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DATE: 31 October 2017

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

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

A meeting of the Plans Sub-Committee No. 4 will be held at Bromley Civic Centre on
THURSDAY 9 NOVEMBER 2017 AT 7.00 PM

MARK BOWEN
Director of Corporate Services

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

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

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

To register to speak please telephone Democratic Services on 020 8461 7566

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

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

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

A G E N D A

- 1 **APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS**
- 2 **DECLARATIONS OF INTEREST**
- 3 **CONFIRMATION OF MINUTES OF MEETING HELD ON 14 SEPTEMBER 2017**
(Pages 1 - 24)
- 4 **PLANNING APPLICATIONS**

SECTION 1

(Applications submitted by the London Borough of Bromley)

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

SECTION 2

(Applications meriting special consideration)

Report No.	Ward	Page No.	Application Number and Address
4.1	Crystal Palace Conservation Area	25 - 54	(17/02876/FULL1) - Alan Hills Motors, Alma Place, Anerley, London, SE19 2TB
4.2	Hayes and Coney Hall	55 - 60	(17/03199/FULL6) - 6 Hawthorndene Close, Hayes, BR2 7DT
4.3	Hayes and Coney Hall	61 - 68	(17/03540/FULL1) - Southerly Warren Road, Hayes, Bromley, BR2 7AN
4.4	Hayes and Coney Hall	69 - 76	(17/03930/FULL1) - 53 Kechill Gardens, Bromley, BR2 7NB
4.5	Copers Cope	77 - 84	(17/04181/FULL1) - 127 The Drive, Beckenham, BR3 1EF

SECTION 3

(Applications recommended for permission, approval or consent)

Report No.	Ward	Page No.	Application Number and Address
4.6	Chislehurst	85 - 90	(17/01880/FULL6) - 32 Highfield Road, Chislehurst, BR7 6QZ
4.7	Chislehurst Conservation Area	91 - 98	(17/02032/ADV) - Queen Mary House, Manor Park Road, Chislehurst, BR7 5PY
4.8	Chislehurst Conservation Area	99 - 116	(17/03264/FULL1) - Jason, Yester Road, Chislehurst, BR7 5HN
4.9	Orpington	117 - 122	(17/03287/FULL1) - 257-259 High Street, Orpington BR6 0NY
4.10	Chislehurst Conservation Area	123 - 140	(17/03427/FULL1) - Jason, Yester Road, Chislehurst, BR7 5HN
4.11	Copers Cope	141 - 148	(17/03751/FULL6) - 37 Crescent Road, Beckenham, BR3 6NF
4.12	Clock House	149 - 164	(17/04102/FULL1) - 5A Villiers Road, Beckenham, BR3 4NR.
4.13	West Wickham	165 - 170	(17/04389/FULL6) - 94 Hayes Chase, West Wickham, BR4 0JA
4.14	Copers Cope	171 - 190	(17/04398/FULL1) - 84 Albemarle Road Beckenham BR3 5HT
4.15	Bromley Common and Keston Conservation Area	191 - 198	(17/04503/RESPA) - 132 Heathfield Road, Keston, BR2 6BA.

SECTION 4

(Applications recommended for refusal or disapproval of details)

Report No.	Ward	Page No.	Application Number and Address
4.16	Bickley	199 - 212	(17/03022/FULL1) - 55 Liddon Road, Bromley, BE1 2SR.
4.17	West Wickham	213 - 224	(17/03510/FULL1) - Hawes Down Clinic, Hawes Lane, West Wickham, BR4 9AE.

4.18	Orpington	225 - 234	(17/03781/FULL1) - 251 High Street, Orpington BR6 0NZ
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5 CONTRAVENTIONS AND OTHER ISSUES

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

6 TREE PRESERVATION ORDERS

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

PLANS SUB-COMMITTEE NO. 4

Minutes of the meeting held at 7.00 pm on 14 September 2017

Present:

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

Also Present:

Councillors Teresa Te

9 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

Apologies for absence were received from Councillors Nicky Dykes and Richard Williams; Councillors Tony Owen and Angela Wilkins attended as their respective substitutes.

10 DECLARATIONS OF INTEREST

No declarations of interest were received.

11 CONFIRMATION OF MINUTES OF MEETING HELD ON 20 JULY 2017

RESOLVED that the Minutes of the meeting held on 20 July 2017 be confirmed and signed as a correct record.

12 PLANNING APPLICATIONS

SECTION 2

(Applications meriting special consideration)

12.1 WEST WICKHAM

**(17/02202/FULL6) - 71 Corkscrew Hill,
West Wickham BR4 9BA**

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

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

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

12.2
CRYSTAL PALACE

**(17/02800/FULL1) - Keswick House,
207a Anerley Road, Penge, London SE20 8ER**

Description of application – Roof extension forming 1 2B3P unit and alterations to existing mansard and applied rendered coatings and changes to the glazing forming the main entrance.

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

Further written comments in support of the application were received from the agent and circulated to Members.

The Development Control Manager confirmed that details of the materials listed on page 20 of the report were incorrect. He also advised Members of changes to conditions 4 and 5 of the recommendations on page 24 of the report.

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 conditions 4 and 5 amended to read:-

'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 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.'

A further condition was also added as follows:-
12 Details of the means of privacy screening for the balcony(ies) shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the development hereby permitted. The development shall be carried out in accordance with the approved details and permanently retained as such.

Reason: In order to comply with Policy BE1 of the Unitary Development Plan and in the interest of the appearance of the building, the visual amenities of the area and to maintain an acceptable level of privacy and residential amenity in respect of adjoining properties.

SECTION 3

(Applications recommended for permission, approval or consent)

12.3 PLAISTOW AND SUNDRIDGE

(17/01448/RECON) - 76 College Road, Bromley BR1 3PE

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

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

Committee Member and Ward Member, Councillor Turner spoke in objection to the application raising serious concerns about traffic and parking issues. Councillor Buttinger referred to the local knowledge of Ward Councillors as an important element to be relied upon during consideration of all planning applications. Members having considered the report, objections and representations, **RESOLVED that PERMISSION BE REFUSED** for the following reason:-

1 The proposal would lead to an unacceptable intensification of the existing access within an area of poor visibility close to a junction, which would be prejudicial to the free flow of traffic condition and general safety in the highway, contrary to Policy T3 and T18 of the Unitary Development Plan.

12.4
CHISLEHURST

**(17/02441/FULL6) - Wengen, Elmstead Lane,
Chislehurst BR7 5EQ**

Description of application – Part one/two storey front extension and single storey rear extension.

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

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

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

Reason: In order that, 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.

5 Prior to the occupation of the development hereby permitted, amended plans shall be submitted to the Local Planning Authority and approved in writing which shows the removal of the flank facing ground floor window to the kitchen. The development shall be implemented in accordance with the plans and permanently retained thereafter.

Reason: In the interest of protecting neighbouring amenity in accordance with Policy BE1 of the Unitary Development Plan.

12.5
CHISLEHURST
CONSERVATION AREA

**(17/02923/FULL6) - 13 Acorn Close,
Chislehurst BR7 6LD**

Description of application – Detached triple garage.

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 the addition of a further two conditions to read:-

6 Notwithstanding the provisions of the town and Country Planning (General Permitted Development)

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

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

7 The garage shall be used only for purposes ancillary to the main dwelling at 13 Acorn Close and only by members of the household occupying the dwelling; and shall not be severed to form a separate self-contained unit or used for any other purpose including residential occupation or commercial purposes.

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

**12.6
PETTS WOOD AND KNOLL**

**(17/02934/FULL6) - 255 Crescent Drive,
Petts Wood, Orpington BR5 1AY**

Description of application – First floor side extension.

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

1 The proposal does not comply with the Council's requirement for minimum 1 metre side space to be maintained to the flank boundary for the full height and depth of the building in respect of two storey development in the absence of which the extension would constitute a cramped, terraced form of development, out of character with the street scene, conducive to a retrograde lowering of the spatial standards to which the area is at present developed and contrary to Policy H9 of the unitary Development Plan.

**12.7
WEST WICKHAM**

**(17/02983/FULL6) - The Covert, Pickhurst Rise,
West Wickham BR4 0AA**

Description of application – First floor side extension.

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

SECTION 4

(Applications recommended for refusal or disapproval of details)

**12.8
PETTS WOOD AND KNOLL**

**(17/03267/OUT) - 2 Woodland Way, Petts Wood,
Orpington BR5 1ND**

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

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

It was reported that further objections to the application had been received.

Committee Member and Ward Member, Councillor Fawthrop, reported that the application breached various guidelines set out in the current Unitary Development Plan including:-

- the character of an ASRC;
- residential density;
- spatial standards of new developments;
- backland development; and
- front and rear building lines.

A full copy of Councillor Fawthrop's representation is attached as an Annex to these Minutes.

The Senior Planning Officer confirmed that 'Policy BE10' referred to on various pages of the report, should read 'Policy H10'.

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 with reason 1 amended to read:-

'1 The proposed development, by reason of its size, bulk and layout would appear incongruous and out of character with the surrounding area and would be

harmful to the character and locality of the Petts Wood Area of Special Residential Character and contrary to the garden suburbs principles in which the area is developed, contrary to Policies BE1, BE10 and H7 of the Unitary Development Plan (2006) and Supplementary Planning Guidance No 1 and 2, London Plan Policies 3.4, 3.5, 7.4 and 7.6 (2015) and the objectives of the NPPF (2012).'

The following reason for refusal was also added:-

5 The proposed density of the development would be unacceptable and unreflective of the prevailing character of development in this Area of Special Residential Character and would therefore be harmful to the character of this protected area, eroding current spatial standards and therefore contrary to Policies BE1, BE10 and H7 of the Unitary Development Plan (2006) and Supplementary Planning Guidance No 1 and 2, London Plan Policies 3.4, 3.5, 7.4 and 7.6 (2015) and the objectives of the NPPF (2012).

**12.9
PETTS WOOD AND KNOLL**

**(17/03272/OUT) - 2 Woodland Way, Petts Wood,
Orpington BR5 1ND**

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

Oral representations in objection to and in support of the application were received at the meeting. It was reported that further objections to the application had been received.

Committee Member and Ward Member, Councillor Fawthrop, reported that the application breached various guidelines set out in the current Unitary Development Plan including:-

- the character of an ASRC;
- residential density;
- spatial standards of new developments;
- backland development; and
- front and rear building lines.

A full copy of Councillor Fawthrop's representation is attached as an Annex to these Minutes.

The Senior Planning Officer confirmed that 'Policy BE10' referred to on various pages of the report, should read 'Policy H10'.

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 with reason 1 amended to read:-

'1 The proposed development, by reason of its size, bulk and layout would appear incongruous and out of character with the surrounding area and would be harmful to the character and locality of the Petts Wood Area of Special Residential Character and contrary to the garden suburbs principles in which the area is developed, contrary to Policies BE1, BE10 and H7 of the Unitary Development Plan (2006) and Supplementary Planning Guidance No 1 and 2, London Plan Policies 3.4, 3.5, 7.4 and 7.6 (2015) and the objectives of the NPPF (2012).'

The following reason for refusal was also added:-

5 The proposed density of the development would be unacceptable and unreflective of the prevailing character of development in this Area of Special Residential Character and would therefore be harmful to the character of this protected area, eroding current spatial standards and therefore contrary to Policies BE1, BE10 and H7 of the Unitary Development Plan (2006) and Supplementary Planning Guidance No 1 and 2, London Plan Policies 3.4, 3.5, 7.4 and 7.6 (2015) and the objectives of the NPPF (2012).

**12.10
CRAY VALLEY EAST**

**(17/03291/FULL1) - 5-7 Mountfield Way,
Orpington BR5 3NR**

Description of application – Retrospective installation of roller shutters.

Oral representations in support of the application were received. Oral representations from Ward Member Councillor Teresa Te in support of the application were received at the meeting.

It was reported that a further 240 letters in support of the application had been received.

Members having considered the report and representations, **RESOLVED that the application BE DEFERRED** without prejudice to any future consideration, to be considered under Section 2 of the agenda. Should the application be permitted at that meeting, a condition would be added requiring the maintenance and upkeep of the shutters and to remove graffiti should any occur.

13 **TREE PRESERVATION ORDERS**

13.1
COPERS COPE

**(17/01775/TPO) - 156 Bromley Road, Beckenham
BR3 6PG**

Description of application – Fell Oak x 1. SUBJECT
TO TPO 1501 (T1).

The Chairman stated he was aware of the possible
risk of an insurance claim arising in this matter.
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.

The meeting ended at 8.25 pm

Chairman

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ITEMS 4.8 AND 4.9 – 2 WOODLAND WAY, PETTS WOOD, ORPINGTON

REPRESENTATIONS IN OBJECTION TO THE APPLICATION RECEIVED FROM COMMITTEE MEMBER AND WARD MEMBER, COUNCILLOR SIMON FAWTHROP

“Mr Chairman

The applications before us for 2 Woodland Way both fall within the Petts Wood Area of Special Residential Character (ASRC), which was designed and built on the Garden Suburb principle.

Before I commence on a detailed response, I'd like to draw to your attention to some inaccuracies within the report. The first being that reference is made in several places to Policy BE10 when in fact the report means UDP Policy H10.

No reference is made to the existing Petts Wood ASRC description (a copy of which I attach for the minutes) or to the proposed ASRC description outlined in Appendix 10.6 of the proposed Draft Local Plan (a copy of which is also attached) for an understanding of the impact that this proposal would have upon this Special Area).

It is also worth noting that there are two Article 4 Directions in place, one around the front boundary treatment to preserve the low level open feel and a second around the front roof line to preserve the appearance of the area and maintain standards.

The current UDP Appendix 1, paragraph 1.2 (copy attached), makes it quite clear that:-

- (i) new developments will be resisted if they erode the quality and character of the ASRC in respect of the ASRC description;
- (ii) residential density shall accord with that in the area;
- (iii) spatial standards of new developments (plot, width, garden depth and plot ratio, shall accord with the general pattern in the area;
- (iv) backland development will not be permitted; and
- (v) new developments should respect front and rear building lines.

These are just some of the guidelines that this application breaches. There is much more Mr Chairman included in Appendix 1, a litany of failure in respect of these applications.

In noting this report, I refute the comments on pages 62 and 77 where it is stated that “the Council will consider a higher density infill development”; that comment is both misleading to the applicant and a direct contravention of the existing UDP policy as set out in Appendix 1.

The same applies to the description that “the provision of a higher density residential development may be acceptable in principle”. In making any decision tonight I will be asking the Committee to specifically reject, as part of the recommendations, these two misleading statements, in addition to the recommendations contained within the report.

The fact is, that the Petts Wood ASRC is one of only two similar areas in London, the other being Hampstead Garden Suburb, which are of such an important quality that development cannot be a free for all. There are many examples of inspectors looking at the ASRC and recognising its importance. I attach a couple for you, one in relation to an end plot in Ladywood Avenue, which demonstrates that the spatial character is very important. The second is in relation to this plot and the findings of the previous inspector in full. Other inspectors' upholding of the ASRC will also be available as part of this application.

One thing is clear, when the plots were established in Petts Wood, it was for family housing with generous plot sizes and gardens as well as garages. Both of these applications not only over-develop the site but by introducing flatted developments, completely undermine the notion of the Garden Suburb and so severely erode the ASRC as to cause considerable and irreversible harm for current and future occupiers of the site and area.

Finally Mr Chairman, if Members are minded to approve the recommendations in the reports, I'd like to propose some additional recommendations as follows:-

5. There would be a conflict with Policies 3.4 and 3.5 of the London Plan whereby local character and context should be taken into account and whereby great importance is given to protecting back gardens.
6. The Committee do not concur with the findings of the report that the provision of a higher density residential development may be acceptable in principle, particularly given the previous inspector's report on the application at this site, as it erodes the ASRC standards and goes against the Garden Suburb principle which established Petts Wood's character.
7. The Committee do not concur with the findings of the report that the Council will consider a higher density residential infill development as this goes against the standards and character of the ASRC Garden Suburb, which established Petts Wood's as being of low density and high in amenity space, made up of detached and semi-detached properties with generous gardens.
8. The Committee accept that each application is taken on its own merit and dismiss any proposals that present principles or precedents for future planning applications at this site, thereby attempting to constrain any future decision making body."

DESCRIPTION - PETTS WOOD AREA OF SPECIAL RESIDENTIAL CHARACTER

The original plans for Petts Wood date from the late 1920s and early 1930s. While houses were built over a number of years, in a number of similar though varied styles, the road layout and plot sizes were established in an overall pattern. Today the layout remains largely intact. Within the overall area, the Conservation Areas of the Chenies and Chislehurst Road already stand out.

The plots were originally designed on the garden suburb principle by developer Basil Scruby, with large plot sizes spaciouly placed. The characteristics of the Petts Wood ASRC include an open feel, predicated by low boundaries and visible front gardens, set back from the road; there is also spaciousness between the houses which is of superior standard. This allows many of the trees and greenery which prevails throughout the area to be seen from the street scene giving the area its open and semi-rural feel in line with the garden suburb principle. This open and suburban aspect of the area underlines the special characteristic of the area. Development which erodes this principle will be resisted.

The separation between building and the rhythm and pattern of the houses adds to the special character. In many cases there is a much wider separation between houses than in other parts of the Borough which demands a higher degree of separation between buildings to maintain the special character, the openness and feel of the area. Where there are pairs of houses that complement the rhythm of the street scene there is also a prevailing symmetry between the houses. This symmetry can also be seen between neighbouring pairs. The plots are set out in such a way that the spacious character is one of a clear detached and semi-detached nature.

The front building and rear building lines are also of importance in defining the area. The buildings are of a 1930s design which adds to the character of the area. Whilst there have been some changes post war this design aspect of the area remains intact and future development should respect this characteristic. The front roof lines are also of a nature which enhances the characteristic of the area being largely untouched by roof extensions and conversions at the front.

The plot sizes and rear gardens are mostly of a size which is commensurate with the Garden Suburb principle and this characteristic also forms part of the amenity value which makes the area special.

When considering future development within the Petts Wood ASRC, the main focus will be on the impact of any proposed development on the ASRC, taking into account the design and spatial standards including the low density of existing development. Proposals which undermine the character, rhythm, symmetry and spatial standards of the area will be resisted unless very special circumstances can be demonstrated. Likewise new dwellings proposed on gardens and infill will also be strongly resisted unless very special circumstances can be demonstrated. In this context special is used in the dictionary sense to mean distinguished from others of the same category, because it is in some way superior or held in particular esteem. For a proposal to meet the very special circumstances test in this context would mean not only enhancement to the ASRC but a consequence of not undertaking the proposal would undermine the Petts Wood ASRC or risk some form of harm to the ASRC.

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APPENDIX I

AREAS OF SPECIAL RESIDENTIAL CHARACTER

General guidelines

- I.1 In considering areas for designation as Areas of Special Residential Character, the Council will have regard to the following criteria:
- (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; and
 - (iv) the areas defined should be primarily residential in character.
- I.2 When considering applications for new development in Areas of Special Residential Character (ASRCs), the Council, as well as applying the general housing policies in Chapter 4 of the UDP, will pay particular regard to Policy H10 and the following development control guidelines for such areas:
- (i) 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.
 - (ii) residential density shall accord with that existing in the area.
 - (iii) spatial standards of new development (plot width, garden depth and plot ratio) shall accord with the general pattern in the area.
 - (iv) the general height of existing buildings in the area shall not be exceeded.
 - (v) 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.
 - (vi) backland development will not be permitted.
 - (vii) new development will be required to take account of existing front and rear building lines.
 - (viii) existing mature trees and landscaping shall be retained wherever possible.
 - (ix) conversions, where appropriate, will only be acceptable where they do not alter the external appearance of the building.
 - (x) proposals, including conversions that are likely to significantly increase the proportion of hard surfacing in front of existing properties, will be resisted unless accompanied by satisfactory landscaping proposals.
 - (xi) materials shall match or complement those in adjoining existing developments.
 - (xii) areas of land indicated as Urban Open Space on the Proposals Map will not be developed for any purpose.

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DRAFT LOCAL PLAN 10.6

3. Petts Wood - The area includes circa 1500 dwellings within detached and semi-detached properties on circa 112 ha of land. It is bounded by the railway to the north, Chislehurst Road Conservation Area to the north east, tree preservation orders and the railway to the north west and the west (excluding Urban Open Space, properties within Petts Wood Station Square Conservation Area and other areas which include retail and car parking uses), part of St John's Road to the south west, the Chenies Conservation Area and residential areas considered to be of distinct character and/or standard to the south and west of Crofton Lane and east of Grosvenor Road.

The original plans for Petts Wood date from the late 1920s and the early 1930s. Whilst there have been some changes post war, the prevailing design of the buildings is from the 1930s and remains largely intact. Some of the properties have been built by the distinguished designer Noel Rees who designed all of the buildings within the neighbouring Chenies Conservation Area. Whilst houses were built over a number of years, in a number of similar though varied styles, the road layout and plot sizes were established in an overall pattern, following the garden suburb principle which largely remains intact today. The large plots which are spaciouly placed were originally designed following the garden suburb principle by developer Basil Scruby. The regularity of front building and rear building lines, the consistency in the front roof lines largely untouched by roof extensions or conversions and the symmetry between pairs and neighbouring pairs of houses are of importance in defining the character of the area. The Petts Wood ASRC has an open, suburban and semi-rural feel, predicated by low boundaries and visible front gardens set back from the road as well as the width of the separation between the houses which is of a particularly high standard. This allows many of the trees and greenery which prevail throughout the area to be seen from the street. Large rear gardens also provide the area with a high level of enmity. The plot sizes, the alignment of the houses to the Garden Suburb principle underline the character, rhythm, symmetry and spatial standards of the ASRC.

The separation between building and the rhythm and pattern of the houses adds to the special character. In many cases there is a much wider separation between houses than in other parts of the Borough which demands a higher degree of separation between buildings to maintain the special character, the openness and feel of the area. Where there are pairs of houses that complement the rhythm of the street scene there is also a prevailing symmetry between the houses. This symmetry can also be seen between neighbouring pairs.

POLICY H7 OF THE ADOPTED UNITARY DEVELOPMENT PLAN - HOUSING

'4.40 Backland development, involving development of land surrounded by existing properties, often using back gardens and creating a new access, will generally also be resisted. Private gardens can be of great importance in providing habitats for wildlife, particularly in urban areas. Except in Areas of Special Residential Character, such development, however, may be acceptable provided it is small-scale and sensitive to the surrounding residential area. Lower residential densities than those outlined in Table 4.2 will usually be required and there should be adequate access. Additional traffic should not cause an unacceptable level of disturbance to neighbouring properties and a high standard of separation and landscaping should be provided.'

Appeal Decision

Site visit made on 20 January 2016

by **P Jarvis Bsc (Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 11 February 2016

Appeal Ref: APP/G5180/W/15/3133381

6 Ladywood Avenue, Petts Wood, Orpington, Kent BR5 1QJ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Heniam Ltd against the decision of the Council of the London Borough of Bromley.
 - The application Ref DC/15/01312/FULL1 dated 27 March 2015 was refused by notice dated 5 August 2015.
 - The development proposed is demolition of 6 Ladywood Avenue (former Friends Meeting House) and construction of 2 no. two storey detached five-bedroom dwellings with new vehicular access from Ladywood Avenue and associated parking.
-

Decision

1. The appeal is dismissed.

Main issue

2. The main issue is the effect on the character and appearance of the locality including the Area of Special Character (ASC).

Reasons

3. The appeal site is located on the corner of Ladywood Avenue and Greencourt Road. It is a larger than average plot within the immediate area, with the existing Friends Meeting House sited towards the southern boundary with open garden areas to the front, side and rear. The existing building is two-storey; of similar appearance and proportions to the adjoining residential dwellings, albeit has a large single-storey rear addition and thus has a greater footprint than the majority. The dwellings within the locality consist of a mixture of detached and semi-detached properties of mainly inter-war age, predominantly with white rendered elevations, bay windows and timber framing under hipped or pitched tiled roofs.
 4. The site lies in the Petts Wood ASC in respect of which Policy H10 of the London Borough of Bromley Unitary Development Plan (2006) (UDP) states that development will be required to respect and complement the established and individual qualities of the individual areas as identified in Appendix 1. The appendix sets out further guidelines including that development should accord with the general density, spatial standards, pattern and height of existing development. The description of the area notes that the dwellings were built over a number of years of similar though varied styles but with a road layout and plot size established in an overall pattern.
-

5. More recently the Council has supplemented the above description with an updated statement which refers to the original garden suburb design with large plot sizes spaciouly placed and characteristics including an open feel, low boundaries, visible front gardens and greenery giving the area an open feel.
6. I consider that many of these attributes are found within the locality of the appeal site. Ladywood Avenue is a pleasant tree lined road with grass verges enhanced by further mature planting within front gardens. The mature trees, some of which are the subject of tree preservation orders, and other vegetation on the appeal site, contribute greatly to this character with the open corner and side garden giving a more generous feeling of spaciousness to this corner location.
7. The proposed dwellings would front onto Ladywood Avenue, set back a similar distance as others along the western side of the road, one occupying a similar position to the existing building and the other located in the northern half of the site towards the Greencourt Road frontage.
8. However, they would have much greater footprints than the majority of the surrounding dwellings with deep, square forms and central flat 'crown' roof, extending to a greater depth on the site. Although when viewed 'face on' in the Ladywood Avenue streetsence, the dwellings would appear to be of similar bulk and height to those adjoining, when viewed from further to the south and from the north along Ladywood Avenue and west along Greencourt Road, the uncharacteristic bulk and crown roof form of the dwellings would be discernible.
9. In particular, the view of the dwelling on plot 2, to the north of the site, from both Ladywood Avenue and Greencourt Road, would present long side and rear elevations with large bulky side dormer addition, the overall proportions and scale of which would not be sympathetic to the generally more modestly scaled built form of the existing dwellings. In addition, there would be extensive areas of hardstanding within the Ladywood Avenue streetscene.
10. Whilst an area of landscaping at the northern corner of the site and boundary hedging would be provided, this together with the preserved trees would in my opinion be insufficient to mitigate the harmful impact that the excessive amount of built form proposed would have, nor would it reflect the green and spacious quality of the area.
11. Overall, I therefore find that the proposal would have a harmful effect on the character and appearance of the locality and Petts Wood ASC. It would thus conflict with UDP Policies BE1, H7 and H10 which seek to ensure that development proposals are of a high standard of design and layout that recognise and complement the scale, form and layout of adjacent buildings and areas, and as noted above, respect the individual qualities of the ASC.
12. There would also be conflict with Policies 3.4 and 3.5 of the London Plan, which although seeking to optimise housing output, state that local character and context should be taken into account and seek to protect and enhance London's residential environment and attractiveness.
13. For the reasons set out above, the proposal would also fail to comply with the National Planning Policy Framework which, in recognising that good design is a key aspect of sustainable development and seeking to optimise the potential of a site to accommodate development, also aims to respond to local character and reflect the identity of local surroundings.

14. I acknowledge that the dwellings are, in themselves, well-designed properties that reflect some of the detailing and characteristics of the surrounding properties. However, it is the overall scale and bulk of the proposed dwellings that I consider would be out of keeping with the built form of those within the locality of the site and which provide its local context. This overall level of harm would not in my view be outweighed by any benefits arising from the provision of the housing.
15. I have noted the appeal decisions referred to by the parties, particularly in respect of a site in Willett Way at the far western end of Greencourt Road. However, in the latest decision in 2015, which allowed a scheme for the replacement of the existing dwelling with two dwellings, the Inspector noted that there were dwellings of considerable bulk within the immediate area, some on very constrained plots.
16. Whilst some dwellings within the more immediate locality of the appeal site have been extended, I would not describe them as being of considerable bulk nor have they altered the predominant character, which remains of more modest built forms, to the extent that the proposal could be said to be in keeping. Furthermore, having viewed the Willett Way site and its surroundings, I consider that whilst it is in the ASC, its immediate environs are rather different to the appeal site before me. In addition, it has different characteristics and in particular it is not a corner site.

Conclusion

17. I therefore conclude that this appeal should be dismissed.

P Jarvis

INSPECTOR

Appeal Decision

Site visit made on 3 May 2016

by Beverley Wilders BA (Hons) PgDurt MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 6 June 2016

Appeal Ref: APP/G5180/W/15/3141139

2 Woodland Way, Petts Wood, Orpington BR5 1ND

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr J Sobowale against the decision of the Council of the London Borough of Bromley.
 - The application Ref DC/15/03933/FULL1, dated 9 September 2015, was refused by notice dated 23 November 2015.
 - The development proposed is described as a new detached 3 bedroom development.
-

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons

3. The appeal site comprises part of the side and rear garden of an existing detached dwelling. It is of an irregular shape with the widest part of the appeal site being at the front nearest to Woodland Way, it then narrows significantly at the rear. The front boundary of the appeal site adjacent to Woodland Way is marked by a low brick wall with a solid timber fence above with the side boundary away from the existing dwelling marked by a timber fence and landscaping both within the appeal site and within neighbouring gardens. The appeal site is mainly laid to lawn and it allows views through the site to mature landscaping to the rear. It makes a positive contribution to the character and appearance of the area. The appeal site is located within the Petts Wood Area of Special Residential Character (ASRC) and the immediate surrounding area mainly comprises detached and semi-detached dwellings in generous sized plots with reasonable spacing between dwellings.
 4. The proposed detached two storey dwelling is located reasonably close to the existing dwelling. The gap between the side elevations of the existing and proposed dwellings is uncharacteristically small for the immediate surrounding area. The footprint of the proposed dwelling is located close to the side boundaries of the appeal site and the plot size is relatively small. The restricted size and irregular shape of the appeal site means that the proposed dwelling appears cramped and this cramped appearance in relation to the
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existing dwelling is emphasised by the much larger gap to the other side of the appeal site adjacent to 2A Woodland Way. These factors combined with the loss of openness that would result from the proposal means that there would be a consequent adverse impact on the character and appearance of the area.

5. My attention has been drawn to the size of the gaps between other properties on Woodland Way, Manor Crescent and Towncourt Crescent which are said to be less than the gap proposed. However, though I have had regard to the examples given and whilst I note that in some cases the size of the gap between dwellings is similar or less than that proposed, the majority of the properties are on different roads to the appeal site and the proposal would not therefore be viewed in the same context as these properties. By contrast at my visit I noted that the semi detached properties on the opposite side of Woodland Way to the appeal site have consistently wide gaps between properties at first floor level and in my view these properties provide a more appropriate comparison to the proposal.
6. Reference has also been made to a number of appeal decisions including one which was allowed at 63 Willet Way (Ref DC/14/02860/FULL1). This appeal concerned the demolition of a dwelling in the ASRC and its replacement with two detached dwellings. The Inspector dealing with the appeal concluded that the proposal at Willet Way would not be harmful to the character and appearance of the area and that whilst the gaps to the side of the dwelling contributed to the spacious nature of the immediate area that they were not typical and a reduction in the gaps would not inevitably be harmful. I have been provided with a site plan of the proposal at Willet Way. Whilst I note the Inspector's findings in this case, I am not aware of the details or particular circumstances relating to this case and I note that the Inspector described the area around the Willet Way proposal as rather varied. It seems to me from the available information that the two proposals are not directly comparable and that the surrounding context is different.
7. The other appeal decision relates to 2 Queensway (Ref DC/13/01014/FULL1). I have not been provided with any details of the proposal at Queensway but my attention has been drawn to the Inspector's conclusion regarding the proposed gardens. The appellant states that in this case the dwellings were larger and the size of gardens similar to that proposed by the appeal proposal. However in the absence of any details regarding the scheme at Queensway I am unable to compare the proposals. In any event, in this case the Council's concerns in relation to the proposed garden centre mainly on how the garden area of the proposed dwelling would affect the character and appearance of the area and not the living conditions of future residents. Therefore whilst I have had regard to the appeal decisions provided, I must determine the proposal before me on its own merits.
8. Taking the above matters into consideration, I conclude that the proposal would have a significant adverse effect on the character and appearance of the area. It would therefore be contrary to policies BE1, H7 and H10 of the London Borough of Bromley Unitary Development Plan and to relevant paragraphs of the National Planning Policy Framework. These policies seek, amongst other things, development that is of a high standard of design and layout and which does not detract from the existing streetscene.

Other Matters

9. I note that pre application advice was given by the Council and that the proposal sought to address the issues raised at that stage. I also note the appellant's view that the proposal complies with the relevant policy and guidance regarding spacing. However, for the reasons stated, the proposal is considered to be harmful to the character and appearance of the area.

Conclusion

10. For the above reasons and having regard to all matters raised, I conclude that the appeal should be dismissed.

Beverley Wilders

INSPECTOR

SECTION '2' – Applications meriting special consideration

Application No : 17/02876/FULL1

Ward:
Crystal Palace

Address : Alan Hills Motors Alma Place Anerley
London SE19 2TB

OS Grid Ref: E: 533596 N: 170454

Applicant : TLS (Alma Yard) Ltd.

Objections : YES

Description of Development:

Demolition of existing structures and the construction of six dwellings, commercial floorspace, private and communal amenity areas, car parking, refuse and cycle storage.

Key designations:

Conservation Area: Belvedere Road
Biggin Hill Safeguarding Area
London City Airport Safeguarding
Smoke Control SCA 6

Proposal

The application seeks consent for the demolition of the existing structures onsite and the construction of 6 two bedroom dwellings. It would also include the construction of a detached single-storey office building providing B1 Use Class floor space. Five car parking spaces would be provided, together with refuse and bicycle storage. A woodland sanctuary would also be created.

The application is the submission of an amended scheme originally approved by Members at Plans Sub Committee under ref: Ref: 16/04635/FULL1, which comprises demolition of existing structures and the construction of 3 four bedroom houses, commercial floor space, private and communal amenity areas, car parking, refuse and cycle storage.

The application as currently proposed has the same height, massing and design as the previously approved application but the number of unit has been increased from 3 houses, to 6 two bedroom flats. The external changes include the addition of three recessed terraces to the dwellings at the second floor level.

Location and Site Context

The application site has been used as a commercial premise for a service and repair workshop for motor vehicles (Use Class B2). There are a number of various single-storey sheds used in conjunction with the use across the site. The site bounded to north west by a three-storey Locally Listed terrace, which includes commercial uses at ground floor level and residential accommodation above. The

above building fronts Church Road and includes a number of outdoor terraces at first floor level, which directly overlook the application site situated at the rear. The rear gardens of Nos 67-69 Church Road also directly back on to the north end of the site. Immediately to the south west are two 2 storey terraces of Alma Place and Spring Cottages. To the south east are the rear gardens of No 19-25 Belvedere Road, which are Grade II Listed two/three storey buildings.

There are significant gradient changes at the northern and eastern edges of the site, including steep embankments which slope downwards to a woodland area.

The site is located within the Belvedere Conservation Area.

Consultations

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

- o This is a higher density development as it is for 6 flat, which is not appropriate for the site.
- o Applicants have stated that 'there is a need for 2 bedroom flats in the area rather than houses'. This needs substantiation and evidence of research carried out.
- o Crystal Palace ward already has areas of development e.g. Orchard Lodge and CP Park Caravan Club.
- o Loss of employment.
- o Consideration as a windfall site under Policy H1 should 'retain the existing use of the site'.
- o Increase parking demand, with same displacement of current residents.
- o The site has a PTAL of 6a(Excellent) therefore increase in parking at the site is not justified.
- o Refute claims that there would be a reduction in vehicular movements to and from the site and reduction in noise for surrounding residents. The previous business operated only during working hours Monday-Friday, with no vehicular movements during evenings or weekends. There would be an increase in disturbance due to possible 24/7 movement.
- o Concerns about arrangements for refuse previously agreed. Current problems of residents of Church Road leaving rubbish at the entrance of Alma Place.
- o Alma Place is an unadopted road and unsuitable for heavy traffic flow.
- o Problems with previous burst pipes.
- o Houses were more in keeping with the street where all of the dwellings are domestic houses.
- o Overlooking from the upper balconies
- o Safety concerns with regards to access on Church Road from vehicles.
- o Balance needs to be struck between health of the environment and the provision of housing. Last year's proposal got this balance about right. This is not the case with this proposal.
- o The developer has been underhand.

