



THE LONDON BOROUGH
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DATE: 30 April 2019

To: **ALL MEMBERS OF THE COUNCIL**

BY DECISION OF THE COUNCIL, THE AGENDA OF MEETINGS OF THE PLANS SUB-COMMITTEES ARE TO BE SENT TO ALL MEMBERS OF THE COUNCIL.

Subject to the Plans Sub-Committee being reconstituted and Members of the Sub-Committee being appointed by the Development Control Committee on Wednesday 8 May 2019, there will be a meeting of the Plans Sub-Committee 1 at the Bromley Civic Centre on **THURSDAY 9 MAY 2019 AT 7.00 PM**

MARK BOWEN
Director of Corporate Services

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

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

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

To register to speak please telephone Democratic Services on 020 8313 4745

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

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

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

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 MARCH 2019**
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- 4 PLANNING APPLICATIONS**

SECTION 1

(Applications submitted by the London Borough of Bromley)

Report No.	Ward	Page No.	Application Number and Address
4.1	Bromley Town Conservation Area	11 - 22	(19/00237/FULL1) - Pedestrianised Area Highway, High Street, Bromley
4.2	Bromley Town Conservation Area	23 - 34	(19/00241/FULL1) - 162 High Street, Bromley, BR1 1HJ

SECTION 2

(Applications meriting special consideration)

Report No.	Ward	Page No.	Application Number and Address
4.3	Crystal Palace	35 - 52	(18/01303/FULL1) - 19 Anerley Road, Penge, London, SE19 2AS
4.4	Bickley	53 - 62	(19/00444/FULL6) - Roseview, Hill Brow, Bromley, BR1 2PG
4.5	Bickley	63 - 72	(19/00445/FULL6) - Roseview, Hill Brow, Bromley, BR1 2PG

SECTION 3

(Applications recommended for permission, approval or consent)

Report No.	Ward	Page No.	Application Number and Address
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4.7	Plaistow and Sundridge	105 - 122	(18/05526/FULL1) - Squirrels Chase, Lodge Road, Bromley, BR1 3ND

4.8	Petts Wood and Knoll	123 - 132	(19/00110/FULL6) - 82 Lynwood Grove, Orpington, BR6 0BH
4.9	Chelsfield and Pratts Bottom	133 - 138	(19/00398/FULL6) - 239 Repton Road, Orpington, BR6 9JD
4.10	Shortlands	139 - 146	(19/00406/FULL6) - 23 Bushey Way Beckenham BR3 6TA
4.11	Bickley	147 - 160	(19/00572/FULL1) - 8 Meriden Close, Bromley, BR1 2UF

SECTION 4

(Applications recommended for refusal or disapproval of details)

Report No.	Ward	Page No.	Application Number and Address
4.12	Chislehurst Conservation Area	161 - 172	(19/00216/FULL1) - ECE Travel, Royal Parade Mews, Chislehurst, BR7 6TN
4.13	Petts Wood and Knoll	173 - 178	(19/00723/PLUD) - 80 Crescent Drive, Petts Wood, Orpington BR5 1BD

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		

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PLANS SUB-COMMITTEE NO. 1

Minutes of the meeting held at 7.00 pm on 14 March 2019

Present:

Councillor Alexa Michael (Chairman)
Councillor Charles Joel (Vice-Chairman)
Councillors Kathy Bance MBE, Katy Boughey, Mark Brock,
Kira Gabbert, Keith Onslow, Will Rowlands and Suraj Sharma

Also Present:

Councillors Russell Mellor

24 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

Apologies for absence were received from Councillors Tony Owen and Simon Jeal and Councillors Keith Onslow and Kathy Bance MBE attended as their substitutes.

25 DECLARATIONS OF INTEREST

No declarations of interest were reported.

26 CONFIRMATION OF MINUTES OF MEETING HELD ON 17 JANUARY 2019

RESOLVED that the Minutes of the meeting held on 17 January 2019 be confirmed and signed as a correct record.

27 PLANNING APPLICATIONS

SECTION 3

(Applications recommended for permission, approval or consent)

27.1 PENGE AND CATOR

(18/02791/FULL1) - 182 Maple Road, London, SE20 8JB.

Description of application – Demolition of existing ground floor rear extension and construction of part one/two storey rear extension and dormer together with conversion of existing upper floors to create two x 2 bed flats and 1 studio flat. Replacement shop front to ground floor commercial use. Refuse and recycling

provision. Construction of rear boundary wall.

Members having considered the report and objections, **RESOLVED that PERMISSION be GRANTED** as recommended, subject to the conditions and informatives set out in the report of the Chief Planner with an amendment to Condition 4 to read and an Informative to read:-

“4. (i) Details of the means of enclosure for the area for storage of refuse and recyclable materials for all flats and the commercial unit shall be submitted to and approved in writing by the Local Planning Authority prior to construction of any above ground works.

(ii) 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 37 of the Bromley Local Plan and in order to provide adequate refuse storage facilities in a location which is acceptable from the residential and visual amenity aspects.

INFORMATIVE: You are advised to contact the following address regarding alignment of, connection to or diversion of a public sewer, or adoption of a sewer –

Thames Water 1 Kew Bridge Brentford, Middlesex
TW8 0EF

0845 850 2777

Email developer.services@thameswater.co.uk”

27.2 BICKLEY

(18/04267/FULL1) - Bickley Park School, 24 Page Heath Lane, Bickley, Bromley, BR1 2DS

Description of application – Demolition of the existing 2 storey theatre building, single storey classrooms and stores and erection of 2 storey performing arts centre together with removal of trees and replacement fencing and temporary classroom building.

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

Supplementary photographs had been received from the objector and circulated to Members.

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

conditions and informatives set out in the report of the Chief Planner.

**27.3
FARNBOROUGH AND
CROFTON**

(18/05610/FULL1) - Land Adjacent to 15 Sandy Bury, Orpington

Description of application – Erection of a three bedroom detached dwelling.

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

Ward Member, Councillor Charles Joel, read a statement in objection to the application annexed to these minutes ('Annex A').

