gives an indicative level of density for new housing developments. In this instance, the proposal (which is for a single replacement dwelling) would represent a density of 3 dwellings per hectare with the table giving a suggested level of between 35-75 dwellings per hectare in suburban areas with a 1 PTAL location. The proposals would therefore result in an intensity of use of the site that would be below the thresholds in the London Plan, however, they need to be assessed against the wider context in terms of the character, spatial standards and townscape value of the surrounding area.

### Size, scale and design

Policy 3.4 of the London Plan specifies that Boroughs should take into account local context and character, the design principles (in Chapter 7 of the Plan) and

public transport capacity; development should also optimise housing output for different types of location within the relevant density range. This reflects paragraph 58 of the National Planning Policy Framework, which requires development to respond to local character and context and optimise the potential of sites.

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

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

Policy H9 of the UDP requires new developments to provide a separation of at least 1m to the flank boundaries in respect of two storey development, whilst a more generous side space would be expected where higher standards of separation already exist.

The proposals are for a larger replacement dwelling on the site that would extend closer to the side boundaries and further to the rear. However, 2m separations to the side boundaries would still be provided, which would comply with the Council's side space policy (H9), and the neighbouring properties already extend further to the rear at two storey level than the existing dwelling on the site.

With regard to the impact in the street scene, the new dwelling would be slightly higher than the existing dwelling, and would be considerably larger in bulk. However, the plot width is of a size that can accommodate a larger dwelling whilst still retaining good separations to the adjacent dwellings, and the new dwelling would not appear overly prominent or cramped within the street scene.

#### Future residential amenity

Policy 3.5 of the London Plan (2015) Quality and Design of Housing Developments states the minimum internal floor space required for residential units on the basis of the level of occupancy that could be reasonably expected within each unit.

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

The proposals comprise a 6 bedroom dwelling over three storeys. The London Plan (2015) suggests that the minimum size of a 6 bedroom 8 person dwelling

should be 138sq.m. The proposed dwelling would provide 637sq.m. floorspace, and would therefore achieve this standard.

The dwelling would retain a very generous rear garden which would be similar to the adjoining properties, and would therefore provide a very good standard of outdoor amenity space for future occupiers.

#### Impact on neighbouring residential amenity

With regard to the impact on neighbouring properties, the proposed dwelling would project 3.75m beyond the rear of No.28, which was itself extended to the rear around 10 years ago, but there would be a separation of approximately 4-5m between the dwellings, and the outlook from the rear of the neighbouring dwelling would not therefore be significantly affected.

The facing flank wall of No.28 has bedroom and bathroom windows at first floor level, but these would not be unduly affected in terms of light or outlook due to the separation distance from the proposed dwelling and the slightly higher level of the adjacent house. Furthermore, the first floor flank windows in the new dwelling would be bathroom windows and secondary bedroom windows which can be conditioned to be obscure glazed to protect the privacy of the adjacent property.

With regard to the impact on No.32, the proposed dwelling would project 4m beyond this dwelling which has also been extended to the rear, but there would be a gap of approximately 6m between the dwellings, and no undue loss of light, privacy or prospect to this dwelling is likely to occur. The first floor windows in the facing flank elevation of the proposed dwelling would serve bathrooms, and can be conditioned to be obscure glazed to protect privacy.

Overall, the proposals are not considered to have a detrimental impact on the amenities of adjoining occupiers.

#### Impact on highway safety

With regard to parking and highway matters, the Council's Highways Officer does not raise any objections to the proposals in principle, subject to safeguarding conditions.

#### Impact on trees

The arboricultural submissions have addressed the tree constraints associated with the proposed development. There is no tree protective legislation to be considered at the site address, and the protection measures noted within the Arboricultural Impact Assessment and Method Statement will ensure the healthy retention of existing trees of significance on the site.

#### Conclusion

Having had regard to the above, it is considered that the proposals would not constitute an overdevelopment of the site, nor have a detrimental impact on the



character and spatial standards of the area, or the amenities of neighbouring properties.

**as amended by documents received on 15.08.2017**

**RECOMMENDATION: PERMISSION**

**Subject to the following conditions:**

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

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

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

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

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

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

- 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.**

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

- 5 No development shall take place until details of drainage works have been submitted to and approved in writing by the Local Planning Authority, and drainage works shall be carried out in accordance with the approved details prior to first use of any dwelling. Prior to the submission of those details, an assessment shall be carried out**

into the potential for disposing of surface water by means of a sustainable drainage system in accordance with the principles of sustainable drainage systems set out in Annex F of PPS25, and the results of the assessment provided to the Local Planning Authority. Where a sustainable drainage system scheme (SuDS) is to be implemented, the submitted details shall:

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

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

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

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

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

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

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

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

drainage system shall be completed in accordance with the approved details and shall be retained permanently thereafter.

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

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

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

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

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

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

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

- 11 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.

- 12 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.

**13** The development shall be implemented in accordance with the Arboricultural Impact Assessment & Method Statement (TH1433) approved as part of the planning application, under the supervision of a retained arboricultural specialist in order to ensure that the correct materials and techniques are employed.

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

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

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

You are further informed that :

**1** You should contact extension 4621 (020 8313 4621 direct line) at the Environmental Services Department at the Civic Centre with regard to the laying out of the crossover(s) and/or reinstatement of the existing crossover(s) as footway. A fee is payable for the estimate for the work which is refundable when the crossover (or other work) is carried out. A form to apply for an estimate for the work can be obtained by telephoning the Highways Customer Services Desk on the above number.

**2** You are advised that this application may be liable for the payment of the Mayoral Community Infrastructure Levy under the Community Infrastructure Levy Regulations (2010) and the Planning Act 2008. The London Borough of Bromley is the Collecting Authority for the Mayor and this Levy is payable on the commencement of development (defined in Part 2, para 7 of the Community Infrastructure Levy Regulations (2010)). It is the responsibility of the owner and /or person(s) who have a material interest in the relevant land to pay the Levy (defined under Part 2, para 4(2) of the Community Infrastructure Levy Regulations (2010)). If you fail to follow the payment procedure, the collecting authority may impose surcharges on this liability, take enforcement action, serve a stop notice to prohibit further development on the site and/or take action to recover the debt. Further information about Community