- o Increase in human and vehicular traffic will be detrimental to the character of the street which are 9 older family townhouses all occupied by single families or couples.
- o Larger population will have an effect on the woodland, which the developer is being careful to protect and preserve, and work in harmony with.
- o More light and noise pollution
- o Three additional dwellings would be more intrusive and disconnected from natural setting.
- o Harm to habitats, including bats, foxes and stag beetles.
- o Sublet flats will have a higher turnover.
- o Parking statement full of inaccuracies. 7 cars parked in Alma Place (5 belonging to the residents of Alma Place/Spring Grove).
- o Residents have been parking in Alma Place for over 45 years. This was agreed with previously landowner and leaseholder.
- o The Council previously refused an application for a loft extension in Alma Place due to overlooking. The council should reject the proposal for the same grounds.
- o Use of yellow brickwork is not sensitive to the surrounding listed buildings or woodland.
- o Number of 2 way trips that took place while Alan Hill Motors was vastly exaggerated by RGP.
- o The applicant provided no evidence that 'A full and proper marketing of the site has been undertaken. Only a single additional letter from the applicant's agent was submitted.
- o In the precis that accompanied noted to the previous planning meeting, none of the additional information supplied by local residents was referred to. It was axiomatic by the responses by Members that none of this information (receipt acknowledged by the case office) has even been read by the Members. This was both negligent and biased. Documents include a valuation report dated 1/9/16 and numerous emails/letters from Summers Solicitors. A letter from JLL from their chairman of UK planning critiquing TLS's Marketing Process was not given any consideration. The only individual to refer to the documents was Cllr Wilkins. This letter clearly demonstrated that a proper marketing process has not been undertaken.
- o No explanation has been provided by Bromley as to why the petition signed by 120 local residents was rejected.
- o Comments regarding Bromley's Code of Corporate Governance identifies 4 key roles. Bromley has failed on all of the key roles outlined, putting the interest of the developer before 800 local families.
- o Comments about the procedure of the previous committee meeting.
- o What has changed in the housing market in the last few months that renders 3 town houses unviable. This indicates the TLS marketing process was flawed.
- o Applicant has failed to advise Bromley that Alma Place has a shared access with 11-21 Belvedere Road. There is a Right of Way (right to roam) in neighbouring deeds across this land.
- o Refute there was no market demand for continued use of the site as a repair garage. Reference to a petition signed by 120 local residents.
- o Supportive data sent in by local residents was not referred to by the Presenting Officer in his precis to Members, failing to protect local residents

- and to take informed and transparent decision which is subjective to effective scrutiny.
- o TLS fail to mention that there was a mandatory onus placed upon TLS to provide an additional 3 parking spaces for current residents of Alma Place and Spring Grove.
 - o Incorrect statements made within supporting documents. Including concerns around overlooking.
 - o No account has been taken of the impact on 11-25 Belvedere Road whose rear elevations and gardens will be similarly compromised, suffering loss of privacy.
 - o Harm to trees and does not respect important views and skylines.
 - o TLS fails to consider that the land on the site slopes in two directions behind Belvedere Grade II Listed properties. When standing in these gardens, when looking up, the sky scape will be replaced by a building.
 - o Loss of light
 - o Overlooking from surrounding properties into the proposed gardens.
 - o Applicant has failed to prove that reasonable efforts have been made to find a viable use for the current building.
 - o Comments regarding Policy BE12 and responsibility to maintain buildings. The buildings were deliberately neglected in order to gain planning permission.
 - o No compensation for local families
 - o TLS reports states there is an over provision of office space but the proposal includes office space.
 - o Design fails to conserve heritage assets in a manner appropriate for their significance. Does not respond to local context. The yellow stock brick will stick out; alternatives put forward to the development were rejected as being too expensive.
 - o Does not fit with the woodland area behind the Listed properties. The design of the building and outdoor space do not enhance the neighbourhood and are no informed by the Historic Environment. Lack of sympathetic architectural details.
 - o Legal concerns regarding right to park within Alma Place by existing residents.
 - o Inaccuracies regarding parking and transport assessments.
 - o RGP point out that 51% of households in the vicinity would not own a car. This is incorrect. Only 14% of households do not own a car. Church Road properties have not been included. The conclusion that 5 parking spaces and 1 disabled space is inadequate.
 - o Parking survey is flawed. Impossible to find parking during the day and sample size is skewed. Survey area not large enough.
 - o Consideration of the implications of a possible CPZ being introduced by Croydon within close proximity
 - o Statements made in the 'Trip Generation' section are ludicrous. Surveys are flawed. Full of anomalies and false comparisons just based upon desk research and third parties than original field research.
 - o Comments from Alan Hill former tenant - statement relating to generation of 64 two way trips exaggerated. The maximum number of two way trips generated by the previous use were 17 per day.

- o No consideration within proposal regarding vehicular deliveries, visitors to site generated from an office and 6 residents. There will be no reduction in trips.
- o TLS still reliant on original Ecology report dated August 2016
- o Stag beetles are present and have been seen in neighbouring gardens backing onto the woodland.
- o Comments regarding the content and accuracies within the ecology report. Incorrect methodologies employed.
- o The rear of the site was an infill and the land is unstable.
- o Concern about damage the surrounding foundations and drainage details, particularly regarding a cesspit from the Belvedere Road properties.
- o A condition should be imposed undertaken a ground survey
- o The increase in density is not in keeping with the surrounding residences of Alma Place, Spring Grove and Belvedere Road.
- o The second floor terraces extend across the rear elevations. They are outdoor rooms and are typically used for parties and music.
- o It will not contribute to the CA either in occupation density, traffic pollution or with its negative impact on parking access for locals.
- o The traffic study is inaccurate. It shows fewer vehicular journeys than the present use but this is based on reference to garage businesses in other areas of London. The previous analysis of the existing use is also inaccurate as it was not an MOT station but a small 'domestic' scale business with a single mechanic and the number of vehicles serviced was much smaller than suggested. Only 4 vehicles per day so 8 trips per weekday. The proposed 5 spaces will result in 20 trips per day and weekends.
- o Soils are subject to shrinking and swelling. Soils on site have been subject to creep. This has been ignored.
- o Affordable housing is needed. There are already large scale developments in the area.
- o Developers have not discussed the previous parking conditions within the residents of Alma Place.
- o Surrounding woodland greenspace is at risk.
- o Concerns the developers will try to convert the office space into a residential unit. The changing of what was originally agreed shows a duplicitous nature. This was the plan all along. They must have known six flats would not be acceptable so suggested houses first.
- o The revised ecology report is incorrect as bats have been seen on site.

A petition submitted in respect of the withdrawn application, objecting to the redevelopment of this site, has been resubmitted as part of a representation for this application.

Photographs have been provided from residents regarding parking on surrounding roads and wildlife

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

Vehicular Access- the access is from Alma Place leading to the car parking area. The access is confined by the adjacent building and parked vehicles. Service vehicles will have difficulty accessing the site.

Car parking- Five car parking spaces would be provided; this is acceptable.

Cycle Parking - The applicant should be aware that two secure cycle parking spaces per unit are required.

Refuse-. The Waste Management Team should be consulted to ascertain serviceability of the site.

If minded to approve please include the following with any permission:

CONDITION

H03 (Car Parking)

H18 (Refuse)

H22 (12 Cycle parking spaces)

H23 (Lighting scheme for access and parking)

H29 (Construction Management Plan)

H32 (Highway Drainage)

Environmental Health - I have looked at this application and in principle would have no objections to Permission being granted. I would however recommend that the following Condition be imposed, even though section (a) has already been satisfied by the Ground & Water Ltd report (ref GWPR1462/DS/November 2015): Condition K09

I would also recommend that the following Informative be attached:

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

Drainage Officer - No objections subject to conditions relating to the submission of a surface water drainage strategy.

Historic England - Our specialist staff have considered the information received and we do not wish to offer any comments on this occasion.

Planning Considerations

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

BE1 Design of New Development

BE7 Railings, Boundary Walls and Other Means of Enclosure

BE8 Statutory Listed Buildings

BE10 Locally Listed Buildings
BE11 Conservation Areas
BE12 Demolition in Conservation Areas
BE14 Trees in Conservation Areas
H1 Housing Supply
H7 Housing Density and Design
H9 Side Space
NE5 Protected species
NE7 Development and Trees
NE8 Conservation and Management of Trees and Woodland
ER10 Light pollution
T3 Parking
T7 Cyclists
T18 Road Safety
EMP 2 Office Development
EMP 5 Development Outside Business Areas
ER7 Contaminated Land

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

SPG No.1 - General Design Principles
SPG No.2 - Residential Design Guidance

Belvedere Road Conservation Area SPG

London Plan (2016)

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 4.2 Offices
Policy 4.3 Mixed Use Development and Offices
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 5.21 Contaminated Land
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 7.8 Heritage Assets and Archaeology
Policy 7.15 Reducing and Managing Noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes
Policy 7.19 Biodiversity and Access to Nature
Policy 7.21 Trees and Woodlands
Policy 8.3 Community infrastructure levy

Housing: Supplementary Planning Guidance. (2015)

DCLG: Technical Housing Standards (2015)

National Planning Policy Framework (NPPF) - Relevant chapters include Chapters 6, 7, 11, 12.

Emerging Plans

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

Policy 1 Housing Supply
Policy 3 Backland and Garden Land Development
Policy 4 Housing Design
Policy 8 Side Space
Policy 30 Parking
Policy 32 Road Safety
Policy 37 General Design of Development
Policy 38 Statutory Listed Buildings
Policy 39 Locally Listed Buildings
Policy 41 Conservation Areas
Policy 43 Trees in Conservation Areas
Policy 72 Protected Species
Policy 73 Development and Trees
Policy 74 Conservation and Management of Trees in Woodland
Policy 79 Biodiversity and Access to Nature
Policy 83 Non-designated Employment Land
Policy 86 Office Uses Outside Town Centres
Policy 115 Reducing Flood Risk
Policy 116 Sustainable Urban Drainage
Policy 118 Contaminated Land
Policy 119 Noise Pollution
Policy 122 Light Pollution
Policy 123 Sustainable Design and Construction

Planning History

85/00279/FUL - Alan Hills motors ltd Alma Place Church Road. Continued use for repairing motor cars renewal 812891. Permission 25.07.1985

10/00965/TREE - Intention to crown lift to 40ft above ground level and crown reduce and crown thin by 15% 1 Lime and crown lift to 30 ft above ground level and crown reduce and crown thin by 15% 2 sycamores. No objection 06.05.2010

11/03769/TREE- Intention to remove 3 large branches of 1 ash tree overhanging 2 Rama Lane . No objection 16.12.2011

15/03018/TREE - Reduce the height of 3 lime trees to 8 metres. No objection 19.08.2015

15/04824/FULL1- Demolition of existing structures and the construction of four dwellings, private and communal amenity areas, car parking, refuse and bicycle storage, the creation of a community woodland and the extension to the private amenity space of Nos 1-3 Alma Place Withdrawn 10.03.2016

16/04635/FULL1 - Demolition of existing structures and the construction of three dwellings, commercial floorspace, private and communal amenity areas, car parking, refuse and bicycle storage. Permission 20.02.2017

Conclusions

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

- o Principle of Development
- o Density
- o Design/Impact on the character and appearance of the wider CA
- o Standard of Residential Accommodation
- o Impact on adjoining neighbours
- o Highways and Traffic Issues
- o Ecology and Trees

Principle of Development

The current proposal is a resubmission of a scheme previously approved under ref: 16/04635/FULL1 for the 'Demolition of existing structures and the construction of three dwellings, commercial floorspace, private and communal amenity areas, car parking, refuse and bicycle storage . It would continue to provide a mixed use, with residential and office uses; however the resident element would now comprise 6 two bedroom flats rather than 3 four bedroom houses.

The application site is located on the north side of Alma Place, which is accessed from Church Road and forms the south east side of the Crystal Palace Triangle gyratory. It is surrounded by residential and commercial properties and comprises a mixture of single-storey buildings used as a vehicular repair workshop, storage and office space.

Given the existing commercial use and location outside a defined business area Policy EMP5 was considered to be applicable. Policy EMP 5 Development Outside Business Areas allows for the redevelopment of business sites outside Designated Business Areas provided that:

- (i) the size configuration, access arrangements or other characteristics make is unsuitable for Classes B1, B2 or B8 use, and
- (ii) full and proper marketing of the site confirms the unsuitability and financial non-viability of the site for those uses.

Draft Policy 83 Non-Designated Employment Land of the emerging Local plan states that 'proposals for change of use or redevelopment of non-designated sites containing Class B uses for alternative employment generating uses will be considered provided that the amenity of any nearby residential uses is not detrimentally affected

The applicant originally provided a commercial feasibility report in support of the approved application. This provided a professional opinion in respect of the market demand for the existing buildings and uses, or an alternative commercial use. A further updated marketing statement was also provided in response to a request from Members.

At the time, the proposal provided a mixed use scheme, with three residential units and an employment generating use (B1a) which Members considered to be acceptable and in accordance with the thrust of Policy EMP5. The proposal was also considered to be more compatible with adjacent residential uses compared to the existing industrial (B2) use. The location of the site, access arrangements and condition of the existing built development were also considered to be prohibitive for similar uses going forward.

Members resolved to grant planning permission at Plan Sub Committee and accepted the mix use proposal. The principle of a mixed use scheme on this site, with residential and B1 (a) office space has therefore already been established.

Density and Mix

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

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

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

This site is considered to be in an 'urban' setting and has a PTAL rating of 6a. The London Plan gives an indicative density range of between 45-260 units/ha and 200-700 habitable rooms/ha. UDP Policy H7 also includes a density/location matrix which, in areas comprising flats and terraced houses, supports a density of 55-175 units/ha and 200-450 habitable rooms/ha for locations such as this provided the site is well designed, providing a high quality living environment for future occupier's whilst respecting the spatial characteristics of the surrounding area.

The density calculations for the proposed development are approximately 90 habitable rooms/ha and 30 units/ha which is below density ranges for the London Plan and below that of the UDP. This is considered appropriate in this location given the residential context, specific site constraints, location of the site and excellent PTAL rating.

To deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities, local planning authorities should plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups on the community; identify the size, type, tenure and range of housing that is required in particular locations.

London Plan policy requires new housing development to offer a range of housing choices in terms of the mix of housing sizes and types taking into account the housing requirements of different groups. Policies within the Bromley UDP do not set a prescriptive breakdown in terms of unit sizes however the priority in the London Plan is for the provision of affordable family housing, generally defined as having three or more bedrooms.

In relation to the housing mix an extant permission exists for 3 four bedroom family dwellings however the current proposal seeks to now provide 6 two bedroom flats.

The site's size and location in an urban setting with good access to local amenities and transport links make it suitable for the provision of family housing as well as housing for more transient professionals and smaller family units. The applicant has referenced paragraph 2.1.16 (Policy 1) of the emerging Local Plan and the 2014 Strategic Housing Market Assessment (SHMA), which highlights that the highest need across tenures within the Borough up to 2031 is for one bedroom units (53%) followed by two bedroom units (21%) and three bedroom units (20%).

It goes on to state however, that larger development proposals (i.e. 5 plus units) should provide for a mix of units sizes and considered on a case by case basis.

The site is within a highly sustainable location with an excellent PTAL and within close proximity to a number of shops and local services. It is surrounded by small cottages, terraces, flats above commercial premises and commercial properties.

Members may therefore consider that the increase in unit numbers, together with the mix of 6 two bedroom flats is acceptable in this context and would not result in an overdevelopment of the site.

Scale, Layout and Design.

The National Planning Policy Framework (NPPF) states that a key role for planning is to seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. Further to this, paragraph 58 of the NPPF states that planning decisions should aim to ensure that developments function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development; establish a strong sense of place, respond to local character and history, and reflect the identity of local surroundings and materials; and are visually attractive.

The London Plan further reiterates the importance of ensuring good design, and states, in Policy 7.4, that development should improve an area's visual or physical connection with natural features and, in areas of poor or ill-defined character, development should build on the positive elements that can contribute to establishing an enhanced character for the future function of the area. Policy 7.6 of the London Plan also states that development 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 should comprise details and materials that complement, not necessarily replicate, the local architectural character.

BE1 states that development should be imaginative and attractive to look at, should complement the scale, form, layout and materials of adjacent buildings and areas. Development should not detract from the existing street scene and/or landscape and should respect important views, skylines, landmarks or landscape features. Space about buildings should provide opportunities to create attractive settings with hard or soft landscaping and relationships with existing buildings should allow for adequate daylight and sunlight to penetrate in and between buildings.

The site is located within the Belvedere Road Conservation Area and is a previously development backland site accessed from Alma Place. Alma Place comprises two sets of terraced houses, 3 of which are locally listed (1-3 Spring Grove). The proposal would see the removal of the existing single-storey garage structures on site, the construction of one terrace with six flats and the erection of a single-storey office building. As noted above, the principle of three residential dwellings has already been established. The current proposal is virtually identical in terms of scale and layout to the approved scheme; however minor amendments

have been made to the detailing on the rear elevations. This includes the provision of an inset terrace at second floor level and a change to a ground floor window in order to facilitate an increase in units.

The proposed terrace dwellings would have a similar massing to the buildings within the immediate locality. The proposed architectural features and detailing, such as the use of a butterfly roof, central windows and recessed brickwork is considered to be an acceptable design approach within this sensitive context. The buildings would be situated to the north the Spring Grove cottages but there is a 4m set back from the first southern units and the north facing flank of existing dwellings. The entrances to each unit have been pulled away from the drive way and the elevation off-set from its neighbour, allowing each to be perceived as individual dwelling. They would face inwards towards the proposed parking area. The overall height of the residential element would be no higher than the neighbouring buildings of Spring Grove and would step down marginally to the north, taking into account the change in gradient across the site.

There is a significant level change across the whole of the site, with the ground level falling away steeply to the north, north east and east. The applicant has overcome this specific constraint by arranging the development centrally within the site and having the rear amenity space utilise the areas with the most significant changes in ground level. A proposed woodland sanctuary is also proposed around the area of amenity space to the north, east and south. This woodland area would separate the development from the Grade II Listed Buildings along Belvedere Road. The position of the development in relation to these dwellings, traditional vernacular, changes in ground level, surrounding woodland context and separation distance would limit the impact on these properties and would not result in harm to their setting or special historical interest.

No objections were previously raised to the scale and height of the proposed buildings in relation to neighbouring properties and consideration has been given to the existing site levels and relationship with woodland area along the site fringes. As noted above, the principle of three residential dwellings of a similar design and scale has already been established. The approved dwellings were considered to be acceptable and sympathetic to the character and appearance of the neighbouring Locally Listed Buildings and their setting. It was considered that the existing arrangement and poor state of repair of the buildings onsite did not make a positive contribution to the CA. The proposal was therefore considered to be acceptable and enhanced the character and appearance of the CA.

A single-storey office building is proposed along the north west boundary of the site. This would face inwards towards the proposed parking area. There is currently an existing single-storey storage building along this boundary and in terms of massing; the proposed office building would be similar to the existing arrangement. It would not appear out of keeping in this context and would utilise London Stock Brickwork, dark stained timber cladding and timber window frames.

Members may therefore consider that the revised proposal, with the provision of 6 flats, is an acceptable form of development in design terms which accords with Policies H7, BE1 and BE11 of the UDP and preserves the character and

appearance of the Conservation Area, setting of the Locally Listed buildings and Grade II Listed building along Belvedere Road.

Standard of Accommodation

The Nationally prescribed technical housing standards set out minimum floor space standards for dwellings of different sizes. These are based on the minimum gross internal floor space requirements for new homes relative to the number of occupants. The quality of the proposed accommodation needs to meet these minimum standards.

The layout, as indicated on the plans, demonstrates a form of development which would provide a level of accommodation in accordance with the minimum space standards and overall unit sizes as set out in the London Plan and the Mayor's Housing SPG.

All rooms would achieve a satisfactory level of light, outlook and ventilation.

Private and secure amenity space would be provided for each dwelling in the form of terraces and courtyards. The level of provision would comply with the minimum requirements set out within the London Plan.

Neighbouring residential amenities

As previously noted, Members accepted the principle of a mixed use scheme with residential and office accommodation on this site. The location, scale, massing and orientation of the development would replicate what has already been accepted by Members. The current proposal would however result in a change from 3 four bedroom family units into 6 two bedroom self-contained flats. This would result in intensification in terms of unit numbers and could have the potential to have a greater impact in terms of comings and goings and thereby a greater level of noise and disturbance, particularly along the shared access with Alma Place.

The closest residential properties to the proposed development would be the terraces of Alma Place and Spring Grove. Furthermore, the proposal would be in close proximity to a number of commercial and residential properties on Church Road and Belvedere Road.

1-3 Alma Place is located to the west of the site and is a small terrace of two-storey residential cottage type dwellings. The above properties front Alma Place and include small amenity areas to the rear, which back directly onto the site. The proposed parking area and single-storey office building would be situated to the rear of these properties and the bulk of the proposed dwellings would be set away at an oblique angle from the rear elevation. Whilst the rear of the site would be more built up, it was considered that the overall scale and orientation would not result an unacceptable loss of outlook or would be significantly intrusive or overbearing for these neighbouring occupiers.

The proposed dwellings would include windows within the front elevation, which face inwards towards the proposed parking area and the rear elevations of Alma

Place and Church Grove. However the dwellings have been orientated at an oblique angle to the rear of Alma Place in order to prevent direct overlooking into rear windows. The southernmost flats (Units 1.01 & 2.01) would face the flank elevation of 3 Alma Place, whilst the remaining units would be situated approximately 14m and 26m away from the rear elevations of Alma Place, at an oblique angle.

It is clear that mutual overlooking occurs between neighbouring properties, particularly due to the urban location and as there are terraces at first floor level to the rear of Church Road, which overlook the application site and rear gardens/elevations of 1-3 Alma Place. The proposed front elevation of the proposed units would be separated from the rear elevation and terraces of Church Road by approximately 19m.

It is however noted that the proposal would result in intensification in terms of unit numbers. The extant permission included bedrooms at first and second floor levels, which faced inwards towards the car parking and rear of the neighbouring dwellings. The current proposal would continue to provide bedrooms at second floor level but the primary living space for the upper flats would now be situated at first floor level and would face inwards towards the parking area.

Spring Grove is located immediately to the southwest of the application site and comprises a small terrace of three two-storey residential dwellings. The ground level falls away at the rear, meaning the garden is below the front entrance level. The proposed residential development would be located to the north of Spring Grove but would be situated approximately 6.5m back from the front elevation. This would result in the building of southernmost flats projecting approximately 6.4m beyond its rear elevation. It would be set back from the flank elevation of this property by approximately 3.8m at its narrowest point and then increases up to 4.2m due to the tapering nature of the boundary line. The building has been design to have a similar height to the Spring Grove Cottages and in terms of outlook, the development would not breach the 45 degree sightline. The flank elevation of the proposed dwellings would be highly visible from the rear amenity space at 1-3 Spring Grove and the overall height of the flank elevation would appear pronounced due to the changes in ground level. However, the gardens of Spring Grove have a green and open prospect to the rear due to the woodland setting and trees surrounding the periphery of the site. Members did not object to the original proposal and as noted above, an extant permission exists for three family dwellings. Members may therefore consider that current proposal would not result in unacceptable harm to the residential occupiers of Spring Grove.

Windows are also proposed on the north facing side elevation and rear elevations. The windows on the north facing elevations would serve stairwells and en-suite bathrooms. They would be set well back from the boundary with No 73 Church Road and are partially screened by trees and shrubs. It is not considered that the proposal would result in a material loss of privacy to neighbouring properties due to the above factors and changes in ground level. The windows on the rear elevation would include Juliette balconies and inset terraces at second floor level. These would however face the proposed rear amenity spaces and would be set away from Spring Grove at an oblique angle, thereby preventing direct overlooking.

As previously explained, the proposal is virtually identical to the scheme already approved by Members in terms of layout and scale. No objections were previously raised in respect of loss of light or overshadowing. The applicant supplied a daylight, sunlight and overshadowing analysis in support of the application. It was not anticipated that the development would have any negative impact on the daylight and sunlight received by neighbouring properties. In terms of overshadowing the site analysis within the report did not identify any amenity spaces close to proposed development, where overshadowing is likely to occur.

The properties along Belvedere Road adjoin the southern boundary of the woodland sanctuary and are also to the south of the Spring Grove. They are situated at a lower level due to the sloping nature of the land, however the built development of the residential properties would be situated approximately 25-35m from the rear elevations of these properties. This separation would prevent the development appearing significantly overbearing or intrusive. No windows are proposed within the southern elevation of the development and the windows/terrace within the rear elevation are set away at an oblique angle, which would limit any unacceptable loss of privacy. The orientation and separation would also prevent any unacceptable loss of light.

Members will need to have consideration for the extant permission on this site; however the proposal would result in intensification in terms of unit numbers and a change to the internal configuration of the units with the provision of primary living areas at a higher level.

Highways

The site benefits from a PTAL of 6a and is therefore highly accessible. It is close to local amenities and is within walking distance of good transport links. The proposed scheme would provide 5 parking spaces, four for the residential dwellings and one for the commercial unit.

The Parking Addendum to Policy 6.13 of the London Plan provides maximum parking standards for residential development and employment uses. It states that 'All development in areas of good public transport accessibility should aim for significantly less than 1 space per unit'. Similarly, within outer London, one space should be provided per 100-600sqm of office floor space (GIA). The proposed office would have a floor area of 50sqm and the level of provision for both the commercial and residential elements of the scheme, within this highly sustainable location, are considered to be compliant with the requirements of the London Plan.

The site is accessed via Alma Place, which is a small private road, but includes the residential properties of 1-3 Alma Place and 1-3 Spring Grove.

Alma Place is used for parking by the residents of the above properties. The agent has confirmed that Alma Place is wholly within the applicant's ownership and that the residents of the above properties have no formal right to park in this area. Objections have been received from residents of Alma Place disputing this arrangement; however issues of ownership fall beyond the scope of this

assessment and are a civil matter between interested parties. Nevertheless, it is clear that there is some informal parking arrangement, and the proposed development could result in the displacement of parking for these properties. In considering the acceptability of the previous scheme Members agreed that a condition should be imposed regarding the provision of three additional parking spaces along Alma Place in order to mitigate the impact of any displaced parking. Three spaces have been outlined within current proposal along Alma Place (Drawing (1605(PL) 003).

The current revision to the extant permission would result in intensification in terms of unit numbers. One additional parking space would also be provided over and above the extant permission, which included four spaces to the front of the residential/commercial properties.

A parking stress survey was previously submitted by the applicant in support of ref: DC/16/04635 which stated there was capacity locally to accommodate up to 27 additional vehicles. A transport assessment has been submitted with the current proposal. This includes an up to date parking stress survey to understand the potential on-street capacity. Surveys were carried out in the early hours on Monday 8th and Tuesday 9th May 2017. Parking stress on the surrounding road network was observed as being 62% on the 8th May and 59% on Tuesday 9th May. The report states that in real terms the local highway network had space for a further 26 vehicles on the 8th May and 28 spaces on the 9th May. No objections have been received from the Council's highways officer in respect of the scheme.

In relation to trip generation, the previous scheme considered the number of trips which could have been generated from the establish use of the site as an M.O.T and repair garage. The Transport Statement (TS) submitted in respect of that scheme identified that the extant permission for 3 houses and office space would have resulted in an overall net reduction in terms of traffic movements, with 44 fewer two way vehicle trips on daily basis compared to the existing situation.

An updated TS has been provided in respect of the amended scheme. Paragraph 6.3.1 states that 'The proposed scheme would see the site redeveloped to provide 6 flatted units and 50sqm of B1a office space. To understand their potential traffic generation the TRICS database was interrogated for privately owned flats within Greater London with parking provision of 1 and below. For B1a Office similar office developments within Greater London, with a GFA of up to 1,500sqm are considered'.

The TS anticipates that the revised scheme would generate 2 two-way vehicular movements during the AM peak hour, 1 two-way vehicular movement during the PM peak hour and 9 two-way vehicular movements over the course of a typical day. Both land uses would generate 4 peak hour movements respectively, with the office and houses generating a total of 9 movements over the day.

The TS concludes that this is a net decrease of 6 vehicular movements in arrivals and departures, resulting in a net reduction of 11 two-way movements over the court of typical day in comparison to the extant permission.

The proposal seeks to provide a formalised refuse arrangement, with a bin collection point towards the entrance of Alma Place. The applicant highlights that this could be used by the residents of Alma Place and Alma Yard. The storage of refuse on non-collection days would be at the entrance to the site along the north flank of Spring Cottages.

In relation to cycle parking the plans show the provision of up to 18 spaces. This complies with the requirements of the London Plan, which requires units with 2(plus) bedrooms to provide a minimum of 2 cycle parking spaces per unit. One space should also be provided per 150sqm of commercial office space.

Members may therefore consider that the level of parking provision is sufficient within this sustainable local and would not lead to an unacceptable impact on the local highway network.

Ecology and Trees

Policy NE3 states that where development proposals are otherwise acceptable, but cannot avoid damage to and/or loss of wildlife features, the Council will seek through planning obligations or conditions including (i) inclusion of suitable mitigation measures; and the creation, enhancement and management of wildlife habitats and landscape features. Policy NE5 states that planning permission will not be granted for development that will have an adverse effect on protected species, unless mitigating measures can be secured to facilitate survival, reduce disturbance or provide alternative habitat.

The site is surrounded by an area of woodland, with a mixture of trees and shrubs. The applicant has sought to retain this area of woodland with the creation of a woodland sanctuary.

The original application was supported by an Ecology Report, including Extended Phase 1 Habitat Survey. At the time of the original survey no evidence of protected animals species were recorded during the walkover survey and the site was considered to be of limited value to such species, given the urban location and type of habitats present.

The report concluded that the development would be confined to existing areas of hard-standing and building, and significant effects on habitats and protected species, including breeding birds, roosting/foraging bats, hedgehog and stag beetle are not anticipated in relation to the proposed development. The impact in ecological terms was therefore considered acceptable, however it was considered reasonable to condition a pre-development clearance strategy in order to mitigate the impact on the wildlife.

In relation to current application an updated walkover survey was conducted on site. This report confirms that 'no changes had occurred to the habitats present or the condition of the buildings on site'. A number of common bird species were recorded during the survey, however no other evidence of protected species were noted. The conclusions and recommendations of the 2015 survey therefore remain unchanged. This included a 'precautionary approach' to tree/shrub clearance in

relation to bats and other protected species, together with habitat enhancement and compensation measures. The above recommendations are considered reasonable and could also be suitably conditioned to limit the ecological harm. Further details regarding the management of the woodland and habitat enhancement could also be conditioned.

The report also notes that the majority of the trees and overall woodland character would be retained. Furthermore, the removal of select low value trees was not considered to be a significant loss in ecological terms.

In relation to trees, Policy BE14 states that development will not be permitted if it will damage or lead to the loss of one or more trees in conservation areas, unless (i) removal of the tree is necessary in the interest of good Arboricultural practice, or (ii) the reason for the development outweighs the amenity value of the tree/s, (iii) in granting permission one or more appropriate replacement trees of a native species will be sough either on or off site through the use of conditions.

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

The site is located within the Conservation Area and includes a large number of trees and shrubs along the periphery of the site, which add the visual character of this section of the Conservation area. They are also visible from surrounding properties and the wider locality, due to changes in gradients and ground levels. The application would see the removal of four trees onsite (G12 Sycamore, G13 Sycamore, T14 Ash and T15 Ash). The application proposes to mitigate the removal of these trees through extensive soft landscaping, including tree replanting. This is similar to what was permitted under the extant permission; however it was considered reasonable and necessary to condition the submission of a full landscaping scheme in order to finalise the details of the proposed species mix.

All other trees would remain on site and the Council's Tree Officer has reviewed the application and advised that the revised design allows for the healthy retention of trees located at the end of each of the rear gardens. It is considered that the development can proceed in accordance with the precautionary measures detailed within the Arboricultural Report and a condition ensuring such compliance has been recommended.

Contamination

The applicant has supplied a contamination desk study report in support of the application. The Council's Environmental Health Officer has reviewed the submitted information and has not objected to the proposal.

In summary, the principle of a mix used scheme with residential accommodation and the provision of B1(a) office space has already been accepted by Members. However, Members will have to consider whether the proposed changes, with the

provision of 6 two bedroom flats, would be acceptable in this context. They will have to consider whether there would be any adverse impact to the character and appearance of the surrounding area, Belvedere Conservation Area and whether there would be any unacceptable harm to neighbouring residential amenities.

Background papers referred to during production of this report comprise all correspondence on the file ref: 17/02876/FULL1 and any other applications on the site set out in the Planning History section above, excluding exempt information

RECOMMENDATION: PERMISSION

Subject to the following conditions:

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

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

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

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

- 3 Details of 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 prior to above ground works 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.

- 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** The development shall be implemented in accordance with the Arboricultural Report (ha/aiaams4/ay dated Aug 2016) submitted and approved as part of this planning application and under the supervision of a retained arboricultural specialist in order to ensure that the phasing of the development accords with the stages detailed in the method statement and that the correct materials and techniques are employed.

Reason: To maintain the visual amenity of the area and to comply with Policy NE7 of the Bromley Unitary Development Plan (adopted July 2006).

- 6** A woodland management plan, including tree and shrub planting, habitat enhancement, long term design objectives, management responsibilities and maintenance schedules for the proposed woodland sanctuary outlined on Drawing number 1605(PL)003 shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the development hereby permitted. The plan shall include arrangements and timetable for its implementation and shall be carried out in accordance with the approved details.

Reason: In order to comply with Policy NE8 of the Unitary Development Plan and in the interest of good arboricultural practice and the visual amenities of the area.

- 7** Sample panels of facing brickwork showing the proposed colour, texture, facebond and pointing shall be provided and approved in writing by the Local Planning Authority before any work is commenced and the sample panels shall be retained on site until the work is completed. The facing brickwork of the development hereby permitted shall be carried out in accordance with the details of the approved sample panels.

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

- 8** Details of the windows (including rooflights and dormers where appropriate) including their materials, method of opening and drawings showing sections through mullions, transoms and glazing bars and sills, arches, lintels and reveals (including dimension of any recess) shall be submitted to and approved in writing by the

Local Planning Authority before any work is commenced. The windows shall be installed in accordance with the approved details.

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

- 9 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

- 10 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.

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

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

- 12 Details of arrangements for storage of refuse and recyclable materials (including means of enclosure for the area concerned where necessary), shall be submitted to and approved in writing by the Local Planning Authority prior to above ground works 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.

- 13** 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 prior to above ground works. 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.

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

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

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

Reason:To ensure satisfactory means of surface water drainage and to accord with Policies 5.12 and 5.13 of the London Plan (2016)

- 16** The development hereby permitted 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 ensure satisfactory means of surface water drainage, 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 (2016)

- 17 Prior to commencement a pre-development clearance strategy for any overgrown areas should be submitted to and approved in writing by the local planning authority. The strategy should outline measures to minimise the impact on wildlife during the clearance and construction of the development and the details of a suitably licenced ecologist on call to provide advice and/or liaise with statutory authorities (Natural England) if required.**

Reason: In order minimise the impact of the wildlife and to comply with Saved Policy N3 Nature Conservation and Development of the adopted Unitary Development Plan (2006)

- 18 The office accommodation (Use Class B1) hereby permitted shall be used for no other purpose (including any other purpose in the B1 Use Class of the Schedule to the Town and Country Planning (Use Classes) order 1987 or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).**

Reason: In order to comply with Policy EMP 5 of the Unitary Development Plan and in order to protect neighbouring amenity and the character and appearance of the area.

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

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

- 20 Prior to commencement of development the applicant shall submit a parking management plan for Alma Place, including the full details of layout and provision of 3 parking spaces as outlined within the Transport Assessment and Drawing no. 2015/2818/005 hereby approved. The approved management plan and parking spaces shall be provided in full prior to commencement of the use and shall be permanently retained and maintained thereafter.**

Reason: In order to comply with 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.

- 21 Prior to the commencement of development, a phasing plan shall be submitted and approved, including details of the phasing of the office, residential, parking and access elements of the approved development. The office accommodation, as shown on approved plans 1605(PL) 210 and 1605 (PL)003 , will be completed and provided prior to the occupation of the residential units hereby permitted**

Reason: In order to ensure the continued function of the employment use of the site and in order to comply with EMP 5 of the Unitary Development Plan

- 22 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.

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

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

- 24 Before the development hereby permitted is commenced, details of the materials, depth, extent and means of excavation required for the construction of the access/car parking shall be submitted to and approved in writing by the Local Planning Authority, and the excavations and the access/car parking shall be carried out in accordance with the approved details.

REASON: In order to comply with Policy NE7 of the Unitary Development Plan to ensure works are carried out according to good arboricultural practice, and in the interest of the health and visual amenity value of trees to be retained.

You are further informed that :

- 1 You are advised that this application may be liable for the payment of the Mayoral Community Infrastructure Levy under the Community Infrastructure Levy Regulations (2010) and the Planning Act 2008.

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

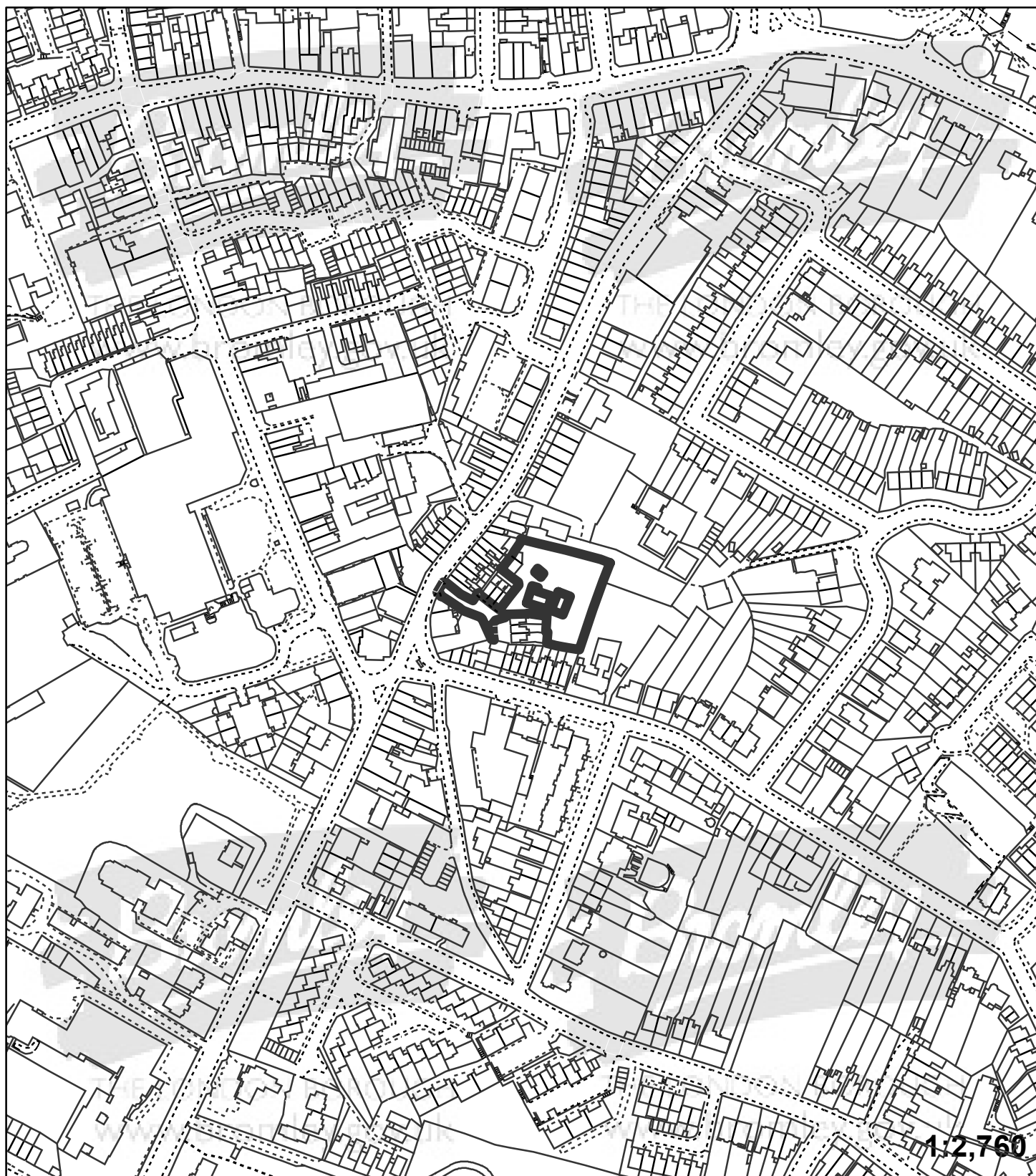
- 2 Before works commence, the Applicant is advised to contact the Pollution Team of Environmental Health & Trading Standards regarding compliance with the Control of Pollution Act 1974 and/or the Environmental Protection Act 1990. The Applicant should also ensure compliance with the Control of Pollution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

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Application:17/02876/FULL1

Address: Alan Hills Motors Alma Place Anerley London SE19 2TB

Proposal: Demolition of existing structures and the construction of six dwellings, commercial floorspace, private and communal amenity areas, car parking, refuse and cycle storage.