The Chairman had visited the site and viewed it from the landing window of 15 Sandy Bury. She objected to the potential impact and proximity on Number 15, being detrimental and out of keeping with the area. In her view the proposed section of the development that would project in front of the building line of Numbers 15 and 17 Sandy Bury was contrary to policy.

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

1. The proposed development by reason of its design and layout would be out of keeping and character of the surrounding area contrary to Policies 4 and 37 of the Bromley Local Plan and Policy 3.5 of the London Plan.

**27.4
SHORTLANDS**

(19/00067/FULL6) - 212 Mead Way, Hayes, Bromley

Description of application - First floor side extension & ground floor rear extension.

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

SECTION 4

(Applications recommended for refusal or disapproval of details)

**27.5
COPERS COPE**

(17/03898/FULL1) - Crusader Hall, High Street, Beckenham

Description of application – Demolition of existing private clubhouse (Class D2) and redevelopment of site for 2 No.1 bed flats and 7 No. 2 bed flats with associated parking.

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

The site was not in the Beckenham Conservation Area but its access was and Councillor Mellor said many local residents had expressed concern at the detrimental affect the proposed development would have on the conservation area. The site had one single file exit/egress route that was inadequate, unsustainable in terms of residents, and in his view the proposed would be an intensive backland development that did not comply with the Bromley Local Plan or National Policies.

The Chairman had visited the site and was concerned at the proposed loss of a community facility that had been empty for some time. She agreed with Councillor Mellor that the proposed residential development would be an intensive use of the backland site with a narrow access way that would conflict pedestrians and drivers with insufficient amenity space. Her preference was that the wooded area should be retained and she objected to the application.

Councillor Katy Boughey drew Members' attention to Highway Division's comments referred to in the report and she also objected to the application.

Councillor Kathy Bance MBE was concerned that the reasons for refusal contained in the report may be insufficient if the application were to go to appeal as the fire appliance/heavy vehicle issue would still exist if the private clubhouse, or a lesser future piecemeal development, was on the site.

Councillor Suraj Sharma considered it unwise that the

property had not been marketed for six months.

Councillor Joel had also visited the site, driven down the narrow access and considered it to be unsuitable for larger vehicles and preferred that the private clubhouse be used for local clubs, such as air cadets or for the elderly etc.

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 an amendment to Reason 2 and a further reason to read:-

REASON 2: The proposed development constitutes an undesirable form of piecemeal and unsustainable backland development in view of the constrained access to the site and the impact on protected trees, resulting in an overdevelopment of the site with the potential to establish an undesirable pattern for similar piecemeal infilling in the area, contrary to Policies 3, 4 and 37 of the Bromley Local Plan (2019).

REASON 5: The proposed development would fail to provide a satisfactory standard and size of good quality accommodation for future occupiers by reason of the substandard floor space provisions for the 1 bedroomed units contrary to Policies 4 and 37 of the Bromley Local Plan, Policy 3.5 of the London Plan, the DCLG Technical housing standards and the Mayor's London Housing SPG.

**27.6
COPERS COPE**

(18/03042/FULL1) - Crusader Hall, High Street, Beckenham

Description of application – Demolition of existing private clubhouse (Class D2) and redevelopment of site to provide a three storey apartment block comprising of 2 x 1 bedroom apartments and 7 x 2 bedroom apartments together with the provision of cycle, refuse/recycling storage, amenity space and associated pedestrian access.

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

The site was not in the Beckenham Conservation Area but its access was and Councillor Mellor said many local residents had expressed concern at the detrimental affect the proposed development would have on the conservation area. The site had one single file exit/egress route that was inadequate, unsustainable in terms of residents, and in his view the proposed would be an intensive backland development that did not comply with the Bromley Local Plan or National Policies.

The Chairman had visited the site and was concerned at the proposed loss of a community facility that had been empty for some time. She agreed with Councillor Mellor that the proposed residential development would be an intensive use of the backland site with a narrow access way that would conflict pedestrians and drivers with insufficient amenity space. Her preference was that the wooded area should be retained and she objected to the application.

Councillor Katy Boughey drew Members' attention to Highway Division's comments referred to in the report and she also objected to the application.

Councillor Kathy Bance MBE was concerned that the reasons for refusal contained in the report may be insufficient if the application were to go to appeal as the fire appliance/heavy vehicle issue would still exist if the private clubhouse or a lesser future piecemeal development was on the site.

Councillor Suraj Sharma considered it unwise that the property had not been marketed for six months.

Councillor Joel had also visited the site, driven down the narrow access and considered it to be unsuitable for larger vehicles and preferred that the private clubhouse be used for local clubs such as air cadets or for the elderly etc.

Members having considered the report, objections and representations, **RESOLVED that PERMISSION BE REFUSED** as recommended, f for the reasons set out in the report of the Chief Planner with an amendment to Reason 2 and a further reason to read:-

“REASON 2: The proposed development constitutes an undesirable form of piecemeal and unsustainable backland development in view of the constrained access to the site and the impact on protected trees, resulting in an overdevelopment of the site with the potential to establish an undesirable pattern for similar piecemeal infilling in the area, contrary to Policies 3, 4 and 37 of the Bromley Local Plan (2019).

REASON 6: The proposed development would fail to provide a satisfactory standard and size of good quality accommodation for future occupiers by reason of the substandard floor space provisions for the 1 bedrooomed units contrary to Policies 4 and 37 of the Bromley Local Plan, Policy 3.5 of the London Plan, the DCLG Technical housing standards and the Mayor's London Housing SPG.”

**27.7
BROMLEY TOWN**

**(18/05157/FULL1) - 21 Cromwell Avenue, Bromley
BR2 9AG**

Description of application - Erection of detached three bedroom dwelling house, to include basement, ground and first floor. Creation of associated residential curtilage, vehicular access and car and cycle parking and refuse facility. Alterations to host dwelling including reduced balcony and repositioning of patio doors. Excavation to existing and proposed rear garden (adjacent public footpath at rear of the site) to create single level amenity area.