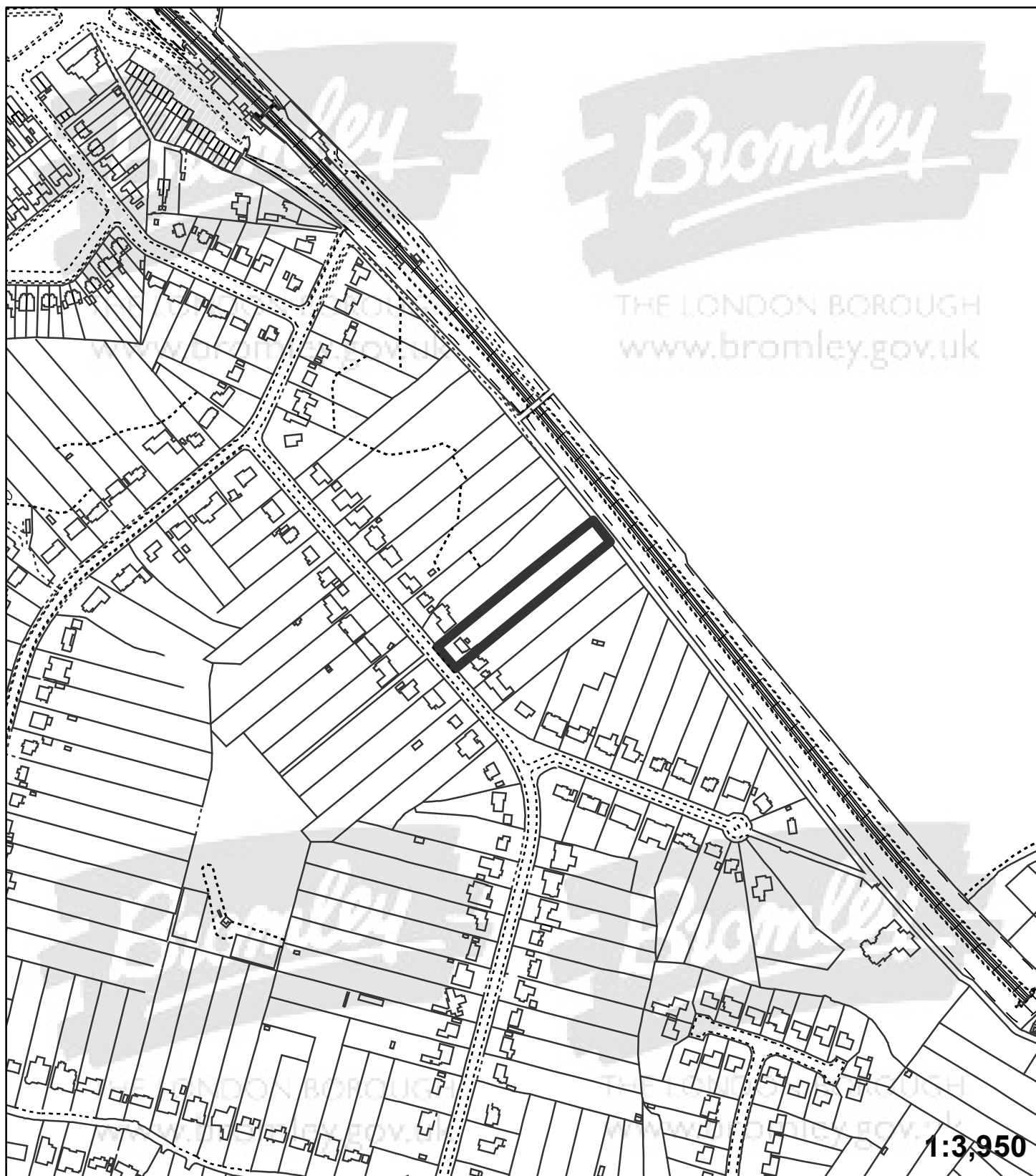
**Infrastructure Levy can be found on attached information note and the Bromley website [www.bromley.gov.uk/CIL](http://www.bromley.gov.uk/CIL)**

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**Application:**17/03167/FULL1

**Address:** 30 Oxenden Wood Road Orpington BR6 6HP

**Proposal:** Demolition of existing dwelling and garages and erection of detached two storey 6 bedroom dwelling with accommodation in roofspace and integral garage



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

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

**Application No :** 17/03240/FULL6

**Ward:**  
Chislehurst

**Address :** 61 White Horse Hill, Chislehurst, BR7  
6DQ

**OS Grid Ref:** E: 543338 N: 171359

**Applicant :** Mr D. McMahon

**Objections : NO**

### **Description of Development:**

Part one/part two storey rear extension

Key designations:

Biggin Hill Safeguarding Area  
London City Airport Safeguarding  
Smoke Control SCA 16

### **Description of Development:**

The proposed two storey rear extension will have a rear projection of 4.9m and a width of 3.3m. The roof will be flat with a maximum height of 5.7m, matching the height of the eaves of the main dwelling.

The extension will be sited on top of the existing flat roofed single storey rear section of the house and will provide an enlarged ground floor kitchen and first floor bedroom.

### **Location**

The site is located on the western side of White Horse Hill and comprises an end of terrace two storey residential dwelling. The wider area is characterised by similar residential development.

### **Comments from Local Residents**

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

The proposed development at No.61 White Horse Hill will contextualises with the surrounding properties with regards scale, mass and design. It will complete the terrace along White Horse Hill with regards rear extensions at ground and first floor level, significantly enhancing the internal arrangement and provision of family accommodation.

## **Consultations**

None.

## **Planning Considerations**

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

### National Planning Policy Framework (NPPF) (2012)

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

### Chapter 7 - Requiring Good Design

#### 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

#### Other Guidance

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

Supplementary Planning Guidance – The Chislehurst Conservation Area

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

## **Planning History**

Planning permission was refused under ref. 17/01096 for a first floor rear extension and elevational alterations. The refusal grounds were as follows:

‘The proposed extension, by reason of its design, siting and excessive rear projection, would result in a detrimental impact on the amenities of No. 61 White Horse Hill by way of loss of outlook, a tunnelling visual impact and loss of light, thereby contrary to Policies BE1 and H8 of the Unitary Development Plan and Policies 6 and 37 of the Emerging Local Plan.’

Planning permission was refused under ref. 08/01222 for a single storey rear extension. The refusal grounds were as follows:

‘The proposal, by reason of its location on an existing rear extension, would be detrimental to the amenities that the occupiers of 57, White Horse Hill might reasonably expect to be able to continue to enjoy by reason of visual impact, loss of prospect and loss of light in view of the depth of rearward projection.’

## **Conclusion**

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

## Design and Character

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

London Plan and UDP policies further reinforce the principles of the NPPF setting out a clear rationale for high quality design.

The proposed extension has a flat roof at first floor level and, whilst different to the architecture of the host building, would complement it without dominating the building. The extension will be sited to the rear of the house and would not be visible from the highway. It is considered on balance that the proposed extension would not impact harmfully on the character of the area and would comply with Policies BE1 and H8 of the Unitary Development Plan and Policies 6 and 37 of the emerging Local Plan.

## Impact on neighbouring amenities

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 proposal would present a vertical flank wall of 4.9m in length in close proximity to the flank boundary adjoining No. 59. The application is submitted in accompaniment with a similar proposal at No. 59 (ref. 17/02900). The construction of both extensions together would neutralise any impact of one development on the neighbouring property and the two first floor windows tunnelled as a result of the developments would serve bathrooms.

It is considered that on balance the proposal would not have a significant impact on the amenities of No. 59, provided that both extensions are constructed together. An appropriate condition is recommended to ensure this, and Members are asked to consider the pertinence of this condition in light of the intention of both property owners to construct both developments in the future.

To the north, No 63 would not suffer a loss of light and has an existing two storey outrigger that projects significantly beyond the rear of No. 61. The proposed extension would adjoin the existing two storey blank brick wall at No. 63 without projecting beyond the rear of it.

On balance, the proposal is considered to comply with Policy BE1 of the Unitary Development Plan and Policy 37 of the emerging Local Plan.

### 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 impact detrimentally on the character of the area. It is therefore recommended that Members grant planning permission.

Background papers referred to during production of this report comprise all correspondence on the file refs. 17/01096, 17/02900 and 17/03240 set out in the Planning History section above, excluding exempt information.