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

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SECTION '2' – Applications meriting special consideration

Application No : 17/03199/FULL6

Ward:
Hayes And Coney Hall

Address : 6 Hawthorndene Close Hayes Bromley
BR2 7DT

OS Grid Ref: E: 539987 N: 165874

Applicant : Mr Robbins

Objections : YES

Description of Development:

Raise existing roof structure and conversion of roof space to form additional bedroom with rear flat roof dormer.

Key designations:

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

Proposal

The application site is a link-detached two storey dwellinghouse located to the north, north-west side of Hawthorndene Close which is a cul-de-sac. A footpath runs along the rear of the site to which there is access from the rear gardens in the vicinity. Site levels drop away significantly to the rear of the site.

This application proposes raising the ridge of the roof by c 0.20 m, the construction of a new flat roofed dormer addition to the rear roof slope and the insertion of three rooflights to the front.

Consultations

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

- o Support for the scheme
- o Extensions enable families to utilise space and not have to move out
- o Not out of character
- o Scheme remains cramped with overbearing appearance
- o Over- development
- o Out of character with adjacent properties.
- o Nearby development does not compare
- o Open view from the rear of the property plus footpath to rear
- o Potential overshadowing
- o Restrictive covenant would have been created to protect the distinctiveness of the Close and unify the properties in common appearance.
- o Development would be over-massing and over-dominant

Other background matters are provided in response to local comments.

Planning Considerations

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

BE1 Design of New Development
H8 Residential Extensions
London Plan Policy 3.5
London Plan Policy 7.4
London Plan Policy 7.6

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. Relevant policies to this application include:

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

The planning history includes application reference 13/00728 for rear boundary wall, fence, trellis, balustrade and handrails (PART RETROSPECTIVE) which was granted permission.

Of most relevance to this application is application reference 17/01893 for roof alterations incorporating increase in ridge height, rear dormer with Juliet balcony and front rooflights to create habitable accommodation. This was refused for the following reason:

The proposed development would result in a cramped, overbearing appearance and overdevelopment of the site out of character with adjacent properties harmful to the appearance of the street scene and character of the surrounding area and harmful to neighbouring amenity thereby contrary to Policy BE1 and H8 of the Unitary Development Plan and Policies 3.5, 7.4 and 7.6 of The London Plan as they relate to the quality of development and the protection of the street scene.

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 and whether the previous grounds of refusal have been addressed.

Policy H8 requires for the scale, form and materials of construction to respect or complement those of the host dwelling and be compatible with development in the surrounding area, that space or gaps between buildings should be respected and that dormer windows should be of a size and design appropriate to the roofscape and sited away from prominent roof pitches unless dormers are a feature of the area. Dormer extensions into prominent roof slopes and extensions above the existing ridgeline will not normally be permitted.

Policy BE1 expects extensions to complement the scale, form layout and materials of adjacent buildings and areas and not to detract from the existing street scene.

This application seeks to address previous grounds of refusal. The scheme has been reduced by 20cm ridge height and the design now excludes the Juliet balcony element.

Submissions to support the application include reference to a planning permission at 16 Hawthorndene Road and draw attention to property details within the close which highlight the varying appearance within the Close.

The previous report noted the distinct character within the Close and how the varying land level results in variance of overall ridge height within the vicinity. It noted "...Even allowing for the difference in overall ridge heights in the Close given the existing ridge height of No 6, its relationship to adjacent development and the distinct character of the Close the increase in height will result in a dominant and incongruous form of development..".

Noting the revised plans planning concern remains in respect of the overall impact on the distinct character of the Close and although the proposed ridge height is now reduced from that previously proposed it remains that the raising of the height of the ridge would impact on the proportions of the rear elevation and combined with the overall size of the proposed dormer the proposed alterations would cause significant harm and over-dominant bulk to the host building. Additionally the rear of the application site is open to view from the nearby public footpath and it is considered that the development at the rear would cause harm to the character and appearance of the surrounding area.

In respect of impact on neighbouring amenity neighbour objections are noted. The rear gardens are limited in size and planning concern remains that when the proposed development is considered within the context and constraints and existing development at the site it will cumulatively result in an unacceptable and overbearing impact on neighbouring amenity, particularly given the limited depth of the rear gardens in the vicinity.

Attention has been drawn to the planning permission at 16 Hawthorndene Road however the context of that site is not comparable to the application site and the proposal submitted for consideration within the current application has been considered on its own merits.

The applicant refers to development allowable under permitted development rights. For the reasons discussed above it is not considered that the scheme has overcome previous grounds of refusal within planning policy considerations and to enable development within a raised ridge height

Members may consider that the development in the manner proposed is not acceptable in that it would result in an over bearing cramped form of development and have a detrimental impact on the street scene and the character and appearance of the wider area and result in a loss of amenity to local residents.

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

RECOMMENDATION: APPLICATION BE REFUSED

The reasons for refusal are:

1. The proposal would result in an over bearing cramped form of development and have a detrimental impact on the street scene and the character and appearance of the wider area and result in a loss of amenity to local residents thereby contrary to Policy BE1 and H8 of the Unitary Development Plan and Policies 3.5, 7.4 and 7.6 of The London Plan as they relate to the quality of development and the protection of the street scene..

Application:17/03199/FULL6

Address: 6 Hawthordene Close Hayes Bromley BR2 7DT

Proposal: Raise existing roof structure and conversion of roof space to form additional bedroom with rear flat roof dormer.



"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 : 17/03540/FULL1

Ward:
Hayes And Coney Hall

Address : Southerly Warren Road Hayes Bromley
BR2 7AN

OS Grid Ref: E: 540302 N: 165862

Applicant : Mr Robert Cummins

Objections : YES

Description of Development:

Single storey front extension, part one/part two storey side and rear and first floor front extension

Key designations:

Smoke Control SCA 51

Proposal

Planning permission is sought for a single storey front extension, part one/part two storey side and rear and first floor front extension

Location

The application site is a detached two storey dwelling on the northern side of Warren Road, Hayes. The site is accessed via a service road from Warren Road. This part of Warren Road is characterised by detached dwellings ranging in design and scale. Both neighbouring properties are bungalows, known as Pax to the west, and Howards to the east.

Land to the south of the site (opposite) is in the Green Belt, a Site of Interest for Nature Conservation, and Bromley, Hayes and Keston Commons Conservation Area.

Consultations

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

- o The proposal would change the street scene greatly
- o The neighbouring bungalow Pax has three side windows facing the application site, two small ones in the lounge and one in the kitchen. These would be affected by the planning as light would be restricted.
- o The application site is higher than the neighbouring bungalow
- o Massive extension doubling the size of the existing property which would be detrimental to the character and appearance of the host dwelling and will dominate the road.
- o Serious impact on both neighbouring bungalows
- o The side extension will effect the outlook, sunlight and daylight to the neighbouring bungalow Howards which have four windows and two doors on this elevation.
- o Overshadowing

The full text of comments is on file and online.

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

Relevant planning history

Under ref: 15/02114/FULL6 planning permission was refused for a part one/two storey front/side and rear extensions, for the following reasons;

1 The proposal by reason of its design, bulk and mass would be an over dominant form of development that would be detrimental to the character and appearance of the host dwelling and surrounding streetscene, contrary to Policies BE1 and H8 of the UDP.

2 The proposal by reason of its overall bulk and mass would be an overbearing form of development, detrimental to the outlook of the occupants of the adjacent bungalow, Howards, contrary to Policy BE1 of the UDP."

This application was dismissed at appeal.

Planning permission was refused for a part one/two storey front, side and rear extensions under reference 16/03274/FULL1. However, this application was refused for the following reason;

The proposal by reason of its design, bulk and mass would be an overdominant form of development that would be detrimental to the character and appearance of the host dwelling and surrounding streetscene, contrary to Policies BE1 and H8 of the UDP.

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 and whether this application overcomes the previous reasons for refusal.

Impact upon character and appearance of the street scene

As outlined in the planning history section above, two applications have been refused at this site and two appeals have been dismissed in relation to the impact of the proposed extension upon the character of the area.

In relation to the first application, ref 15/02114/FULL6, the Appeal Inspector stated "The host dwelling would be extended to the side at first floor level towards Howards with a full length single storey projection at the front, significantly adding to the horizontal mass. At each end there would be first floor hipped roof projections, extending 2.6m from the existing front wall at this level. These would be in fairly close proximity to the adjacent dwellings resulting in an unacceptable contrast in bulk at this height". The Inspector went on further to say "Such significant enlargement would result in Southerly appearing unacceptably dominant in relation to the appreciably more modest presence of the

adjacent bungalows, giving rise to an incongruous and discordant juxtaposition of scale and bulk. The resultant appearance of the host dwelling would be acceptable in itself but not in relation to its surroundings, so that the streetscene would be harmed".

Subsequently, a planning application (ref: 16/03274/FULL1) was submitted which proposed a revised scheme to include Part one/two storey front, side and rear extensions.

The application was also dismissed at appeal, with the Appeal Inspector stating 'The first floor extension to the front has been reduced by approximately 1.7m to 0.9m in comparison to the previous proposal. In addition, the line of the first floor projection coincides with the front wall of Pax to the west. Consequently, I consider that the appeal proposal would not appear unduly dominant in relation to the adjacent bungalow, Pax.

However, notwithstanding the proposed set back, the proposal would result in a significant extension to the side at first floor level towards Howards, the bungalow to the east. There is currently a considerable gap at first floor level between the appeal property and Howards which allows for views over the existing single-storey garage to the trees to the rear which contributes to the spacious character of the area. The proposed extension would result in an unacceptable contrast in bulk at first floor level and would appear dominant in relation to the adjacent bungalow, Howards.

Taking these factors in combination, I consider that the proposal would be an incongruous addition at odds with the spacious character of the area. Consequently, I do not consider that the proposal has altered sufficiently to reach a different conclusion to my colleague'.

This revised application now shows that the first floor extension to the eastern side has been reduced in width to the front by 1.28m to bring it in line with the remainder of the extension, and set back behind the first floor front elevation of the existing dwelling by 1m (a reduction of 1.9m in length from the previously refused application ref: 16/03274). The roof of the property and proposed extensions to both the eastern and western sides has also been amended from a gable end design with partial hip to a fully hipped roof. The proposed extension to the eastern side would still bring the first floor of the dwelling 2.6m closer to the neighbouring property at Howards, reducing the existing separation between the dwellings at this level. However, the set back from the front and reduction in width at the front would result in a more subservient addition to the host dwelling. Furthermore, this reduction in length and width, along with the hipped roof design, would reduce the bulk and scale of the extension, and in turn result in a greater degree of separation between the proposed extension and Howards to the east than both the previously refused schemes.

On balance, the proposed extension is now considered to have overcome the previous reasons for refusal and is not considered to be so detrimental to the character and appearance of the host dwelling or the wider street scene to warrant refusal.

Impact upon neighbouring amenity

Planning application 15/02114/FULL6 was also refused in relation to the overbearing impact upon the adjacent bungalow, Howard. However whilst the appeal decision agreed with the Council that there would inevitably be some effect on the outlook and light levels in relation to the existing side windows at Howard, it went on to say that the majority of the first floor part of the enlarged dwelling would be about 2.6m from the boundary with Howards, and this along with the hipped ends of the first floor, was considered to mitigate the impact on this neighbouring dwelling and as such the Appeal Inspector did not consider that there would be any unacceptable harm to the living conditions of this neighbouring property as to warrant refusal on this basis.

The following application under reference 16/03274/FULL, was therefore not refused on neighbouring amenity.

This revised application has been substantially decreased in size and is therefore not considered to cause such detriment to the amenities of property as to warrant refusal.

Having had regard to the above, Members may consider on balance that the development in the manner proposed is acceptable in that it has overcome the previous reasons for refusal, by not having a detrimental impact upon the character and appearance of the street scene and would not result in a significant loss of amenity to local residents.

Background papers referred to during production of this report comprise all correspondence on the file ref(s) 17/003540/FULL1 and any other applications on the site set out in the Planning History section above, excluding exempt information.

RECOMMENDATION: PERMISSION

Subject to the following conditions:

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

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

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

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

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

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

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

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

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

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

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Application:17/03540/FULL1

Address: Southerly Warren Road Hayes Bromley BR2 7AN

Proposal: Single storey front extension, part one/part two storey side and rear and first floor front extension



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

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SECTION '2' – Applications meriting special consideration

Application No : 17/03930/FULL1

Ward:
Hayes And Coney Hall

Address : 53 Kechill Gardens Hayes Bromley BR2
7NB

OS Grid Ref: E: 540392 N: 167128

Applicant : Mr Paul Nevard

Objections : YES

Description of Development:

Erection of one, 4-bed attached dwelling (amendments to planning permission reference 16/01129 (allowed at appeal) to include amendment to roofline, additional single storey rear extension and loft conversion) to 53 Kechill Gardens Hayes Bromley BR2 7NB

Key designations:

Biggin Hill Safeguarding Area
London City Airport Safeguarding
River Centre Line
Smoke Control SCA 51

Proposal

The site is a semi-detached two storey dwelling house located to the northern end (cul-de-sac) and on the west side of Kechill Gardens. The immediate vicinity comprises a mix of semi-detached two storey and bungalow development.

The application proposes the erection of one, 4-bed attached dwelling (amendments to planning permission reference 16/01129 (allowed at appeal) to include amendment to roofline, additional single storey rear extension and loft conversion).

A Design and Access statement supports the application and highlights that the application proposes amendments to planning permission 16/01129 which include a single storey rear extension, remove a side window, introduced a partial hip to allow for a rear dormer and use of the roof space as accommodation. The statement highlights that the planning inspector did not consider that permitted development rights should be removed.

Consultations

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

- o Out of character
- o Over-development; cramped
- o Too many windows - overlooking
- o Very different from original application
- o Disagree with Inspectorates decision - should judicial review
- o Covenant - only one dwelling per plot
- o Garage to rear will impact on privacy and security
- o Details required for previous permission have been overlooked
- o Scope creep on already contentious over development
- o Garden grabbing
- o Parking problems
- o Should be read in conjunction with development at No 55

Planning Considerations

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

- o BE1 Design of New Development
- o H1 Housing Supply
- o H7 Housing Density and Design
- o H9 Side Space
- o T1 Transport Demand
- o T3 Parking
- o T5 Access for people with restricted mobility
- o T7 Cyclists
- o T16 Traffic management and sensitive environments
- o T18 Road Safety
- o IMP1 Planning Obligations

The Council's adopted Supplementary Planning Guidance (SPG) documents are also a consideration.

SPG No.1 - General Design Principles

SPG No.2 - Residential Design Guidance

London Plan

- 3.3 Increasing housing supply
- 3.4 Optimising housing potential
- 3.5 Quality and design of housing developments
- 3.8 Housing choice
- 5.1 Climate change mitigation
- 5.2 Minimising carbon dioxide emissions
- 5.3 Sustainable Design and Construction.
- 5.7 Renewable Energy
- 5.12 Flood Risk Management
- 5.13 Sustainable Drainage
- 5.15 Water use and supplies
- 6.9 Cycling
- 6.13 Parking
- 7.2 An Inclusive Environment.
- 7.3 Designing out crime
- 7.4 Local character
- 7.6 Architecture

Adoption of Minor Alterations to London Plan (MALP) and Housing SPG (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. Relevant policies to this proposal would include:

Draft policies relevant to this scheme comprise:

- | | |
|-----------|-------------------------------|
| Policy 37 | General Design of Development |
| Policy 1 | Housing Supply |
| Policy 4 | Housing Design |

Policy 8	Side Space
Policy 99	Residential Accommodation
Policy 30	Parking
Policy 33	Access for All
Policy 32	Road Safety

Planning History

There is a significant planning history which includes the following:

12/02589 - Part one/two storey side and rear extension - Permission

The side space to the southern boundary indicated on the plans the subject of this planning permission show 4.05m to the front tapering down to c 3.7m to the rear. The single storey rear element proposed a 3.5m rearward projection.

12/03353 - Two storey detached dwelling house. Planning permission was refused on the grounds that the proposal represented an overdevelopment of the site harmful to the spacious character of the surrounding area thereby contrary to Policy BE1 of the Unitary Development Plan and Policy 7.4 of the London Plan. The subsequent appeal against the refusal of planning permission was dismissed

13/00228 - Demolition of two storey extension and erection of two storey detached dwelling together with associated work to provide off street parking. Planning permission was refused on the grounds that the proposal would have represented an overdevelopment of the site harmful to the spacious character of the surrounding area thereby contrary to Policy BE1 of the Unitary Development Plan and Policy 7.4 of the London Plan. An appeal against the Council's decision to refuse planning permission was dismissed.

13/03420 - Erection of two storey dwelling with garage and additional attached garage to serve 53 Kechill Gardens on land adjacent 53 Kechill Gardens. Permission was refused on the grounds that the proposal would have represented an overdevelopment of the site harmful to the spacious character of the surrounding area thereby contrary to Policies BE1 and H9 of the Unitary Development Plan and Policy 7.4 of the London Plan. A subsequent appeal against the Council's refusal was dismissed.

Under reference 14/02617 planning permission was refused and dismissed on appeal for the erection of an attached two storey 3 bedroom dwelling, with extensions and alterations. The Inspector found that the bulk of the extensions proposed, with the exception of a single storey garage, would have been very similar to that permitted under ref. 12/02589.

Planning application reference 15/03041 for part one/ two storey side and rear extension was granted permission subject to conditions.

Most recently and most relevant to the current application is application reference 16/01129 for the Erection of one x two storey, 3-bed attached dwelling and alterations to 53 Kechill Gardens which was allowed on appeal.

Conclusions

Given the planning history and the extant permission the main issues relating to the application are the effect that the extended scheme 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 appeal decision is noted wherein the planning inspector found that the development would not harm the character and appearance of the area and further considered there to

be '...no substantive evidence before me, which suggests that exceptional circumstances exist to justify the removal of permitted development rights; hence I have not imposed a condition to this effect...'

This is important to note because consideration needs to be given to the applicant's fall back position in the event that the development as already permitted is built out. Permitted development rights do allow for the type of development now proposed by amended plans and the likelihood of permitted development rights being exercised are considerable.

When considering the impact on residential amenity local objections are noted in respect of concern with overlooking and impact on privacy. However, dormer windows are not an uncommon feature in the vicinity and the extent of overlooking that may arise is generally not considered to be so un-neighbourly in a suburban area such as this.

In respect of concerns re overdevelopment there will remain a minimum of 3m sidespace (4m to the front) and given the single storey extension to No 53 it is not considered that there will be any significant undue impact on neighbouring amenity regarding the single storey rear element either. However, in view of the extent of the development that could be built in the event of a planning permission to these amended plans it would be considered appropriate to consider restriction of permitted development rights (Class A) given the proposed rear building line.

Local concerns are raised in that no consideration has been given to the detail of the application as required by the appeal decision. Similar planning conditions are relevant in the event of a planning permission.

Neighbour comments suggest that the proposal should be read in the light of development at No 55. Application reference 17/04606 is currently lodged with the Council for consideration: "Amendments to planning permission ref. 17/00382/FULL1 allowed on appeal for the erection of a 2 storey three bedroom end of terrace dwellinghouse to allow additional formation of hip to gable roof extension with rear dormer and single storey rear extension". The two separate applications at No 53 and No 55 will effectively create a terrace of four dwellings. However the planning history to each means that they are standalone applications; additionally neither have been built, as yet.

This site has a considerable planning history and the level of local concern is noted. However, when assessed in the light of the appeal decision and the permitted development fall-back position, Members may consider that the scheme as now proposed, subject to the restriction of permitted development rights, may not be unacceptable.

In the event of a planning permission it should be noted that this proposal is potentially CIL liable.

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

RECOMMENDATION: PERMISSION

Subject to the following conditions:

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

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

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

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

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

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

4 **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 **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, 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 Policy BE1 of the adopted Unitary Development Plan and in the interest of neighbouring amenity and the visual amenities of the area

- 7** 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.

Application:17/03930/FULL1

Address: 53 Kechill Gardens Hayes Bromley BR2 7NB

Proposal: Erection of one, 4-bed attached dwelling (amendments to planning permission reference 16/01129 (allowed at appeal) to include amendment to roofline, additional single storey rear extension and loft conversion) to 53 Kechill Gardens Hayes Bromley BR2 7NB



"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 : 17/04181/FULL1

Ward:
Copers Cope

Address : 127 The Drive Beckenham BR3 1EF

OS Grid Ref: E: 537254 N: 169805

Applicant : Mr James Stopher

Objections : YES

Description of Development:

Single storey rear extension

Key designations:

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

Proposal

The application seeks planning permission for a single storey rear extension measuring 4.5m in depth. The extension will abut the boundary with shared no. 125 and be set 0.1m in from the boundary shared with no. 129. It will have a mono-pitched roof sloping down to the rear from a maximum height of 3.6m to an eaves height of 2.6m

One window and one set of three bi-fold patio doors are proposed in the rear elevation with two flat rooflights within the pitched roof. The materials are indicated to be brick and tiles to match the existing dwelling with windows also stated to match the existing dwelling.

Location and Key Constraints

The property is a mid-terrace property located on the western side of The Drive, Beckenham. The property is not listed and does not lie within any area of special designation.

Consultations

Nearby owners/occupiers were notified of the application and one letter of objection from the occupier of no. 129 and two letters of support from the occupiers of no. 125 were received which can be summarised as follows:

Objection

- o The length of the extension is the same as the decking at no. 129 and the height is about 2.5m sloping down from about 3.5m meaning that the decking will be in the shade most of the time
- o No. 129 dining room patio doors/windows are located less than 1m from the boundary wall of the extension and so there will be an impact on light to this room and to the outlook
- o The extension will significantly affect the amenity and enjoyment of no. 129.

Support

- o The extension now incorporates a pitched roof and will not impact on no. 129 as it equivalent and aligned to the existing height of party fencing so the shadowing impact would be negligible
- o No. 125 has been granted planning permission for a single storey rear extension and want to begin constructing in the next 6 months
- o No. 125 have agreed to a party wall with no. 127
- o There is a precedent along The Drive
- o A certain amount of transitory sunlight is blocked in gardens throughout the day due to the existing houses
- o The extension would not block additional sunlight to neighbours as it is comparable to the existing height of party fencing and extension
- o The windows are only sited towards the rear and would not impose on privacy
- o The extension is sympathetic

Comments from Consultees

There were no internal or external consultees for this application.

Planning Considerations

Policy Context

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

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

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

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

- o The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- o 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
- o The degree of consistency of the relevant policies in the emerging plan to the policies in the NPPF, the greater the weight that may be given).

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

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

London Plan Policies

7.4 Local character

7.6 Architecture

Unitary Development Plan

H8 Residential extensions

BE1 Design of new development

Draft Local Plan

6 Residential Extensions

37 General Design of Development

Supplementary Planning Guidance

SPG1 - General Design Principles

SPG2 - Residential Design Guidance

Planning History

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

Under ref: 15/00254/PLUD, a Lawful Development Certificate was granted for a loft conversion with rear dormer and front roof lights.

Under ref: 16/01772/FULL6, planning permission was refused for a single storey rear extension measuring 4.5m in depth and 3.5m in height. It was refused for the following reason;

"The proposed extension, by reason of its excessive rearward projection, height and proximity to the adjoining boundary with no. 129, would give rise to a significantly harmful impact to the residential amenities that the occupiers of this neighbouring property would reasonably expect to enjoy, by way of loss of daylight and sunlight, loss of outlook and overshadowing, thereby contrary to Policy BE1 of the Unitary Development Plan."

Under ref: 17/01491/FULL6, planning permission was refused for a single storey rear extension measuring 4m in depth and 3m in height. It was refused for the following reason;

"The cumulative impact of the depth, height and proximity to the adjoining boundary with no. 129 of the proposed extension, would give rise to a significantly harmful impact to the residential amenities that the occupiers of this neighbouring property would reasonably expect to enjoy, by way of loss of daylight and sunlight, loss of outlook and overshadowing, thereby contrary to Policy BE1 of the Unitary Development Plan."

Conclusions

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

- o Design and Scale
- o Impact on Neighbouring amenity

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

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

Policies H8 and BE1 of the UDP and the Council's Supplementary design guidance seek to ensure that new development, including residential extensions are of a high quality design that respect the scale and form of the host dwelling and are compatible with surrounding development. In addition, Policy H10 relates specifically to proposals within ASRC's and seeks that all development respects and complements the established and individual qualities of the individual areas.

Policy BE1 of the UDP also seeks to protect existing residential occupiers from inappropriate development. Issues to consider are the impact of a development proposal upon neighbouring properties by way of overshadowing, loss of light, overbearing impact, overlooking, loss of privacy and general noise and disturbance. This is supported by Policy 7.6 of the London Plan and paragraph 17 of the NPPF.

The Council's records show that a number of properties in the road have been extended at single storey to the rear and as such the principle of a rear extension at ground floor may be acceptable. However, this is subject to the size, mass, scale and form proposed and the subsequent impact upon the amenities, outlook and privacy of neighbouring residents, the character of the area and of the host dwelling.

The application follows two refusals under ref: 16/01772/FULL6 and 17/01491/FULL6, both for a single storey rear extension at the property, which have been summarised in the Planning History section above.

This current application proposes a 4.5m deep rear extension which will have a mono-pitched roof with a maximum height of 3.6m and eaves height of 2.6m. The proposed extension has been designed to match the depth, height and design of the extension granted under ref: 15/02192/FULL6 at no. 125. It is noted that this extension has not yet been constructed, but this neighbouring dwelling does currently benefit from an existing rear conservatory.

The neighbouring property to the north at no. 129 has not been extended to the rear. Concerns have been raised by the occupiers of this neighbouring dwelling with regards to the impact on both light and outlook to their rear patio doors/windows and decking.

Unlike the previously refused applications at no. 127 which both proposed flat roof extensions, this current application has been designed with a pitched roof. As such, whilst the extension will project a substantial 4.5m in depth, the roof will slope down towards the rear to an eaves height of only 2.6m helping to reduce both the impact to no. 129.

Taking into account the revised height and roof design of this proposal and that the extension now proposed will be the same as that permitted under ref: 15/02192/FULL6 at the neighbouring dwelling of no. 125, Members may consider that, on balance, the proposed extension is acceptable.

Background papers referred to during production of this report comprise all correspondence 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.**

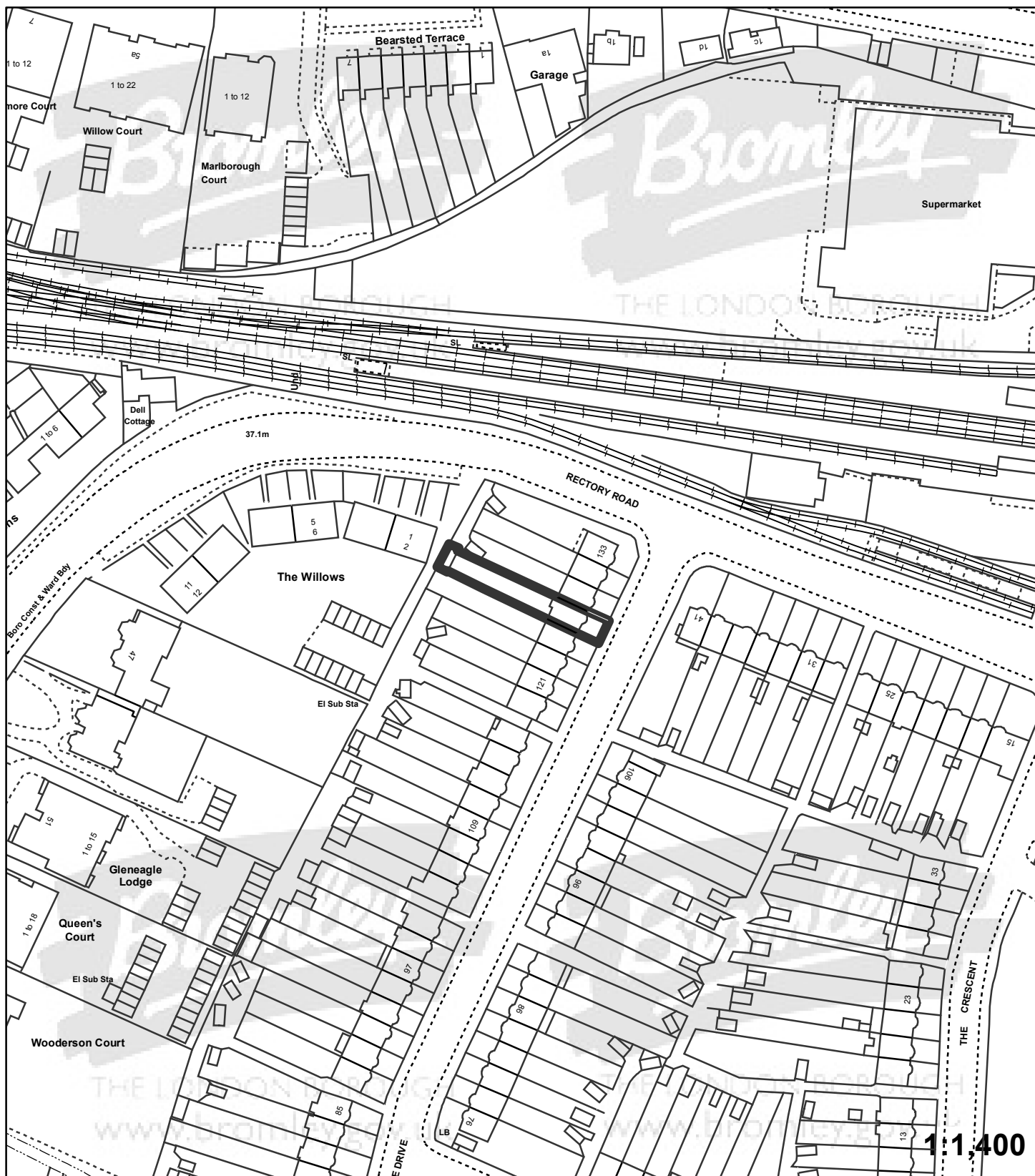
REASON: In order to comply with Policy BE1 of the Unitary Development Plan and in the interest of the visual and residential amenities of the area.

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Application:17/04181/FULL1

Address: 127 The Drive Beckenham BR3 1EF

Proposal: Single storey rear extension



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

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

Application No : 17/01880/FULL6

Ward:
Chislehurst

Address : 32 Highfield Road Chislehurst BR7 6QZ

OS Grid Ref: E: 545873 N: 168894

Applicant : Mr Thomas Knudsen

Objections : YES

Description of Development:

First floor side and single storey front and rear extensions

Key designations:

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

Proposal

The application proposes two single storey front extensions; to the West of the site the extension would have a depth of 1m by a width of 2.1m and a height of 2.8m.

To the East of the site the garage will be replaced by a double garage that would have a maximum width of 6.4m, a minimum width of 3.7m and a depth of 6.9m. It would have an eaves height of 2.4m and a ridge height of 3.5m

The rear extension would have a depth of 6.3m and a width of 8.5m; it would have an eaves height of 2.4m and a ridge height of 3.5m

The first floor side extension would have a width of 3.7m and a depth of 9.2m eaves height of 4.9m and a ridge height of 7.5m.

The application site hosts a two storey semi-detached dwelling on the Southern side of Highfield Road, Chislehurst.

Consultations

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

- o Total area of extensions appears larger than the house
- o Double garage is out of character
- o Concern regarding tall roof of the garage
- o Loss of views which would be obstructed by the garage
- o Concern regarding damage to fence on the boundary
- o Garage would impact street scene
- o Loss of tree which adds value to the street scene
- o Very severe front building line

Following these objections revised plans were submitted which reduced the height of the garage and neighbours were reconsulted and further comments were received which can be summarised as follows:

- o Garage still protrudes too far
- o Trees and shrubs will be removed to make way for the development

Highways raised no objections.

Planning Considerations

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

BE1 Design of New Development
H8 Residential Extensions
H9 Side Space

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

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

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

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

Planning History

84/03061/FUL; GARDEN SHED SEMI-DETACHED HOUSE SECTION 32
APPLICATION; Permitted; 10.01.1985

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 adjoining dwelling at number 30 benefits from a rear extension that is approximately 3m in depth, the rear extension nearest this boundary would project 6.3m, therefore a further 3.3m past the rear building line of number 30, it is set in from the boundary slightly and the roof pitches away from the boundary it is therefore considered that on balance this would be acceptable. The dwelling at number 34 projects approximately 3m from the rearmost wall of number 32 and given that the projection at this side would be 4.5m and significantly set in from the boundary this would be considered to be acceptable.

The property currently benefits from a front extension which does not match that of number 30 and as such it is considered that the alterations to the front would in principle have no impact on the character and appearance of the pair of semis. The proposed garage would project 2m past the existing front extension and given that the properties are somewhat set back from the main street and due to matching materials being proposed it is considered that on balance the front extension would not cause any significant harm to the character and appearance of the street scene.

Given the projection of the existing front extension it is considered that the new double garage would have no more significant impact on the adjoining occupiers at number 34

than the existing garage, and it is set significantly away from number 30 to have no impact on this adjoining occupier.

The front extension to the other side of the site has a minimal projection of 1m and as such would have no significant impact on the amenity of adjoining occupiers nor the street scene.

The side extension would be 1m from the side boundary and as such would comply with Policy H9 of the Unitary Development Plan and would reduce the opportunity for unrelated terracing. There is one window in the side elevation which is proposed to be obscure glazed as it serves a bathroom.

The adjoining occupiers of number 34 benefit from two ground floor windows and no first floor windows, it is considered that, especially given the orientation of the properties there would be no significant impact on the outlook, light and amenity of the adjoining occupiers of number 34 in relation to the first floor side extension.

The extension is set away from the boundary with number 30 by 8.5m and as such there would be no significant impact on this adjoining occupier.

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 adjoining 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) 17/01880/FULL6 and any other applications on the site set out in the Planning History section above, excluding exempt information.

RECOMMENDATION: PERMISSION

Subject to the following conditions:

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

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

- 2 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:17/01880/FULL6

Address: 32 Highfield Road Chislehurst BR7 6QZ

Proposal: First floor side and single storey front and rear extensions



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

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

Application No : 17/02032/ADV

Ward:
Chislehurst

Address : Queen Mary House Manor Park Road
Chislehurst BR7 5PY

OS Grid Ref: E: 544587 N: 169860

Applicant : McCarthy & Stone

Objections : YES

Description of Development:

Proposed hoarding, freestanding sign boards and flags

Key designations:

Conservation Area: Chislehurst
Biggin Hill Safeguarding Area
London City Airport Safeguarding
Smoke Control SCA 16

Proposal

An application for the demolition of the existing building (Queen Mary House) and its redevelopment to form 50 Assisted Living apartments (Class C2 use) including communal facilities, parking and landscaping was allowed on appeal under reference 15/05237/FULL1. This advertisement application seeks consent for the erection of advertisements in relation to this development.

This application seeks consent for proposed signage, hoarding and flags. The signage relates to the erection of 3 'for sale' sign boards measuring approximately 6m in height and 2.1m in width. There would be two flags either side one of the boards and two flags either side of the other two boards with a height of 6m. There would be a total of 4 flags.

Hoarding is proposed to be erected along the entire Manor Park Road frontage for approximately 120m in length measuring 2.4m in height and adverts are proposed to be spread out on this hoarding to advertise the redevelopment of the site and sale of the apartments. There would be a total of 10 advertisements on this hoarding and it is proposed to be in-situ for a time period of five years.

The site lies within the Chislehurst Conservation Area. There are listed buildings adjoining the north of the site however the proposed advertisements are away from this location to the south of the development. The advertisements do face however the Manor House complex (Grade II) on the opposite side of Manor Park Road, approximately 14m away at the closest point.

Consultations

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

- o Excessive number of signs
- o Time period of 5 years is excessive
- o Inappropriate in the Conservation Area
- o Not in keeping with the character of the area

- o Advertisements are too large for a Conservation Area
- o Advertisements are over the top
- o Length of hoarding is excessive
- o No need for such a grotesque advertising campaign

Following the submission of some of the original comments the scheme was revised and the number of adverts reduced, all parties were re-notified of the revised drawings and the following comments were received:

- o Scheme is similar to previously rejected application
- o Excessive number of adverts
- o Prominence of signage
- o Not appropriate in Conservation Area
- o Current green hoarding reflects surrounding vegetation
- o The scheme falls entirely within a residential and conservation area
- o Five years is excessively long time period
- o There have been several breaches of advertisement regs before this application has had a decision
- o McCarthy and Stone should utilise online marketing instead
- o Proposal would change the appearance of Manor Park Road
- o Impact on adjoining residents

The Chislehurst Society raised concerns regarding scale and size of the developments in this location and requested that the time period be set for 3 years.

The Council's Conservation Officer concluded that due to the greatly reduced amount of adverts and flags it would be acceptable subject to a time limiting condition.

APCA objected to the original drawings for the following reasons:

- o Too many adverts on hoarding
- o Detrimental to character and appearance of Conservation Area and setting of neighbouring Listed building

Planning Considerations

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

- BE1 Design of New Development
- BE7 Railings, boundary walls and other means of enclosure
- BE11 Conservation Areas
- BE21 Control of Advertisements and Signs

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

- Draft Policy 37 General Design of Development
- Draft Policy 41 Conservation Areas
- Draft Policy 102 Advertisements

All other material considerations shall also be taken into account.