Oral representations in support of the application were received at the meeting. Supplementary information had been received from the Agent including an Arboricultural Impact Assessment Report dated 16 December 2016 and circulated to Members.

The Chief Planner's representative informed Members that the Tree Officer had reviewed the supplementary information from the Agent and the recommendation for refusal remained as stated in the Chief Planner's report.

The Chairman had visited the site and her view was that the proposed development would be a danger to the well-being of the Beech Tree protected by Tree Preservation Order 2491 and she objected to the

application. Councillor Charles Joel agreed with the Chairman and was also concerned at the proposed cramped space around the buildings.

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

**ANNEX A - ITEM 4.3 - LAND ADJACENT TO 15 SANDY BURY, ORPINGTON -
COMMENTS FROM COUNCILLOR CHARLES JOEL**

The Meeting ended at 8.10 pm

Chairman

ITEM 4.3 (18/05610/FULL1) - LAND ADJACENT TO 15 SANDY BURY, ORPINGTON

Madam Chairman and Members

You will see from the report before us that there has been a history of applications regarding this site.

In 2014 for a 3 bedroom dwelling – refused. The applications were dismissed following appeals to the Planning Inspectorate.

Then you will see from the agenda on page 52 a further application was submitted to the Council in 2017 and was refused by the Council and again dismissed following an appeal to the Planning Inspectorate.

It has been mentioned in the report that both in the Inspectors feed-back that the resulting relationship would create harm to the character of the area.

The dwelling on this side of the road are mainly two storey semi-detached houses, probably designed and built during the latter part of the 1950's early 1960's and have set a character in the street scene with dwellings in Sandy Bury and surrounding area.

As a result I am mindful the proposal fails under Policies 4 and 37 of the Bromley Local Plan. Furthermore the design is not sympathetic to the local character hence does not comply with Para 127 of the NPPF (2019). Whilst this application could be judged on its merits in this case it does not respect the locality.

To conclude the design is out of character with the surrounding dwellings and be viewed as being detrimental to the local area.

Madam Chairman I move refusal to this application.

Councillor Charles Joel
Member for Farnborough & Crofton Ward
14 March 2019

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

Application No : 19/00237/FULL1

Ward:
Bromley Town

Address : Pedestrianised Area Highway High
Street Bromley

Objections: No

OS Grid Ref: E: 540268 N: 169068

Applicant : Mr Kevin Munnelly

Description of Development:

Erection of two detached retail (Class A1) kiosk units

Key designations:

Conservation Area: Bromley Town Centre
Smoke Control SCA 51

Proposal

Planning permission is sought for the erection of 2 permanent commercial buildings on the High Street. Each building will be occupied by a single retail (Class A1) occupier. The buildings will be sited on the pedestrianised area of the High Street outside the Glades entrance at the southern end and outside No. 107 High Street.

The buildings will both have dimensions of 9.0m by 5.0m and will have a flat roof with a height of 3.25m. The proposed external materials include red cedar cladding, aluminium doors and windows and a stainless steel canopy.

The retail uses will operate from 08:00 to 21:00 on Mondays to Saturdays and from 11:00 to 17:00 on Sundays and Bank Holidays.

The application was supported by the following documents:

- Design and Access Statement

Location and Key Constraints

The site comprises the Bromley High Street, which is characterised as a Town Centre retail location. The High Street comprises a mix of architectural styles and building heights, with ground floor commercial retail, restaurant and other uses, with upper floor offices. There are also some upper floor residential units.

The site falls within the Bromley Town Centre Conservation Area and is also an Area of Archaeological Significance.

Comments from Local Residents and Groups

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

Comments from Consultees

Advisory Panel for Conservation Areas (APCA): No inspection made.

Conservation Officer: There is already a significant amount of market and temporary activity in the High Street, all of which adds to the vitality and character of the area. This proposal would enhance this use and I see no adverse impact on the character of the CA. The proposal is therefore in accordance with Policy 41.

Crime Prevention Officer: Designing Out Crime Group London will not be seeking to have planning conditions relating to crime and criminality and Secured by Design on applications of less than ten residential units or 1000 sq/m. However, I see no reason why this project cannot achieve the physical security requirements of Secured by Design by incorporating the use of tested and accredited products.

Highways: I would have no objections from a highway perspective to this application. Having spoken to licencing colleagues it is unclear whether these units would require a highway licence so I suggest this is followed up with them should the application be successful.

Drainage Engineer: Please impose condition PC06.

Environmental Health Pollution Officer: no comment made.

Business Improvement District (BID) Team: No comment made.

London Fire Service: no comments received.

Historic England: no comments received

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.

The National Planning Policy Framework was published on 24 July 2018 and updated on 19 February 2019.

The development plan for Bromley comprises the Bromley Local Plan (Jan 2019) and the London Plan (March 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

2.15 Town Centres
4.1 Developing London's Economy
4.7 Retail and Town Centre Development
4.9 Small Shops
5.1 Climate Change Mitigation
5.7 Renewable Energy
5.13 Sustainable Drainage
6.3 Assessing the Effects of Development on Transport Capacity
6.9 Cycling
6.10 Walking
6.13 Parking
7.1 Lifetime Neighbourhoods
7.2 An Inclusive Environment
7.3 Designing Out Crime
7.4 Local Character
7.5 Public Realm
7.6 Architecture
7.8 Heritage Assets and Archaeology

Bromley Local Plan

Policy 30 – Parking
Policy 32 – Road Safety
Policy 37 – General Design of Development
Policy 38 – Statutory Listed Buildings
Policy 41 – Conservation Areas
Policy 80 – Strategic Economic Growth
Policy 84 – Business Improvement Areas
Policy 90– Bromley Town Centre Opportunity Area
Policy 91 – Proposals for Main Town Centre Uses
Policy 100 - Markets
Policy 112– Planning for Sustainable Waste Management
Policy 116 – Sustainable Urban Drainage Systems
Policy 119 – Noise Pollution

Supplementary Planning Guidance

Bromley Town Centre Area Action Plan
Supplementary Planning Guidance 1 – General Design Principles
Supplementary Planning Guidance for the Bromley Town Centre Conservation Area.