### **RECOMMENDATION: PERMISSION**

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

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

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

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

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

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

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

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

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

**5 The developments permitted at Nos. 59 and 61 under refs. 17/02900 and 17/03240 shall be constructed simultaneously.**

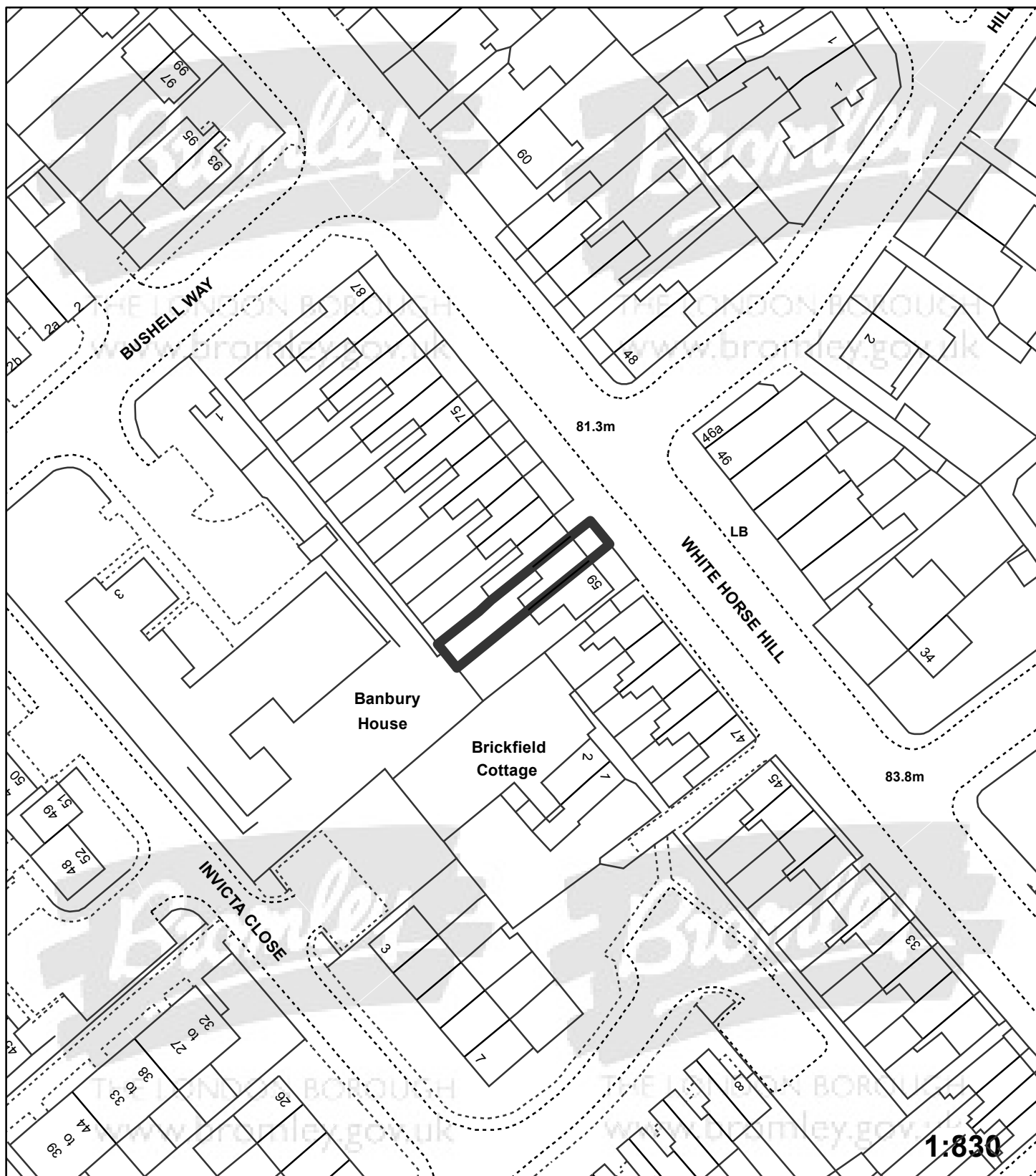
**Reason: In order to comply with Policy BE1 of the Unitary Development Plan and to preserve the residential amenities of both properties.**

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**Application:**17/03240/FULL6

**Address:** 61 White Horse Hill Chislehurst BR7 6DQ

**Proposal:** Part one/part two storey rear extension.



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

**Application No :** 17/03284/FULL6

**Ward:**  
West Wickham

**Address :** 20 Hayes Chase West Wickham BR4  
0HZ

**OS Grid Ref:** E: 539218 N: 167629

**Applicant :** Mr Stephen Finch

**Objections :** No

### **Description of Development:**

First floor side and rear extension including elevational alterations

Key designations:

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

### **Proposal**

The application proposes the construction of a first floor side/rear extension together with elevational alterations. The application is a resubmission of ref: 17/01007/FULL6, which was refused for the reasons outlined below. The current proposal includes a reduction in the depth of the first floor rear extension by 700mm.

### **Location**

The application relates to a two-storey detached residential dwelling, which is located on the north west side of Hayes Chase. It benefits from off-street parking and a large rear garden. An existing single-storey extension is located to the rear. The properties to the rear of the site are situated within an Area of Special Residential Character, however the application property is not located within this area. The rear most section of the garden is also covered by an Area Tree Preservation Order

### **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:

London Plan

Policy 7.4 of the London Plan relates to local character.

Policy 7.6 relates to architecture.

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

UDP (2006)

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 policies of relevance to the application comprise:

Draft Policy 6 - Residential Extensions

Draft Policy 8 - Side Space

Draft Policy 37 - General Design of Development.

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

SPG1: General Design Principles

SPG2: Residential Design Guidance

### **Planning History**

94/02861/FUL - Single storey side/rear extension. Permission granted on the 25.01.1995

06/00873/TPO - Crown reduce by 15% two oak trees in back garden SUBJECT TO TPO 391 Consent 24.05.2006

17/01007/FULL6- First floor side/rear extension. Refused on the 21.04.2017

Refused for the following reasons:

1. The proposed first floor extension would, by reason of its excessive rearward projection and proximity to the boundary, have a significantly adverse impact on neighbouring residential amenities, resulting in a loss of outlook, prospect and undue visual impact, thereby contrary to Policies BE1,

H8 and H9 of the Unitary Development Plan (2006) and Supplementary Planning Guidance No 1 and 2.

2. The proposed development would, by reason of its inadequate side space result in harm to the spatial qualities of the area contrary to Policy H9 of the Unitary Development Plan (2006).

Neighbouring planning history of relevance:

At the time of the original site visit the applicant highlighted a number of similar developments at neighbouring properties. A summary of these examples are provided below:

15 Hayes Chase:

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

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

24 Hayes Chase:

13/01195 - Planning permission refused for a two storey rear and first floor side extension with a rear dormer on the following grounds:

1. The proposal does not comply with the Council's requirement in respect of two storey development for a minimum 1 metre side space to be maintained for the full height and width of the flank elevation to the flank boundary, in the absence of which the extension would constitute a cramped form of development, out of character with the street scene, conducive to a retrograde lowering of the spatial standards to which the area is at present developed and contrary to Policies BE1 and H9 of the Unitary Development Plan."
2. The proposed two storey rear extension would, by reason of its excessive rearward projection, appear over dominant when viewed from Nos. 22 and 26 Hayes Chase thereby resulting in overshadowing and loss of prospect seriously detrimental to the amenities enjoyed by the residents of these properties, contrary to Policies BE1 and H8 of the Unitary Development Plan and Supplementary Planning Guidance 1 and 2."

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

No 18 Hayes Chase:

Under ref: 16/02841/FULL6 Permission was for refused for a 4m deep two-storey rear projection for the following reason:

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

A subsequent application was submitted under 17/00030, this comprised a resubmission of a previously refused scheme, with the proportions, design and siting of the extension being as previously proposed but references were made to the built out scheme at No 24 Hayes Chase. The proposal was refused by Members at Plans Sub Committee on the 16th March 2017. The reason for refusal was as follows:

1. The proposed first floor extension would, by reason of its excessive rearward projection and proximity to the boundary, have a significantly adverse impact on the residential amenities of No. 16 Hayes Chase that the occupants of the neighbouring dwelling might reasonably expect to continue to enjoy and the visual amenities of the area resulting in a loss of prospect and undue visual impact, thereby contrary to Policies BE1, H8 and H9 of the Unitary Development Plan.

The above application was subsequently allowed at appeal under ref: APP/G5180/D/17/3173899.

## **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. Consideration should also be given to previous reasons for refusal.