Planning History

The site has been subject to previous planning applications of which the most relevant are:

15/05237/FULL1; Demolition of existing building and erection of three storey building comprising 52 assisted living extra care apartments (37 x 2 bed and 15 x 1 bed) (C2 use) including communal facilities, parking and landscaping; Refused; Allowed on appeal

16/02226/ADV; Proposed signage, hoarding and flags; Refused

Conclusions

The main issue in this case is whether the proposed signs would be significantly harmful to the appearance of the host building, the character of the conservation area within which the site lies and highway and pedestrian safety.

The application seeks to overcome a previous refusal under reference 16/02226/ADV which was refused for the following reason:

"1. The proposed signs due to their size and location would be in conflict with Policy BE21 of the Unitary Development Plan, being out of character with the surrounding area and detrimental to the visual amenities of the street scene in this Conservation Area, contrary to Policies BE11 and BE21 of the Unitary Development Plan."

The number of advertisements has been significantly reduced from the previous application which had signage for the full length of the hoarding, 6 sign boards and 8 flags, and they are evenly spaced within the site. It is considered therefore that the reason for refusal has been overcome. The report as follows is as it was under reference 16/02226/ADV amended accordingly.

By virtue of the height, amount, size and location of the signage, deemed consent does not exist for the advertisements proposed and explicit advertisement consent is required. In deciding whether to grant advertisement consent, the planning authority may consider only two issues these being the interests of amenity and public safety.

The proposed hoardings would be located across the entire frontage of the site spanning for approximately 120m and would have a height of 2.4m. The hoardings would contain pictures of the proposed new apartments and details relating to the Development Company and sale of the apartments. Three 'for sale' sign boards are to be erected at two locations within the site boundary and are proposed with two flags either side of the advertisements approximately 6m in height advertising the development.

Policy BE21 of the UDP relates to the control of advertisements, hoardings and signs and states that advertisements and signs should be in keeping with the scale, form and character of the surrounding area, as well as considering impacts to road users and pedestrians. Furthermore, paragraph 6.64 of the UDP states that; "Advertisement hoardings will not generally be acceptable, except during the period of construction where there is a valid planning permission for development of a site. They will also normally be resisted in Conservation Areas and residential and rural parts of the Borough, even on a temporary basis".

Whilst the site is within a residential area and Conservation Area and as such advertising hoarding may be resisted in accordance with Policy BE21, it is acknowledged that for safety and security during construction works the site may need to be secured by way of some hoarding. The hoarding is considered to be of an acceptable design and a betterment to the current hoarding currently erected around the site, providing more visual interest. The four flags proposed are not considered superfluous, highlighting the stand alone signage and located only in two locations along a relatively wide frontage. Whilst it is appreciated that the signage may slightly alter the residential character of this part of the conservation area, these types of advertisements are not unusual and it is considered that

given the short period of time they will be in situ, they will not cause an unacceptable impact upon the Conservation Area.

It is appreciated that the signage is located opposite the Grade II listed properties within the Manor House complex. Given the distances between the proposed advertisements and the heritage assets, the scheme is not considered to unduly impact upon the setting or character of the listed buildings, especially given their time limited siting.

The signage is away from residential properties and no concern is raised in this regard.

All boards and flags are sited behind the hoarding, the hoarding would therefore provide a barrier between both the advertisements and the construction site to ensure sufficient highway and pedestrian safety.

The level of and type of signage raises no objection by the Council's Conservation Officer subject to the signage only being erected for a short time period. The proposed hoardings, banner flags and high level signage is not considered to cause significant harm to the character and appearance of the Conservation Area, has no impact upon the setting of the nearby listed buildings nor adversely affects residential amenity. On balance, the advertisements are considered acceptable subject to a condition restricting their siting to a 1 year period.

Background papers referred to during production of this report comprise all correspondence on the file ref(s) 17/02032/ADV set out in the Planning History section above, excluding exempt information.

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- 1 Any advertisements displayed, and any site used for the display of advertisements, shall be maintained in a clean and tidy condition to the reasonable satisfaction of the Local Planning Authority.**

Reason: Regulation 14(1) (a) of the Town and Country Planning (Control of Advertisements) Regulations 2007.

- 2 Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a safe condition.**

Reason: Regulation 14(1) (a) of the Town and Country Planning (Control of Advertisements) Regulations 2007.

- 3 Where an advertisement is required under these Regulations to be removed, the removal shall be carried out to the reasonable satisfaction of the Local Planning Authority.**

Reason: Regulation 14(1) (a) of the Town and Country Planning (Control of Advertisements) Regulations 2007.

- 4 No advertisement is to be displayed without the permission of the owner of the site or any person with an interest in the site entitled to grant permission.**

Reason: Regulation 14(1) (a) of the Town and Country Planning (Control of Advertisements) Regulations 2007.

- 5** No advertisement shall be sited or displayed so as to obscure, or hinder the ready interpretation of , any road traffic sign, railway signal or aid to navigation by water or air, or so as otherwise to render hazardous the use of any highway, railway, waterway, (including any coastal waters) or aerodrome (civil or military).

Reason: Regulation 14(1) (a) of the Town and Country Planning (Control of Advertisements) Regulations 2007.

- 6** The advertisements hereby granted shall only be displayed for a period no longer than 1 year from the date of consent, or until such time as the sale of the last apartment, whichever is the earlier. The consent must be implemented within 5 years of the date of this decision notice. At the end of the limited period hereby granted, the above advertisements shall be removed.

Reason: The display of advertisements hereby permitted are considered satisfactory only pending and during the development of the site and to comply with Policy BE21 (Control of Advertisements, Hoardings and Signs) in the Unitary Development Plan (2006) and regulation 14(5), Town and Country Planning (Control of Advertisements) Regulations 2007.

- 7** The advertisements hereby consented shall not be carried out otherwise than in complete accordance with the plans approved under this advertisement consent unless previously agreed in writing by the Local Planning Authority.

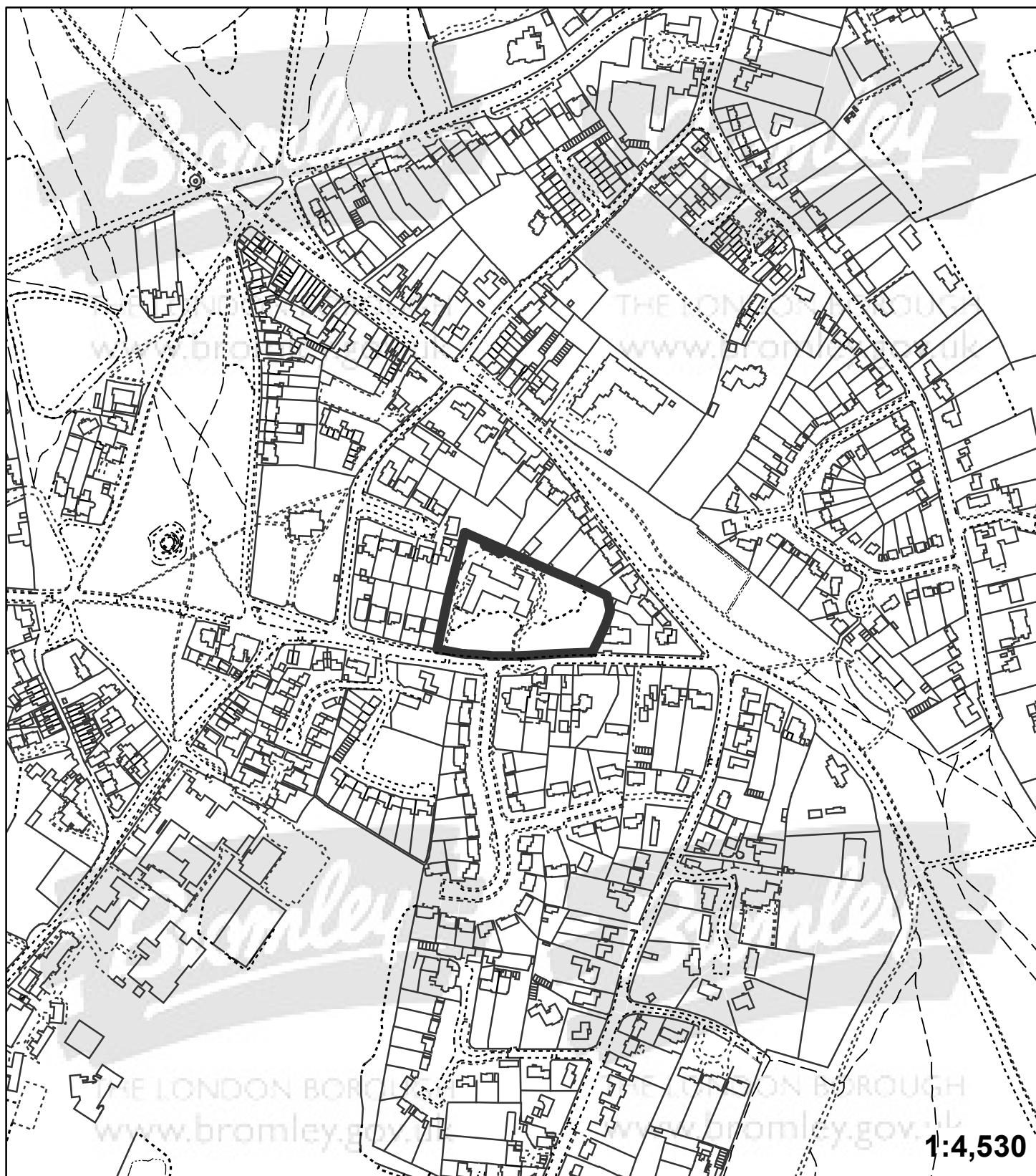
Reason: In order to comply with Policy BE21 of the Unitary Development Plan and in the interest of the visual and residential amenities of the area and regulation 14(5), Town and Country Planning (Control of Advertisements) Regulations 2007.

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Application:17/02032/ADV

Address: Queen Mary House Manor Park Road Chislehurst BR7 5PY

Proposal: Proposed hoarding, freestanding sign boards and flags



"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 : 17/03264/FULL1

Ward:
Chislehurst

Address : Jason Yester Road Chislehurst BR7
5HN

OS Grid Ref: E: 542590 N: 170254

Applicant : Mr Justin Laurence

Objections : YES

Description of Development:

Demolition of existing bungalow and erection of a three storey pair of semi-detached dwellings with accommodation in roof space

Key designations:

Conservation Area: Chislehurst
Biggin Hill Safeguarding Area
London City Airport Safeguarding
Open Space Deficiency
Sites of Interest for Nat. Conservation
Smoke Control SCA 16

Proposal

Permission is sought to demolish the existing bungalow at the site and construct two semi-detached dwellings. Each four bedroom house will have three storeys with accommodation in the roof space with front and rear dormer extensions. Each dwelling will have a private rear garden, private driveways and associated car parking and shared access utilising the existing vehicular access onto Yester Road.

Following the grant of planning permission ref. 17/00988 for a similar development at Plans Sub-Committee on 9th May 2017, the current proposal differs from the permitted design with the introduction of a gable ended roof to both dwellings in replacement of the permitted hipped roof.

The dwellings will be staggered on the plot, each house having a length of 17m and a width of 8.5m. The roof will be pitched with a maximum height of 12.2m.

Location

The application site is located to the northern edge of Yester Road and is situated opposite the junction with Lubbock Road to the south with the railway bridge immediately to the west. The site currently features a single storey detached dwelling. Yester Road is characterised by large detached dwellings of various designs and styles, with the topography being that of a long, moderately steep hill to the east and Lubbock Road increasing up hill to the south.

To the east of the site is Southill Road and the properties to the western edge of this adjoin the eastern and northern boundaries of the site.

Comments from Local Residents

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

- Construction of two dwellings would overdevelop the site and introduce excessive bulk. A single dwelling would be more appropriate for the site.
- Detrimental impact on road safety due to the dangerous access, increase in vehicles and increase in on-street parking.
- Design will have a detrimental impact on the character of the Conservation Area.

Consultations

Highways – the proposal provides suitable parking access and visibility sightlines, subject to the purchase of neighbouring land and the removal of a detached garage and section of fencing. A Grampian style condition will be required to secure the purchase of the neighbouring land and the removal of the items obscuring the required sightline. Standard conditions are also recommended, including a Stage 3 Road Safety Audit.

Drainage – the applicant is advised that SUDS measures must be maximised on site and post discharge rate should be at greenfield run-off rate. A standard condition is recommended.

Environment Agency – no comments made and reference made to the Standing Advice.

Environmental Health (Pollution) – no objections raised subject to a standard condition.

Network Rail – no objections were raised to the previous application subject to the development being undertaken without encroachment onto or damage to Network Rail land and infrastructure.

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

Tree Officer – no comments made.

Considerations

National Planning Policy Framework, 2012

- Chapter 4 Promoting Sustainable Transport
- Chapter 6 Delivering a Wide Choice of High Quality Homes
- Chapter 7 Requiring Good Design
- Chapter 12 Conserving and Enhancing the Historic Environment

The following London Plan policies are also a material consideration:

- 3.3 Increasing Housing Supply
- 3.4 Optimising Housing Potential
- 3.5 Design and Quality of Housing Developments
- 3.8 Housing Choice
- 5.1 Climate Change
- 5.2 Minimising Carbon Dioxide Emissions
- 5.3 Sustainable Design and Construction
- 5.13 Sustainable Drainage
- 6.9 Cycling
- 6.13 Parking

- 7.4 Local Character
- 7.6 Architecture

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

Policy BE1 – Design of New Development
Policy BE11 – Conservation Areas
Policy BE14 – Trees in Conservation Areas
Policy H7 – Housing Density and Design
Policy H9 – Side Space
Policy NE7 – Development and Trees
Policy T3 – Parking
Policy T18 Road Safety

Supplementary Planning Guidance 1 – General Design Principles
Supplementary Planning Guidance 2 – Residential Design Guidance
The Supplementary Planning Guidance for the Chislehurst Conservation Area

Emerging Local Plan

The Council is preparing a Local Plan and the final consultation on its proposed submission draft of the Local Plan closed on December 31st 2016 (under The Town and Country Planning (Local Planning) (England) Regulations 2012 as amended). The updated Local Development Scheme was submitted to Development Control Committee on November 24th 2016 and Executive Committee on November 30th 2016, and indicated the submission of the draft Local Plan to the Secretary of State in mid-2017. These documents are a material consideration. The weight attached to the draft policies increases as the Local Plan process advances.

Draft Policy 1 – Housing Supply
Draft Policy 4 – Housing Design
Draft Policy 8 - Side Space
Draft Policy 30 - Parking
Draft Policy 32 – Highways Safety
Draft Policy 37 – General Design of Development
Draft Policy 41 – Conservation Areas
Draft Policy 73 – Development and Trees
Draft Policy 116 – Sustainable Urban Drainage Systems (SUDS)
Draft Policy 123 – Sustainable Design and Construction

Planning History

Planning permission was granted under ref. 17/00988 for extensions to existing bungalow to form two semi-detached three storey dwellings with accommodation in roof space

Application ref. 13/03112 for the demolition of the existing dwelling and the erection of a three storey block of 6 flats was refused (together with the associated conservation area consent on the grounds that there would not be suitable replacement) on the grounds that:

1. "The proposal constitutes a cramped form of development by reason of its scale and design, resulting in an overdevelopment of the site, contrary to Policies BE1 and H7 of the Unitary Development Plan, Policy 3.4 of the London Plan and the National Planning Policy Framework."

2. "The proposal, by reason of its scale and design, fails to integrate into and respect the setting of its surroundings and is detrimental to the prevailing character of the Chislehurst Conservation Area, contrary to Policies BE1, BE11 and H7 of the Unitary Development Plan, Policy 3.4 of the London Plan and the National Planning Policy Framework."
3. "The proposal would, by reason of its scale, mass, bulk and design, result in a detrimental impact upon the visual amenity and prospect which neighbouring residents might reasonably expect to be able to continue to enjoy, contrary to Policy BE1 and H7 of the Unitary Development Plan."
4. "The proposed means of access to the site would be inadequate to meet the needs of the development in respect of provision of adequate visibility as such the proposal would be prejudicial to highway safety and contrary to Policy T18 of the Unitary Development Plan."

A subsequent appeal was dismissed, however the Inspector's reasons and comments in reaching this decision are material to the current proposal.

In summary, the Inspector concluded that on grounds 1, 2 and 3 the development was acceptable and dismissed the appeal on ground 4 - highway implications. The Inspector stated:

"Notwithstanding that the character and appearance of the Conservation Area would be preserved, and that the development would result in less than substantial harm to the Conservation Area as an heritage asset, or my findings in relation to the effect on the living conditions of the neighbouring occupiers, and the effect on highway safety of the proposed off street parking provision, the material harm identified to highway safety from the inadequacies of the sight lines of the proposed access arrangements is substantial and overriding. It significantly and demonstrably outweighs the limited benefits of a very marginal increase in the supply of housing in the area."

A subsequent application, reference 12/01812, for a three storey block of 1 three bedroom and 6 two bedroom flats with accommodation within the roofspace and associated parking and landscaping was refused on the grounds that:

1. "The proposal constitutes a cramped form of development by reason of its scale and design, resulting in an overdevelopment use of the site, contrary to Policies BE1 and H7 of the Unitary Development Plan, Policy 3.4 of the London Plan and the National Planning Policy Framework."
2. "The proposal, by reason of its scale and design, fails to integrate into and respect the setting of its surroundings and is detrimental to the prevailing character of the Chislehurst Conservation Area, contrary to Policies BE1, BE11 and H7 of the Unitary Development Plan, Policy 3.4 of the London Plan and the National Planning Policy Framework."
3. "The proposal would, by reason of its scale, mass, bulk and design, result in a detrimental impact upon the visual amenity and prospect which neighbouring residents might reasonably expect to be able to continue to enjoy, contrary to Policy BE1 and H7 of the Unitary Development Plan."
4. "The proposed means of access to the site would be inadequate to meet the needs of the development in respect of provision of adequate visibility as such the

proposal would be prejudicial to highway safety and contrary to Policy T18 of the Unitary Development Plan."

An associated Conservation Area Consent for the demolition of the existing dwelling was refused on the grounds that:

"In the absence of a planning permission for a suitable replacement building, it would be premature to grant consent for the demolition of the existing building, thereby contrary to Policy BE12 of the Unitary Development Plan."

These decisions were dismissed at the same appeal as the application above (13/03112) and for the same reasons, namely highway safety.

Permission was refused by Members under 13/04033 for demolition of existing dwelling and erection of a three storey 8 bedroom detached dwelling with accommodation within the roofspace and associated landscaping, despite a positive recommendation.

This application was refused on the following grounds:

- o The proposed means of access to the site would be inadequate to meet the needs of the development in respect of provision of adequate visibility as such the proposal would be prejudicial to highway safety and contrary to Policy T18 of the Unitary Development Plan; and
- o The proposed development would give rise to an unacceptable degree of overlooking and loss of privacy to the occupiers of the adjoining residential dwellings thereby contrary to Policy BE1 of the Unitary Development Plan.

This decision was allowed on appeal.

A follow up application was received for major extensions to 'Jason' which was visually different to those as previously submitted and proposed a lower ridge and smaller building size. Application 15/01844/FULL6 - Two storey front extension, first floor extension to dwelling with balcony and terrace areas to rear, and front and rear dormer extensions within enlarged roof, was approved subject to conditions.

Conclusions

The main issues relating to the application are the effect that it would have on the character of the Chislehurst Conservation Area, the standard of accommodation provided for future occupants, the impact that it would have on the amenities of the occupants of surrounding residential properties and the impact on highway safety.

Principle of Development

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

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

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

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

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

Size, Scale and Design

The Inspector's decision in considering the appeal for 13/04033 is a significant material consideration in the determination of any future proposal and indeed the grant of permission under ref. 17/00988 was considered with this in mind. The scheme allowed at Appeal under 13/04033 was for a three storey replacement dwelling with roofspace accommodation and front and rear dormer extensions. The impact of the scheme upon the character of the Conservation Area and the amenities of neighbouring residents was considered by the Inspector to be acceptable, and would preserve the character and appearance of the Chislehurst Conservation Area.

Application ref. 17/00988 proposed two dwellings on the site, whereas those schemes as previously considered at appeal were for one dwelling with subsequent approved applications also for one dwelling only. Whilst there is limited evidence of semi-detached properties within the street scene, the plot was considered to read as stand-alone in character, set away from other residential form when viewed from the highway and obscured by vegetation to the side and rear boundaries. As a result, the principle of providing two semi-detached properties on the site was considered to be acceptable by Members.

In terms of the building currently proposed, the massing, scale and design of the built form is commensurate to that as approved within the previous application, being of 3 storey construction with roof accommodation and of approximately 17m in width and depth. When considering the previous Inspector's comments regarding the overall bulk, scale and massing of the development, the scheme proposed is considered to be acceptable in this regard and closely matches that previously permitted by Members.

The design retains a traditional style based on classical proportions and using natural materials. The proposed gable ended roof is considered to complement the architectural design of the house and would not add significant bulk so as to impact harmfully on the proportions of the dwellings or the character of the wider Conservation Area.

The submitted sectional drawings indicate the removal of land to the rear of the proposed footprint in order to accommodate the dwellings, resulting in the ground floor of each

house not being sunken into the ground. The appearance of a three storey dwelling will therefore be similar for both the front and rear elevational view and this has previously been considered to be acceptable to Members.

Car parking is provided to the front elevation of the properties within a communal area. The extent of the hardstanding is substantial, however a generous area of soft landscaping is proposed, particularly close to the highway to soften the appearance of the parking area.

Standard of Residential Accommodation

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

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

Table 3.3 of the London Plan requires a Gross Internal Area of 130sqm for a four bedroom dwelling. These space standards have been met and the submitted sectional drawings indicate a suitable head height for each floor. The shape, size and layout of the rooms in the proposed building are considered satisfactory. All habitable rooms would have satisfactory levels of light and outlook. The size and scale of the private amenity space are considered to be acceptable.

Impact on Residential Amenity

The Inspector previously found that the impact upon neighbouring amenity was acceptable given that there is a significant degree of vegetation along the property boundaries of the application site which currently affords a high level of screening and protects the privacy of neighbouring properties. In addition, No. 3a Southill Road is set up on a land level much higher than the application site and the development will not result in the possibility of direct overlooking as the land levels and vegetation screening will continue to protect the privacy and amenities of the residents of neighbouring properties and the future occupiers of 'Jason' itself. The introduction of the additional roof bulk proposed would be minor and would not create any further issues of overshadowing, loss of light or visual impact for neighbouring properties.

Whilst this is a material consideration, it is noted that the footprint of the properties under ref. 17/00988 extended further to the rear and closer to the boundary with Nos. 3 and 3a Southill Road than that which was previously considered. Despite this, the separation to these neighbouring dwellings was considered acceptable by Members. The trees within the site largely prevent inter-visibility between the site and the neighbouring dwellings. Whilst the development encroaches into the canopy spread of the tree closest to the boundary, this tree is to be retained and the Arboricultural Officer has previously commented that the development would not impact on this tree subject to safeguarding conditions. The retention of the high level planting is considered pertinent to the protection of current living conditions of neighbouring properties and therefore conditions are recommended to protect them.

The floor plans submitted as part of the application indicate that the flank windows would serve non-habitable rooms, therefore these could be obscurely glazed by way of condition in order to protect the amenities of neighbouring properties.

Parking and Highway Safety

Yester Road is a classified road, a local distributor and although the site is within walking distance of Elmstead Woods station it is within a low (2) PTAL area.

The proposed site plan shows a shared centralised access way with parking located around a joint forecourt area. A pedestrian access is also provided adjacent to the railway bridge and to the north-east of the site. The proposed car parking area is considered to be acceptable, with an access which is wide enough for two cars to pass one another. No objections are raised in principle from a highway safety perspective subject to conditions and the parking and access arrangements remain as permitted under ref. 17/00988.

Other Matters

The site is located adjacent to the railway and Network Rail has raised no objections. The site is also located within Flood Zone 2 and the submitted Flood Risk Assessment has been referred to the Environment Agency. The details of the submitted Flood Risk Assessment are considered to be acceptable by the Council and it is concluded that the risk of flooding is low. A suitable condition can be imposed to ensure appropriate measures are taken.

Summary

Having had regard to the above it was considered that the development in the manner proposed is acceptable in that it would not impact detrimentally on the character of the Conservation Area and would not be detrimental to the amenities of adjoining neighbours. No impact on highway safety or would result and the standard of accommodation for future occupants is considered to be acceptable. It is therefore recommended that Members grant planning permission.

Background papers referred to during production of this report comprise all correspondence on the file ref(s). 13/04033/FULL1, 15/01844/FULL1, 17/00988/FULL1, 17/03264/FULL1 and 17/03427/FULL1 set out in the Planning History section above, excluding exempt information.

RECOMMENDATION: PERMISSION

and the following conditions:

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

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

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

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

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

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

- 4** No trees on the site shall be felled, lopped, topped or pruned before or during building operations except with the prior agreement in writing by the Local Planning Authority. Any trees removed or which die through lopping, topping or pruning shall be replaced in the next planting season with trees of such size and species as may be agreed with the Authority.

Reason: In order to comply with Policy NE7 of the Unitary Development Plan and to ensure that as many trees as possible are preserved at this stage, in the interest of amenity.

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

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

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

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

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

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

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

The statement shall include details of:

Type and siting of protective fencing, and maintenance of protective fencing for the duration of project;
Type and siting of scaffolding (if required);
Details of the method and timing of demolition, site clearance and building works
Depth, extent and means of excavation of foundations and details of method of construction of new foundations
Location of site facilities (if required), and location of storage areas for materials, structures, machinery, equipment or spoil, and mixing of cement or concrete;
Location of bonfire site (if required);
Details of the location of underground services avoiding locating them within the protected zone
Details of the method to be used for the removal of existing hard surfacing within the protected zone
Details of the nature and installation of any new surfacing within the protected zone
Methods proposed for the watering of the trees during the course of the project

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

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

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

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

- 10** Details of the windows (including rooflights and dormers where appropriate) including their materials, method of opening and drawings showing sections through mullions, transoms and glazing bars and sills, arches, lintels and reveals (including dimension of any recess) shall be submitted to and approved in writing by the Local Planning Authority

before any work is commenced. The windows shall be installed in accordance with the approved details.

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

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

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

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

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

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

Reason: In order to comply with Policy 5.13 of the London Plan and the ensure the satisfactory drainage of the site.

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

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

13 Before commencement of the development hereby permitted details of (a) turning area(s) within the site shall be submitted to and approved in writing by the Local Planning Authority. The turning area(s) shall be

provided before any part of the development is first occupied and shall be permanently retained thereafter.

Reason: In order to comply with Policies T3 and T18 of the Unitary Development Plan and to enable vehicles to enter and leave the site in a forward direction, in the interest of pedestrian and vehicular safety.

- 14 No wall, fence or hedge on the front boundary or on the first 2.5 metres of the flank boundaries shall exceed 0.6m in height, and these means of enclosure shall be permanently retained as such.

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

- 15 Before any part of the development hereby permitted is first occupied that part of a sight line of 43m x 2.4m x 43m which can be accommodated within the site shall be provided in both directions at the junction with Yester Road and with the exception of trees selected by or the Local Planning Authority no obstruction to visibility shall exceed 0.6m in height in advance of this sight line, which shall be permanently retained as such.

Reason: In order to comply with Policy T18 of the Unitary Development Plan and to ensure that the proposal does not prejudice the free flow of traffic and conditions of general safety along the adjoining highway.

- 16 Before the access hereby permitted is first used by vehicles, it shall be provided with 3.3m x 2.4m x 3.3m visibility splays and there shall be no obstruction to visibility in excess of 0.6m in height within these splays except for trees selected by the Local Planning Authority, and which shall be permanently retained thereafter.

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

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

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

- 18 The arrangements for storage of refuse (which shall include provision for the storage and collection of recyclable materials) and the means of enclosure shown on the approved drawings shall be completed before any part of the development hereby permitted is first occupied, and permanently retained thereafter.

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

- 19 Before any part of the development hereby permitted is first occupied, bicycle parking for 2 cycles per unit (including covered storage facilities

where appropriate) shall be provided at the site in accordance with details to be submitted to and approved in writing by the Local Planning Authority, and the bicycle parking/storage facilities shall be permanently retained thereafter.

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

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

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

- 21 The existing access shall be stopped up at the back edge of the highway before any part of the development hereby permitted is first occupied in accordance with details of an enclosure to be submitted to and approved in writing by the Local Planning Authority. The approved enclosure shall be permanently retained as such.

Reason: In order to comply with Policy T11 of the Unitary Development Plan and in the interest of pedestrian and vehicular safety.

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

Reason: In order to comply with Policy 5.13 of the London Plan and to ensure the satisfactory drainage of the site.

- 23 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.

- 24 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.

- 25** Details of flood prevention and mitigation measures shall be implemented as set out in the Flood Risk Assessment submitted under the application hereby permitted and shall be permanently maintained thereafter.

Reason: In order to comply with Policy 5.12 of the London Plan and in order to minimise flood risk.

- 26** 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.

- 27** A Stage 3 Audit should be submitted to and approved in writing by the local Planning Authority following satisfactory completion of the works and before they are opened to road users.

Reason: In order to comply with Policies T3 and T18 of the Unitary Development Plan and in order to ensure the safety of the site for road users.

- 28** No loose materials shall be used for surfacing of the parking and turning area hereby permitted.

Reason: In order to comply with Policy T18 of the Unitary Development Plan and in the interests of highway safety.

- 29** The development hereby permitted shall not commence until the purchase of the adjoining land required to achieve the suitable sightline at the site is completed.

Reason: In order to comply with Policy T18 of the Unitary Development Plan and in the interests of highway safety.

- 30** a) The building shall be designed so as to provide sound insulation against external noise and vibration, to achieve levels not exceeding 30dB LAeq (night) and 45dB LAm_{ax} (measured with F time weighting) for bedrooms, 35dB LAeq (day) for other habitable rooms, with window shut and other means of ventilation provided. External amenity areas shall be designed to achieve levels not exceeding 55 dB LAeq (day) and the evaluation of human exposure to vibration within the building shall not exceed the Vibration dose values criteria 'Low probability of adverse comment' as defined BS6472.

(b) Development shall not commence until details of a sound insulation scheme complying with paragraph (a) of this condition have been submitted to an approved in writing by the local planning authority.

(c) The development shall not be occupied until the sound insulation scheme approved pursuant to paragraph (b) has been implemented in its entirety. Thereafter, the sound insulation scheme shall be maintained in perpetuity 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 amenity 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 are advised that this application may be liable for the payment of the Mayoral Community Infrastructure Levy under the Community Infrastructure Levy Regulations (2010) and the Planning Act 2008. The London Borough of Bromley is the Collecting Authority for the Mayor and this Levy is payable on the commencement of development (defined in Part 2, para 7 of the Community Infrastructure Levy Regulations (2010). It is the responsibility of the owner and /or person(s) who have a material interest in the relevant land to pay the Levy (defined under Part 2, para 4(2) of the Community Infrastructure Levy Regulations (2010).**

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

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

- 3 Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Water's pipes. The developer should take account of this minimum pressure in the design of the proposed development.**
- 4 You are advised to contact Network Rail Asset Protection Kent prior to the commencement of any works at the site in order to ensure all operations at the site are carried out without damage to or encroachment onto Network Rail land.**
- 5 Any repositioning, alteration and/ or adjustment to street furniture or Statutory Undertaker's apparatus, considered necessary and practical to help with the modification of vehicular crossover hereby permitted, shall be undertaken at the cost of the applicant.**

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

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

Application:17/03264/FULL1

Address: Jason Yester Road Chislehurst BR7 5HN

Proposal: Demolition of existing bungalow and erection of a three storey pair of semi-detached dwellings with accommodation in roof space



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

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

Application No : 17/03287/FULL1

Ward:
Orpington

Address : 257 - 259 High Street Orpington BR6
0NY

OS Grid Ref: E: 546208 N: 166088

Applicant : Mr A. Low

Objections : YES

Description of Development:

Alterations to existing building including replacement and addition of windows, installation of render to facades, repositioning and part enclosure of fire escape stair and erection of terraces at 2nd and 3rd floor levels

Key designations:

Smoke Control SCA 29

Proposal

Prior approval was granted in March 2017 (ref.17/00266) for the change of use of the second and third floors of Nos.251-259 High Street, Orpington from Class B1(a) offices to Class C3 residential to form 34 flats (22 studios and 12 one bedroom flats). Ten car parking spaces were proposed within the rear parking area accessed from Gravel Pit Way, and sheltered cycle parking was provided for 34 bicycles.

The approval was subject to conditions inter alia to prevent residents from applying for residents parking permits, and giving residents membership of the local car club.

Planning permission is now sought for alterations to the existing building in order to accommodate the conversion of the second and third floor into 34 flats which comprise the replacement and addition of windows, the installation of render to the facades, the repositioning and part enclosure of the fire escape stair, and the addition of terraces/balconies.

An application has also been submitted to add a fourth floor containing an additional 9 flats (ref.17/03781) which is under consideration elsewhere on the agenda.

Location

The site is located on the eastern side of the High Street within the Primary Shopping Frontage, and backs onto Gravel Pit Way. It contains retail uses on the ground and first floors, and vacant office space on the second and third floors.

Residential dwellings in Homefield Rise back onto the rear part of the site, whilst dwellings in Lancing Road lie some distance away on the opposite side of Gravel Pit Way.

Consultations

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

- * overdevelopment of the site
- * overlooking of nearby dwellings and gardens from balconies and windows
- * increase in noise and disturbance from increased number of residents in the area
- * inadequate parking
- * increased traffic
- * bin stores unacceptable next to residential gardens
- * parking at the rear would cause difficulties with deliveries to the shops
- * the fire escape should be fully enclosed to prevent antisocial behaviour
- * the screening proposed to balconies is inadequate
- * nearby development proposals will already impact on the area
- * the proposed residential units are cramped
- * detrimental impact on pedestrian safety.

Comments from Consultees

Highways consider that conditions 3 (lighting of the access road and parking area), 4 (prevention of a residents' parking permit) and 5 (membership of the car club for residents) imposed under the Prior Approval application (ref.17/00266) have not be addressed under the current application. However, the current application is just for external changes to the building, and the proposed conversion to 34 flats would still be subject to the conditions imposed under the Prior Approval granted.

No objections are raised to the proposals from the Council's Environmental Health (Pollution) Officer.

Planning Considerations

The following policies of the Unitary Development Plan are of relevance to this application:

BE1 Design of New Development

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 37 - General Design of Development

Conclusions

The use of the second and third floors of this building for 34 flats has already been established by the Prior Approval application granted in March 2017, therefore, the main issues in this case are the impact of the proposed external changes to the building on the character and appearance of the area, and on the amenities of neighbouring residential properties. This application must be considered as a stand alone proposal which could be implemented independently of the change of use prior approval.

Impact on character and appearance of the area

With regard to the impact on the street scene, the proposed second floor replacement windows in the front elevation would be of a different size and design to the first floor windows, but this would not detract from the overall appearance of the building. The third floor is set back approximately 7m from the front elevation of the building, and the proposed addition of balconies would not be very visible within the street scene. The use of render to the front elevation would not detract from the appearance of the building.

The changes to the rear part of the building involve amendments to the arrangement of windows, the addition of side-facing balconies, and the re-positioning and part enclosure of

the fire escape staircase. The rear elevation would be rendered, and the side elevations would be a mixture of brick and render. The appearance of the building would not be harmed by the proposed changes, and it would not appear out of character with the surrounding area.

Impact on residential amenity

The existing building has windows at second and third floor level in the northern flank elevation which currently overlook the neighbouring dwellings in Homefield Rise and their rear gardens, and although the proposed installation of balconies in this elevation may give rise to some additional overlooking of these properties or the perception of being overlooked, there would be a separation of 30m between the second floor terraces (which would have 1.8m high opaque screens surrounding them) and the adjacent dwellings, whilst the third floor balconies would be set a further 5m back. On balance, these changes are not considered to significantly add to the overlooking, or sense of overlooking, of these dwellings to warrant a refusal on residential amenity grounds.

Concerns have also been raised by residents in Lancing Road whose properties back onto Gravel Pit Way regarding overlooking from balconies on the southern flank elevation of the building, however, these dwellings are situated some distance away from the building (80-100m), and the terraces and balconies proposed in the southern elevation would be largely screened from these properties by the enclosed fire escape staircase towards the rear of the building, and by 1.8m high opaque screens to the terraces. The proposals are not therefore considered to cause undue overlooking of neighbouring properties in Lancing Road.

Conclusion

The proposed external changes to the building are not therefore considered to have a significantly detrimental impact on the character and appearance of the area, nor on the amenities of neighbouring residential properties.