Planning History

99/00536/FULL2 – Use of part of pedestrianised street for 52 stalls for arts and craft market to operate on any day of the week. PERMITTED

17/05817/REG3 - Relocation of Bromley High Street market comprising 46 pop-up market stalls (3.7m x 2.5m) on the pedestrianised areas in front of 20-25 and 29 Market square, 109-111, 100-122, 124-126, 136-160, 162-184 and 165-167 High Street Bromley to operate every Thursday, Friday and Saturday (08:00 to 22:00) and additional operation on Sundays to Wednesdays for a maximum 7 times per year – PERMITTED

19/00241/FULL1 – Erection of 4 retail units – Under consideration on the same Plans Sub-Committee agenda

Considerations

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

- Principle
- Design
- Conservation Area and Listed Buildings
- Highways
- Neighbouring amenity
- Sustainability
- CIL

Principle

The proposal seeks permission to erect two detached retail units on the pedestrianised part of the High street to be occupied by individual retailers. The proposal would support local small businesses and would provide a new location for retail/market trading that is generally supported by the Council. The Town Centre represents an appropriate location for such new commercial units and would generate activity and business to the Town Centre that would increase footfall and enhance the vitality and commercial viability of this part of the High Street. The development is therefore supported in principle.

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.

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

Policy 37 of the Bromley Local Plan requires new buildings to complement the scale, form, layout and materials of adjacent buildings and areas, and seeks to protect the amenities of neighbouring properties.

The proposal will provide 2 commercial units on the pedestrianised area of the High Street outside The Glades entrance and No. 107. The units will be permanent and constructed with a red cedar clad external appearance. The units will have a low flat roof and will be similar in general size and scale to the existing market stalls that operate on Thursdays-Saturdays within this area of the High Street. It is considered that the development would therefore be sympathetic in terms of design and will not create a design conflict with the overall character of the High Street.

Each detached retail unit will be modest in size and footprint. The siting and design of the units will allow for good accessibility to existing shops and for emergency services without cluttering the High Street or creating issues for pedestrian permeability. The design and siting is not, however, considered to have an impact on the permeability and accessibility of the area for shoppers.

In design terms, the proposal is considered to be acceptable and will not result in a detrimental impact on the character of the High Street.

Conservation Area and Listed Buildings

Policy 38 of the Bromley Local Plan outlines that applications for development involving a listed building or its setting, or for a change of use of a listed building, will be permitted provided that the character, appearance and special interest of the listed building are preserved and there is no harm to its setting. In the case of a change of use, the applicant needs to additionally demonstrate that the existing or

last use is not viable or is no longer compatible with the building's fabric, interior or setting.

Policy 41 of the Bromley Local Plan relates to Conservation Areas and states that in order to preserve or enhance the character or appearance of conservation areas, a proposal for new development, for engineering works, alteration or extension to a building, or for change of use of land or buildings within a conservation area will be expected to:

- (i) respect or complement the layout, scale, form and materials of existing buildings and spaces;
- (ii) respect and incorporate in the design existing landscape or other features that contribute to the character, appearance or historic value of the area; and
- (iii) ensure that the level of activity, traffic, parking services or noise generated by the proposal will not detract from the character or appearance of the area.

There is already a significant amount of market and temporary activity in the High Street, along with new street furniture and planting, all of which adds to the vitality and character of the area. This proposal would supplement and enhance this. As the proposal constitutes an appropriate Town Centre use, and given the scale and design of the units, it is not considered that the proposal would have a detrimental impact on the character and appearance of this part of the Bromley Town Centre Conservation Area. In addition, there would be no harmful impact on the setting of any Listed Buildings.

Highways

The NPPF recognises that transport policies have an important role to play in facilitating sustainable development but also in contributing to wider sustainability and health objectives. The NPPF clearly states that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

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

This area of the High Street is pedestrianised and it is considered that there would be no impact on highway safety provided that the emergency access for emergency vehicles is retained at all times.

Neighbouring Amenity

Policy 37 of the Bromley Local Plan seeks to protect existing residential occupiers from inappropriate development. Issues to consider are the impact of a

development proposal upon neighbouring properties by way of overshadowing, loss of light, overbearing impact, overlooking, loss of privacy and general noise and disturbance.

The proposal will provide 2 retail units within the pedestrianised area of the High Street and will propose trading until 21:00 on Mondays to Saturdays and 17:00 on Sundays and Bank Holidays. The area surrounding the proposal is largely commercial in nature with upper floor offices, however there are also some residential uses at upper floor level in the wider locality. The units will operate largely within normal shopping hours and will allow for evening use in line with the recently permitted market trading hours granted permission under ref. 17.05817. It is anticipated, however, that the units will normally close around normal shopping hours. Later activity into the evenings may therefore be limited, however this must be considered.

It is considered that the degree of additional disturbance would be limited in terms of evening hours and number of local residential properties affected. The area has a high level of general activity, including during the evenings and the Town Centre location is therefore considered to be appropriate for the proposal in terms of its potential impact on the amenities of neighbouring properties.

Sustainability

The NPPF requires Local Planning Authorities to adopt proactive strategies to mitigate and adapt to climate change. London Plan and Draft Local Plan Policies advocate the need for sustainable development. All new development should address climate change and reduce carbon emissions.

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.

CIL

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

Conclusion

Having had regard to the above it is considered that the proposed development is acceptable in that it would not result in a significant loss of amenity to local residents nor impact detrimentally on the character of the area. The development would support the Town Centre function and provide support for local businesses. The proposal would also not impact harmfully in regards to highways safety.

Background papers referred to during production of this report comprise all correspondence on the files 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 37 of the Bromley Local Plan and in the interest of the visual and residential amenities of the area.

- 3 The use hereby permitted shall not operate before 08:00 and after 21:00 on Mondays to Saturdays or before 11:00 and after 17:00 on Sundays and Bank Holidays.**

Reason: In order to comply with Policy 37 of the Bromley Local Plan and in the interest of the amenities of nearby residential dwellings.