Policy H9 states that 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.

The current proposal is a resubmission of DC/17/01007, which was refused for the reasons outlined above. The amendments to the scheme primarily include the reduction in the depth of the proposed first floor rear element by 700mm.

The application continues to propose the erection of a first floor side extension above an existing ground floor garage. This element has not changed since the previous refusal; however of material relevance is a recent appeal decision at No 18 Hayes Chase (17/00030). This also sought permission for a similar first floor side extension and rear extension, which spanned half the width of the dwelling. This application was refused by Members at Plans Sub-Committee for the reasons outlined above, but was subsequently allowed at appeal. The Inspector of that appeal (APPG5180/D/17/3173899) dated 7th August 2017 observed that 'some other houses have been extended to the side at first floor level but that extensions are set back and not prominent in the street scene'. He found that a set-back of some 4.5m from the front wall of the house would be in keeping with the character of the area. He also found that whilst the proposal did not provide a full 1m separation for the entire flank wall, due to the presence of an existing ground floor extension, the 1m provided at first floor level would, 'maintain an adequate degree of separation between the houses'. He subsequently found that there would be no undue conflict with Policy H9.

The proposed first floor side extension would be set back from the front elevation by 4.6m and would retain a pitched roof, which is 100mm greater than the 4.5m provided at No 18. Its overall width and level of setback would appear subservient in the context of the host property. Whilst previous objections were raised to this arrangement, the most recent appeal decision at No 18 is considered to be of material relevance in the determination of this application and accordingly Members may consider that would be no undue harm to the character or spatial qualities of the streetscene.

In relation to neighbouring amenity, the proposal would sit adjacent to No 18 and would wrap around the rear elevation. The rearward projection would have a maximum depth of 4m but this would reduce to 3.5m due to the existing staggered rear building line. It would be set back from the common side boundary with No 18 by approximately 1m at first floor level. There would also be a slight set back from the common boundary with No 22. The depth of the extension has been reduced by 700mm. This has lessened the bulk of the extension and it is noted a large rear projection was approved by Members at No 24 under ref: 14/00917 as outlined above.

No 18 includes a modest single-storey rear projection, however this is set away from the application property and the remainder of the rear elevation is un-extended. There are a number of windows located within the side elevation of No 18, with one first floor level and a number of ground floor levels. The ground floor windows already experience a degree of visual incursion from the existing garage and the proposal would unlikely result in harm which exceeds this established arrangement. Objections were previously raised regarding the visual impact on neighbouring residential amenities; however as noted above the over depth of the first floor element has been reduced by 700mm and of material relevance is a recent appeal decision at No 18 (outlined above). This also proposed a first floor

rear extension, which measured approximately 4m in depth beyond the rear elevation. This example did not however span the full width of the property and was set away from the boundary with No 20 by approximately 3.2m. Notwithstanding this point, objections were raised in respect of harm to neighbouring residential amenities, particularly No 16, as the development would have only been set-back from the shared boundary by 1m. This mirrors the current relationship between the proposal and No 18, albeit the current proposal is around 0.5m shorter in depth adjacent to this shared boundary. No 16 also benefits from an existing rear extension across the full width of the property, which is not the case with No 18. However, the application at No 18 was subsequently allowed at appeal. The inspector made the following observations:

'The council's reason for refusal concerns the effect of the proposed extension on the outlook of the neighbour at No 16. I saw on my visit that the ground floor of that dwelling has been extended to the rear. The proposal would extend no further back than the existing ground floor rear extension to the appeal property which is close to the rear of the neighbour's extension. It is unlikely that the proposal would have any significant effect on the outlook from the neighbour's rear ground floor windows

At first floor level the proposal would project 4m to the rear of the existing dwelling and a similar distance in respect of the adjacent dwelling. The extension would however be separated from its neighbour by about 2m and the nearest rear window in the adjacent property at first floor level is set further away than this, any view of the extension from the neighbour's window would be at an oblique angle. Taking into account the separation distance, I find that the neighbour's outlook would not be unduly harmed'.

In this case, the application property already benefits from a large single-storey rear extension, which has resulted in some visual incursion to the rear ground floor windows of No 18. There is also a degree of enclosure to these windows from a single-storey rear projection located along the shared boundary between No 16 & 18. The proposed first floor rear extension would be set back from the shared boundary by 1m, there is approximately a further 0.8m set back on the neighbouring side and the ground/upper floor windows are also approximately 0.8m further away from the flank elevation. The applicant has also submitted a shadow study in support of the proposal, which demonstrates that there is already some overshadowing from the existing dwelling and the development would not result in a harm which is significantly greater than the established arrangement. The views of the extension from the upper windows of No 18 would also be from an oblique angle. Furthermore, the Inspector observed that the rear gardens are quite spacious and that the scale of the rear development at No 18 would not be unduly dominant or oppressive in this context. This is a finely balanced case, but the primary impact would be on the rear ground floor windows; however the development has been reduced in depth adjacent to this property. In light of the above, Members may consider that the proposal is on balance acceptable, has overcome previous objections and would not result in material harm to neighbouring residential amenities.

The proposed would be set within the close proximity with the common boundary with No 22. The proposal would extend around 4m beyond the rear of this property,

which is located to the south east. The overall depth and scale of the proposal would be highly visible; however the visual impact for No 22 is partially mitigated by the existing single-storey garage structure located immediately adjacent to the proposed development site. The orientation of the development in relation to this neighbour would prevent any significant loss of light or overshadowing, which is further supported by a shadow study supplied by the applicant.

One window is proposed within the first floor south east elevation; however this would serve a bathroom and can be condition to be obscured glazed and non-opening below 1.7m in order to protect neighbouring privacy. A number of other ground floor windows within the side elevations would be modified, however these are annotated as being obscured. The design and fenestration arrangement of the remaining windows would unlikely result in overlooking or a loss of privacy beyond the established situation

In summary Members may consider that the proposal would not result in unacceptable harm to the character and appearance of the property and spatial qualities of the area in general. Furthermore, they may consider that the reduction in depth and recent appeal decision at No 18 are material considerations, which have satisfactorily addressed previous reasons for refusal and any harm to neighbouring residential amenities would be on balance acceptable.

Background papers referred to during production of this report comprise all correspondence on the file ref(s) 17/01007/FULL6 & 17/03284/FULL6 outlined in the Planning History section above, excluding exempt information.