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

RECOMMENDATION: PERMISSION

Subject to the following conditions:

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

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

- 2 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 Details of the means of privacy screening for the terraces 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 and permanently retained as such.**

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

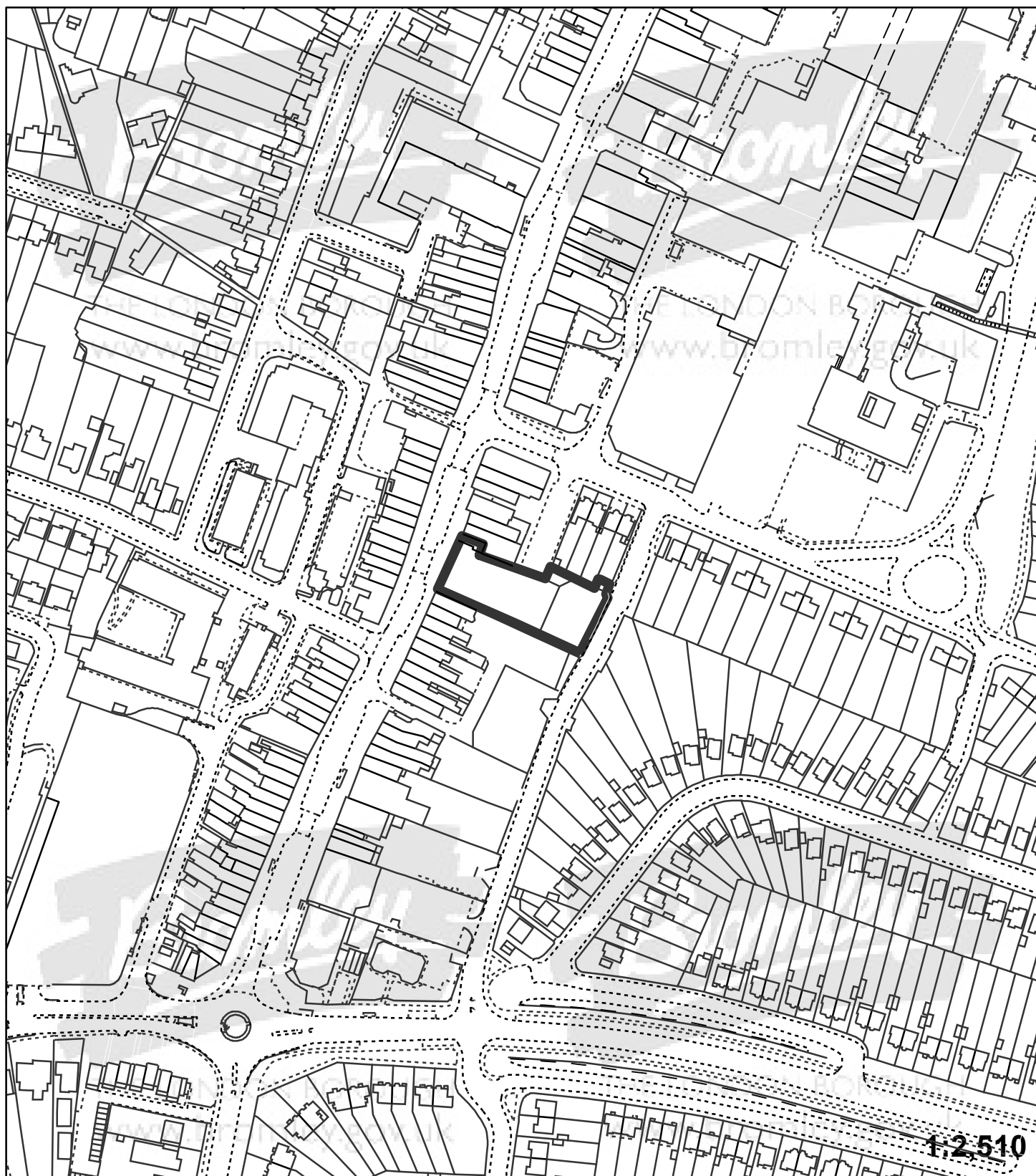
You are further informed that:

- 1 The conditions attached to the prior approval for the conversion of the second and third floors of the building into 34 flats (ref.17/00266) still apply and must be complied with.**

Application:17/03287/FULL1

Address: 257 - 259 High Street Orpington BR6 0NY

Proposal: Alterations to existing building including replacement and addition of windows, installation of render to facades, repositioning and part enclosure of fire escape stair and erection of terraces at 2nd and 3rd floor levels



"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 : 17/03427/FULL1

Ward:
Chislehurst

Address : Jason Yester Road Chislehurst BR7
5HN

OS Grid Ref: E: 542590 N: 170254

Applicant : Mr Justin Laurence

Objections : YES

Description of Development:

Demolition of existing bungalow and erection of a three storey pair of semi-detached dwellings with accommodation in roof space

Key designations:

Conservation Area: Chislehurst
Biggin Hill Safeguarding Area
London City Airport Safeguarding
Open Space Deficiency
Sites of Interest for Nat. Conservation
Smoke Control SCA 16

Proposal

Permission is sought to demolish the existing bungalow at the site and construct two semi-detached dwellings. Each four bedroom house will have three storeys with accommodation in the roof space with front and rear dormer extensions. Each dwelling will have a private rear garden, private driveways and associated car parking and shared access utilising the existing vehicular access onto Yester Road.

Following the grant of planning permission ref. 17/00988 for a similar development at Plans Sub-Committee on 9th May 2017, the current proposal differs from the permitted design with the introduction of a single storey side extension to each of the houses. Each extension will have a flat roof with a height of 3.6m, a width of 2.3m and a length of 12m. The extensions will provide the main front door to each house.

The dwellings will be staggered on the plot, each house having a length of 17m and a width of 8.5m. The roof will be pitched with a maximum height of 12.2m.

Location

The application site is located to the northern edge of Yester Road and is situated opposite the junction with Lubbock Road to the south with the railway bridge immediately to the west. The site currently features a single storey detached dwelling. Yester Road is characterised by large detached dwellings of various designs and styles, with the topography being that of a long, moderately steep hill to the east and Lubbock Road increasing up hill to the south.

To the east of the site is Southill Road and the properties to the western edge of this adjoin the eastern and northern boundaries of the site.

Comments from Local Residents

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

- Construction of two dwellings would overdevelop the site and introduce excessive bulk. A single dwelling would be more appropriate for the site.
- Detrimental impact on road safety due to the dangerous access, increase in vehicles and increase in on-street parking.
- Detrimental impact on the character of the Conservation Area.

Consultations

Highways – the proposal provides suitable parking access and visibility sightlines, subject to the purchase of neighbouring land and the removal of a detached garage and section of fencing. A Grampian style condition will be required to secure the purchase of the neighbouring land and the removal of the items obscuring the required sightline. Standard conditions are also recommended, including a Stage 3 Road Safety Audit.

Drainage – the applicant is advised that SUDS measures must be maximised on site and post discharge rate should be at greenfield run-off rate. A standard condition is recommended.

Environment Agency – no comments made and reference made to the Standing Advice.

Environmental Health (Pollution) – no objections raised subject to a standard condition.

Network Rail – no objections were raised to the previous application subject to the development being undertaken without encroachment onto or damage to Network Rail land and infrastructure.

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

Tree Officer – no comments made.

Considerations

National Planning Policy Framework, 2012

- | | |
|------------|---|
| Chapter 4 | Promoting Sustainable Transport |
| Chapter 6 | Delivering a Wide Choice of High Quality Homes |
| Chapter 7 | Requiring Good Design |
| Chapter 12 | Conserving and Enhancing the Historic Environment |

The following London Plan policies are also a material consideration:

- | | |
|-----|--|
| 3.3 | Increasing Housing Supply |
| 3.4 | Optimising Housing Potential |
| 3.5 | Design and Quality of Housing Developments |
| 3.8 | Housing Choice |
| 5.1 | Climate Change |
| 5.2 | Minimising Carbon Dioxide Emissions |

- 5.3 Sustainable Design and Construction
- 5.13 Sustainable Drainage
- 6.9 Cycling
- 6.13 Parking
- 7.4 Local Character
- 7.6 Architecture

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

- Policy BE1 – Design of New Development
- Policy BE11 – Conservation Areas
- Policy BE14 – Trees in Conservation Areas
- Policy H7 – Housing Density and Design
- Policy H9 – Side Space
- Policy NE7 – Development and Trees
- Policy T3 – Parking
- Policy T18 Road Safety

- Supplementary Planning Guidance 1 – General Design Principles
- Supplementary Planning Guidance 2 – Residential Design Guidance
- The Supplementary Planning Guidance for the Chislehurst Conservation Area

Emerging Local Plan

The Council is preparing a Local Plan and the final consultation on its proposed submission draft of the Local Plan closed on December 31st 2016 (under The Town and Country Planning (Local Planning) (England) Regulations 2012 as amended). The updated Local Development Scheme was submitted to Development Control Committee on November 24th 2016 and Executive Committee on November 30th 2016, and indicated the submission of the draft Local Plan to the Secretary of State in mid-2017. These documents are a material consideration. The weight attached to the draft policies increases as the Local Plan process advances.

- Draft Policy 1 – Housing Supply
- Draft Policy 4 – Housing Design
- Draft Policy 8 - Side Space
- Draft Policy 30 - Parking
- Draft Policy 32 – Highways Safety
- Draft Policy 37 – General Design of Development
- Draft Policy 41 – Conservation Areas
- Draft Policy 73 – Development and Trees
- Draft Policy 116 – Sustainable Urban Drainage Systems (SUDS)
- Draft Policy 123 – Sustainable Design and Construction

Planning History

Planning permission was granted under ref. 17/00988 for extensions to existing bungalow to form two semi-detached three storey dwellings with accommodation in roof space

Application ref. 13/03112 for the demolition of the existing dwelling and the erection of a three storey block of 6 flats was refused (together with the associated conservation area consent on the grounds that there would not be suitable replacement) on the grounds that:

1. "The proposal constitutes a cramped form of development by reason of its scale and design, resulting in an overdevelopment of the site, contrary to Policies BE1 and H7 of the Unitary Development Plan, Policy 3.4 of the London Plan and the National Planning Policy Framework."
2. "The proposal, by reason of its scale and design, fails to integrate into and respect the setting of its surroundings and is detrimental to the prevailing character of the Chislehurst Conservation Area, contrary to Policies BE1, BE11 and H7 of the Unitary Development Plan, Policy 3.4 of the London Plan and the National Planning Policy Framework."
3. "The proposal would, by reason of its scale, mass, bulk and design, result in a detrimental impact upon the visual amenity and prospect which neighbouring residents might reasonably expect to be able to continue to enjoy, contrary to Policy BE1 and H7 of the Unitary Development Plan."
4. "The proposed means of access to the site would be inadequate to meet the needs of the development in respect of provision of adequate visibility as such the proposal would be prejudicial to highway safety and contrary to Policy T18 of the Unitary Development Plan."

A subsequent appeal was dismissed, however the Inspector's reasons and comments in reaching this decision are material to the current proposal.

In summary, the Inspector concluded that on grounds 1, 2 and 3 the development was acceptable and dismissed the appeal on ground 4 - highway implications. The Inspector stated:

"Notwithstanding that the character and appearance of the Conservation Area would be preserved, and that the development would result in less than substantial harm to the Conservation Area as an heritage asset, or my findings in relation to the effect on the living conditions of the neighbouring occupiers, and the effect on highway safety of the proposed off street parking provision, the material harm identified to highway safety from the inadequacies of the sight lines of the proposed access arrangements is substantial and overriding. It significantly and demonstrably outweighs the limited benefits of a very marginal increase in the supply of housing in the area."

A subsequent application, reference 12/01812, for a three storey block of 1 three bedroom and 6 two bedroom flats with accommodation within the roofspace and associated parking and landscaping was refused on the grounds that:

1. "The proposal constitutes a cramped form of development by reason of its scale and design, resulting in an overdevelopment use of the site, contrary to Policies BE1 and H7 of the Unitary Development Plan, Policy 3.4 of the London Plan and the National Planning Policy Framework."
2. "The proposal, by reason of its scale and design, fails to integrate into and respect the setting of its surroundings and is detrimental to the prevailing character of the Chislehurst Conservation Area, contrary to Policies BE1, BE11 and H7 of the Unitary Development Plan, Policy 3.4 of the London Plan and the National Planning Policy Framework."
3. "The proposal would, by reason of its scale, mass, bulk and design, result in a detrimental impact upon the visual amenity and prospect which neighbouring

residents might reasonably expect to be able to continue to enjoy, contrary to Policy BE1 and H7 of the Unitary Development Plan."

4. "The proposed means of access to the site would be inadequate to meet the needs of the development in respect of provision of adequate visibility as such the proposal would be prejudicial to highway safety and contrary to Policy T18 of the Unitary Development Plan."

An associated Conservation Area Consent for the demolition of the existing dwelling was refused on the grounds that:

"In the absence of a planning permission for a suitable replacement building, it would be premature to grant consent for the demolition of the existing building, thereby contrary to Policy BE12 of the Unitary Development Plan."

These decisions were dismissed at the same appeal as the application above (13/03112) and for the same reasons, namely highway safety.

Permission was refused by Members under 13/04033 for demolition of existing dwelling and erection of a three storey 8 bedroom detached dwelling with accommodation within the roofspace and associated landscaping, despite a positive recommendation.

This application was refused on the following grounds:

- o The proposed means of access to the site would be inadequate to meet the needs of the development in respect of provision of adequate visibility as such the proposal would be prejudicial to highway safety and contrary to Policy T18 of the Unitary Development Plan; and
- o The proposed development would give rise to an unacceptable degree of overlooking and loss of privacy to the occupiers of the adjoining residential dwellings thereby contrary to Policy BE1 of the Unitary Development Plan.

This decision was allowed on appeal.

A follow up application was received for major extensions to 'Jason' which was visually different to those as previously submitted and proposed a lower ridge and smaller building size. Application 15/01844/FULL6 - Two storey front extension, first floor extension to dwelling with balcony and terrace areas to rear, and front and rear dormer extensions within enlarged roof, was approved subject to conditions.

Conclusions

The main issues relating to the application are the effect that it would have on the character of the Chislehurst Conservation Area, the standard of accommodation provided for future occupants, the impact that it would have on the amenities of the occupants of surrounding residential properties and the impact on highway safety.

Principle of Development

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

The NPPF sets out in paragraph 14 a presumption in favour of sustainable development. In terms of decision-making, the document states that where a development accords with a local plan, applications should be approved without delay. Where a plan is absent, silent or relevant policies are out of date, permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits or specific policies in the Framework indicate development should be restricted. The document also encourages the effective use of land by reusing land that has been previously developed (brownfield land) and excludes gardens from the definition of previously developed land.

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

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

Size, Scale and Design

The Inspector's decision in considering the appeal for 13/04033 is a significant material consideration in the determination of any future proposal and indeed the grant of permission under ref. 17/00988 was considered with this in mind. The scheme allowed at Appeal under 13/04033 was for a three storey replacement dwelling with roofspace accommodation and front and rear dormer extensions. The impact of the scheme upon the character of the Conservation Area and the amenities of neighbouring residents was considered by the Inspector to be acceptable, and would preserve the character and appearance of the Chislehurst Conservation Area.

Application ref. 17/00988 proposed two dwellings on the site, whereas those schemes as previously considered at appeal were for one dwelling with subsequent approved applications also for one dwelling only. Whilst there is limited evidence of semi-detached properties within the street scene, the plot was considered to read as stand-alone in character, set away from other residential form when viewed from the highway and obscured by vegetation to the side and rear boundaries. As a result, the principle of providing two semi-detached properties on the site was considered to be acceptable by Members.

In terms of the building currently proposed, the massing, scale and design of the built form is commensurate to that as approved within the previous application, being of 3 storey construction with roof accommodation and of approximately 17m in width and depth. When considering the previous Inspector's comments regarding the overall bulk, scale and massing of the development, the scheme proposed is considered to be acceptable in this regard and closely matches that previously permitted by Members.

The design retains a traditional style based on classical proportions and using natural materials. The proposed single storey side extensions are considered to be modest in bulk and will not compete with the architecture of the building. The proposed front doors are within the front elevation of the extensions, rather than centrally as previously proposed. This is not considered to impact negatively in terms of design and appearance and it is considered that the proposal would therefore respect the character of the Conservation Area.

The submitted sectional drawings indicate the removal of land to the rear of the proposed footprint in order to accommodate the dwellings, resulting in the ground floor of each house not being sunken into the ground. The appearance of a three storey dwelling will therefore be similar for both the front and rear elevational view and this has previously been considered to be acceptable to Members.

Car parking is provided to the front elevation of the properties within a communal area. The extent of the hardstanding is substantial, however a generous area of soft landscaping is proposed, particularly close to the highway to soften the appearance of the parking area.

Standard of Residential Accommodation

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

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

Table 3.3 of the London Plan requires a Gross Internal Area of 130sqm for a four bedroom dwelling. These space standards have been met and the submitted sectional drawings indicate a suitable head height for each floor. The shape, size and layout of the rooms in the proposed building are considered satisfactory. All habitable rooms would have satisfactory levels of light and outlook. The size and scale of the private amenity space are considered to be acceptable.

Impact on Residential Amenity

The Inspector previously found that the impact upon neighbouring amenity was acceptable given that there is a significant degree of vegetation along the property boundaries of the application site which currently affords a high level of screening and protects the privacy of neighbouring properties. In addition, No. 3a Southill Road is set up on a land level much higher than the application site and the development will not result in the possibility of direct overlooking as the land levels and vegetation screening will continue to protect the privacy and amenities of the residents of neighbouring properties and the future occupiers of 'Jason' itself. The introduction of single storey side extensions will not create any further issues in terms of residential amenity and will not create further visual impact or loss of lighting to the neighbouring dwellings.

Whilst this is a material consideration, it is noted that the footprint of the properties under ref. 17/00988 extended further to the rear and closer to the boundary with Nos. 3 and 3a Southill Road than that which was previously considered. Despite this, the separation to these neighbouring dwellings was considered acceptable by Members. The trees within the site largely prevent inter-visibility between the site and the neighbouring dwellings. Whilst the development encroaches into the canopy spread of the tree closest to the boundary, this tree is to be retained and the Arboricultural Officer has previously commented that the development would not impact on this tree subject to safeguarding

conditions. The retention of the high level planting is considered pertinent to the protection of current living conditions of neighbouring properties and therefore conditions are recommended to protect them.

The floor plans submitted as part of the application indicate that the flank windows would serve non-habitable rooms, therefore these could be obscurely glazed by way of condition in order to protect the amenities of neighbouring properties.

Parking and Highway Safety

Yester Road is a classified road, a local distributor and although the site is within walking distance of Elmstead Woods station it is within a low (2) PTAL area.

The proposed site plan shows a shared centralised access way with parking located around a joint forecourt area. A pedestrian access is also provided adjacent to the railway bridge and to the north-east of the site. The proposed car parking area is considered to be acceptable, with an access which is wide enough for two cars to pass one another. No objections are raised in principle from a highway safety perspective subject to conditions and the parking and access arrangements remain as permitted under ref. 17/00988.

Other Matters

The site is located adjacent to the railway and Network Rail has raised no objections. The site is also located within Flood Zone 2 and the submitted Flood Risk Assessment has been referred to the Environment Agency. The details of the submitted Flood Risk Assessment are considered to be acceptable by the Council and it is concluded that the risk of flooding is low. A suitable condition can be imposed to ensure appropriate measures are taken.

Summary

Having had regard to the above it was considered that the development in the manner proposed is acceptable in that it would not impact detrimentally on the character of the Conservation Area and would not be detrimental to the amenities of adjoining neighbours. No impact on highway safety or would result and the standard of accommodation for future occupants is considered to be acceptable. It is therefore recommended that Members grant planning permission.

Background papers referred to during production of this report comprise all correspondence on the file ref(s). 13/04033/FULL1, 15/01844/FULL1, 17/00988/FULL1, 17/03264/FULL1 and 17/03427/FULL1 set out in the Planning History section above, excluding exempt information.

RECOMMENDATION: PERMISSION

and the following conditions:

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

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

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

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

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

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

- 4** No trees on the site shall be felled, lopped, topped or pruned before or during building operations except with the prior agreement in writing by the Local Planning Authority. Any trees removed or which die through lopping, topping or pruning shall be replaced in the next planting season with trees of such size and species as may be agreed with the Authority.

Reason: In order to comply with Policy NE7 of the Unitary Development Plan and to ensure that as many trees as possible are preserved at this stage, in the interest of amenity.

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

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

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

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

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

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

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

The statement shall include details of:

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

Type and siting of scaffolding (if required);

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

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

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

Location of bonfire site (if required);

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

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

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

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

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

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

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

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

- 10 Details of the windows (including rooflights and dormers where appropriate) including their materials, method of opening and drawings showing sections through mullions, transoms and glazing bars and sills, arches, lintels and reveals (including dimension of any recess) shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced. The windows shall be installed in accordance with the approved details.

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

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

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

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

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

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

Reason: In order to comply with Policy 5.13 of the London Plan and the ensure the satisfactory drainage of the site.

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

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

- 13 Before commencement of the development hereby permitted details of (a) turning area(s) within the site shall be submitted to and approved in writing by the Local Planning Authority. The turning area(s) shall be provided before any part of the development is first occupied and shall be permanently retained thereafter.

Reason: In order to comply with Policies T3 and T18 of the Unitary Development Plan and to enable vehicles to enter and leave the site in a forward direction, in the interest of pedestrian and vehicular safety.

- 14 No wall, fence or hedge on the front boundary or on the first 2.5 metres of the flank boundaries shall exceed 0.6m in height, and these means of enclosure shall be permanently retained as such.

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

- 15 Before any part of the development hereby permitted is first occupied that part of a sight line of 43m x 2.4m x 43m which can be accommodated within the site shall be provided in both directions at the junction with Yester Road and with the exception of trees selected by or the Local Planning Authority no obstruction to visibility shall exceed 0.6m in height in advance of this sight line, which shall be permanently retained as such.

Reason: In order to comply with Policy T18 of the Unitary Development Plan and to ensure that the proposal does not prejudice the free flow of traffic and conditions of general safety along the adjoining highway.

- 16 Before the access hereby permitted is first used by vehicles, it shall be provided with 3.3m x 2.4m x 3.3m visibility splays and there shall be no obstruction to visibility in excess of 0.6m in height within these splays except for trees selected by the Local Planning Authority, and which shall be permanently retained thereafter.

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

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

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

- 18 The arrangements for storage of refuse (which shall include provision for the storage and collection of recyclable materials) and the means of enclosure shown on the approved drawings shall be completed before any

part of the development hereby permitted is first occupied, and permanently retained thereafter.

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

- 19 Before any part of the development hereby permitted is first occupied, bicycle parking for 2 cycles per unit (including covered storage facilities where appropriate) shall be provided at the site in accordance with details to be submitted to and approved in writing by the Local Planning Authority, and the bicycle parking/storage facilities shall be permanently retained thereafter.

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

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

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

- 21 The existing access shall be stopped up at the back edge of the highway before any part of the development hereby permitted is first occupied in accordance with details of an enclosure to be submitted to and approved in writing by the Local Planning Authority. The approved enclosure shall be permanently retained as such.

Reason: In order to comply with Policy T11 of the Unitary Development Plan and in the interest of pedestrian and vehicular safety.

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

Reason: In order to comply with Policy 5.13 of the London Plan and to ensure the satisfactory drainage of the site.

- 23 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.

- 24 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.

- 25 Details of flood prevention and mitigation measures shall be implemented as set out in the Flood Risk Assessment submitted under the application hereby permitted and shall be permanently maintained thereafter.

Reason: In order to comply with Policy 5.12 of the London Plan and in order to minimise flood risk.

- 26 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.

- 27 A Stage 3 Audit should be submitted to and approved in writing by the local Planning Authority following satisfactory completion of the works and before they are opened to road users.

Reason: In order to comply with Policies T3 and T18 of the Unitary Development Plan and in order to ensure the safety of the site for road users.

- 28 No loose materials shall be used for surfacing of the parking and turning area hereby permitted.

Reason: In order to comply with Policy T18 of the Unitary Development Plan and in the interests of highway safety.

- 29 The development hereby permitted shall not commence until the purchase of the adjoining land required to achieve the suitable sightline at the site is completed.

Reason: In order to comply with Policy T18 of the Unitary Development Plan and in the interests of highway safety.

- 30 a) The building shall be designed so as to provide sound insulation against external noise and vibration, to achieve levels not exceeding 30dB LAeq (night) and 45dB LAmax (measured with F time weighting) for

bedrooms, 35dB LAeq (day) for other habitable rooms, with window shut and other means of ventilation provided. External amenity areas shall be designed to achieve levels not exceeding 55 dB LAeq (day) and the evaluation of human exposure to vibration within the building shall not exceed the Vibration dose values criteria 'Low probability of adverse comment' as defined BS6472.

(b) Development shall not commence until details of a sound insulation scheme complying with paragraph (a) of this condition have been submitted to an approved in writing by the local planning authority.

(c) The development shall not be occupied until the sound insulation scheme approved pursuant to paragraph (b) has been implemented in its entirety. Thereafter, the sound insulation scheme shall be maintained in perpetuity 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 amenity 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 are advised that this application may be liable for the payment of the Mayoral Community Infrastructure Levy under the Community Infrastructure Levy Regulations (2010) and the Planning Act 2008. The London Borough of Bromley is the Collecting Authority for the Mayor and this Levy is payable on the commencement of development (defined in Part 2, para 7 of the Community Infrastructure Levy Regulations (2010)). It is the responsibility of the owner and /or person(s) who have a material interest in the relevant land to pay the Levy (defined under Part 2, para 4(2) of the Community Infrastructure Levy Regulations (2010)).

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

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

- 3 Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Water's pipes. The developer should take account of this minimum pressure in the design of the proposed development.

- 4** You are advised to contact Network Rail Asset Protection Kent prior to the commencement of any works at the site in order to ensure all operations at the site are carried out without damage to or encroachment onto Network Rail land.
- 5** Any repositioning, alteration and/ or adjustment to street furniture or Statutory Undertaker's apparatus, considered necessary and practical to help with the modification of vehicular crossover hereby permitted, shall be undertaken at the cost of the applicant.
- 6.** Before works commence, the Applicant is advised to contact the Pollution Team of Environmental Health & Trading Standards regarding compliance with the Control of Pollution Act 1974 and/or the Environmental Protection Act 1990. The Applicant should also ensure compliance with the Control of Pollution and Noise from Demolition and Construction Sites Code of Practice 2008 which is available on the Bromley web site.

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

Application:17/03427/FULL1

Address: Jason Yester Road Chislehurst BR7 5HN

Proposal: Demolition of existing bungalow and erection of a three storey pair of semi-detached dwellings with accommodation in roof space



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

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

Application No : 17/03751/FULL6

Ward:
Copers Cope

Address : 37 Crescent Road Beckenham BR3 6NF

OS Grid Ref: E: 537864 N: 169157

Applicant : Mr & Mrs Tim and Myra Bright

Objections : NO

Description of Development:

Two storey side extension, single storey rear extension and covered veranda to the rear, facade infill to the existing first floor terrace and recessed ground floor entrance area

Key designations:

Biggin Hill Safeguarding Area
London City Airport Safeguarding
Smoke Control SCA 9
Smoke Control SCA 18
Smoke Control SCA 21

Proposal

The application site is two storey semi-detached property located on the southern side of Crescent Road, at the junction with Wickham Road. the site is not located within a Conservation Area, nor is the property listed.

Permission is sought for a part one/two storey side extension and covered veranda to the rear. At ground floor level it will project 4.5m from the flank elevation and will be 9.1m deep. It will be set back from the existing front elevation by 1.115m and will project beyond the existing rear elevation by 2.5m. At the rear, it will join a covered veranda which is 2.2m deep. At first floor level, it will project 4.5m from the flank elevation and will be 5.5m deep. The proposal also includes infilling the front entrance area and the existing first floor rear recessed balcony.

Consultations

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

The Councils Highways Officer raised no objection as the propose drive could provide off-street parking for two cars.

Planning Considerations

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

BE1 Design of New Development
H8 Residential Extensions
H9 Side Space

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

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

The site has been subject to a previous planning application:

- 98/01173/FUL - First floor side/two storey side extension - Refused 17.06.1998
- 17/03923/FULL6 - Demolition of the existing single storey side and rear extension. Erection of a single storey rear extension and covered veranda to the rear of the dwelling. Facade infill to the existing first floor terrace and recessed ground floor entrance area. Internal remodelling of the dwelling to provide enlarged open plan space and loft conversion with dormer window - Pending Consideration

Conclusions

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

Design, Siting and Layout.

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 site has been subject to a previous refusal under planning ref: 98/01173/FUL, for a first floor side/two storey side extension. The reason for refusal is as follows:

1. The proposed extension would be an unduly prominent and undesirable feature in the street scene by reason of its size and siting on this exposed corner contrary to Policy H.3 of the Unitary Development Plan.

This current proposal seeks permission for a part one/two storey side extension and covered veranda to the rear. At ground floor level it will project 4.5m from the flank elevation and will be 9.1m deep. It will be set back from the existing front elevation by 1.15m and will project beyond the existing rear elevation by 2.5m. At the rear, it will join a covered veranda which is 2.2m deep. At first floor level, it will project 4.5m from the flank elevation and will be 5.5m deep. The roof of the proposed extension will be pitched at an angle similar to the existing property and set down from the main ridge by 0.75m.

Policy H9 requires a minimum of 1m space from the side boundary of the site be retained for the full height and length of the flank wall of the building to prevent extensions which would be harmful to the spatial standards of its residential areas and an unrelated terracing effect. This is expected for the full height and length of the flank wall including any existing ground floor aspect. In order to prevent a cramped appearance which can lead to unrelated terracing and to safeguard the amenities of the neighbouring property. The proposal provides 4.45m side space to the western flank boundary. It is therefore considered that the proposal provides sufficient side space in order to comply with Policy H9 of the UDP.

The existing two storey dwelling is 8.3m wide with an existing single storey element projecting an additional 3.2m. The proposed two storey side extension will project 4.5m from the flank. Given the location, on a corner plot, the proposed extension would be highly visible from the street however it was noted on site that the western flank boundary,

fronting Wickham Road, is formed of established trees and vegetation which helps to reduce the visual impact. Furthermore, the proposed extension is set back 1.15m from the front elevation and set down from the main ridge. It is therefore considered that the proposal is subservient to the existing dwelling and would not result in a significant impact on the character of the host property or surrounding area.

The proposal also includes infilling the front entrance area and the existing first floor rear recessed balcony. From visiting the site it was noted that the adjoining property has already infilled both of these elements therefore it is considered to be in keeping with the adjoining property and will not harm the character or appearance of the area.

Impact on Adjoining Occupiers

Policy BE1 in the Adopted 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.

The proposed side extension will project from the western side of the property. The first floor will not project beyond the rear elevation. The ground floor element will project 2.5m beyond the rear elevation and will join the covered veranda. The veranda will have a flat roof over which projects 2.2m to the rear. It is considered that given the modest depth proposed, it is not considered to impact significantly on the amenities of the adjoining property, No.35. The proposed infilling of the ground floor entrance and the first floor rear balcony will mirror the works completed on the adjoining property, therefore they are not considered to impact on the amenities of this adjoining neighbour.

The application site is a corner plot therefore the rear boundary is shared with properties on Ashdown Close. Given the separation between these properties, the proposal is not considered to impact on the amenities of these neighbouring properties.

Highways

The site lies in an area with a low PTAL level of 2. The proposal includes widening the existing driveway which is considered sufficient for two off-street parking spaces. As such, no objection was raised from the Councils Highways Officer.

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.

RECOMMENDATION: PERMISSION

Subject to the following conditions:

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

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

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

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

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

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

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

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

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

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

- 6** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order amending, revoking and re-enacting this Order) no buildings or structures 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.

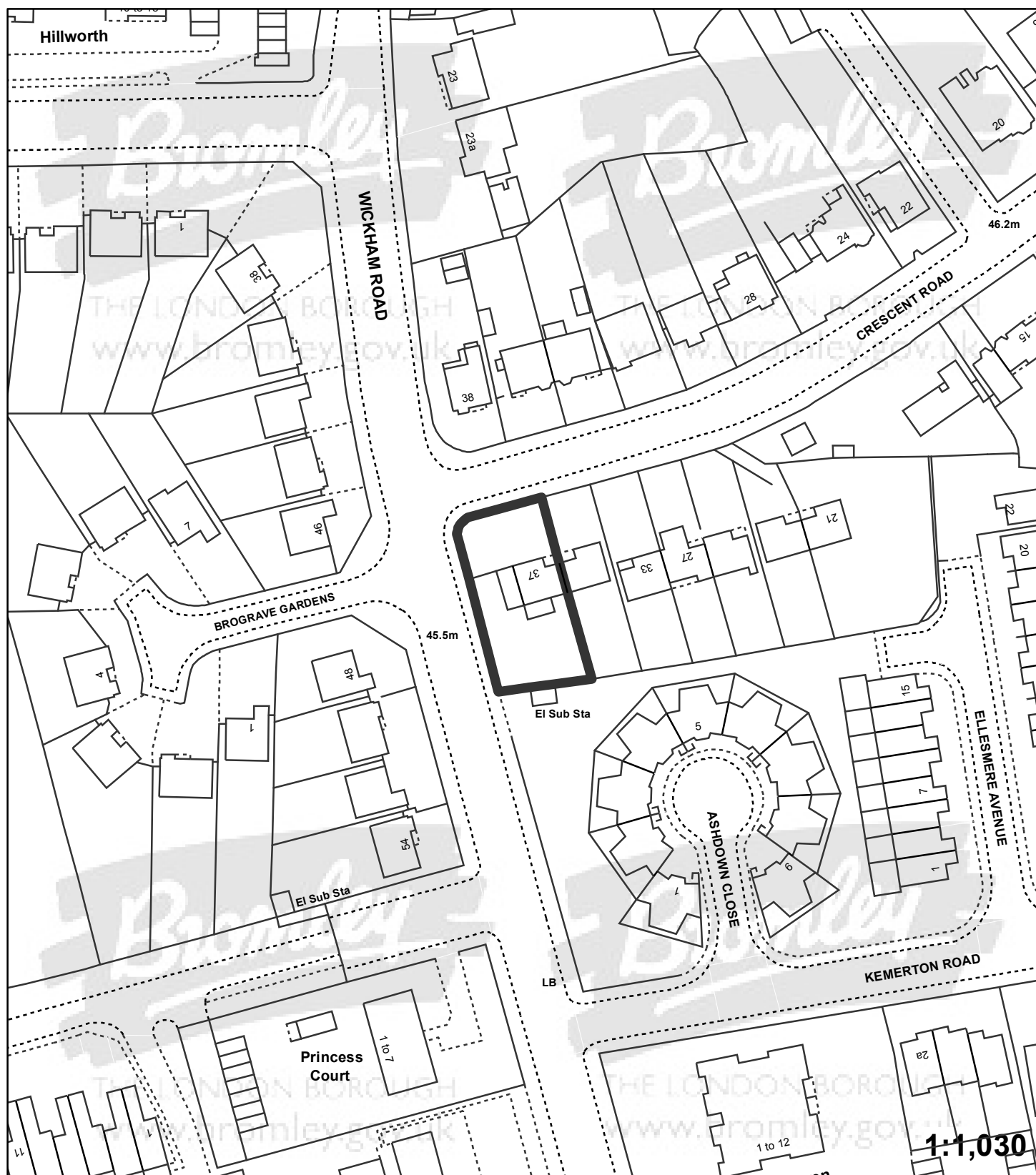
Reason: In the interests of the amenities of nearby residential properties and to prevent overdevelopment of the site and to accord with Policies BE1 and H8 of the Unitary Development Plan.

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Application:17/03751/FULL6

Address: 37 Crescent Road Beckenham BR3 6NF

Proposal: Two storey side extension, single storey rear extension and covered veranda to the rear, facade infill to the existing first floor terrace and recessed ground floor entrance area



"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 : 17/04102/FULL1

Ward:
Clock House

Address : 5A Villiers Road Beckenham BR3 4NR

OS Grid Ref: E: 535871 N: 169285

Applicant : Mr S Cooper

Objections : YES

Description of Development:

Demolition of the existing two storey detached dwelling and redevelopment of the site for a replacement two storey three bedroom detached dwelling with basement.

Key designations:

Biggin Hill Safeguarding Area
London City Airport Safeguarding
Smoke Control SCA 30

Proposal

Planning permission is sought for the demolition of the existing two storey detached dwelling and redevelopment of the site for a replacement two storey three bedroom detached dwelling with basement.

The building is two storey in form with an additional basement resulting in essentially a building with three levels. The building footprint is set back (approximately 3.5m) from the footway in line with the front elevation of No's 1 to 5 Villiers Road as existing and will measure at ground level on Villiers Road approximately 5.5m width by 12m depth to a maximum height at the roof ridge apex of 8m and 5m to the eaves. The basement level will be 13m depth and the first floor 11m depth. The height to the south east elevation facing properties on Kimberley Road will be 7m to the eaves due to ground level differences.

The footprint follows the boundary with properties at Kimberley Road at basement level. At ground and upper level it is set in from the flank boundaries by varying amounts between approximately 0.5m and 1.5m to the resultant property.

The buildings principle elevation will face Villiers Road. The rear garden curtilage will be tiered. Parking arrangements for two spaces are provided at the front and rear of the building respectively.

A traditional design approach is adopted for with a pitched roof and materials indicated as traditional brick and tile with sash style windows.

Location

The application site consists of a 3 bedroom two storey single dwelling with a single storey rear extension to the east and a private rear garden area. The site is north east facing and flanked on three sides by residential properties and is situated at the junction of Villiers Road and Carlys Close a residential cul-de-sac. Towards the south eastern boundary are the rear gardens of the properties which front Kimberley Road. These properties are situated at a much lower ground level to the site.

The site is not located within a conservation area nor is the building listed.

Consultations

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

- Much concern has been raised regarding dust/air pollution, noise and disturbance, length of time of the construction process and how this will all be controlled.
- Concerns regarding construction logistics and the effects on parking/congestion in Villiers Road.
- Concerns regarding the stability of the land during excavation.
- Concerns regarding responsibility for any potential issues caused by excavation and construction.
- Concerns that the proposal decreases security of properties on Kimberley Road.
- Concerns regarding maintenance of planting screen.
- It has also been commented that the overall proposal looks aesthetically positive and will be improvement from current imposing building.

Internal Consultations

Highways: The site location has a PTAL rating of 4 (moderate) where the Council's parking standards indicate that a minimum of 1 parking space should be provided. The plans indicate 2 spaces, one to the front and one to the rear of the dwelling. The space at the rear may be difficult to use as manoeuvring space could be restricted depending on parking opposite.

There are no objections to the proposal from the highway point of view.

Environmental Health: No objections to permission being granted.

Drainage: No objections. Standard drainage conditions recommended.