- 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 change of use of any kind permitted by Part 3 of Schedule 2 of the 2015 Order (as amended), shall be undertaken without the prior approval in writing of the Local Planning Authority.**

Reason: To enable the Council to consider future changes of use and other development at the site in the interest of local amenity, in accordance with Policy 37 of the Bromley Local Plan.

- 5 (a) Prior to commencement of the development hereby approved (excluding any ground clearance or demolition) a scheme for the provision of surface water drainage shall be submitted and approved in writing by the local planning authority.**

(b) Before the details required to satisfy Part (a) are submitted an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system (SuDS) to ground, watercourse or sewer in accordance with drainage hierarchy

contained within the London Plan Policy 5.13 and the advice contained within the National SuDS Standards.

(c) Where a sustainable drainage scheme is to be provided, the submitted details shall:

i. provide information about the design storm period and intensity, the method employed to delay (attenuate) and control the rate of surface water discharged from the site as close to greenfield runoff rates (8l/s/ha) as reasonably practicable and the measures taken to prevent pollution of the receiving groundwater and/or surface water

(d) The drainage scheme approved under Parts a, b and c shall be implemented in full prior to first occupation of the development hereby approved

Reason: Details are required prior to the commencement of any new operational development in order to ensure that a satisfactory means of surface water drainage, to reduce the risk of flooding can be achieved before development intensifies on site and to comply with the Policy 5.13 of the London Plan.

Informative

You are advised of the Crime Prevention Officer's recommendations as follows:

Main entrance door and any other external doors leading into the fabric of the building should meet or exceed PAS24 2016 or alternative Secured by Design Standard. (This would include any terrace or patio doors on the ground and lower ground floors and any balcony doors if accessible)

Any ground floor or other accessible windows or glazing (including climbable balconies and rooflights) to be PAS24 2016 or alternative Secured by Design Standard and glazing to be to BS 356:200 P1A as a minimum.

Mail Delivery should be via tested and accredited boxes in a secure lobby area, through the wall or external boxes.

Utility meters should be located outside of the dwelling at a point where they can be overlooked or intelligent smart meters with automatic signaling are an acceptable alternative.

Any bicycle stands should be a galvanised steel bar construction (minimum thickness 3mm) with a minimum foundation depth of 300mm with welded 'anchor bar'.

The fabric of the structure be suitably robust in construction to prevent unlawful entry and offers no climbing aids, which could be used to access upper windows of adjacent buildings.

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Application:19/00237/FULL1

Address: Pedestrianised Area Highway High Street Bromley

Proposal: Erection of two detached retail (Class A1) kiosk units



"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 '1' – Applications submitted by the London Borough of Bromley

Application No : 19/00241/FULL1

Ward:
Bromley Town

Address : 162 High Street Bromley BR1 1HJ

Objections: Yes

OS Grid Ref: E: 540199 N: 169278

Applicant : Mr Kevin Munnelly

Description of Development:

3Erection of two detached kiosks to provide 4 retail (Class A1) units

Key designations:

Conservation Area: Bromley Town Centre
Smoke Control SCA 51

Proposal

Planning permission is sought for the erection of 2 permanent commercial buildings on the High Street. Each building will be split into two units occupied by four different retailers (Class A1). The buildings will be sited on the pedestrianised area of the High Street at the Market Square end, one either side of the main entrance to Primark.

The buildings will have dimensions of 9.0m by 3.0m and 6.0m by 3.0m respectively. The large building will have a flat roof with a height of 3.1m and the smaller building will have a height of 3.0m. The proposed external materials include red cedar cladding, aluminium doors and windows and a stainless steel canopy.

The units will operate from 08:00 to 21:00 on Mondays to Saturdays and from 11:00 to 17:00 on Sundays and Bank Holidays.

The application was supported by the following documents:

- Design and Access Statement

Location and Key Constraints

The site comprises the Bromley High Street, which is characterised as a Town Centre retail location. The High Street comprises a mix of architectural styles and building heights, with ground floor commercial retail, restaurant and other uses, with upper floor offices. There are also some upper floor residential units.

The site falls within the Bromley Town Centre Conservation Area and is also an Area of Archaeological Significance.

Comments from Local Residents and Groups

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

Objections

- Concerns regarding the type of business and issues relating to potential restaurant occupation, music noise, cleaning and Council tax changes.
- Concerns over loss of footfall to local established businesses

Please note the above is a summary of objections received and full text is available on the Council's website.

Comments from Consultees

Advisory Panel for Conservation Areas (APCA): No inspection made.

Conservation Officer: There is already a significant amount of market and temporary activity in the High Street, all of which adds to the vitality and character of the area. This proposal would enhance this use and I see no adverse impact on the character of the CA. The proposal is therefore in accordance with Policy 41.

Crime Prevention Officer: Designing Out Crime Group London will not be seeking to have planning conditions relating to crime and criminality and Secured by Design on applications of less than ten residential units or 1000 sq/m. However, I see no reason why this project cannot achieve the physical security requirements of Secured by Design by incorporating the use of tested and accredited products.

Highways: I would have no objections from a highway perspective to this application. Having spoken to licencing colleagues it is unclear whether these units would require a highway licence so I suggest this is followed up with them should the application be successful.

Drainage Officer: Please note this area is at high risk from surface water flooding. As such surface water run-off should be attenuated. Please impose PC06.

Environmental Health Pollution Officer: no comment made.

Business Improvement District (BID) Team: No comment made.

London Fire Service: no comments received.

Historic England: no comments received

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.

The National Planning Policy Framework was published on 24 July 2018 and updated on 19 February 2019.