#### **RECOMMENDATION: PERMISSION**

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

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

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

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

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

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

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

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

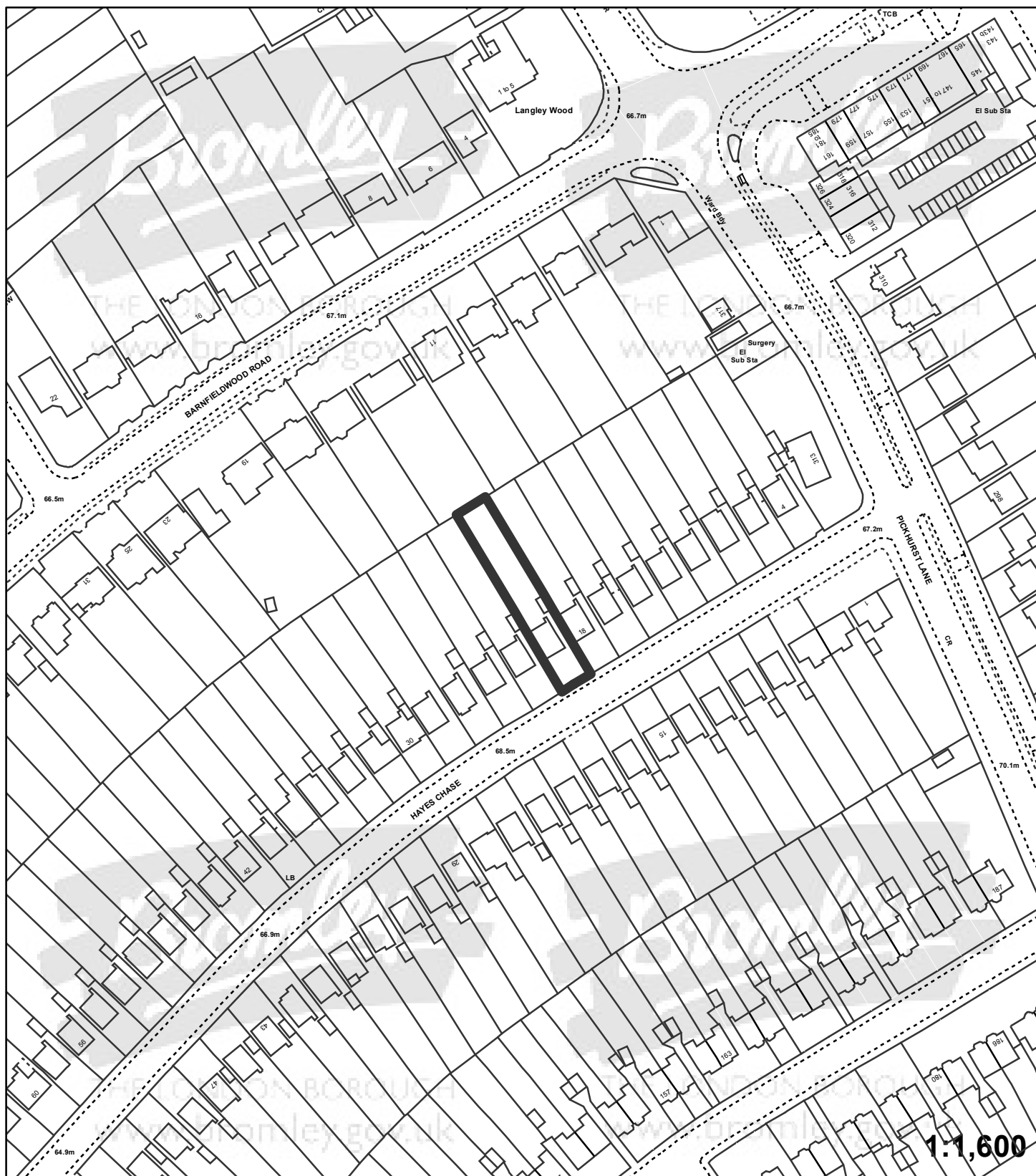
**Reason:** In the interests of the amenities of nearby residential properties and to accord with Policies BE1 and H8 of the Unitary Development Plan



**Application:**17/03284/FULL6

**Address:** 20 Hayes Chase West Wickham BR4 0HZ

**Proposal:** First floor side and rear extension including elevational alterations



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

**Application No :** 17/03456/FULL1

**Ward:**  
Chislehurst

**Address :** Mead Road Infant School, Mead Road,  
Chislehurst, BR7 6AD

**OS Grid Ref:** E: 544184 N: 170941

**Applicant :** Mead Road Infant School

**Objections :** NO

### **Description of Development:**

3 replacement external fire escape staircases, replacement isolated windows within the 'fire protection zone' and re-covering of rear upper and lower flat roofs with Bauder high performance felt system RETROSPECTIVE APPLICATION

Key designations:

Conservation Area: Chislehurst  
Biggin Hill Safeguarding Birds  
Green Belt  
Locally Listed Building  
Smoke Control SCA 16

### **Proposal**

The proposal seeks permission for the replacement of the existing three external staircases to the rear of the building along with the replacement of the windows within the 'fire protection zone' at the rear of the main building.

The proposal also includes the re-covering of the existing flat roofed areas with a new replacement felt roof.

A site visit to the site confirms that the application is retrospective and works have been completed.

### **Location**

The application site is located on the northern side of Mead Road and comprises the Mead Road Infant School. The building is a two/three storey structure with a two storey flat roofed section to the rear, along with small ancillary buildings at the site and a large open playing field.

The site is located within the Green Belt and the Chislehurst Conservation Area. The school is sited within a largely residential area.

## **Comments from Local Residents**

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

## **Consultations**

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

Environmental Health (Pollution) – no objections Raised.

## **Planning Considerations**

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

BE1 Design of New Development  
BE10 Locally Listed Buildings  
BE11 Conservation Areas  
C7 Education and Pre-School Facilities  
G1 Green Belt

## **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 27 – Education  
Draft Policy 28 – Educational Facilities  
Draft Policy 39 – Locally Listed Buildings  
Draft Policy 37 - General Design of Development  
Draft Policy 41 – Conservation Areas  
Draft Policy 49 – Green Belt

## **Other Guidance**

London Plan Policy 3.18 - Education Facilities  
The National Planning Policy Framework (NPPF) 2012  
The Supplementary Planning Guidance for the Chislehurst Conservation Area

## **Planning History**

Planning permission was granted under ref. 15/03428 for siting of bus within school grounds for use as a stationary school library

Planning permission was granted under ref. 13/02024 for erection of a canopy.

Planning permission was granted under ref. 01/03796 for a single storey covered walkway linking hall to school building.

## **Conclusions**

The main issues relating to the application are the effect that it has on the character of the Chislehurst Conservation Area and Locally Listed Building, the impact on the openness and visual amenity of the Green Belt land, and the impact the proposal has on the amenities of the occupants of surrounding residential properties.

### Impact on the Green Belt

Paragraph 89 of the NPPF states that a local planning authority should regard the construction of new buildings as inappropriate in Green Belt. Exceptions to this include the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building. This guidance is reflected in Policy G1 of the Unitary Development Plan.

The proposal comprises no extensions to the building, rather the replacement of external staircases and elevational alterations. The replacement staircases are sited in the same positions as the existing ones and have a similar scale and appearance. It may therefore be considered that the staircases have no additional impact on the openness of the Green Belt and the purposes of retaining land within it.

It is therefore considered that the development complies with the NPPF, Policy G1 of the Unitary Development Plan and Policy 49 of the Draft Local Plan.

### Impact on the Chislehurst Conservation Area and Locally Listed Building

The elevational alterations provide new fire windows and felt roofing at the rear of the building. The siting of the alterations is considered to be unobtrusive and is not visible from public areas of the Conservation Area. It is therefore considered that the development protects the special character and setting of the Conservation Area and does not cause visual harm. It is therefore considered that the development complies with Policy BE11 of the Unitary Development Plan, Policy 41 of the Draft Local Plan and the Supplementary Planning Guidance for the Chislehurst Conservation Area.

The main school building is Locally Listed and therefore the Council must consider the impact of any elevational alterations on the special character of the building. In light of the fact that the works replace existing features with similar ones, it is considered that the development and proposed materials do not impact detrimentally on the character of the building.

### Impact on Residential 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 elevational alterations are sited at the rear of the building only and are sited with a suitable separation from the nearest house at White Gates to the west to avoid undue loss of amenity. The like-for-like replacement of the external staircase, roofing and windows does not impact further in terms of overlooking or loss of privacy.

On balance, the proposal is considered to comply with Policy BE1 of the Unitary Development Plan and Policy 37 of the emerging Local Plan.

### Summary

Having had regard to the above it was considered that the siting, scale and design of the proposed development is acceptable in that it does not result in a significant loss of amenity to local residents nor impact detrimentally on the character of the Conservation Area or Locally Listed Building. The proposal also has a minimal impact on the visual amenities of the Green Belt. It is therefore recommended that Members grant planning permission.

Background papers referred to during production of this report comprise all correspondence on the file ref. 17/03456 set out in the Planning History section above, excluding exempt information.