Planning Considerations

Relevant policies and guidance in the form of the National Planning Policy Framework (NPPF) (2012) and National Planning Practice Guidance (NPPG) include:

- 14: Achieving sustainable development
- 17: Principles of planning
- 29 to 32, 35 to 37: Promoting sustainable transport
- 49 to 50: Delivering a wide choice of high quality homes
- 56 to 66: Design of development

London Plan 2015:

- 3.3 Increasing Housing Supply
- 3.4 Optimising Housing Potential
- 3.5 Quality and Design of Housing Developments
- 3.6 Children and young people's play and informal recreation facilities
- 3.8 Housing Choice
- 3.9 Mixed and Balanced Communities
- 3.10 Definition of affordable housing
- 5.1 Climate change mitigation
- 5.2 Minimising Carbon Dioxide Emissions
- 5.3 Sustainable Design and Construction
- 5.7 Renewable Energy

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

Housing: Supplementary Planning Guidance. (March 2016)

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

Unitary Development Plan:

- BE1 Design of New Development
- BE7 Railings, Boundary Walls and Other Means of Enclosure
- ER7 Contaminated Land
- H1 Housing Supply
- H7 Housing Density and Design
- H9 Side Space
- NE7 Development and Trees
- T3 Parking
- T5 Access for People with Restricted Mobility
- T6 Pedestrians
- T7 Cyclists
- T16 Traffic Management and Sensitive Environments
- T17 Servicing of Premises
- T18 Road Safety

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

Emerging Bromley Local Plan:

The Council is preparing a Local Plan. 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 8 - Side Space
Draft Policy 30 - Parking
Draft Policy 32 - Road Safety
Draft Policy 33 - Access for All
Draft Policy 34 - Highway Infrastructure Provision
Draft Policy 37 - General design of development
Draft Policy 73 - Development and Trees
Draft Policy 77 - Landscape Quality and Character
Draft Policy 83 - Non Designated Employment Land
Draft Policy 96 - Local Neighbourhood Centres, Parades and individual Shops
Draft Policy 112 - Planning for Sustainable Waste management
Draft Policy 113 - Waste Management in New Development
Draft Policy 115 - Reducing flood risk
Draft Policy 116 - Sustainable Urban Drainage Systems (SUDS)
Draft Policy 117- Water and Wastewater Infrastructure Capacity
Draft Policy 118 - Contaminated Land
Draft Policy 119 - Noise Pollution
Draft Policy 120 - Air Quality
Draft Policy 122 - Light Pollution
Draft Policy 123 - Sustainable Design and Construction
Draft Policy 124 - Carbon dioxide reduction, Decentralise Energy networks and Renewable Energy

Planning History

12/02167/FULL1: Demolition of existing building and construction of detached two storey building comprising of 2 two bedroom flats with associated car parking, bicycle and bin store. Refused 03.09.2012.

The refusal reasons related to a cramped overdevelopment of the site by reason of the type and number of units proposed, resulting in an over intensive use of the site lacking in amenity space resulting in a retrograde lowering of spatial standards to which the area was at that time developed. The proposed development was also, by reason of its bulk, size and rearward projection considered to result in loss of outlook and prospect detrimental to the amenities of the residential properties located within Kimberley Road.

The application was subsequently appealed and dismissed on 12/02/2013. The Planning Inspector commented that the large footprint of the building together with the boundary wall would result in a property extending across the shared boundary with four properties on Kimberley Road and opined in nuce that the development would have an adverse effect on properties in Kimberley due to the increased height and being adjacent to the boundary.

Conclusions

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

- Principle of development
- The design and appearance of the scheme and the impact of these alterations on the character and appearance of the area and locality
- The quality of living conditions for future occupiers

- Access, highways and traffic Issues
- Impact on adjoining properties
- Sustainability and energy

Principle of development

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

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

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

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

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

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

Design

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.

The NPPF requires Local Planning Authorities to undertake a design critique of planning proposals to ensure that developments would function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development. Proposals must establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit; optimise the potential of the site to accommodate development, create and sustain an appropriate mix of uses and support local facilities and transport networks. Developments are required to respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation. New development must create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion; and are visually attractive as a result of good architecture and appropriate landscaping.

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 terms of where the intended building is to be located, the site is relatively constrained in its shape and form to all sides of the site. Its constraints therefore, are significant to create an acceptable scheme that can address the sites issues in terms of the plot constraints and spatial characteristics of the immediate locality.

Previously an application for a replacement residential block with upper and lower level flats on this site was refused. The refusal reasons behind this are detailed above. It is considered that the current proposal has overcome previous concerns.

The current scheme is lower in height than the existing building by 1.19m at the ridge point and set further away from the boundary to properties on Kimberley Road by between 0.5m and 1.5m which is considered to improve the massing relationship of the building substantially over the current situation on site. The depth of the replacement building is slightly deeper than that existing but is considered comparable. The minor extra depth is offset by the extra distance the flank wall will be from the adjoining boundary. Therefore, while the footprint distance to flank boundaries is less than policy normally requires, the proposed siting of the replacement building is a significant improvement on the current situation where the building abuts the flank boundary to the south east. It shall also be noted that much of the immediate context of the site is terrace housing.

Accordingly, the proposal would appear to be acceptable in relation to Policy H9 in this instance.

In terms of design, a traditional approach is indicated to the front elevation incorporating a hipped roof structure.

On balance, it is considered that the proposal retains the spatial layout, character and appearance of the area to the streetscene and the individual contribution of the proposed property will add to that character.

Standard of Residential Accommodation

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

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

The nationally described space standard requires a Gross Internal Area of 108m² for a three storey three bedroom dwelling house. The indicated floor space size of the dwellinghouse is well in excess of the provision at approximately 150m². On this basis the floorspace provision is considered to be acceptable.

The indicated shape, room size and layout of the rooms in the proposed building is considered satisfactory. None of the rooms would have a particularly convoluted layout which would limit their use. All habitable rooms would have satisfactory levels of light and outlook. Front basement rooms will have light wells and roof lights that allow sufficient levels of light ingress for the kitchen and bathrooms spaces indicated.

In terms of amenity the depth and proportions to the garden space provide a useable quality space for the purposes of the potential number of occupiers of a three bedroom family dwellinghouse. The provision is an improvement to that currently on site and is constrained by the site parameters. On balance the provision as detailed is commensurate with surrounding properties and considered acceptable.

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

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

Impact on Adjoining Properties

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

In terms of outlook, the fenestration arrangement will provide front and rear windows for the dwelling overlooking rear amenity space or overlooking front curtilage and the streetscene. Flank windows facing to properties on Kimberley Road are indicated to be to non habitable rooms. The basement flank windows will face the boundary wall with the

ground and first floor facing to the rear elevations of 46 to 50 Kimberley Road. Currently obscured flank windows exist in a similar position in the existing building. It is recommended that a planning condition maintains obscure glazing for these proposed windows in perpetuity.

Front located flank windows on the north east elevation looking directly over the entrance to Carlys Close and wider streetscene are not considered to overlook adjacent property. The central upper level stairwell window is recommended to be obscure glazed.

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

Highways and Car Parking

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

The Council's Highway Officer has reviewed the and not raised any objection to the level of parking provided at the site. It is therefore considered that there will be minimal impact on parking in the vicinity. Therefore, the proposal is considered generally acceptable from a highways perspective.

Cycle parking

Cycle parking is required to be 2 spaces for the provision of new dwellings. The applicant has not provided details of a location for cycle storage. A planning condition is recommended in this regard for further details.

Refuse

All new developments shall have adequate facilities for refuse and recycling. The applicant has not provided details of refuse storage area. A planning condition is recommended in this regard for further details of a containment structure and capacity.

Trees and landscaping.

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

An indicative landscaping layout has been submitted as shown on the proposed site plan drawing that details the areas given over to landscaping. Notwithstanding this full detail of hard and soft landscaping and boundary treatment is also recommended to be sought by condition as necessary.

Further details regarding the type and nature of the proposed planting screen would also be incorporated within the necessary detail of a landscaping scheme to be sought by condition.

Community Infrastructure Levy

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

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.

Other matters

It is noted that construction issues have been raised as a major concern of many neighbouring properties due site constraints, excavation and site level differences. A robust Construction Management Plan is recommended in this regard.

Summary

Having had regard to the above it was considered that the development would have a high quality design and would not have an unacceptable impact on the amenity of neighbouring occupiers. It is considered that the development would not be detrimental to the character and appearance 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.

RECOMMENDATION: PERMISSION

Subject to the following conditions:

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

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

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

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

- 3 The development hereby permitted shall be carried out strictly in accordance with the slab levels shown on the approved drawing(s).**

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

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

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

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

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

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

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

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

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

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

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

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

drainage works for the site based on sustainable drainage principles, and an assessment of the hydrological and hydro geological context of the development has been submitted to, and approved by, the Local Planning Authority. The surface water drainage strategy should seek to implement a SUDS hierarchy that achieves reductions in surface water run-off rates to Greenfield rates in line with the Preferred Standard of the Mayor's London Plan.

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

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

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

- 11 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.

- 12 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.

- 13 Before the development hereby permitted is first occupied, the proposed windows to the south east flank wall of the building and first floor central north west flank wall shall be obscure glazed in accordance with details to

be submitted to and approved in writing by the Local Planning Authority and shall subsequently be permanently retained as such.

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

- 14 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development Order) 2015 (or any order revoking and re-enacting that Order with or without modification), no windows shall be constructed in the south eastern side elevation of the hereby approved dwelling other than those indicated on the approved plans.

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.

- 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 in accordance with Policy 7.14 of the London Plan.

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

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

- 17 No extensions or alterations to the building(s) 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 Policies BE1 and H7 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.

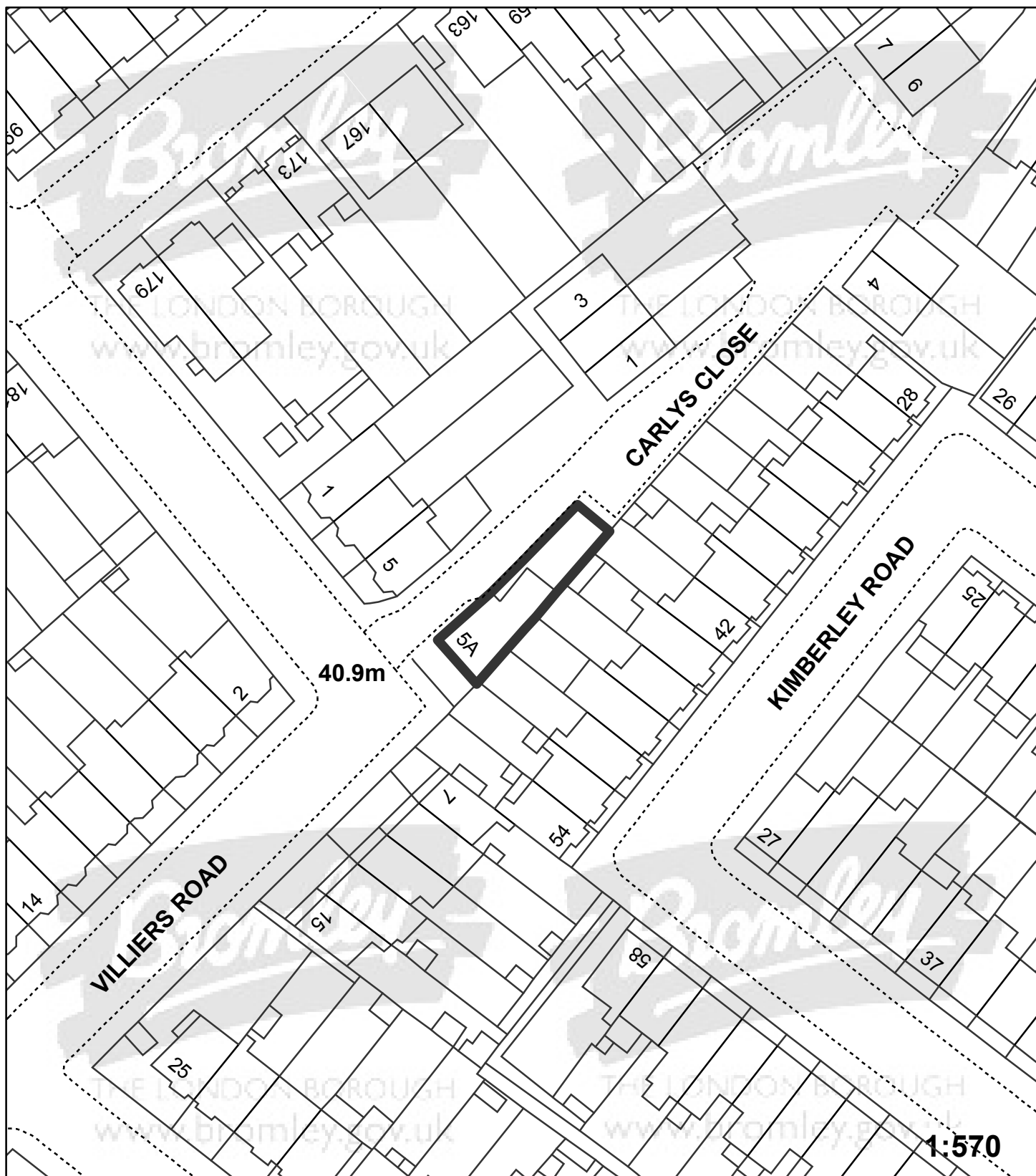
- 2** You are advised that this application may be liable for the payment of the Mayoral Community Infrastructure Levy under the Community Infrastructure Levy Regulations (2010) and the Planning Act 2008. The London Borough of Bromley is the Collecting Authority for the Mayor and this Levy is payable on the commencement of development (defined in Part 2, para 7 of the Community Infrastructure Levy Regulations (2010)). It is the responsibility of the owner and /or person(s) who have a material interest in the relevant land to pay the Levy (defined under Part 2, para 4(2) of the Community Infrastructure Levy Regulations (2010)). If you fail to follow the payment procedure, the collecting authority may impose surcharges on this liability, take enforcement action, serve a stop notice to prohibit further development on the site and/or take action to recover the debt. Further information about Community Infrastructure Levy can be found on attached information note and the Bromley website www.bromley.gov.uk/CIL
- 3** Conditions imposed on this planning permission require compliance with Part M4 of the Building Regulations. The developer is required to notify Building Control or their Approved Inspector of the requirements of these conditions prior to the commencement of development.
- 4** Before works commence, the Applicant is advised to contact the Pollution Team of Environmental Health & Trading Standards regarding compliance with the Control of Pollution Act 1974 and/or the Environmental Protection Act 1990. The Applicant should also ensure compliance with the Control of Pollution and Noise from Demolition and Construction Sites Code of Practice 2008 which is available on the Bromley web site.
- 5** If during the works on site any suspected contamination is encountered, Environmental Health should be contacted immediately. The contamination shall be fully assessed and an appropriate remediation scheme submitted to the Local Authority for approval in writing.
- 6** The applicant is advised that the development shall strive to achieve the fullest contribution to minimising carbon dioxide emissions in accordance with the hierarchy; Be Lean: use less energy; Be clean: supply energy efficiently and Be green: use renewable energy of Policy 5.2 of the London Plan.

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Application:17/04102/FULL1

Address: 5A Villiers Road Beckenham BR3 4NR

Proposal: Demolition of the existing two storey detached dwelling and redevelopment of the site for a replacement two storey three bedroom detached dwelling with basement.



"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 : 17/04389/FULL6

Ward:
West Wickham

Address : 94 Hayes Chase West Wickham BR4
0JA

OS Grid Ref: E: 538951 N: 167367

Applicant : Mr & Mrs Barker

Objections : YES

Description of Development:

Part one/two storey rear extension and first floor side extension

Key designations:

Area of Special Residential Character
Biggin Hill Safeguarding Area
London City Airport Safeguarding
Open Space Deficiency
Smoke Control SCA 2

Proposal

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

On the ground floor the rear extension would replace the existing conservatory and would have a depth of 4.3m, a width of 9.3m, an eaves height of 2.85m and a ridge height of 3.7m.

On the first floor the rear extension would have a depth of 4.3m, a width of 5.7m, an eaves height of 5.5m and a ridge height of 8.1m. The side extension would have a depth of 8m, a width of 2.7m, an eaves height of 5.5m and a ridge height of 8.1m.

The application site hosts a two storey detached dwelling on the Western side of Hayes Chase, West Wickham.

Consultations

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

- o Concerns regarding the height and proximity of the flank wall of the two storey section in regard to outlook and light for the adjoining occupiers at number 96

Planning Considerations

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

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

The following London Plan Policies are relevant:

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

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

Planning History

02/01325/FULL1; Single storey front and side extension; Permitted

Conclusions

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

Design and Bulk

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

The materials of the proposed extension would, in so far as practical match the existing property, as the extensions would be visible from the front this is considered to be an appropriate design solution. The extensions would be set down from the main ridge of the dwelling and would therefore appear subservient and would maintain the character and appearance of both the host dwelling and street scene.

Residential Amenity and Impact on Adjoining Properties

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

The dwelling at number 96 extends slightly past the rear of number 94 and the rear extensions would be set in 1m from the boundary, it is considered that on balance given the gap between the properties the impact on this adjoining occupier would not be so significant as to warrant refusal, especially given the height of the proposal and that the roof pitches away from the boundary.

The dwelling at number 92 also extends past the rear of number 94 and given the presence of an existing conservatory here and that the first floor element is set

approximately 5m from the common boundary it is considered that the impact on this neighbour would not be so significant as to warrant refusal of the application.

The first floor side extension would extend nearest the boundary at number 96 however given that the dwelling at number 96 has no first floor windows it is considered that there would be little amenity impact as a result of the first floor side extension.

There would be some impact on the first floor rear windows of number 96, however given the set in from the boundary, the pitch and height of the roof and the slight difference in building lines it is considered that on balance this would not be so significant as to warrant refusal of the application.

Side Space

The property currently benefits from a side extension towards the rear which is built up to the boundary, the side and rear extensions would not extend over this part which protrudes to the side and the first floor side extensions would provide exactly 1m.

It is considered therefore that given the set-back of 4.7m of the single storey side extension from the front of the dwelling and that the extensions would not extend over this element that this would not cause any harm to the character and appearance of the host dwelling or street scene and would not create any unrelated terracing or appear cramped within the street scene.

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 adjoining 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: 17/04398/FULL6 set out in the Planning History section above, excluding exempt information.

RECOMMENDATION: PERMISSION

Subject to the following conditions:

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

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

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

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

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

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

Application:17/04389/FULL6

Address: 94 Hayes Chase West Wickham BR4 0JA

Proposal: Part one/two storey rear extension and first floor side extension



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

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

Application No : 17/04398/FULL1

Ward:
Copers Cope

Address : 84 Albemarle Road Beckenham BR3
5HT

OS Grid Ref: E: 538852 N: 169531

Applicant : Albemarle Property 2 LLP

Objections : YES

Description of Development:

Demolition of existing dwelling and erection of a part three/part four storey building comprising 7 two bedroom and 2 three bedroom flats with associated parking, amenity space, refuse/cycle store together with alterations to vehicle access and associated landscaping

Key designations:

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

Proposal

Planning permission is sought for the demolition of existing two storey dwellinghouse and construction of a part three/part four storey building comprising 7 two bedroom and 2 three bedroom flats with associated parking, amenity space, cycle storage together with alterations to the existing vehicle access onto Albemarle Road.

The accompanying Design and Access Statement describes the scheme as being designed to complement the scale, form, layout and materials of adjacent buildings and the surrounding area, whilst protecting the amenities of the neighbouring properties by maintaining adequate separation to the boundary and through the stepped form of the structure. It also describes the design changes made since the grant of permission for a three storey block of 9 flats granted by Member on 16th March 2017 under ref. 16/05788.

A contemporary design approach is opted for within the scheme. The building footprint will measure approximately 27m width (22m previously permitted) and 20.5m in depth at the maximum extent (18.1m previously permitted). The height of the building will be approximately 12.2m at the highest roof point, replacing a building with a height of 8.2m and exceeding the height of the previously permitted building by 2.4m to incorporate a fourth storey. The footprint of the building has been arranged to address the triangular shape of the site with a 7m gap to No. 87, 3.0m to Albemarle Road and a minimum 4.5m gap to Cadogan Close. The building's main front elevation will face onto Albemarle Road.

Access and servicing will take place from Albemarle Road comprising the main existing vehicle access onto Albemarle Road. The car parking arrangement will accommodate 9

cars and an integral area proposed for 20 cycle spaces and separate refuse storage at the front of the site.

Private rear gardens are provided for the two ground floor flats. 5 of the 7 upper level flats will be provided with private balconies and a 91 sqm communal garden area is also proposed.

Materials are indicated as including render and timber cladding to the elevations of the building.

Location

The site is located on Albemarle Road close to the junction with Bromley road and comprises a two storey detached residential property. The site is located opposite the Sloane Hospital and approximately 400m to the west of Shortlands Station.

The adjacent property at No. 87A is a two storey residential detached dwelling. The property at No.87 Bromley Road is a part two-storey and part 3 storey residential building of six flats sited on higher ground to the application site. The surrounding area is characterised by a mix of residential housing types of predominantly three and four storeys, with flats located adjacent on Cadogan Close. Opposite the site at the end of Albemarle Road are Ibis Court, Vantage Point and Alexander Court which are three storey blocks of flats built in a contemporary modern design style.

The application site is not within a conservation area and the existing building is not listed.

Comments from Local Residents

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

- Excessive number of flats in close proximity. The proposal exceeds the scale of the previous application.
- Loss of the original character house impacts harmfully on the character of the area
- Insufficient car parking provision proposed and existing on the highway which will lead to parking problems and highway safety issues in surrounding roads.
- Noise and disturbance, pollution and light spillage

Consultations

Highways - The site is located in an area with a PTAL rate of 3 (on a scale of 0 – 6b, where 6b is the most accessible). Vehicular access – The access would be from Albemarle Road via a modified vehicular crossover leading to the car parking area. There is a street lamp column which may require relocating; the cost of the relocation would be at applicant's expense. Car parking- Nine parking would be provided; this is acceptable. Cycle parking- Twenty cycle parking spaces would be provided; this is satisfactory. Standard conditions are recommended.

Environmental Health (Pollution) – no objections raised subject to standard informatives.

Drainage - the submitted Planning Statement states that soakaways will be used to store surface water run-off which is an accepted measure to LPA. A standard condition is recommended.

Planning Considerations

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
- 5.1 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.
- 7.19 Biodiversity and Access to Nature
- 8.3 Community Infrastructure Levy

Housing: Supplementary Planning Guidance. (March 2016)

Technical Housing Standards - Nationally Described Space Standard (March 2015)

Unitary Development Plan:

- BE1 Design of New Development
- 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
- T11 New Accesses
- T18 Road Safety

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

Emerging Bromley Local Plan

The Council is preparing a Local Plan. 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 8 - Side Space
Draft Policy 30 - Parking
Draft Policy 31 - Relieving Congestion
Draft Policy 32 - Road Safety
Draft Policy 33 - Access for All
Draft Policy 37 - General Design of Development
Draft Policy 73 – Development and Trees
Draft Policy 77 - Landscape Quality and Character
Draft Policy 112 - Planning For Sustainable Waste Management
Draft Policy 113 - Waste Management in New Development
Draft Policy 115 - Reducing Flood Risk
Draft Policy 116 - Sustainable Urban Drainage Systems (SUDS)
Draft Policy 117- Water and Wastewater Infrastructure Capacity
Draft Policy 119 - Noise Pollution
Draft Policy 120 - Air Quality
Draft Policy 122 - Light Pollution
Draft Policy 123 - Sustainable Design and Construction
Draft Policy 124 - Carbon Dioxide Reduction, Decentralise Energy Networks and Renewable Energy

Planning History

Planning permission was granted under ref. 16/05788 for demolition of existing dwelling and erection of a three storey building comprising 6 one bedroom and 3 two bedroom flats with associated parking, amenity space, refuse/cycle store together with formation of a new vehicle access and associated landscaping

Planning permission was granted at No. 87A Bromley Road under ref. 16/02120 for demolition of existing two storey dwellinghouse and construction of a part 3 and 4 storey building comprising 9 x 2-bedroom flats with associated parking, amenity space, cycle storage together with formation of a new pedestrian access, relocated vehicle access and associated landscaping.

Conclusions

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

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

Principle of Development

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

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

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

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

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

The site is surrounded by residential dwellings. The site is currently developed for a less dense residential use with a single residential house on a large plot. Therefore, in this location the Council will consider a higher density residential infill development provided that it is designed to complement the character of surrounding developments, the design and layout make suitable residential accommodation, and it provides for garden and amenity space. The principle of development of this type at the site is established by the granting of permission ref. 16/05788. Any adverse impact on neighbouring amenity, conservation and historic issues, biodiversity or open space will need to be addressed. Therefore the provision of a replacement residential block 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 90 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 55-225 u/ha.

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

Design, Siting and Layout.

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 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 BE1 of the UDP requires new extensions to complement the scale, form, layout and materials of adjacent buildings and areas, and seeks to protect the amenities of neighbouring properties.

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.

The predominant urban character of this area is mixed in design form but with a similar scale and mass in the surrounding buildings which provides a coherent and identifiable built form. Therefore any replacement building on the application site with a greater scale and site coverage must be carefully considered. It is noted that there are three and four storey blocks surrounding the site as detailed above. Given the design sets the upper floor in from the lower levels and includes part three and four storey sections, the prominence of the proposed building is reduced within the street scene and the bulk of the building when viewed in the local context would not be excessive or out of character relative to neighbouring heights and masses. The building will be sited in close proximity to the front boundary of the site adjacent to Albemarle Road with sections of the three storey bulk sited in advance of the position previously granted, however the overall set back from the highway will match that previously consented and this is considered to result in a relationship in the street scene that would not be overly prominent. It is also noted that the building will be sited a significant distance from No. 82A Albemarle Road and therefore the building will not appear intrusive and will not break an established building line. It is also noted that the recently permitted building at No. 87A will be sited in closer proximity to the corner of Albemarle Road and Bromley Road than the existing building does. The result is that both new structures will form a new building line on this part of Albemarle Road that will be approximately 3.5m from the highway.

In terms of the design, the proposed elevations encompass a varied and complimentary palette of materials. It is considered that the external appearance of the resultant building would not be detrimental to the character of the area. The design would feature rendered areas and timber clad areas. The neighbouring buildings in the locality feature a variety of finishes and it is therefore considered that the proposed materials would not appear prominent in the street scene. In addition, the use of different materials will break up the

elevations and ensure that the elevations do not appear bland or monolithic and without architectural interest. As such it is considered that the proposal would respect the established pattern of development of the locality and would not detract from the character and appearance of the area.

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 proposed units in the building ranges between 80m² and up to 130m² respectively. The nationally described space standard requires a 70m² of gross internal floor area in relation to a two bedroom four person unit over one level and 86m² for a three bedroom 5 person unit. On this basis, the floorspace provision for all of the units is 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. A lift is also incorporated within the building to provide level access to all levels.

Amenity Space

In terms of amenity space, provision is provided with a communal garden to the south of the building. Private gardens are proposed for the two ground floor flats and balconies have been provided to 5 of the 7 upper floor flats to create private areas of amenity space. The size of these areas is generally in compliance with the requirements of the London Plan guidelines. Therefore the total provision at the site is considered acceptable at this location.

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 from the resultant building, the fenestration arrangement will provide mainly front and rear outlook for each unit overlooking the adjoining road and outlook from the rear towards Cadogan Close. The balconies will not overlook private curtilage areas in the locality due to the proposed retention of boundary screening and their siting away from the rear elevation of the building. The balconies will also offer no side views towards No. 87 Bromley Road.

Given the siting and orientation of the site it is considered that there is limited impact on outlook from adjoining property windows. Adequate separation distances are maintained to adjoining properties with the proposed building sited with a greater degree of separation to No. 87 than the existing house at No. 84. The main rear facing windows at Cadogan Close will face to the north of the new block. The new block will also be sited on lower ground than Cadogan Close and Bromley Road and although taller than the building it replaces, the topography mitigates the impact of the three storey elevational appearance. The proposal would therefore maintain a suitable level of outlook, daylight and sunlight ingress to neighbouring buildings.

Highways and Car Parking

The Council's Highway Officer has reviewed the current application and not raised objection in this regard. 9 spaces are to be provided on site which is considered satisfactory subject to an appropriate visibility splay being provided at the existing access. The proposal is considered generally acceptable from a highways safety perspective subject to appropriate planning conditions.

Cycle Parking

Cycle parking is required to be 1 space per 1 bedroom flat and 2 spaces for all other dwellings. The applicant has provided details of a secure and lockable storage area with cycle parking facilities for 20 cycles. This is considered suitable subject to an appropriate condition.

Refuse and Recycling

All new developments shall have adequate facilities for refuse and recycling. The applicant has provided details of refuse storage for the units in a separate building to the front of the site. The location point is considered acceptable within close proximity of the highway for collection services.

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 application proposes a sustainable construction and a sustainable drainage system for the hard standing areas of the site. A green roof is also provided. These measures are welcomed and a sustainable construction condition can be imposed in this regard.

Trees and Landscaping

An indicative landscaping layout has been submitted as shown on the proposed site plan drawing that details the areas given over to garden for external amenity for future occupiers. The Council's Arboriculture Officer has commented in respect of the loss of trees within the central areas of the site and retention of mature trees on and towards the periphery. No objections are raised in this regard subject to the implementation of the submitted Arboricultural Report. A condition is recommended to ensure compliance and full detail of hard and soft landscaping and boundary treatment can also be sought by condition as necessary.

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. It is considered that the density and tenure of the proposed housing is acceptable and that the development would not be detrimental to the character and appearance of the locality or the setting of an adjacent heritage asset. The standard of the accommodation that will be created will be good. The proposal would not have an adverse impact on the local road network or local parking conditions. The proposal would be constructed in a sustainable manner and would achieve good levels of energy efficiency. It is therefore recommended that planning permission is granted subject to the imposition of suitable conditions.

Background papers referred to during production of this report comprise all correspondence on file ref(s): 16/02120/FULL1, 16/05788/FULL1 and 17/04398/FULL1, 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 landscaping scheme as shown on the submitted drawings 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 a similar size and species to those originally planted.**

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

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

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

- 4 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.

- 5 Details of the windows (including rooflights and dormers where appropriate) including their materials, method of opening and drawings showing sections through mullions, transoms and glazing bars and sills, arches, lintels and reveals (including dimension of any recess) shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced. The windows shall be installed in accordance with the approved details.

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

- 6 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.

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

by the Local Planning Authority. The turning area(s) shall be provided before any part of the development is first occupied and shall be permanently retained thereafter.

Reason: In order to comply with Policies T3 and T18 of the Unitary Development Plan and to enable vehicles to enter and leave the site in a forward direction, in the interest of pedestrian and vehicular safety.

- 9 No wall, fence or hedge on the front boundary or on the first 2.5 metres of the flank boundaries shall exceed 0.6m in height, and these means of enclosure shall be permanently retained as such.

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

- 10 Before any part of the development hereby permitted is first occupied that part of a sight line of 43m x 2.4m x 33m which can be accommodated within the site shall be provided in both directions at the accesses to the site and with the exception of trees selected by the Local Planning Authority no obstruction to visibility shall exceed 1m in height in advance of this sight line, which shall be permanently retained as such.

Reason: In order to comply with Policy T18 of the Unitary Development Plan and to ensure that the proposal does not prejudice the free flow of traffic and conditions of general safety along the adjoining highway.

- 11 Before the access hereby permitted is first used by vehicles, it shall be provided with 3.3m x 2.4m x 3.3m visibility splays and there shall be no obstruction to visibility in excess of 1m in height within these splays except for trees selected by the Local Planning Authority, and which shall be permanently retained thereafter.

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

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

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

- 16 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.

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

Reason: To ensure a satisfactory means of surface water drainage and to accord with Policy 5.13 of the London Plan.

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

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

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

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

- 20 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.

- 21 No loose materials shall be used for surfacing of the parking and turning area hereby permitted.**

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

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

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

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

- 24 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 Area in accordance with Policies 6.13 and 7.14 of the London Plan.

- 25 Notwithstanding the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking, re-enacting or modifying that Order), no plumbing or pipes, other than rainwater pipes, shall be fixed on the external elevations of the building.**

Reason: It is considered that such plumbing or pipes would seriously detract from the appearance of the buildings and to comply with Policy BE1 of the Unitary Development Plan.

(a) The development shall be constructed with a biodiversity living roof laid out in accordance with Plan No. PSD-16-84-04 - Rev B hereby approved and maintained thereafter.

(b) The living roofs shall not be used as an amenity or sitting out space of any kind whatsoever and shall only be used in the case of essential maintenance or repair, or escape in case of emergency.

(c) Evidence that the roof has been installed in accordance with (a) shall be submitted to and approved in writing by the local planning authority prior to the first occupation of the development hereby approved.

Reason: To comply with Policies 5.10 Urban greening, 5.11 Green roofs and development site environs, 5.12 Flood risk management, 5.13 Sustainable Drainage and 7.19 Biodiversity and access to nature conservation in the London Plan.

- 26** Notwithstanding the details hereby approved, no development shall commence until detailed plans at a scale of 1:20 showing screening details for balconies and for the third floor communal terrace have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Reason: In order that the local planning authority may be satisfied as to the detailed treatment of the proposal and to comply with Policies H7 and BE1 of the Unitary Development Plan.

- 27** 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.

- 28** 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.

You are further informed that:

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

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

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

- 4 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.
- 5 You are advised that it is an offence under Section 153 of the Highways Act 1980 for doors and gates to open over the highway.
- 6 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.
- 7 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.
- 8 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 and Safety Executive to ensure compliance with all relevant legislation. The applicant should ensure compliance with the Control of Asbestos Regulations 2012 and the Health & Safety at Work Act 1974 in relation to safe removal of asbestos on site prior to demolition.

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.
- 9 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.
- 10 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.

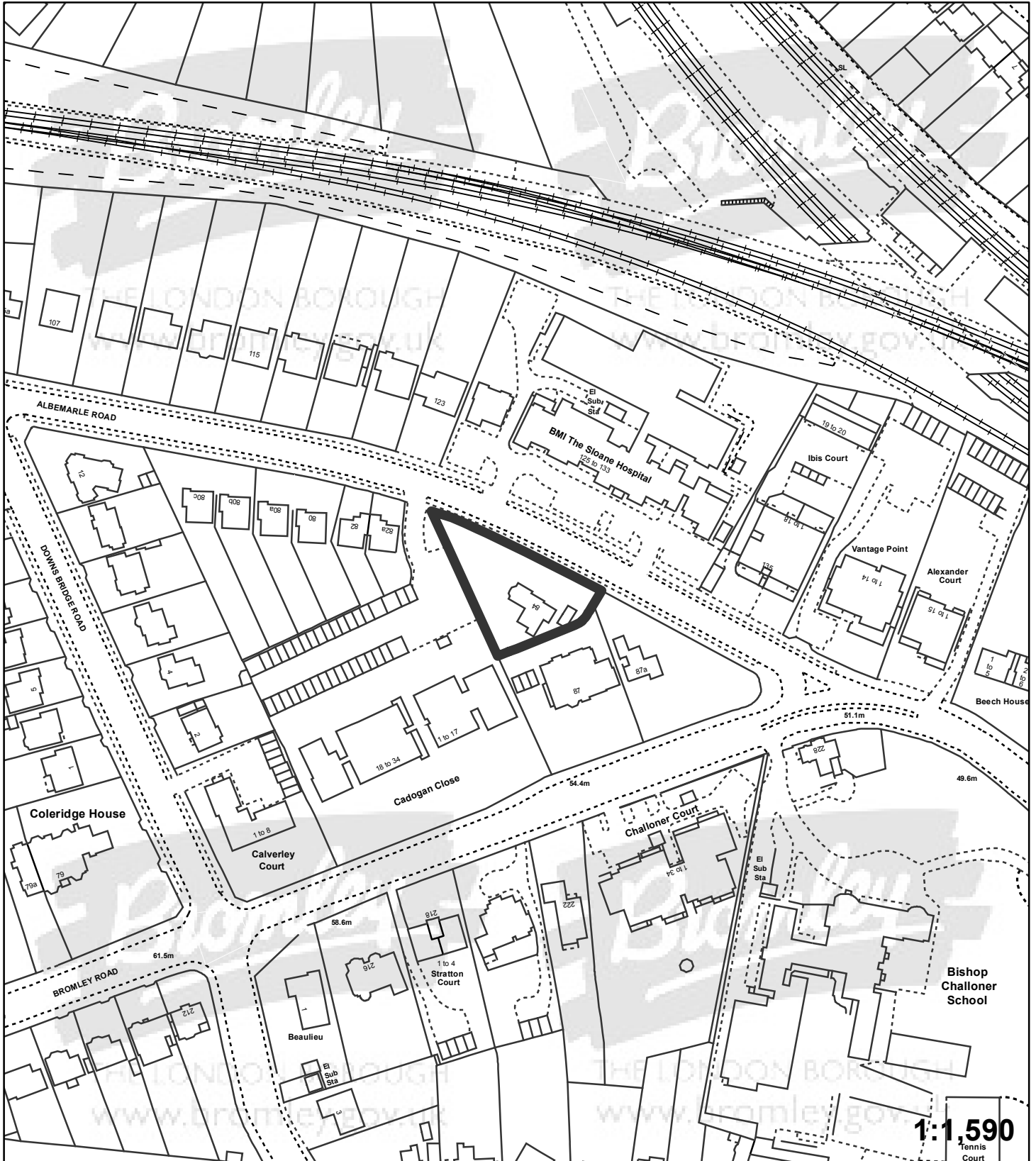
- 11 Piling has the potential to impact on local underground sewerage utility infrastructure. The applicant is advised to contact Thames Water Developer Services on 0800 009 3921 to discuss the details of the piling method statement.

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Application:17/04398/FULL1

Address: 84 Albemarle Road Beckenham BR3 5HT

Proposal: Demolition of existing dwelling and erection of a part three/part four storey building comprising 7 two bedroom and 2 three bedroom flats with associated parking, amenity space, refuse/cycle store together with alterations to vehicle access and associated landscaping.



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

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

Application No : 17/04503/RESPA

Ward:
Bromley Common And Keston

Address : 132 Heathfield Road Keston BR2 6BA

OS Grid Ref: E: 541581 N: 163835

Applicant : Keston House Investments Ltd

Objections : YES

Description of Development:

Change of use from Class B1(a) offices to 16 one bedroom flats with associated car parking and cycle storage. (56 day application for prior approval in respect of transport and highways, contamination, flooding and noise impacts under Class O of the General Permitted Development Order)

Key designations:

Conservation Area: Keston Village
Areas of Archeological Significance
Biggin Hill Safeguarding Area
Green Belt
London City Airport Safeguarding
Sites of Interest for Nat. Conservation
Smoke Control SCA 22

Proposal

Prior approval is sought for the change of use of the building from Class B1(a) office use to Class C3 dwellinghouses to form 16 one bedroom flats with associated car parking and cycle storage.