The development plan for Bromley comprises the Bromley Local Plan (Jan 2019) and the London Plan (March 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

2.15 Town Centres

4.1 Developing London's Economy

4.7 Retail and Town Centre Development

4.9 Small Shops

5.1 Climate Change Mitigation

5.7 Renewable Energy

5.13 Sustainable Drainage

6.3 Assessing the Effects of Development on Transport Capacity

6.9 Cycling

6.10 Walking

6.13 Parking

7.1 Lifetime Neighbourhoods

7.2 An Inclusive Environment

7.3 Designing Out Crime

7.4 Local Character

7.5 Public Realm

7.6 Architecture

7.8 Heritage Assets and Archaeology

Bromley Local Plan

Policy 30 – Parking

Policy 32 – Road Safety

Policy 37 – General Design of Development

Policy 38 – Statutory Listed Buildings

Policy 41 – Conservation Areas

Policy 80 – Strategic Economic Growth

Policy 84 – Business Improvement Areas

Policy 90– Bromley Town Centre Opportunity Area
Policy 91 – Proposals for Main Town Centre Uses
Policy 100 - Markets
Policy 112– Planning for Sustainable Waste Management
Policy 116 – Sustainable Urban Drainage Systems
Policy 119 – Noise Pollution

Supplementary Planning Guidance

Bromley Town Centre Area Action Plan
Supplementary Planning Guidance 1 – General Design Principles
Supplementary Planning Guidance for the Bromley Town Centre Conservation Area.

Planning History

99/00536/FULL2 – Use of part of pedestrianised street for 52 stalls for arts and craft market to operate on any day of the week. PERMITTED

17/05817/REG3 - Relocation of Bromley High Street market comprising 46 pop-up market stalls (3.7m x 2.5m) on the pedestrianised areas in front of 20-25 and 29 Market square, 109-111, 100-122, 124-126, 136-160, 162-184 and 165-167 High Street Bromley to operate every Thursday, Friday and Saturday (08:00 to 22:00) and additional operation on Sundays to Wednesdays for a maximum 7 times per year – PERMITTED

19/00237/FULL1 – Erection of 2 retail units – Under consideration on the same Plans Sub-Committee agenda

Considerations

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

- Principle
- Design
- Conservation Area and Listed Buildings
- Highways
- Neighbouring amenity
- Sustainability
- CIL

Principle

The proposal seeks permission to erect two detached retail units on the pedestrianised part of the High street to be occupied by 4 individual retailers. The proposal would support local small businesses and would provide a new location for retail/market trading that is generally supported by the Council. The Town Centre represents an appropriate location for such new commercial units and would generate activity and business to the Town Centre that would increase

footfall and enhance the vitality and commercial viability of this part of the High Street. The development is therefore supported in principle.

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.

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

Policy 37 of the Bromley Local Plan requires new buildings to complement the scale, form, layout and materials of adjacent buildings and areas, and seeks to protect the amenities of neighbouring properties.

The proposal will provide a total of 4 commercial units on the pedestrianised area of the High Street outside Primark. The units will be permanent and constructed with a red cedar clad external appearance. The units will have a low flat roof and will be similar in general size and scale to the existing market stalls that operate on Thursdays-Saturdays within this area of the High Street. It is considered that the development would therefore be sympathetic in terms of design and will not create a design conflict with the overall character of the High Street.

Each detached retail unit will be modest in size and footprint. The siting and design of the units will allow for good accessibility to existing shops and for emergency services without cluttering the High Street or creating issues for pedestrian permeability. It is noted that objections have been raised by local businesses in regards to the siting of the units outside existing businesses and the potential blocking of shopfronts and visibility of window displays, drawing shoppers away from existing shops. The design and siting is not, however, considered to have an impact on the permeability and accessibility of the area for shoppers.

In design terms, the proposal is considered to be acceptable and will not result in a detrimental impact on the character of the High Street.

Conservation Area and Listed Buildings

Policy 38 of the Bromley Local Plan outlines that applications for development involving a listed building or its setting, or for a change of use of a listed building, will be permitted provided that the character, appearance and special interest of the listed building are preserved and there is no harm to its setting. In the case of a change of use, the applicant needs to additionally demonstrate that the existing or last use is not viable or is no longer compatible with the building's fabric, interior or setting.

Policy 41 of the Bromley Local Plan relates to Conservation Areas and states that in order to preserve or enhance the character or appearance of conservation areas, a proposal for new development, for engineering works, alteration or extension to a building, or for change of use of land or buildings within a conservation area will be expected to:

- (i) respect or complement the layout, scale, form and materials of existing buildings and spaces;
- (ii) respect and incorporate in the design existing landscape or other features that contribute to the character, appearance or historic value of the area; and
- (iii) ensure that the level of activity, traffic, parking services or noise generated by the proposal will not detract from the character or appearance of the area.

There is already a significant amount of market and temporary activity in the High Street, along with new street furniture and planting, all of which adds to the vitality and character of the area. This proposal would supplement and enhance this. As the proposal constitutes an appropriate Town Centre use, and given the scale and design of the units, it is not considered that the proposal would have a detrimental impact on the character and appearance of this part of the Bromley Town Centre Conservation Area. In addition, there would be no harmful impact on the setting of any Listed Buildings.

Highways

The NPPF recognises that transport policies have an important role to play in facilitating sustainable development but also in contributing to wider sustainability and health objectives. The NPPF clearly states that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

London Plan and Bromley Local Plan Policies encourage sustainable transport modes whilst recognising the need for appropriate parking provision. Car parking

standards within the London Plan, UDP and emerging draft Local Plan should be used as a basis for assessment.

This area of the High Street is pedestrianised and it is considered that there would be no impact on highway safety provided that the emergency access for emergency vehicles is retained at all times.

Neighbouring Amenity

Policy 37 of the Bromley Local Plan seeks to protect existing residential occupiers from inappropriate development. Issues to consider are the impact of a development proposal upon neighbouring properties by way of overshadowing, loss of light, overbearing impact, overlooking, loss of privacy and general noise and disturbance.

The proposal will provide 4 retail units within the pedestrianised area of the High Street and will propose trading until 21:00 on Mondays to Saturdays and 17:00 on Sundays and Bank Holidays. The area surrounding the proposal is largely commercial in nature with upper floor offices, however there are also some residential uses at upper floor level within Market Square and the wider locality. The units will operate largely within normal shopping hours and will allow for evening use in line with the recently permitted market trading hours granted permission under ref. 17.05817. It is anticipated, however, that the units will normally close around normal shopping hours. Later activity into the evenings may therefore be limited, however this must be considered.