### **RECOMMENDATION: PERMISSION**

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

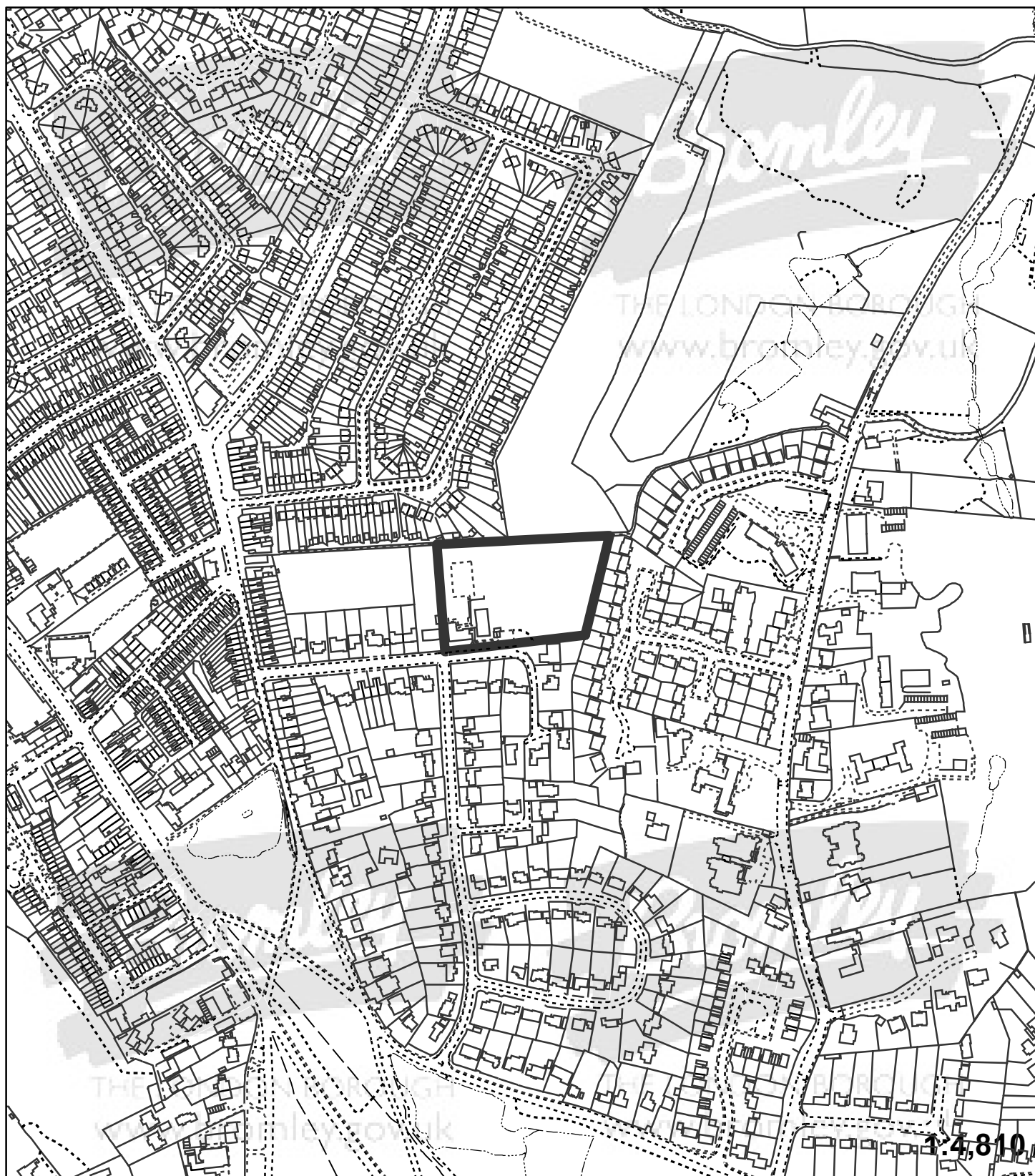
- 1. The development hereby permitted shall be permanently maintained in complete accordance with the plans approved under this planning permission unless previously agreed in writing by the Local Planning Authority.**

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

**Application:**17/03456/FULL1

**Address:** Mead Road Infant School Mead Road Chislehurst BR7 6AD

**Proposal:** 3 replacement external fire escape staircases, replacement isolated windows within the 'fire protection zone' and re-covering of rear upper and lower flat roofs with Bauder high performance felt system  
RETROSPECTIVE APPLICATION



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

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

**Application No :** 17/03674/FULL1

**Ward:**  
**Bickley**

**Address :** Durley Lodge, Bickley Park Road,  
Bickley, Bromley, BR1 2BE

**OS Grid Ref:** E: 542968 N: 169025

**Applicant :** Mr Smith

**Objections :** YES

### **Description of Development:**

Demolition of existing dwelling and erection of 2.5 storey building, with accommodation in the roofspace, comprising of nine flats (5x one bedroom; 3x two bedroom; 1x three bedroom apartments), together with associated parking and landscaping

Key designations:

Smoke Control SCA 10

### **Proposal**

The proposal is for the demolition of the existing detached house and the construction of a part/two three storey block of flats comprising of a total of nine units (made up of 5 one-bedroom flats, 3 two-bedroom flats, and 1 three-bedroom flats). The proposal includes 10 off-street parking spaces within the existing front garden area, whilst the existing site entrance will be unchanged.

The proposed block will incorporate a maximum width of approximately 22.5m and depth of 17.5m and it will rise to a maximum height of approximately 9.7m. Balconies will be provided at the front at ground and first floor levels, whilst the rear elevation will also incorporate balconies at ground, first and second floor levels with those at second floor levels inset within projecting gables. The proposed external treatment incorporates render and timber boarding.

The proposed building will match the design, appearance and scale of the proposal allowed on appeal under ref. 15/04152.

The application is accompanied by a Tree Survey, Construction Management Plan and Design and Access Statement.

A visit to the site confirms that the existing building has now been demolished and the replacement block is under construction.

## **Location**

The site occupies a 30m wide frontage to the northern side of Bickley Park Road, approximately 60 metres to the west of its junction with Blackbrook Lane and occupies an area of approximately 0.17h. Bickley Park Road forms a part of the A222 route. The site is presently occupied by a single detached two-storey house which incorporates accommodation within the roofspace and is broadly Mock Tudor in appearance.

The site includes a number of mature trees, particularly at the front and rear of the plot; the frontage is verdant in appearance, containing a number of trees and shrubs, which obscure much of the existing dwelling from the surrounding streetscene. The site adjoins 'Courtlands' to the north - made up of a detached two storey house, whilst the southern boundary adjoins an access drive which leads to the neighbouring house at 'Elmhurst' which occupies the land to the rear of the site. Beyond the access drive is the site of 'Red Tree Cottage' where works are currently in progress for the construction of a two storey building which will accommodate 5 two-bedroom flats.

The site falls within the Bickley Area of Special Residential Character (ASRC), which is described in the following terms in the Unitary Development Plan:

"The character of the area is essentially that of spacious inter war residential development, with large houses in substantial plots adjacent to the Conservation Areas of Chislehurst and Bickley."

This ASRC adjoins the Bickley Park Conservation Area which contains large residences on spacious plots, the design of a number of these having been inspired by the Arts and Crafts movement. Both the Conservation Area and ASRC share a number of similarities in terms of plot size and architectural styles.

## **Comments from Local Residents**

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

- The original planning application to build 8 flats on the site was refused by the Council on the grounds of excessive development of an inadequately sized plot, inadequate vehicular access and loss of privacy of nearby properties. The application was then allowed on appeal. The reasons the Council refused planning permission for 8 flats are even more relevant to the building of a ninth flat on the site of Durley Lodge. Building a 9th flat represents a 12.5% increase in the number of households on the site with inadequate space for car parking and clear overdevelopment of the site. Building is already advanced and includes the first floor. I hope that Bromley Council denies permission to the proposal to increase the number of flats to nine.