The proposal includes 16 car parking spaces. 5 no. car parking spaces would be provided parallel to the carriageway of Heathfield Road. A further 9 no. car parking spaces would be provided between the front landscaping and the front of the building, accessed via the driveway from Heathfield Road, with a further 4 spaces arranged as two tandem pairs to the side of the building.

6 residential units are proposed to be provided on the lower ground floor. 8 residential units are proposed to be provided on the ground floor and 2 units are proposed to be provided on the first floor. Each flat would be a 1 bedroom unit.

The application has been submitted with existing and proposed schematic layouts, a covering statement, a sketch site layout, a transport technical note and an environmental noise survey and noise impact assessment report (26th September 2017).

Location

The application site is located on the western side of Heathfield Road and comprises a large building arranged around a central courtyard area. To the north of the site is Keston Village Hall. To the south and west of the site is common land/woodland. The site lies within the Green Belt, Keston Village Conservation Area, an Area of Archaeological Significance, a Site of Interest for Nature Conservation and adjacent to a Site of Special Scientific Interest.

Consultations

Nearby owners/occupiers were notified of the application and a number of representations were received. The comments received can be summarised:

- o Concerns regarding the residential quality (privacy, size, outlook and lighting) to the proposed residential units, along with lack of potential for proper fire escape routes
- o The census data of car ownership is several years out of date and car ownership has increased between the last census and the current date. Much of the Bromley Common and Keston ward population lives within easy walking distance of the A21. The bus services decrease at evenings and weekends
- o The hardstanding at the front of the building is loose shingle and would have to be properly surfaced. There is no proper paved access to the north or west sides of the building.
- o No provision for the enclosure of the site - desirable from a security perspective
- o The retention/improvement of the public footway should be insisted upon
- o The site appears to include the route (informal or otherwise) from Keston village and the picnic site car park to the village hall.
- o The offices provide employment opportunities
- o The submitted drawing shows residential units provided on the ground floor which contradicts the covering letter
- o The noise emanating from a function at the village hall would be greater than that from passing night time traffic, particularly when windows are open on warm summer evenings
- o Increased traffic congestion
- o Property lies in the Green Belt and within a conservation area
- o The public car park is likely to become an overflow car park for the development
- o There are accidents on the adjacent road which is also very busy, carrying a large weight of traffic
- o The owners of the building have given notice to the existing businesses to quit the site, evicting 70 people from their place of work
- o Inadequate parking provision
- o There is no mix of housing provision

Highways

The vehicular access is as existing. 16 no. car parking spaces would be provided and this is acceptable. 16 no. cycle parking spaces would be required. There are no technical highways objections to the proposal.

Environmental Health

Comments received from a technical environmental health perspective respond in particular to the Noise Impact Assessment provided by the applicant. The noise levels from the evening use of the Village Hall are estimated in the report and it is proposed that mitigation measures in the form of double glazing be adopted. This would ensure that the current standards in BS8233 2014 are met, but it is noted that there could still be some loss of amenity under some circumstances. Should complaints be made in the future regarding noise from the Village Hall it is unlikely that formal action for statutory nuisance would be taken as long as the Hann Tucker predictions were realistic.

Like nuisance, there are no noise levels or standards relating to the loss of amenity, but the values in BS 8233 are commonly used in planning conditions and it is considered that it would be difficult to seek to impose a higher standard by way of condition and successfully defend this in an appeal. It is recommended that the Council accept the findings of the report and as a safeguard impose a planning condition to tie the development to the findings/recommendations of the Hann Tucker Noise Impact Assessment submitted with the application.

Planning Considerations

Under the terms of Class O (offices to dwellinghouses) development consisting of a change of use of a building and any land within its curtilage from a use falling within Class B1(a) (offices) of the Schedule to the Use Classes Order, to a use falling within Class C3 (dwellinghouses) of that Schedule.

Development under Class O is permitted subject to the condition that before beginning the development, the developer must apply to the local planning authority for a determination as to whether the prior approval of the authority will be required as to—

- (a) transport and highways impacts of the development;
- (b) contamination risks on the site; and
- (c) flooding risks on the site,
- (d) noise impacts

and the provisions of paragraph W (prior approval) apply in relation to that application.

W(3) states that the Local Planning Authority may refuse an application where, in the opinion of the authority - (a) the developer does not comply with, or (b) the developer has provided insufficient information to enable the local authority to establish whether the development complies any conditions, limitations or restrictions specified in this Part as being applicable to the development in question.

The Local Plan, London Plan and National Planning Policy Framework are relevant to the determination of this application.

Section 4 of the NPPF promotes sustainable transport. Section 7 of the NPPF requires good design and emphasises that good design is indivisible from good planning.

The development plan for the Borough is the Unitary Development Plan (UDP), which was adopted by the Council in July 2006. In July 2009 it was determined that certain policies of the UDP would be retained as 'saved' policies, three years after adoption and in accordance with the Planning and Compulsory Purchase Act 2004. Transport policies relevant to the assessment of the proposal are Policies T3 and T18 which are both saved policies.

Planning History

The planning history of the site is summarised:

Under reference 00/01725 the variation of condition 02 of permission 92/1839 was granted, allowing the continued use of the building as offices (Class B1) without being restricted to use by Flint Research Ltd.

Under reference 92/01839 planning permission was granted for the change of use of the building from a religious research centre (Class D1) to office use.

Conclusions

Class O permits development consisting of a change of use of a building and any land within its curtilage from B1(a) (offices) to C3 (dwelling houses) if the property meets the criteria within O.1 and the conditions within O.2.

Development is not permitted by Class O where:

- (a) the building is on article 2(5) land;

- (b) the building was not used for a use falling within Class B1(a) (offices) of the Schedule to the Use Classes Order immediately before 29th May 2013 or, if the building was not in use immediately before that date, when it was last in use;
- (c) the use of the building falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order was begun after 30th May 2016;
- (d) the site is or forms part of a safety hazard area;
- (e) the site is or forms part of a military explosives storage area;
- (f) the building is a listed building or a scheduled monument

With regards to these conditions referred to above, the proposal is considered to comply with the provisions of Class O.

With regards to (d) and (e) there are no areas of article 2(5) land, safety hazard or military explosives storage within the Borough. The site is neither a listed building nor a scheduled monument and the building does not lie on article 2(5) land.

It is considered that the developer has provided sufficient information to enable the Local Planning Authority to consider the transport and highways impacts of the development, the contamination and flooding risks on the site and the potential noise impacts associated with the siting of the proposed residential units. These are the only issues for consideration in applications submitted further to the permitted development rights afforded by Class O, Part 3 of the Town and Country Planning (General Permitted Development) (England) Order, 2015 whereby the permitted development rights afforded by the GPDO effectively grant permission for the development subject to the defined prior approval process.

Transport and highways

There are no technical highways objections to the proposal with regards to the transport and highways impacts of the development.

Contaminated Land/Noise Impacts

The Environmental Protection Act 1990 defines "contaminated Land" as any land which appears to the Local Authority in whose area it is situated to be in such a condition, by reason of substances, in on or under the land that (a) significant harm is being caused or there is significant possibility of such harm being caused, or (b) significant pollution of controlled waters is being caused, or there is a significant possibility of such pollution being caused.

There are no technical objections to the proposal on the basis of potential contamination.

In relation to noise, no objections have been raised from the Environmental Health Officer with regards to noise on the basis of the submitted Noise Impact Assessment, so long as the development accord with the findings and recommendations contained within the report. This aspect could reasonably be controlled by way of a planning condition and accordingly the application is considered satisfactory in this respect.

Flood risk

Paragraph 100 of the NPPF states that ' Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere.'

The property is located in Flood Zone 1 which corresponds to a less than 1 in 1000 chance of flooding occurring each year.

Summary

The Council is limited to assessing the application against the limited criteria set out above. The impact of the loss of office space, the quality of the residential accommodation provided and potential impact on the visual amenities of the area (in view of the site's location within the Green Belt and a conservation area) fall outside the limitations of consideration of such applications for prior approval and cannot be taken into account in the consideration of whether prior approval should be granted.

There are no technical objections on the grounds of the impact of the proposal on highways and transport or with regards to flooding, noise and site contamination. It is therefore recommended that prior approval be granted. Members will note that this is a 56 day application whereby a decision must be made and communicated to the applicant within 56 days of the receipt of the application otherwise prior approval is granted by default.

Background papers referred to during the production of this report comprise all correspondence on the file reference 17/04503 (excluding exempt information).

RECOMMENDATION: PRIOR APPROVAL REQUIRED AND GRANTED

- 1 Sound insulation works in accordance with the Recommendations of the Hann Tucker Noise Impact Assessment ref HT:24822/NIA1 shall be completed before the use commences and shall be permanently maintained thereafter.**

REASON: In the interest of the residential amenity of the prospective occupants of the proposed flats and in the interest of the continued use of the adjacent Village Hall.

- 2 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.

- 3 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.

- 4** Before any part of the development hereby permitted is first occupied, details of bicycle parking (including covered storage facilities where appropriate) to provide 16 cycle parking spaces shall be provided at the site and the bicycle parking/storage facilities shall be installed prior to the first occupation of the development and 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** 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.

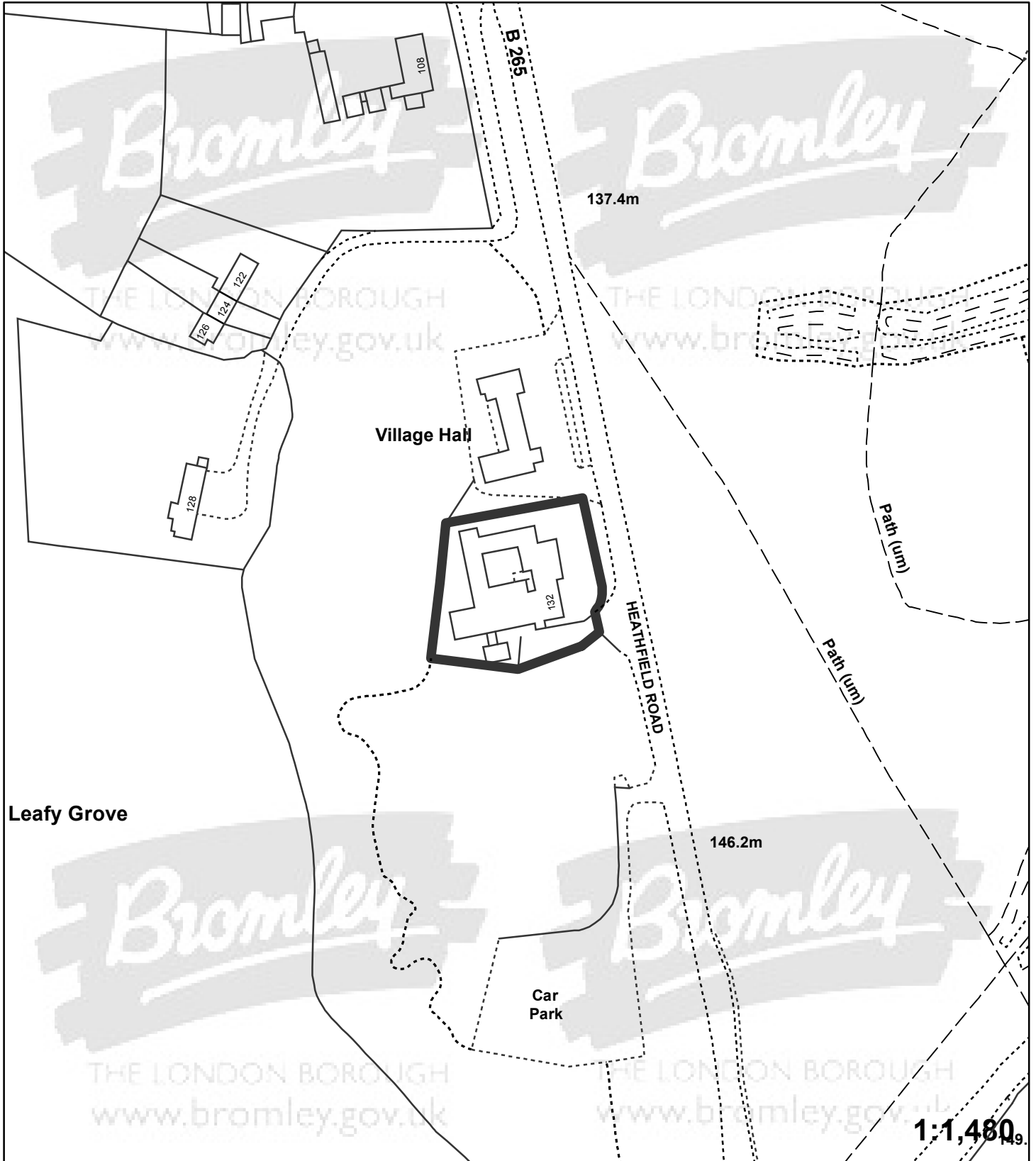
You are further informed that :

- 1** You should consult the Street Naming and Numbering Section at the Civic Centre on 020 8313 4742 or e-mail: address.management@bromley.gov.uk regarding Street Naming and Numbering. Fees and application forms are available on the Council's website at www.bromley.gov.uk
- 2** Your attention is drawn to the following legislation and Government advice concerning means of access for people with disabilities:
- The Disability Discrimination Act 1995 (extended 2005)
 - Approved Document M of the Building Regulations 2000 "Access and Facilities for Disabled People" made under the Building Act 1984 (as amended)
 - DDA Code of Practice 2006 Rights of Access to Goods, Facilities Services and Premises (Disability Rights Commission)
 - DDA Code of Practice 2004 : Employment and Occupation (Disability Rights Commission)

Application:17/04503/RESPA

Address: 132 Heathfield Road Keston BR2 6BA

Proposal: Change of use from Class B1(a) offices to 16 one bedroom flats with associated car parking and cycle storage. (56 day application for prior approval in respect of transport and highways, contamination, flooding and noise impacts under Class O of the General Permitted Development



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

Application No : 17/03022/FULL1

Ward:
Bickley

Address : 55 Liddon Road Bromley BR1 2SR

OS Grid Ref: E: 541443 N: 168874

Applicant : Mr J Green

Objections : YES

Description of Development:

Erection of additional floor to provide 6 additional residential flats (2 no. two bedroom and 4 no. one bedroom). External elevational alterations to the existing building include new windows, doors, in-set balconies and the formation of a roof terrace. Alterations to the parking layout, provision of refuse store at ground floor level and internal stair with bicycle storage and removal of existing staircase to the rear of the existing building.

Key designations:

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

Proposal

The proposals comprise:

- Erection of additional storey to provide 6 residential flats

The existing flat roofed building is 6.22m tall and the proposal would increase the height of the building (to flat roof) to 9.59m high.

The additional floor of residential accommodation would have a flat roof which would provide communal amenity space and which would be surrounded by frameless glass balustrading. Roof access would be provided by way of a zinc-clad structure set within the roof terrace which would itself be 2.6m high, projecting above the surrounding parapet by 2.28m.

The roof terrace would be set back from the main front elevation by approx. 2.66m while extending almost up to the rear (southern) and flank elevations of the building below. The fenced-off section of the roof terrace would include 2 void openings to second floor balconies below.

Internally, the additional floor would provide 4 no. one bedroom and 2 no. two bedroom flats.

The application documents include a revised car parking layout (A-PLANNING-P-XXPROPOSED REV C) which shows the provision at the rear of the site of 5 no. car parking spaces, with 12 frontage spaces. Cycle stands would be provided within the hallway and a refuse store integral to the ground floor would be provided, accessed via the side access road, with doors opening inwards.

- Elevational alterations

The existing elevations would be remodelled to include the installation of new flank, front and rear window openings, external brick cladding and timber refuse doors and communal front entrance doors.

- Refuse store and internal bicycle storage area

The proposal includes the formation of an integral/internal refuse store within the existing ground floor of the building, which would be accessed via inward opening doors from the side vehicular accessway.

The internal staircase and hall way would be reconfigured, to include a ground floor entrance hall leading to the existing first floor and proposed second floor accommodation. Secure cycle parking is proposed to be provided within this entrance hallway.

- Removal of existing staircase to the rear

The existing rear staircase which leads from the parking area to the first floor of the building would be removed.

Site and surroundings

The application site is located on the southern side of Liddon Road, to the north of the gas holder station. The building is two storey with a flat roof. The property is served by a gated access from Liddon Road with parking to the front and rear of the premises, with the rear parking area accessed via a narrow access road leading between the host property and No. 27 to the north west. The access roadway is approx. 2.9m wide.

The site lies within a predominantly residential area to the north with commercial/industrial buildings to the south, east and west. The residential area is characterised by terraced dwellings with shallow front gardens. Liddon Road terminates to the north west of the site where there is an access to the rear of a large school site and a car park serving the school/former adult education centre sites.

The host building is in office use on the ground and first floors. While residential prior approval has been granted for the conversion of the ground and first floors from office to a total of 11 flats, this has not been implemented (16/04433/RESPA). The more recent planning history of the site is summarised below.

Consultations

Nearby owners/occupiers were notified of the application and a number of representations were received. The comments received can be summarised:

- All other residential dwellings are two storeys high and the new development will be out of character
- Parking in Liddon and Canon Roads is already at full or over capacity
- The entrance to the new primary school is in Liddon Road and the increase in traffic and parking will make it impossible for neighbouring residents and commercial properties to move and park
- Insufficient parking
- Increased congestion and impact on pedestrian and road safety
- Using the land to provide single flats where starter homes and houses are needed is very short-sighted
- The proposal, in conjunction with other proposed developments, would almost double the number of vehicle on the street

- The proposal refers to the reduction in parking on street associated with the current employees, but the extra on-street parking is generally associated with other businesses, not that at the application site
- The proposed parking spaces are not large enough for most models of car
- Where will visitors park?
- The type of accommodation will not be in keeping with the general pattern of residential properties i.e. mostly terraced housing
- These proposals are resulting in companies being kicked out to convert into homes
- Liddon Road/Homesdale Rad has a history of factory/industrial work which is being list
- Loss of privacy to rear gardens of Canon Road properties
- Increase in noise associated with the residential windows and balconies and the use of the roof terrace
- A proposal for 19 flats was refused on the basis of impact on parking
- The proposed flats are too small
- Impact on existing residents will be intolerable
- Loss of office space in a good location, leading to loss of employment within the borough

Comments in support of the application have been received although it is noted that the addresses supplied are of the application site. The comments in support state:

- The business has to leave because of the business rates attracted by the property rather than because of housing
- Instead of being an eyesore the building will become a desirable residential development.
- The existing company can operate vans and vehicles from the premises on a 24/7 basis
- The proposal will provide affordable houses with good transport links
- The proposal would stop the articulated lorries from accessing the street
- The objections are based on residents being concerned they will lose free parking at the site overnight and at weekends.

Technical comments

Comments from a technical highways perspective raise concerns regarding the practicality and size of the parking area at the rear of the building, commenting that manoeuvring would be difficult particularly for parking bays 16 and 17. There are no objections in principle but the site lies in a Low (Very Poor) PTAL area and within the Bromley Town Centre CPZ where there is limited parking available.

If permission is granted future residents of the development should not be eligible to apply for parking permits.

It is noted that the refuse storage area looks small for a development of 17 units (Waste Services comments have been sought).

The proposal should incorporate cycle parking at a level of 19 spaces to serve the development as a whole.

Comments received from Environmental Health (Housing) state that from the submitted and scanned plans a number of the bedrooms look too small to be considered viable habitable rooms but it has not been feasible to determine the actual room sizes from the available documents. If the bedrooms are of an adequate size there are no objections, so long as the development meets or exceeds building regulations for fire separation,

insulation and thermal efficiency along with means of escape in case of fire and sound proofing between units.

The Environment Agency did not comment on the application.

Planning Considerations

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

BE1 Design of New Development
H1 Housing Supply
H3 Affordable Housing
H7 Housing Density and Design
H9 Side Space
H12 Conversion of non-residential buildings to residential use
ER7 Contaminated Land
ER10 Light pollution
T3 Parking
T7 Cyclists
T18 Road Safety

SPG No.1 - General Design Principles
SPG No.2 - Residential Design Guidance
Affordable Housing SPD

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 determination of this application comprise:

Policy 1 Housing Supply
Policy 2 Provision of Affordable Housing
Policy 4 Housing Design
Policy 8 Side Space
Policy 10 Conversion of non-residential buildings to residential use
Policy 30 Parking
Policy 32 Road Safety
Policy 37 General Design of Development
Policy 118 Contaminated Land
Policy 119 Noise Pollution
Policy 122 Light Pollution

London Plan (2015)

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

Policy 5.11 Green roofs and development site environs
Policy 5.12 Flood risk management
Policy 5.13 Sustainable drainage
Policy 5.14 Water quality and wastewater Infrastructure
Policy 5.15 Water use and supplies
Policy 5.16 Waste self-sufficiency
Policy 5.17 Waste capacity
Policy 5.18 Construction, excavation and demolition waste
Policy 5.21 Contaminated land
Policy 6.9 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 7.15 Reducing and Managing Noise.
Policy 8.2 Planning obligations
Policy 8.3 Community infrastructure levy

Housing: Supplementary Planning Guidance. (2016)

National Planning Policy Framework

Planning History

The planning history of the site is summarised:

99/03260/FULL1 - Alterations to 55, Liddon Road to incorporate LEB sub-station into building for use as ancillary storage area - Planning permission GRANTED.

07/01053/FULL1 - Elevational alterations/enclosed staircase at rear and conversion into 3 self-contained (Class B1) units - Planning permission GRANTED.

16/04433/RESPA - Change of use of from Class B1(a) office to Class C3 dwellinghouses to form 11 dwellings (56 day application for prior approval in respect of highways, contamination, flooding and noise under class O, part 3 of the GPDO) - Prior approval GRANTED.

17/01567/RESPA - Change of use of from Class B1(a) office to Class C3 dwellinghouses to form 19 apartments (56 day application for prior approval in respect of highways, contamination, flooding and noise under class O, part 3 of the GPDO) - Prior approval REFUSED on the grounds:

"In the absence of adequate car parking and refuse and cycle storage provision, the proposal will generate additional pressure on the existing parking demand in the area, resulting in an unacceptable increase in the demand for on-street car parking, contrary to Policy T3 of the Unitary Development Plan, the National Planning Policy Framework and draft Local Plan Policy 30. The proposal is therefore not considered to comply with Class O.2(a) of the General Permitted Development Order (2015) as amended."

17/02905/RESPA - Change of use of from Class B1(a) office to Class C3 dwellinghouses to form 11 flats (56 day application for prior approval in respect of highways, contamination, flooding and noise under Class O, Part 3 of the Town and Country Planning (General Permitted Development)(England)(Amendment) Order, 2015).

This application for residential prior approval was submitted along with this current planning application and the submitted design and access statement refers to the layout at ground and first floors tallying with that proposed under 17/02905. Prior approval was refused on the grounds:

"As a result of inadequate parking layout exceeding the maximum standards set out in Policy T3 and Appendix II of the Unitary Development Plan, the proposal will generate additional pressure on the existing parking demand in the area, resulting in an unacceptable increase in the demand for on-street car parking, contrary to Policy T3 of the Unitary Development Plan, the National Planning Policy Framework and the draft Local Plan Policy 30. The proposal is therefore not considered to comply with Class O.2(a) of the General Permitted Development Order (2015) as amended."

It is noted that at the time the application for prior approval was being determined, this current planning application had been submitted but was as then undetermined.

Conclusions

The main issues in the determination of this application are the impact of the proposal on the visual and residential amenities of the area, along with the highways impacts of the development. It also falls to consider whether the proposal would provide residential accommodation of a satisfactory standard of residential amenity.

The current scheme adopts the internal stair configuration, refuse store etc. that was proposed under the residential prior approval application which was refused under reference 17/02905/RESPA. Due to the sequence of application submissions, and the refusal of the most recent residential prior approval Members will note that the layout of the access to the proposed second floor and the provision of an internal integral refuse store on the ground floor would not tally with the original prior approval which was granted under reference 16/04433/RESPA. The approach with applications under Class O of the GPDO is that the application broadly seeks confirmation that the provision within the existing structure of a specified number of residential units would be acceptable in terms of transport and highways impacts, contamination and flood risk impacts and the impact of noise generated by nearby commercial premises upon prospective occupants.

Under reference 16/04433/RESPA prior approval was granted for the formation of 11 residential units within the constraints of the existing building without that formation being tied to a specified internal layout. As such, and taking into account the details within this application (Transport Statement and Design and Access Statement) it is considered that if permission was to be granted for this proposal, it would be in conjunction with the conversion of the lower existing floors from office to residential rather than in conjunction with the retained ground and first floor office accommodation. While the office conversion previously approved under the requirements of Class O of the GPDO has not been implemented, there can be a reasonable expectation that that change of use will be implemented.

Principle of development

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

Policy H7 of the Unitary Development Plan 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 occupiers, car parking and traffic implications and community safety and refuse arrangements.

It is considered that the residential use of the ground and first floors has been established and therefore that the provision of further residential accommodation within the unit may be 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, car parking and traffic implications, sustainable design and energy, community safety and refuse arrangements.

Impact of the proposal on the visual amenities, character and appearance of the area and the street scene

Liddon Road is generally residential in character with the prevailing pattern of development comprising Victorian terraced dwellings, with the exception of the application site and the offices/industrial buildings to either side of it. Each of these commercial premises is of differing design. The height of the commercial buildings steps up from the low building at No. 53 to the squat two storey host building and the slightly higher two storey building at No. 57, all of which are flat roofed.

A unifying feature it is the two storey height of the buildings, taking into account the character of Liddon Road as a whole, and that of the part of Canon Road which lies perpendicular to the southern street frontage. It is acknowledged however that the height of the flat roofed commercial buildings is not completely consistent. The use of brick is characteristic of the commercial buildings, either as the main facing material or as a strong contrasting feature, while the residential dwellings opposite the site are generally rendered with brick flank elevations.

In terms of the materials used in the proposed elevational alterations it is considered that the proposal complements the materials used in the existing and adjacent buildings. The material proposed to be used in the construction of the second floor and the elevational alterations to the ground and first floors would be consistent with the host building and the prevailing palette of local materials. It is also considered that, leaving aside the relationship of the host building with its surroundings, the appearance of the building would be individually of high quality and attractive to look at.

However, it falls to be considered how the proposal would impact upon the visual amenities of the street scene and the area in general, assessing the relationship between the resultant building and its surroundings. The elevational alterations in conjunction with the increased height of the building would result in an appreciably three storey appearance which would be uncharacteristic of the prevailing pattern of development in the locality. It is acknowledged that the neighbouring building at No. 57 is slightly higher than the existing building at the application site. However, that property is set at the very end of the row of commercial properties and as a consequence has a lesser prominence in the street scene. In addition the main bulk of that building is set to the rear of its footprint and the layout of fenestration and other detailing results in a definite two storey appearance.

In contrast, the proposal would result in the enlarged/altered building having a more vertical visual emphasis, with the three storey height being immediately apparent and the vertical brick piers in relation to narrow portrait windows at ground, first and second floors heightening the vertical visual emphasis of the structure. It is noted that the extent to which the proposed building would visibly juxtapose with the nearby residential two storey dwellings would be limited as a consequence of its position and the layout of the street. The front elevation of the building broadly faces the flank elevation of the Canon Road terrace and that street junction itself, which tends to increase the extent to which the building is appreciable from the wider public realm. The building would be clearly visible within the street scene and from the junction of Canon Road with Liddon Road and by passing traffic, including that leading to the nearby primary school. It would be viewed in

conjunction with the much more squat building at No. 53 and the visibly two storey building at No. 57.

Taking the above into account, while the materials used for the proposal would complement the host and neighbouring buildings, the increased height of the building and the external appearance of the property would appear unduly bulky and overdominant in the context of the street scene and the prevailing pattern of development within the residential street, characterised by modest two storey residential dwellings.

Impact of the proposal on residential amenity

Concerns have been expressed regarding the impact of the proposal on residential amenity, including privacy. The application building lies opposite and approx. 18m to the side elevation of the Canon Road terrace. The proposal would include the provision of a large roof terrace. It is not considered however that the proposal would have a detrimental impact on residential amenity as there is sufficient separation between the terrace and neighbouring dwellings and the field/angle of vision from the terrace area (which is set back from the main front elevation) would be limited.

The use of the terrace could lead to noise and disturbance at an elevated position. However, it is not considered in view of the siting of the building, the height of the terrace and the context of the site, with unfettered business and industrial units adjacent, that the neighbourly use of the terrace would have a significant impact on the residential amenities of neighbouring properties.

The majority of the resultant building would be approx. 3m higher than the existing building (excluding the small stair access and the glazed balustrade). It is not considered that this increased height would have an unacceptable impact in terms of loss of light/outlook or overdominant visual impact on nearby residential windows as a result of the siting of the building in relation to the flank elevation and gardens of the nearest terrace in Canon Road, along with the distance between the development and the nearest residential dwellings.

Quality of the residential accommodation

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. This has been updated within the DCLG Technical Housing Standards Document (2015).

Policy BE1 in the Adopted UDP states that the development should respect the amenity of occupiers of future occupants. Draft Policy 4 requires that development shall meet the minimum space standards and that there is the provision of sufficient external, private amenity space that is accessible and practical.

The design and access statement submitted with the application referred to the individual units and detailed the size and type of flat provided. Subsequently amended plans have been received (16/10/17) revising this information and changing the mix of units to be provided from:

2 two bedroom (3 person)
3 one bedroom (2 person)
1 one bedroom (1 person)

to:

3 two bedroom (3 person)

- 1 one bedroom (2 person)
- 2 one bedroom (1 person)

The one bedroom, 1 person units each incorporate a separate shower room.

On the basis of the amended information the size of the individual units would meet the minimum space required by the Technical Housing Standards and the rooms sizes would similarly just meet the minimum in most cases (with regards to the double bed spaces).

The Housing SPG refers to private open space, stating that a minimum of 5sqm of private outdoor space should be provided for 1-2 person dwellings and an extra 1sqm for each additional occupant (Standard 26). The explanatory text refers to exceptional circumstances "where site constraints make it impossible to provide private open space for all dwellings" stating that "a proportion of dwellings may instead be provided with additional internal living space equivalent to the area of the private open space requirement."

The individual balconies of flats 2.01, 2.02 and 2.06 fall below 5sqm and there is no private amenity space for 2 of the remaining 3 flats. Flat 2.04 is referred to by the applicant as providing 5sqm amenity space although the submitted drawing appears to show the space as falling short of that dimension, and it is also noted that the flat is described by the applicant as a 3 person flat which would lead to a higher requirement for private amenity space.

The applicant refers to the proposed roof terrace in mitigation of this shortfall, and refers also to the constraints of the existing building. It is acknowledged that the roof terrace would provide some external amenity space, which may also serve the ground and first floor flats if the prior approval is implemented. However the roof terrace would not have the same level of utility and practicality of use in contrast to private directly accessed amenity space, and the potential use of that space by a large number of flats within the building as a whole would tend to undermine its quality and value to provide private outside space. It is not considered that the proposal would provide residential accommodation of a high quality, nor would it meet the 'exceptional circumstances' provisions of the Housing SPG referred to above, in that not only is there inadequate private amenity space, but also this shortfall cannot be provided within the proposed flats which are shown to meet rather than exceed the technical housing standards space requirements. The shortfall in amenity space is not related to a corresponding increase in the GIA of the units with a lack of, or without any, external amenity space.

Highways impacts

From a technical highways perspective it is noted that the site is located within a low PTAL area and while there is no objection to the change of use, it is important to ensure that the proposal will not have an undue impact on the parking demand as existing within the immediate area. The proposed parking layout is considered unacceptable in view of the convoluted manoeuvres necessary to access and leave the parking bays at the rear of the property.

There is an extant prior approval for the conversion of the ground and first floors of the property to provide a total of 11 units (ref: 16/04433/RESPA) although it is noted that the internal layout and refuse storage associated with that prior approval does not tally with the internal stair position and refuse storage (for example) of this application. While this prior approval has not been implemented, the planning history of the site is a material planning consideration. The parking layout of that approved scheme provided sufficient parking at the front of the property so as to limit the extent to which the rear parking area

would have been heavily relied upon to serve a day to day function, and fewer spaces were proposed to be provided at the rear in any case.

Where prior approval was granted in 2016 under reference 16/04433 for the conversion of the ground and first floors of the building to residential with a parking layout that included 5 no. rear spaces and 9 no. front spaces, that development related to 11 flats where the majority of car parking spaces were proposed to be provided on the frontage. It was therefore considered likely that the spaces at the rear would have a lesser import and would be less intensely used as a consequence of their siting and the provision of an adequate number of frontage car parking spaces.

Prior approval was recently refused for a separate application for 11 units (ref: 17/02905/RESPA). Approval was refused in part as a result of concerns relating to the inadequate parking layout - concerns which have been repeated in technical comments received in respect of this application. Further concern was expressed at the number of spaces then being shown to be provided at the rear, with significantly more spaces being provided in total and in conjunction with the residential conversion of the ground and first floors.

As a consequence of the total potential number of residential units at the application property it is of concern that the parking layout at the rear appears unacceptable in terms of providing adequate manoeuvring space so that if all spaces are occupied, vehicles can easily and safely turn within the site and avoid lengthy reversing movements in a space of quite constrained dimensions. The internal refuse store would be accessed from the narrow side passageway which also leads to the rear car parking area.

The provision of on-site car parking is considered important in view of the low PTAL rating for the site. It is noted that the Transport Statement agrees that the site lies on the boundary of a PTAL of 1a-2 which would be considered low.

If permission is granted for this development and it is implemented alongside a permitted development change of use of the ground and first floors of the property, the resultant 17 unit residential development would result in a more intense use of the rear parking area and narrow side access than would have been anticipated or likely in a straightforward conversion of the existing building to residential use. It is noted that a residential prior approval application which sought approval for the conversion of the ground and first floors to 19 units was refused on the grounds that the proposed car parking, refuse and cycle storage would have been inadequate, leading to an unacceptable increase in demand for on street parking. The frontage car parking area has increased from that granted prior approval under reference 16/04433/RESPA to 12 spaces currently shown, rather than the 9 spaces considered acceptable.

While concern has been expressed regarding cycle parking, this relates to the disparity between the site layout granted approval under 16/04433 and that currently proposed, where the previous scheme had outside cycle parking provision and refuse storage areas. In this case, the application shows the provision of an internal cycle store accessed via the narrow side drive and stacking cycle stands in the ground floor hallway. A total of 16 stands are proposed to be provided, which falls short of the 19 cycle spaces referred to by the highways engineer, taking into account the need for additional cycle storage where units are proposed to be two bedroom. If permission is granted for the scheme it would be appropriate to impose a condition relating to the provision of cycle storage.

Taking into account the highways concerns regarding the adequacy of the parking layout and the planning history of the site it is not considered that the proposal, which would potentially lead to a total of 17 flats on site, would provide on-street parking of a

reasonable and attractive layout to serve the needs of the prospective occupants, in the context of the site's low public transport accessibility and existing parking demand.

Loss of business

Concerns have been raised regarding the impact that the residential conversion of offices is having on employment and business uses in the borough. If this were a full planning application including the conversion of the ground and first floors this would be a material consideration in the determination of the application, as would the planning policies which seek to safeguard employment sites in the locality. However, the current application seeks a second floor extension above the existing ground and first floors and does not include the residential conversion of the lower floors. As such the potential implementation of the change of use of the ground and first floors which benefits from permitted development subject to prior approval is not material to the consideration of this specific proposal.

Affordable Housing

Policy H2 states that affordable housing will be sought on all housing sites capable of providing 10 dwellings or more. On all sites at or above this threshold negotiations will take place to determine the number of affordable dwellings to be provided.

Paragraph 6.3 of the Bromley Housing Supplementary Planning Document states that where the Council consider that a site has been artificially sub- divided in order to avoid the application of the affordable housing policy, the policy will be applied across the entire site and any sub-phase of the site.

In this case, application 16/04433/RESPA which was granted prior approval proposed 11 apartments. If implemented with this application, the number of residential units would total 17 and there would be no affordable housing contribution.

Summary

It is acknowledged that the proposal would provide 6 no. additional residential flats and this does provide some weight in favour of the proposal. However, the proposed residential development would provide accommodation of a satisfactory standard of amenity for prospective occupants.

It is considered that the proposal would have a detrimental impact on the character and appearance of the area, resulting in a development out of character with the pattern and grain of surrounding spaces and the predominantly two storey character of built development in the locality.

The parking layout proposed to be provided would be inadequate to serve a cumulative residential development of the scale proposed, taking into account the number and mix of residential units, the low public transport accessibility of the site and the constrained size of the rear car parking area and vehicular access.

Background papers referred to in the preparation of this report comprise all documents on files refs. 16/04433/RESPA, 17/01567/RESPA, 17/02905/RESPA and 17/03002/FULL1 excluding exempt information.