It is considered that the degree of additional disturbance would be limited in terms of evening hours and number of local residential properties affected. The area has a high level of general activity, including during the evenings and the Town Centre location is therefore considered to be appropriate for the proposal in terms of its potential impact on the amenities of neighbouring properties.

Sustainability

The NPPF requires Local Planning Authorities to adopt proactive strategies to mitigate and adapt to climate change. London Plan and Draft Local Plan Policies advocate the need for sustainable development. All new development should address climate change and reduce carbon emissions.

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.

CIL

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

Conclusion

Having had regard to the above it is considered that the proposed development is acceptable in that it would not result in a significant loss of amenity to local residents nor impact detrimentally on the character of the area. The development would support the Town Centre function and provide support for local businesses. The proposal would also not impact harmfully in regards to highways safety.

Background papers referred to during production of this report comprise all correspondence on the files 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 37 of the Bromley Local Plan and in the interest of the visual and residential amenities of the area.

- 3 The use hereby permitted shall not operate before 08:00 and after 21:00 on Mondays to Saturdays or before 11:00 and after 17:00 on Sundays and Bank Holidays.**

Reason: In order to comply with Policy 37 of the Bromley Local Plan and in the interest of the amenities of nearby residential dwellings.

- 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 change of use of any kind permitted by Part 3 of Schedule 2 of the 2015 Order (as amended), shall be undertaken without the prior approval in writing of the Local Planning Authority.**

Reason: To enable the Council to consider future changes of use and other development at the site in the interest of local amenity, in accordance with Policy 37 of the Bromley Local Plan.

5 (a) Prior to commencement of the development hereby approved (excluding any ground clearance or demolition) a scheme for the provision of surface water drainage shall be submitted and approved in writing by the local planning authority.

(b) Before the details required to satisfy Part (a) are submitted an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system (SuDS) to ground, watercourse or sewer in accordance with drainage hierarchy contained within the London Plan Policy 5.13 and the advice contained within the National SuDS Standards.

(c) Where a sustainable drainage scheme is to be provided, the submitted details shall:

i. provide information about the design storm period and intensity, the method employed to delay (attenuate) and control the rate of surface water discharged from the site as close to greenfield runoff rates (8l/s/ha) as reasonably practicable and the measures taken to prevent pollution of the receiving groundwater and/or surface water

(d) The drainage scheme approved under Parts a, b and c shall be implemented in full prior to first occupation of the development hereby approved

Reason: Details are required prior to the commencement of any new operational development in order to ensure that a satisfactory means of surface water drainage, to reduce the risk of flooding can be achieved before development intensifies on site and to comply with the Policy 5.13 of the London Plan.

Informative

You are advised of the Crime Prevention Officer's recommendations as follows:

Main entrance door and any other external doors leading into the fabric of the building should meet or exceed PAS24 2016 or alternative Secured by Design Standard. (This would include any terrace or patio doors on the ground and lower ground floors and any balcony doors if accessible)
Any ground floor or other accessible windows or glazing (including climbable balconies and rooflights) to be PAS24 2016 or alternative Secured by Design Standard and glazing to be to BS 356:200 P1A as a minimum.

Mail Delivery should be via tested and accredited boxes in a secure lobby area, through the wall or external boxes.

Utility meters should be located outside of the dwelling at a point where they can be overlooked or intelligent smart meters with automatic signaling are an acceptable alternative.

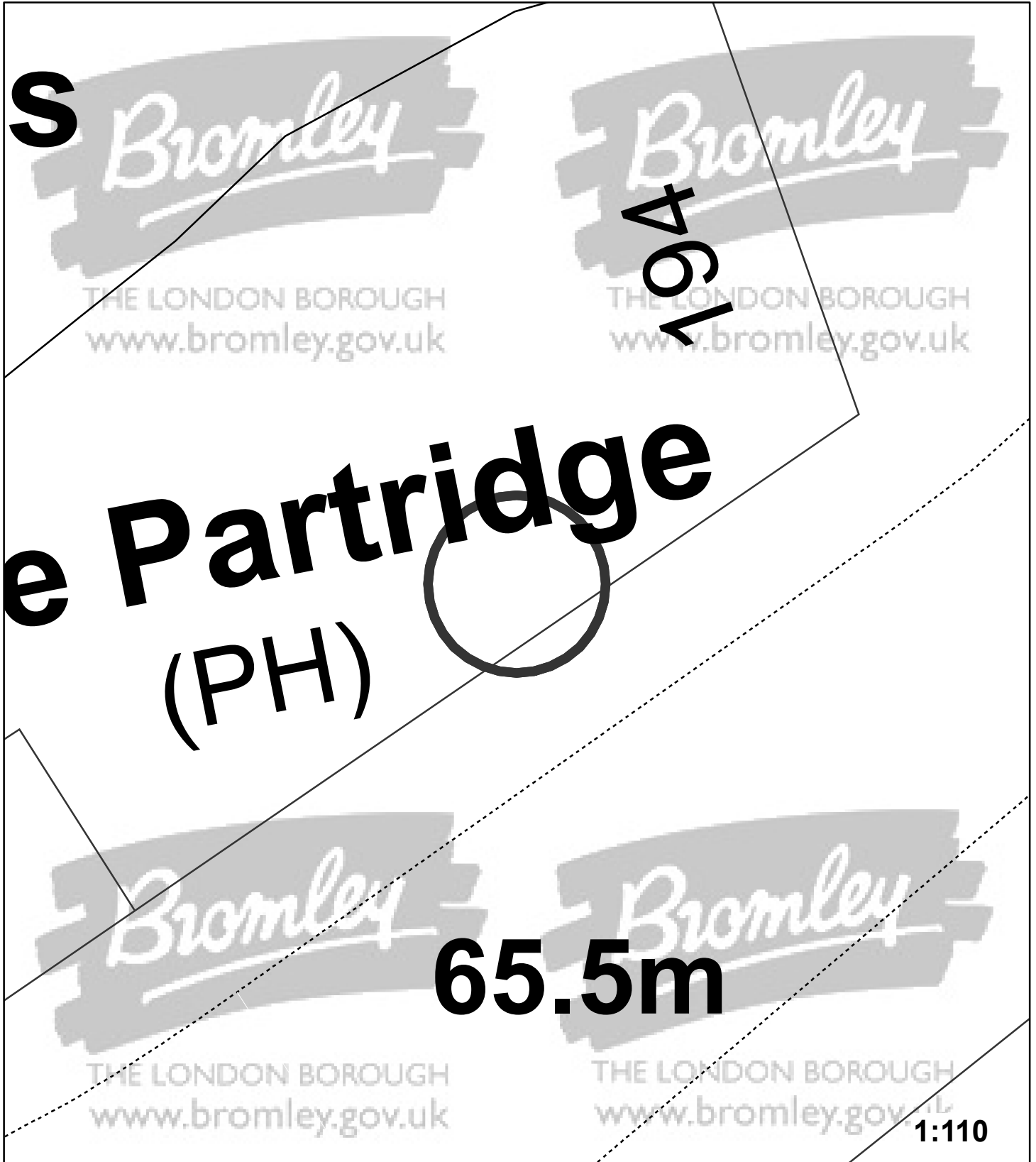
Any bicycle stands should be a galvanised steel bar construction (minimum thickness 3mm) with a minimum foundation depth of 300mm with welded 'anchor bar'.