## **Comments from Consultees**

Highways – The previous application was allowed at appeal. There was a highway issue with the access layout but prior to the appeal this was amended. This application is to provide 5 x 1 bed flats, 3 x 2 bed flats and 1 x 3 bed flat, an addition of a one and a two bed flat and a loss of a 3 bed flat from the previous proposal. The number of bedrooms (14) will therefore stay the same. There are now 10 parking spaces proposed. The property has an existing gated access. The gates will be removed and the access widened. No objections are raised subject to conditions.

TfL – The site of the proposed development is on A222 Bickley Park Road. Blackbrook Lane bus stop is located directly outside the development site. The Construction Management Plan (CMP) should be amended to ensure that no direct impact occurs on the Bus network from construction or services to the development. The CMP should outline measures to protect the bus stop. Any impact, damages or suspension costs must be covered by the applicant and agreed with TfL in advance. Subject to the above conditions being met, the proposal as it stands would not result in an unacceptable impact to the Transport for London Road Network (TLRN).

Drainage - The proposed use of a soakaway and permeable paving in the driveway and car park to store surface water run-off is acceptable. A standard condition is recommended.

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, which apply to all residential premises.

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

## **Planning Considerations**

National Planning Policy Framework

London Plan Policies:

- 3.3 Increasing Housing Supply
- 3.4 Optimising Housing Potential
- 3.5 Design and Quality of Housing Developments
- 3.8 Housing Choice
- 5.1 Climate Change
- 5.2 Minimising Carbon Dioxide Emissions
- 5.3 Sustainable Design and Construction
- 6.9 Cycling
- 6.13 Parking
- 7.2 An Inclusive Environment
- 7.3 Designing out Crime

7.4 Local Character  
7.6 Architecture  
7.15 Noise  
8.3 Community Infrastructure Levy

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  
H7 Housing Density and Design  
H9 Side Space  
H10 Areas of Special Residential Character  
T3 Parking  
T18 Road Safety  
NE7 Development and Trees

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

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.

Draft Policy 1 - Housing Supply  
Draft Policy 4 - Housing Design  
Draft Policy 30 - Parking  
Draft Policy 32 - Road Safety  
Draft Policy 33 - Access for All  
Draft Policy 37 - General Design of Development  
Draft Policy 44 – Areas of Special Residential Character  
Draft Policy 69 – Development and Nature Conservation Sites  
Draft Policy 73 – Development and Trees  
Draft Policy 77 - Landscape Quality and Character  
Draft Policy 116 - Sustainable Urban Drainage Systems (SUDS)  
Draft Policy 123 - Sustainable Design and Construction  
Draft Policy 124 - Carbon Dioxide Reduction, Decentralise Energy Networks and Renewable Energy

### **Planning History**

Planning permission was refused under ref. 15/04152 for demolition of existing dwelling and erection of two storey building, with accommodation in the roofspace, comprising of eight flats (4x one bedroom; 2x two bedroom; 2x three bedroom apartments), together with associated parking and landscaping. The refusal grounds were as follows:

'The proposal, by reason of its excessive width, massing and site coverage, would constitute a cramped overdevelopment of the site, leading to an undesirable diminution in spatial standards of the Bickley Area of Special Residential Character, detrimental to its character and appearance, and contrary to Policies BE1, H10, H7 and H9 of the Unitary Development Plan and the Council's adopted Supplementary Planning Guidance 1 and 2.

The proposed means of vehicular access would fail to provide adequate clearance to enable vehicles to wait clear of the road while the gates are opening, or enable two cars to pass side by side adjacent to the site entrance, and will therefore be prejudicial to the free flow of traffic, contrary to Policy T18 of the Unitary Development Plan.

The proposed building, by reason of its 3rd floor balconies, would result in a loss of privacy and increased degree of overlooking into nearby properties (in particular Elmhurst to the rear), thereby contrary to Policy BE1 of the Unitary Development Plan.'

The application was subsequently allowed on appeal. The Inspector considered the architectural style of this part of the Area of Special residential Character to be mixed and concluded:

'The proposal would not therefore significantly depart from the spatial standards in this part of the ASRC, would not appear cramped in the street scene and would not materially erode the quality and character of the area. It would therefore comply with Policies BE1, H7, H9 and H10 of the UDP and the Council's adopted Supplementary Planning Guidance. These seek to ensure development does not detract from the existing street scene; the site layout, buildings and space about buildings complements the qualities of the surrounding area; retains adequate separation between buildings and, within an ASRC, respects and complements the established and individual quality of the area.'

The Inspector also concluded that the development would not impact harmfully on the amenities of neighbouring residential properties.

Under reference 03/02460, an application for a two storey side and rear extension and two-storey detached triple garage was refused at the enquiry site on the following grounds:

"The proposed two storey side extension would result in a cramped form of development harmful to the character and appearance of the dwelling and the Bickley Area of Special Residential character contrary to Policies E.1, H.3 and H.6 of the adopted Unitary Development Plan and Policies BE1, H8 and H11 of the second deposit draft Unitary Development Plan (September 2002)."

"The proposed two storey detached triple garage by reason of prominent siting and size would be an incongruous and obtrusive feature detrimental to

the visual amenities and character of the Bickley Area of Special Residential Character and contrary to Policies E.1, H.3 and H.6 of the adopted Unitary Development Plan and Policies BE1, H8 and H11 of the second deposit draft Unitary Development Plan (September 2002)."

Subsequently, under reference 03/03314, an amended application for a two storey side and rear and detached double garage with a room in the roof was granted planning permission. The two storey extension has been constructed.

## **Conclusions**

The main issues for consideration in respect of this proposal relate to the effect that it would have on the character and appearance of the Bickley Area of Special Residential Character (ASRC), with particular regard to the scale and form of the proposal; its effect on neighbouring amenity; the quality of the proposed landscape setting; and its effect on local highway conditions. The standard of accommodation for future occupants is also a consideration.

Following the allowed appeal under ref. 15/04152, the current application proposes to split the roof accommodation to provide 2 flats (1 two bedroom and 1 one bedroom). No external alterations are proposed.

### Impact on the Character of the Area of Special Residential Character

Policy H10 of the UDP advises that applications for development in the ASRCs will be required to respect and complement the established and individual qualities of the individual areas. This policy is supported by Appendix I of the UDP which sets out the criteria by which ASRCs have been designated:

- (i) There should be a sufficient number of properties to form an area of distinctive character. The area should be well established, readily identifiable and coherent.
- (ii) The majority of properties should generally have the same readily identifiable characteristics (e.g. high spatial standards, similar materials, well landscaped frontages).
- (iii) The boundary should be easily defined and defensible.
- (iv) The areas defined should be primarily residential in character.

Appendix I further states that, when considering applications for new development in ASRCs, the Council, as well as applying the general housing policies in Chapter 4 of the UDP, will seek a number of development control guidelines for such areas, including the following:

- Developments likely to erode the individual quality and character of the ASRCs will be resisted. Reference will be made to the description of areas given below for a determination of individual quality and character.
- Residential density shall accord with that existing in the area.
- Spatial standards of new development (plot width, garden depth and plot ratio) shall accord with the general pattern in the area.
- The general height of existing buildings in the area shall not be exceeded.

- The space between a proposed two or more storey development and the side boundary of the site should accord with that prevailing in the area.
- Existing mature trees and landscaping shall be retained wherever possible.