As amended by documents received on 16.10.2017 08.09.2017

RECOMMENDATION: APPLICATION BE REFUSED

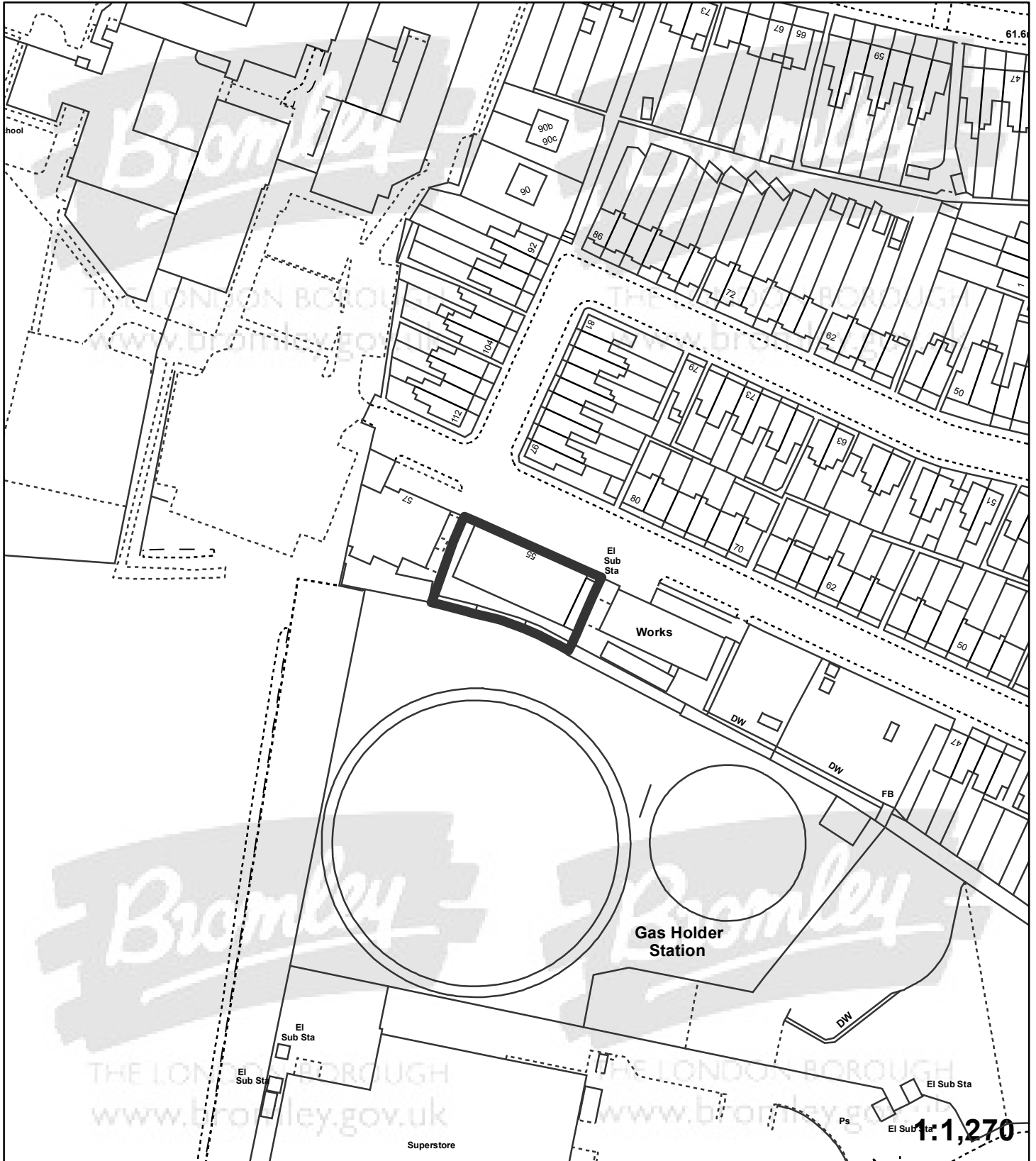
The reasons for refusal are:

- 1** The proposal by reason of its height, external appearance and siting would have a detrimental impact on the visual amenities of the area, resulting in an overdominant and incongruous development out of character with the prevailing two storey pattern of development in the locality and thereby contrary to Policies BE1 and H7 of the Unitary Development Plan, Policies 4 and 37 of the Draft Local Plan, Policies 7.4 and 7.6 of the London Plan.
- 2** The proposal would provide residential accommodation of an unsatisfactory standard of amenity for prospective occupants, taking into account the paucity of internal space and external private amenity space, thereby contrary to Policies BE1 and H7 of the Unitary Development Plan, Policies 4 and 37 of the Draft Local Plan and Policies 3.5 and 7.6 of the London Plan.
- 3** In the absence of a high quality parking layout that is easy and safe to use, the proposal would generate additional pressure on the existing parking demand in the area, resulting in an unacceptable increase in the demand for on-street car parking, contrary to Policy T3 of the Unitary Development Plan, the National Planning Policy Framework and the draft Local Plan Policy 30.

Application:17/03022/FULL1

Address: 55 Liddon Road Bromley BR1 2SR

Proposal: Erection of additional floor to provide 6 additional residential flats (2 no. two bedroom and 4 no. one bedroom). External elevational alterations to the existing building in include new windows, doors, in-set balconies and the formation of a roof terrace. Alterations to the parking



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

Application No : 17/03510/FULL1

Ward:
West Wickham

Address : Hawes Down Clinic Hawes Lane West
Wickham BR4 9AE

OS Grid Ref: E: 538999 N: 165887

Applicant : Mr Randhawa

Objections : YES

Description of Development:

Demolition of existing health clinic and erection of two storey building for use as a day nursery with associated external works including replacement boundary fencing/railings, formation of 2 no. car parking spaces and hard and soft landscaping

Key designations:

Biggin Hill Safeguarding Birds
Smoke Control SCA 51

Proposal

Planning permission is sought for the demolition of the health clinic building and the erection of a two storey building which would be used as a day nursery. The existing boundary treatments would be replaced. 2 car parking spaces are proposed to be provided and details of hard and soft landscaping on the site forms part of this application.

The application has been submitted with a Design and Access Statement, a Travel Plan and a Transport Statement, along with a contamination and site survey report. A copy of correspondence from NHS Property Services Ltd has also been provided, stating that Bromley Clinical Commissioning Group have no future operational requirement for the clinic, and it is therefore surplus to their requirements.

The proposed building would be 2 storeys high and of contemporary design and appearance. The overall width of the building in the street scene of Hawes Lane would be 21.5m and the building would be 17.2m deep excluding the single storey front canopy and the raised platform at the rear.

The building would incorporate a shallow pitched roof constructed of a lead grey single ply membrane. The walls would be faced in brown brick and the design incorporates large glazed openings to the ground and first floors at the front, both sides and the rear, with a larger proportion of glazing on the north western flank elevation facing Phoenix Close than on the south eastern flank elevation facing No. 123 Hawes Lane. The roof design includes a velux window to the rear elevation and an off-set glazed projection serving a double height glazed corridor along with a front roof projection serving a double height glazed entrance.

The rear elevation of the building would incorporate a large raised terrace surrounded by railings, with a slide and stairs providing access from the first floor to the garden level below.

In terms of the relationship between the building and the site boundaries, approx. 11m space would be retained between the two storey front elevation of the building and the back edge of the pavement of Hawes Lane. Approx 4.7m would be retained to the boundary with No. 123 and the maximum space to the Phoenix Close boundary would be approx. 5.2m (taking into account that the space at the side tapers from front to rear and the building incorporates a two storey glazed side projection. At the rear approx. 11.5m would be retained to the boundary with No. 18 Phoenix Close (excluding the projecting first floor terrace and stairs).

The Design and Access Statement details the intensity of the use of the proposed building, stating that the proposal would provide nursery accommodation for 110 children. In terms of the hours of operation proposed, the application forms and Design and Access Statement are silent on this matter and the applicant confirmed by email dated 16/8/17 that the opening times would be 7am to 6.30pm Monday to Friday although the Travel Plan states that the opening hours would be 07.00 - 18.00 Monday to Friday.

Site and Surroundings

The site lies on the north eastern side of Hawes Lane at the junction with Phoenix Close. The single storey existing building is currently unused but was formerly in Class D1 use as a health clinic.

The existing building is positioned towards the rear of the site, away from the corner. The site has a generally open aspect as a result of the modest height and the recessed siting of the existing building.

To the rear the site is the curtilage of No. 18 Phoenix Close. To the south east is the residential curtilage of No. 123. Opposite the site are open allotment gardens.

The area is predominantly residential in character, with the prevailing pattern of development immediately surrounding the site being detached dwellings within reasonably modest plots. Further along Hawes Lane are The Glebe Secondary School and Hawes Down Infants and Junior Schools.

Consultations

Local Representations

Local residents were notified of the application and a number of comments were received in response to the consultation. These comments are summarised:

- o Given that the development is for a children's day nursery and in view of the siting close to nearby schools the significant increase in traffic generated by it could increase the risk of accidents
- o There is a danger to residents of Phoenix Close when entering or leaving the close as a consequence of the three large nearby schools. Pedestrian safety is also already an issue. The proposal would increase the risk to road users and pedestrians
- o Impact of staff and families parking on Phoenix Close and on Hawes Lane - the roads are already overloaded with parked cars due to teachers at The Glebe School. There are pressure points at school drop off and pick up times
- o The buses and taxis used for the children at The Glebe school, parents and staff at Langley Primary School and parents at Hawes Down Primary School use the side entrance - these all add up to a large amount of traffic
- o Parents using the nursery could find it convenient to park their car in Hawes Lane for the day if they catch the train from West Wickham

- o Cars often park inconsiderately or dangerously at the junction, usually when running late or just stopping quickly
- o 2 car parking spaces is insufficient for the proposed use
- o Concern at the size of the building and its aesthetics - would cast a shadow and would harm rather than enhance the area.
- o There are already pre-schools in the area
- o Building works at The Glebe and the junior school have led to a growth in pupil numbers and cars/minibuses
- o Concern that the proposal has already been given the go-ahead before it has been properly considered
- o Site is on the brow of a hill which makes road visibility more difficult
- o Impact on the character of Hawes Lane - would be out of keeping with the residential area
- o Cycling would be unsafe with children in view of the traffic congestion
- o School parents have asked to rent out nearby residential parking spaces
- o The traffic plan supporting the application is a smoke screen trying to hide the inevitable huge increase in vehicles arriving at an already congested time
- o Even though yellow lines have been provided at the entrance to Phoenix Close there is considerable risk of accidents
- o The proposal would generate considerable noise, particularly with children playing outside and unlike school noise, this would be 52 weeks a year
- o The site is on higher ground than the houses in Phoenix Close and the height and bulk of the development would dwarf the adjacent houses
- o The amount of glazing is out of character with the adjacent street scene
- o It is unlikely that parents will use public transport and walk up the hill with nursery aged children
- o The site is too small for the proposed building
- o There are no pedestrian crossings nearby
- o Emergency vehicle access is already difficult

Neighbouring residents have also commissioned a traffic study to consider the impacts of the development. The study (Yes Engineering), dated October 2017, is available on file. The summary to the study states that there would be a significant impact on residents of Phoenix Close and Hawes Lane.

The applicants submitted a response to this study, stating inter alia that the duty of the applicant is to mitigate their own impact rather than address existing problems, and generally disputing the conclusions and methodology of the study.

The consultants engaged by local residents issued a further statement in response, dated 18th October.

Technical Comments

From a technical highways perspective it is noted that the PTAL at the site is 1. The highways comments initially referred to the hours of operation cited in the transport statement submitted by the applicant. Comments refer to the high parking stress in Hawes Lane which is due to schools in the vicinity of the site. It is not clear from the submitted statement how 110 children will arrive and what the impact of the nursery will be on surrounding streets. The applicant should have undertaken and submitted a parking survey in accordance of the Lambeth Methodology. It is not possible to make an informed decision on whether or not there would be an adverse impact resulting from the proposal on the basis of the information submitted by the applicant. It is therefore recommended that planning permission be refused on the basis of lack of information.

The traffic study submitted by/on behalf of the neighbouring residents was forwarded to the highways engineer. It is noted that the information submitted by the residents association indicates that there are traffic issues in the area which have not been addressed by the applicant.

From an environmental health perspective it is recommended that planning permission be refused. The supporting documents allude to a figure of 110 children. Concern is expressed about the noise generated by vehicle movements associated with the development as well as the noise from activity in the garden area. Only the very youngest of children would be likely to be confined to the building for the entire day, and it is considered that the combined noise associated with comings and goings and the intensive use of the rear garden area would have a seriously detrimental impact on the amenity of nearby residents. It is noted that there is a high demand for day nurseries. If the Committee were minded to grant permission then it is recommended that a noise management plan be prepared regarding the use of the outside area, which should be backed up by an Acoustic Impact Assessment.

No concerns are raised from a technical drainage perspective.

Planning Considerations

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

- T1 Transport Demand
- T2 Assessment of Transport Effects
- T3 Parking
- T6 Pedestrians
- T18 Road Safety
- BE1 Design of New Development
- H9 Side Space
- C1 Community Facilities
- C7 Educational and Pre School Facilities

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 draft policies are relevant to the determination of this application:

- Draft Policy 20 - Community Facilities
- Draft Policy 27 - Education
- Draft Policy 28 - Educational Facilities
- Draft Policy 30 - Parking
- Draft Policy 32 - Road Safety
- Draft Policy 33 - Access for All
- Draft Policy 37 - General Design of Development
- Draft Policy 77 - Landscape Quality and Character
- Draft Policy 119 - Noise Pollution
- Draft Policy 120 - Air Quality
- Draft Policy 123 - Sustainable Design and Construction

The London Plan and National Planning Policy Framework are also key considerations in the determined of this application.

Policy 3.17 of the London Plan relates to Health and Social Care Facilities. Policy 3.19 of the London Plan provides general support for childcare provision and it is noted that the site lies in an area with a demand for pre-school facilities.

Planning History

The planning history of the site relates to the former clinic use of the building, including erection of a pram store (97/02900), the siting of portacabins (86/01609 and 86/02330) and the construction of a single storey rear infill extension (89/03047).

Conclusions

The main planning considerations in the determination of this application are:

- Principle of development
- Impact of the proposal on the residential amenities of neighbouring residents (including noise and disturbance associated with the use
- Traffic, parking and servicing
- Impact of the proposal on the visual amenities of the area

Principle of development

Taking into account local planning policies no objection is raised in principle to the loss of the existing clinic and the replacement of the existing building with a day nursery. The existing and proposed use of the site would each fall within Class D1 of the Use Classes Order (Non-Residential Institutions) and as such there would be no material change of planning use. The application has been supported by information confirming that the clinic use of the site is surplus to the requirements of the local clinical commissioning group. There is an identified need for day nursery places in the locality and therefore the principle of the use of the site as a day nursery may be considered acceptable in principle, subject to a detailed assessment of the intensity of the proposed use, the impact on residential and visual amenity and upon transport and highways matters.

Impact of the proposal on the residential amenities of the area

The impact of the development falls to be carefully considered in terms of the impact on residential amenity relating to noise and disturbance, loss of privacy, overlooking, undue visual impact and impact on daylight/sunlight.

Objections are raised from a technical environmental health perspective regarding the potential impact of the nursery use upon residential amenity, specifically relating to the scale and intensity of the use, the hours of operation and the number of children.

It is considered that noise levels within the site would be variable depending upon the activities being carried out by children at different times of the day, the intensity of use of the garden and the level of soundproofing of the interior spaces (including whether windows are open or closed). While noise levels would be variable, it is considered that the potential concentration of noise in the rear garden and the cumulative noise from children playing, shouting and laughing could result in unreasonable disturbance for neighbouring residents, particularly those living immediately adjacent to the site.

The application includes the provision of raised platform terrace with external staircase and slide leading down to the garden. While at lower level within the garden some noise may be muffled by the boundary treatments in combination with vegetation outside of the site, the use of the garden by the number of children it is proposed to accommodate would inevitably result in an increased level of noise and disturbance to the surrounding dwellings. The additional intrusive noise associated with the access from the first floor open terrace and the terrace use itself, along with the access to the ground floor, is

considered likely to have an unneighbourly impact, with the sound carrying outside of the site not only from the ground level play space but also from the first floor terrace.

The impact is exacerbated by the somewhat shallow depth of the rear garden in relation to the scale of the proposed operation, in physical terms as well as in terms of its use, and the concentration of intense activities within the rear garden area adjacent in particular to the garden of No. 123 Hawes Lane.

The nursery would not operate at weekends or in the evenings and would be likely to be most busy during normal working hours. Whilst some residents might be at work at this time, this is not a certainty. Some residents may be retired, home working, or working such shifts that mean that they are at home during the day on weekdays. Where at present there will be a natural lull in vehicular and pedestrian activity outside of the peak school pick up and drop off times, the proposal would have a more lasting impact on peace and quiet in adjacent gardens and residential dwellings/curtilages that would go beyond the school hours of nearby sites, and it is acknowledged in the application submission that arrivals and departures will be more generally spread throughout the morning/afternoon rather than being a short intense burst of activity dictated by the short window associated with the morning drop off and afternoon pick-ups from established local schools.

With regards to the first floor terrace, the applicant has stated that it is not intended to have any solid screening given its distance from the boundaries and the existing mature natural landscape screening on the boundary (adjacent to the application site in the context of the rear boundary). It is noted that on the land adjacent to the rear of the site the neighbouring property has a quite dense evergreen hedge and that there is some screening to the boundary with No. 123. Approx 11m space would be retained to the side boundary with the rear of No. 123, although the slide down from the first floor would project somewhat into this space. Notwithstanding the concerns expressed regarding the noise associated with the terrace, it is not considered that the line of sight to neighbouring gardens from this feature would result in significant direct overlooking.

The building would be bulkier than the existing structure on the site and would project to the rear of the rear elevation of the neighbouring dwelling. However, a separation of approx. 4.75m would be retained to the boundary and it is noted that the main rear elevation of the neighbouring dwelling (excluding the single storey side element) is itself set approx. 4m from the boundary. It is not considered that the proposal would have a significant impact on daylight/sunlight within the adjacent dwelling/garden. However, the bulk of the building would be appreciable from the neighbouring residential plot. It is noted that the flank elevation of the building facing No. 123 includes a large window to the first floor which appears from the elevation drawing to comprise obscure panels to the lower part of the window, with the upper elements clear and openable. While the flank facing window may not allow direct overlooking of the neighbouring garden its height and siting would result in a perceived sense of surveillance where at present none exists.

While the proposed building would be considerably higher than the existing structure and would occupy a significant proportion of the site, it is not considered that this would have an undue impact on daylight/sunlight to neighbouring dwellings and in view of its separation to the dwellings on the other side of Phoenix Close would not have a significant impact on the outlook from those dwellings. It is acknowledged that the boundary between the front drive and front garden of No. 18 Phoenix Close is marked by a substantial hedge within that site rather than within the application curtilage. As such the neighbouring property owners/occupiers would have some degree of control over the impact of the building on their amenity through the retention of this hedge and the maintenance of its height. This would to some extent place an onus on those occupants to retain the existing high hedge/landscape planting in order to preserve amenity

Impact of the proposal on the visual amenities of the area

The area is predominantly residential in character, with the prevailing pattern of development immediately surrounding the site being detached dwellings within comparatively modest plots. Neighbouring dwellings generally incorporate quite deep pitched roofs with the first floor windows appearing to align almost with the eaves level.

It is considered that the size, scale, bulk and design of the proposal would have a significant impact on the visual amenities of the street scene and the area in general. The proposed building would be located on a prominent corner site and as such has a visual impact from several directions, being appreciable from either direction in Hawes Lane as well as from the entrance to Phoenix Close.

According to the street elevation, the overall height of the building would not be greater than that of the neighbouring dwelling at No. 123. The eaves height would be higher than the neighbouring property and the squat roof design would tend to be dominated by the vertical ground and first floor elevations. The two storey width of the building would be considerably greater than the neighbouring dwelling which is recognisably domestic in scale and in terms of the design elements including fenestration, as well as the dwellings on the opposite site of Phoenix Close. In contrast, the appearance of the proposed building would dominate the corner site and the neighbouring residential dwelling, appearing out of character with the immediate locality and having an adverse impact on the open appearance of the prominent corner host site. The impact would be worsened as a consequence of the design detailing of the proposal, including the clearly commercial appearance of the building along with the pattern of fenestration and the flat roofed and projecting elements and the depth of the building in relation to its width. The building would juxtapose awkwardly with the immediately surrounding residential buildings which would result in it appearing bulky and overdominant, detrimental to the visual amenities of the area.

While it is noted that the existing building, formerly used as a health clinic, does not itself readily relate to the local vernacular, this building appears to predate at least the neighbouring residential street of Phoenix Close and being low level and set significantly to the rear has a limited impact on the visual amenities of the area, with the existing development of the site in fact resulting in an open aspect on the corner.

Transport and highways matters

It is acknowledged that the applicant has submitted supporting documents including a Travel Plan and a Transport Statement, and that the applicant has responded to the Traffic Study commissioned by neighbouring residents. However, in view of the position of the site in relation to local schools and in an area with a low PTAL rating, it falls to be carefully considered whether sufficient information has been provided to demonstrate that the proposal would not have a detrimental impact on conditions of safety and the freeflow of traffic within the locality, along with the existing parking stress in surrounding streets. That the former use of the site as a health clinic would itself have generated vehicular trips must be taken into account in the assessment of the proposal.

Technical highways objections are raised to the proposal on the basis that insufficient information has been submitted to allow assessment of the impact of the proposal, particularly in relation to parking stress in the locality. Information provided by and on behalf of neighbouring residents suggests that there is a large demand for on-street parking at key times of the day and that the information submitted with the application does not accurately show the existing and likely situation from a traffic generation/parking perspective. It is not possible to conclude that the proposal would not be likely to result in

additional parking stress in the locality, taking into account the size of the nursery, the staff body and the trips to drop off and pick up nursery children.

It is noted that the applicant has stated that there would be linked trips associated with older siblings at the nearby school sites. However, the traffic study provided on behalf of the residents notes that in view of the age of children and the physical separation of the sites parents will leave vehicles parked on street for a longer period of time, removing the benefit of the linked trip. This tallies with the individual representations received from neighbouring residents raising concern that if parents are dropping children off as part of their commute they may well leave their cars near the nursery premises, with the adults walking the remaining route.

Overall, it is not considered that the application has successfully made the case that there would not be a significant impact on traffic and parking demand in the locality, and in the absence of satisfactory information to that effect it is considered that the proposal would contribute to an unacceptable increase in parking demand and an associated detrimental impact on the freeflow of traffic and conditions of safety in the locality.

Summary

It is acknowledged that there is a demand for nursery places within the locality and that in principle the use of the site to provide a children's day nursery appears to be acceptable. However, these conclusions are not considered to outweigh the material harms identified in respect of the specific proposal.

It is considered that the proposal would have a detrimental impact on the residential amenities of neighbouring dwellings, in view of the intensity of the proposed use in relation to the size of the site and its location in the context of neighbouring residential curtilages. The proposal would have an adverse impact on the seclusion, privacy and quiet enjoyment of neighbouring properties.

Insufficient information has been provided to demonstrate that the proposal would not result in an increased and unacceptable impact on existing parking stress and conditions of safety/the freeflow of traffic in the locality.

The scale, bulk and design of the proposed building would fail to complement the character of the existing residential locality and would have a detrimental impact on visual amenity of the street scene and the area in general, taking into account the sensitive corner position of the application site.

Background papers referred to in the preparation of this report comprise all documents on file ref. 17/03510/FULL1 excluding exempt information.

RECOMMENDATION: APPLICATION BE REFUSED

The reasons for refusal are:

- 1 The proposal, by reason of its height, bulk and design and siting on a sensitive corner plot, would have a detrimental impact on the character and appearance of the locality and the visual amenities of the street scene, thereby contrary to Policy BE1 of the Unitary Development Plan, Policy 37 of the draft Local Plan, Policies 7.4 and 7.6 of the London Plan and the NPPF.**

- 2** The proposal by reason of the intensity of the use proposed and the design of the building would have an unacceptable impact on the residential amenities of the area, resulting in increased noise and disturbance and detrimental to the quiet and seclusion of neighbouring residential sites, thereby contrary to Policy BE1 of the Unitary Development Plan, Policy 37 of the draft Local Plan, Policy 7.6 of the London Plan and the NPPF.

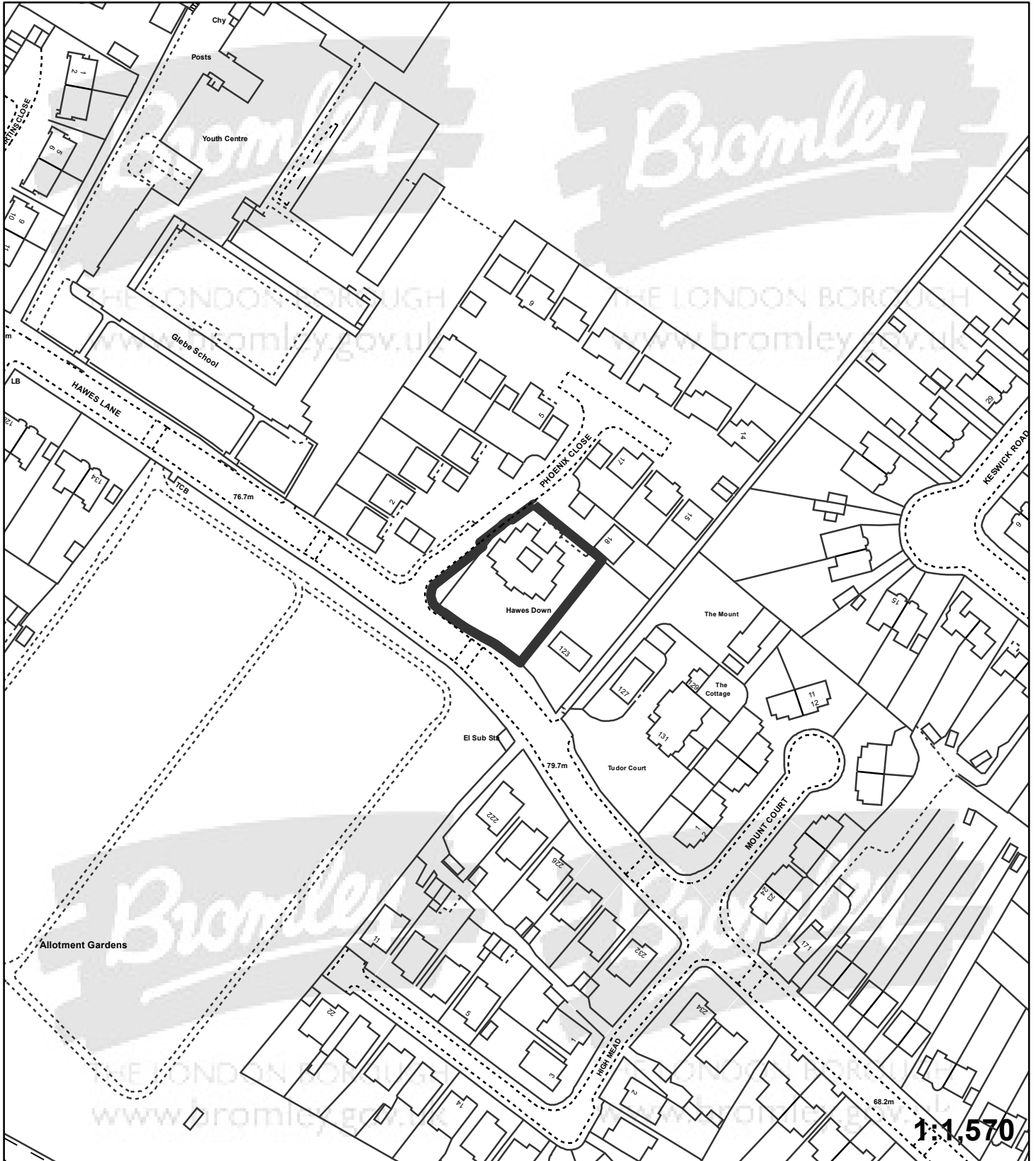
- 3** In the absence of sufficient information to demonstrate the capacity of surrounding streets to accommodate satisfactorily the additional potential parking and comings and goings associated with the development, the proposal would be likely to lead to an unacceptable increase in on street parking demand, prejudicial to the free flow of traffic and conditions of safety within the highway, thereby contrary to Policies T1, T3, T6 and T18 of the Unitary Development Plan and Policies 30 and 32 of the draft Local Plan.

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Application:17/03510/FULL1

Address: Hawes Down Clinic Hawes Lane West Wickham BR4 9AE

Proposal: Demolition of existing health clinic and erection of two storey building for use as a day nursery with associated external works including replacement boundary fencing/railings, formation of 2 no. car parking spaces and hard and soft landscaping



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

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

Application No : 17/03781/FULL1

Ward:
Orpington

Address : 251 High Street Orpington BR6 0NZ

OS Grid Ref: E: 546208 N: 166088

Applicant : Mr A. Low

Objections : NO

Description of Development:

Fourth floor extension to Nos.251-259 High Street Orpington to provide 3 three bedroom, 1 two bedroom and 5 one bedroom flats together with alterations to existing building including replacement and addition of windows, installation of render to facades, repositioning and part enclosure of fire escape stair and erection of terraces at 2nd and 3rd floor levels

Key designations:

Biggin Hill Safeguarding Area
London City Airport Safeguarding
Open Space Deficiency
Smoke Control SCA 29

Proposal

Prior approval was granted in March 2017 (ref.17/00266) for the change of use of the second and third floors of Nos.251-259 High Street, Orpington from Class B1(a) offices to Class C3 residential to form 34 flats (22 studios and 12 one bedroom flats). Ten car parking spaces were proposed within the rear parking area accessed from Gravel Pit Way, and sheltered cycle parking was provided for 34 bicycles.

The approval was subject to conditions inter alia to prevent residents from applying for residents parking permits, and giving residents membership of the local car club.

Planning permission is now sought for alterations to the existing building in order to accommodate the conversion of the second and third floors into 34 flats which comprise the replacement and addition of windows, the installation of render to the facades, the repositioning and part enclosure of the fire escape stair, and the addition of terraces/balconies. Permission is also sought for the addition of a fourth floor extension to provide an additional 9 flats (3 three bedroom, 1 two bedroom and 5 one bedroom) which would also include balconies. An additional 6 car parking spaces are proposed for the 9 fourth floor flats, giving a total of 16 spaces provided for the development as a whole. A Transport Assessment has been submitted as part of the application.

An application for physical alterations to the existing building required to facilitate the previously approved conversion of the second and third floors into 34 flats (but without the additional floor) is under consideration elsewhere on the agenda (ref.17/03287). This application must be considered as a proposal that may be implemented separately from these other application proposals/permissions.

Location

The site is located on the eastern side of the High Street within the Primary Shopping Frontage, and backs onto Gravel Pit Way. It contains retail uses on the ground and first floors, and vacant office space on the second and third floors.

Residential dwellings in Homefield Rise back onto the rear part of the site, whilst dwellings in Lancing Road lie some distance away on the opposite side of Gravel Pit Way.

Consultations

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

- * the premises should be kept in commercial use which is appropriate for a High Street location
- * the additional height of the building would be out of character with other High Street buildings
- * overdevelopment of the site
- * overlooking of nearby dwellings and gardens from balconies and windows
- * loss of outlook to neighbouring properties
- * increase in noise and disturbance from increased number of residents in the area
- * inadequate parking for the number of flats
- * increased traffic
- * bin stores unacceptable next to residential gardens
- * parking at the rear would cause difficulties with deliveries to the shops leading to possible loss of the retail units
- * the fire escape should be fully enclosed to prevent antisocial behaviour
- * the screening proposed to balconies is inadequate
- * nearby development proposals will already impact on the area
- * the proposed residential units are cramped
- * detrimental impact on pedestrian safety.

Comments from Consultees

Highways comment that the site is divided between PTAL ratings of 4 and 6a. The car parking area would provide an extra 6 spaces for the additional 9 flats, which is based on the car ownership for flats in Orpington from the 2011 census.

The main entrance to the flats is from the High Street, so the car park would not be that conveniently located as residents would have to access it via the High Street, Homefield Rise and then Gravel Pit Way (although it is noted that the fire escape is to be used as a rear access for the flats from the parking area and bin stores).

With regard to refuse stores provided at the rear, it is unlikely that the refuse collection vehicle would enter the site, and the storage bins are over the normal maximum 18m drag distance from the highway. This would need to be dealt with by condition.

The Prior Approval application for 34 flats included a unilateral undertaking to prevent residents applying for residents parking permits, and this is offered again. Conditions were imposed to prevent residents from applying for residents parking permits, and giving residents membership of the local car club, and these are suggested again.

Planning Considerations

The following policies of the Unitary Development Plan are of relevance to this application:

BE1 Design of New Development

H7 Housing Density & Design
T3 Parking
T18 Road Safety

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 30 - Parking
Draft Policy 32 - Road Safety
Draft Policy 37 - General Design of Development

The London Plan (2015)

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 6.9 Cycling
Policy 6.13 Parking
Policy 7.2 An Inclusive Environment
Policy 7.4 Local Character
Policy 7.6 Architecture

Conclusions

The use of the second and third floors of this building for 34 flats has already been established by the Prior Approval application granted in March 2017, therefore, the main issues in this case are the impact of the fourth floor extension to provide an additional 9 flats and the elevational alterations to the existing building on the amount of development, the character and appearance of the surrounding area, affordable housing provision, the amenities of neighbouring residential properties, and on parking and road safety in the adjacent highway. This application must be considered as a stand alone proposal which could be implemented independently of the change of use prior approval.

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.

The site is located adjacent to other commercial properties in the High Street with residential or commercial accommodation above, and backs onto residential properties at the rear. In principal, a residential development above the ground floor commercial units is considered to be appropriate in this location, provided that it is designed to complement the character of surrounding developments, that the design and layout would provide suitable residential accommodation, and it would provide adequate amenity space for future occupiers.

Density

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 195 dwellings per hectare if the prior approval scheme for 34 flats is implemented or 41 dwellings per hectare if not. The table gives a suggested level of between 45-260 dwellings per hectare in urban areas with a 4 to 6 PTAL location. The proposals would therefore result in an intensity of use of the site that would be within the thresholds in the London Plan. However, the proposals 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, and 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 residential 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.

With regard to the impact on the street scene, whilst the amendments to the existing building, including changes to the windows and the addition of balconies, would not detract from the overall appearance of the building, the addition of a fourth floor extension would add to the overall bulk of the building, and whilst the fourth floor would be set back from the front elevation of the building (in line with the third floor), it would still be very visible within the street scene, particularly on approach from the north and south.

The rear of the building is also very visible from Homefield Rise and Gravel Pit Way, and an additional storey would appear more prominent from the surrounding area, particularly

when viewed against the significantly smaller neighbouring properties. The increased bulk of the building would be exacerbated by the additional terraces and balconies proposed, and the proposals are therefore considered to have a detrimental impact on the visual amenities of the street scene, and the character and appearance of the surrounding area.

Future residential amenity

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

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

The proposals comprise 3 three bedroom 4 person flats, 1 two bedroom 4 person flats, 2 one bedroom 2 person flats and 3 one bedroom 1 person flats. The London Plan (2015) suggests that the minimum size of a three bedroom 4 person flat should be 74sq.m., the minimum size of a two bedroom 4 person flat should be 70sq.m., the minimum size of a one bedroom 2 person flat should be 50sq.m., and the minimum size of a one bedroom 1 person flat should be 37sq.m. where a shower room is provided rather than a bathroom (as in this case).

The three bedroom flats would provide between 74-86sq.m. floorspace, the two bedroom flat would provide 92sq.m. floorspace, the one bedroom 2 person flats would provide between 57-62sq.m. floorspace, and the one bedroom 1 person flats would provide between 37-41 sq.m. floorspace. All the flats would therefore achieve these standards.

Each dwelling would have private outdoor amenity space in the form of a balcony.

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

Affordable Housing

Policy H2 states that affordable housing will be sought on all housing sites capable of providing 10 dwellings or more. On all sites at or above this threshold negotiations will take place to determine the number of affordable dwellings to be provided.

Paragraph 6.3 of the Bromley Housing Supplementary Planning Document states that where the Council consider that a site has been artificially sub-divided in order to avoid the application of the affordable housing policy, the policy will be applied across the entire site and any sub-phase of the site.

In this case, application 17/000266/RESPA which was granted prior approval in March 2017 proposed 34 flats over the second and third floors. If implemented with this application, the number of residential units would total 43. If the applications were submitted together, affordable housing contributions would have been sought.

The Council would, if at any time permission was minded to be granted for this proposal, seek to secure through legal agreement affordable housing contributions once more than 10 dwellings are created at the site as a result of the extant approvals.

Impact on neighbouring residential amenity

Policy BE1 seeks to ensure that new development proposals 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.

With regard to the impact on neighbouring properties, the rear of the building currently stands close to Nos.6-12 Homefield Rise which back onto the site, and although the addition of screened terraces and balconies in the northern elevation of the existing building is not on its own considered to adversely affect outlook and privacy to these properties, the addition of a fourth floor extension to the building containing 9 flats with a number of windows and balconies facing the rear of the Homefield Road properties, would significantly increase overlooking at a higher level, and the perception of being overlooked, in addition to a loss of outlook caused by the bulkier building.

Concerns have also been raised by residents in Lancing Road whose properties back onto Gravel Pit Way regarding overlooking from windows and balconies on the southern and eastern elevations of the building and the fourth floor extension, however, these dwellings are situated some distance away from the building (80-100m), and the terraces and balconies would be largely screened from these properties by the enclosed fire escape staircase towards the rear of the building, and by 1.8m high opaque screens to the terraces. The proposals are not therefore considered to cause undue overlooking of neighbouring properties in Lancing Road.

Impact on parking and road safety in the adjacent highway

With regard to highway matters, the level of parking provided is considered to be acceptable, subject to conditions relating to further details of the cycle parking, the prevention of future residents from applying for residents parking permits, and giving residents membership of the local car club.

Conclusion

The proposed extension of the building to provide a fourth floor of residential accommodation is considered to have a detrimental impact on the visual amenities of the street scene, would be out of character with the surrounding area, and would result in loss of privacy to and outlook from neighbouring residential properties.

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

RECOMMENDATION: APPLICATION BE REFUSED

The reasons for refusal are:

- 1 The proposed fourth floor extension, by reason of its size, height and bulk, would result in an overdominant form of development within the street scene, and would be detrimental to the character and visual amenities of the surrounding area, thereby contrary to Policies BE1 and H7 of the Unitary Development Plan.**
- 2 The proposals would, by reason of the size, bulk and height of the proposed extension and the additional windows and balconies proposed, result in significant overlooking of neighbouring residential properties in addition to loss of outlook, thereby contrary to Policy BE1 of the Unitary Development Plan.**

You are further informed that:

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

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Application:17/03781/FULL1

Address: 251 High Street Orpington BR6 0NZ

Proposal: Fourth floor extension to Nos.251-259 High Street Orpington to provide 3 three bedroom, 1 two bedroom and 5 one bedroom flats together with alterations to existing building including replacement and addition of windows, installation of render to facades, repositioning and part enclosure



"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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