In terms of local character, the initial stretch of Bickley Park Road, between its junctions with Southborough Road and Blackbrook Lane, contains a mix of uses, but most of the sites here are made up of individual family houses of varied size and appearance, many of which are set within generous plots, helping to define this ASRC. These houses are interspersed by Bickley Park Cricket Club, St George's Church and Lauriston House residential home. The flatted development along this road is confined to the locally listed building at Farrants Court which comprises a former mansion set within substantial grounds which has been subdivided into ten flats; and the site of Red Tree Cottage where a block of 5 flats is under construction but whose outward appearance is comparable to that of a detached house.

Taking account of the site characteristics and the nature of the proposal, it is considered that the proposed scheme will respect the spatial standards of the ASRC and this view has previously been taken by the Inspector. The current application does not propose alterations to the external appearance of the allowed building, with only internal alteration proposed to provide a ninth flat. It is therefore considered that the proposal would not impact harmfully on the special character of the ASRC.

#### Impact on Neighbouring Amenities

Whilst objections have been raised in respect of potential overlooking and loss of privacy, taking account the site characteristics and the relationship between the proposed building and surrounding properties it is not considered that this proposal will lead to a diminution in the level of amenity currently enjoyed by residents of surrounding properties. In respect of the neighbouring dwelling at 'Elmhurst', situated to the north of the application site, a separation of between approximately 20m and 30m will be maintained between the rear elevation of the proposed building and the boundary with that site, whilst there is a significant level of existing boundary planting; as such, it is not considered that the impact of this proposal will be significant as such to justify refusal. In the case of 'Courtlands' which is situated to the east, the proposed building will maintain a wider separation than the existing house of up to 4.1m, whilst only two windows will be provided along the western flank elevation of the proposed building, both of which will be obscure glazed. On this basis, it is not considered that the proposal will undermine the existing levels of amenity which presently exist. It should also be noted that this view has previously been shared by the Inspector

#### Density and Standard of Accommodation

With regard to the density of the proposed development, Table 3.2 of Policy 3.4 (Optimising Housing Potential) of the London Plan (2015) gives an indicative level of density for new housing developments. In this instance, the proposal represents a density of 52 dwellings per hectare with the table giving a suggested level of

between 50-95 dwellings per hectare in suburban areas with a PTAL rating of 3. The proposals would therefore result in a suitable density level for the site.

The London Plan suggests that the minimum size of a one bedroom two person flat should be 50 sq.m and a two bedroom four person flat should be 70 sq.m. A three bedroom five person unit should have a GIA of 86 sq.m. The submitted plans indicate a floor area of between 53 sq.m and 120 sq.m for the proposed flats and therefore the dwellings are considered to comply with the requirements of the Technical Space Standards.

The proposal will provide suitable bedroom sizes, living areas, natural light and communal amenity/play space to the rear of the building. Each flat will be provided with a private terrace, with the three bedroom unit provided with two terraces. It is considered that the standard of accommodation provided for future occupants would be suitable.

### Parking and Highway Safety

The previous application was allowed at appeal. There was a highway issue with the access layout but prior to the appeal this was amended. This application is to provide 5 x 1 bed flats, 3 x 2 bed flats and 1 x 3 bed flat, an addition of a one and a two bed flat and a loss of a 3 bed flat from the previous proposal. The number of bedrooms (14) will therefore stay the same. There are now 10 parking spaces proposed. The property has an existing gated access. The gates will be removed and the access widened. No objections are raised from a highway safety perspective, subject to conditions.

### Summary

Having had regard to the above it was considered that the siting, scale and design of the proposed development is acceptable in that it would not result in a significant loss of amenity to local residents nor impact detrimentally on the character of the ASRC. The proposal would also have no significant impact on the amenities of neighbouring properties and would provide an acceptable standard of accommodation for future occupants. No impact on highway safety or trees would result and therefore it is therefore recommended that Members grant planning permission.

Background papers referred to during production of this report comprise all correspondence on the file refs. 15/04152 and 17/03674 as set out in the Planning History section above, excluding exempt information.

**RECOMMENDATION: PERMISSION**

**Subject to the following conditions:**

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this decision.**

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



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

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

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

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

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

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

- 5** If any trees are felled in order to implement the development hereby permitted, trees of a size and species to be agreed in writing by the local planning authority shall be planted as replacements in such positions as shall be agreed by the authority in the first planting season following completion of the development. Any trees which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

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

- 6 Arboricultural works shall take place strictly in accordance with the Tree Survey by LaDellWood LLP.**

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

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

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

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

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

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

**Reason: To ensure satisfactory means of surface water drainage.**

- 8. Before commencement of the use of the land or building hereby permitted parking spaces and/or garages and turning space shall be completed in accordance with the approved details and thereafter shall be kept available for such use and no permitted development whether permitted by the Town and Country Planning (General Permitted Development Order 1995 (or any Order amending, revoking and re-enacting this Order) or not shall be carried out on the land or garages indicated or in such a position as to preclude vehicular access to the said land or garages.**

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

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

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

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

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

- 11. 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, including any conflicts with the bus network; the route construction traffic shall follow for arriving at and leaving the site and the hours of operation, but shall not be limited to these. The Construction Management Plan shall be implemented in accordance with the agreed timescale and details.**

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

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

**Reason: In order to ensure the satisfactory drainage of the site and in the interest of highway safety.**

- 13 Arrangements for the storage of refuse and recyclable materials (including means of enclosure for the area concerned) shall be completed before any part of the development hereby permitted is first occupied in accordance with details to be submitted to and approved in writing by the local planning authority. The approved arrangements shall be permanently retained thereafter.**

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

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

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

- 15 Details of existing site levels and proposed slab levels of the buildings hereby permitted shall be submitted to and approved in writing by the local planning authority before any development commences on site. The development shall then 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.**

- 16 Before any part of the development hereby permitted is first occupied boundary enclosures of a height and type to be submitted to and approved in writing by the local planning authority shall be erected in such positions along the boundaries of the site as shall be approved and shall be permanently retained thereafter.**

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

- 17 Before the development hereby permitted is first occupied, the kitchen/dining room windows on the ground and first floor western elevation and the side of the first floor balconies on the western**

elevation shall be obscure glazed and shall subsequently be retained as such at all times.

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

You are further informed that:

- 1 You are reminded of your obligation under Section 80 of the Building Act 1984 to notify the Building Control Section at the Civic Centre six weeks before demolition work is intended to commence. Please write to Building Control at the Civic Centre, or telephone 020 8313 4313, or e-mail: [buildingcontrol@bromley.gov.uk](mailto:buildingcontrol@bromley.gov.uk)
- 2 You are advised that this application may be liable for the payment of the Mayoral Community Infrastructure Levy under the Community Infrastructure Levy Regulations (2010) and the Planning Act 2008. The London Borough of Bromley is the Collecting Authority for the Mayor and this Levy is payable on the commencement of development (defined in Part 2, para 7 of the Community Infrastructure Levy Regulations (2010)). It is the responsibility of the owner and /or person(s) who have a material interest in the relevant land to pay the Levy (defined under Part 2, para 4(2) of the Community Infrastructure Levy Regulations (2010)).

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

Further information about Community Infrastructure Levy can be found on attached information note and the Bromley website [www.bromley.gov.uk/CIL](http://www.bromley.gov.uk/CIL)

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

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

- 4 You are advised to apply to the Highway section for the works to the dropped kerb. The application form is on the Council's website or if they have any queries or want to do the work themselves under licence they should contact Daniel Gordon (daniel.gordon@bromley.gov.uk).**

**Application:**17/03674/FULL1

**Address:** Durley Lodge Bickley Park Road Bickley Bromley BR1 2BE

**Proposal:** Demolition of existing dwelling and erection of 2.5 storey building, with accommodation in the roofspace, comprising of nine flats (5x one bedroom; 3x two bedroom; 1x three bedroom apartments), together with associated parking and landscaping



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

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