The fabric of the structure be suitably robust in construction to prevent unlawful entry and offers no climbing aids, which could be used to access upper windows of adjacent buildings.

Application:19/00241/FULL1

Address: 162 High Street Bromley BR1 1HJ

Proposal: Erection of two detached kiosks to provide 4 retail (Class A1) units



"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 : 18/01303/FULL1

Ward:
Crystal Palace

Address : 19 Anerley Road Penge London SE19
2AS

OS Grid Ref: E: 534087 N: 170436

Applicant : Mr Conrad Birch

Objections : YES

Description of Development:

Demolition of Nos. 19 & 21 Anerley Road and construction of a new build replacement 4 Storey building with basement to create 9 units (4 x 1-bed, 4 x 2-bed and 1 x 3 bed) with associated refuse and cycle stores.

Key designations:

Biggin Hill Safeguarding Area
London City Airport Safeguarding
Smoke Control SCA 6

Update

This application was deferred without prejudice by Members of the Plans Sub Committee 1 held on the 17th January 2019, in order to:

- reconsider the design and elevational treatment;
- address lack of side space;
- address lack of amenity space; and
- address lack of car parking.

The applicant has sent through a revised plan Design and Access Statement together with a CGI (26.03.2019). The CGI show the new development in relation with the host terrace. The new development is proposed to have aluminium cladding panels coloured to blend and compliment the colours of the brickwork along Anerley Road.

With regards to side space, Members should note that the existing development does not provide any side space between the flank walls and the boundaries. Planning permission was granted for the redevelopment of the site under ref: 17/04076/FULL1 which included the demolition of the existing buildings and construction of a new 3 storey building with basement and mansard roof which would be of a similar footprint to the current application and existing situation.

In terms of amenity space the previous application under ref: 17/04076/FULL1 did include the provision of rear balconies to ground, first and second floors and provide a roof terrace, the agent has stated in the Design and Access statement

that given the outlook afforded by the location of the amenity space to the rear and given the proximity to Crystal Palace Park the agents considers that residents would use the park instead.

The site is located within close walking distance of Crystal Palace train station. The property is within a high (5) PTAL rating and the area is well served by local shops. The overall traffic and parking demand would be very similar to existing situation and it should be noted that the development approved under ref: 17/04076/FULL1 which was also for 9 units, did not include parking and when Members of the Plans Sub Committee 1 held on the 23rd January 2018 considered this application did not raise concerns over this element.

The application is therefore repeated below and updated where necessary.

Proposal

Planning permission is sought for the demolition of Nos. 19 & 21 Anerley Road and construction of a new build replacement 3 storey building with basement and mansard roof over both properties, rear balconies to ground, first and second floors and roof terrace to mansard to create 9 units (4 x 1-bed, 4 x 2-bed and 1 x 3 bed) with associated refuse and cycle stores.

The new building would measure 11.6m wide and 13.4m deep (5-3.6m deeper than existing building) and designed to be a modern and contemporary continuation of the existing terrace with a height of 11m and the mansard roof projecting a further 2.4m.

Location and Key Constraints

The site is located on the northern side of Anerley Road, which is the main thoroughfare running through Crystal Palace. The site is located south of Brunswick Court, a 1950s housing estate south of Crystal Palace rail station.

The site is comprised of two buildings located adjacent to a vacant plot on the corner of Brunswick Place, No.17 Anerley Road. The site buildings themselves make up the northern most end of the Victorian terraced buildings 19-33 Anerley Road. These are two storeys above ground. Both Nos. 19 and 21 have existing basements.

The buildings along this terrace all have rear extensions at ground floor. Nos 19-21 comprise solely 1 bedroom flats, with each flat taking up an entire floor.

The site is located in close proximity to Crystal Palace Station.

Comments from Local Residents and Groups

Nearby owners/occupiers were notified of the application and representations were received raising concern that the if planning permission was granted it would render a lot of people homeless as the tenants find the current payment difficult.

Comments from Consultees

Drainage Engineer: The applicant is required to maximise the use of SUDS to attenuate for surface water run-off. Please impose a condition regarding details of SUDs if planning permission is granted.

Highways: The site is located within close walking distance of Crystal Palace train station. The property is within a high (5) PTAL rating and the area is well served by local shops.

The development is for 9 units; with no off -street parking spaces. The overall traffic and parking demand would be very similar to existing therefore I raise no objection to the proposal.

Please include conditions regarding cycle parking, construction management plan and removal of parking permits as part of any approval.

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.

The National Planning Policy Framework was published on 24 July 2018 and updated on 19 February 2019.

The development plan for Bromley comprises the Bromley Local Plan (Jan 2019) and the London Plan (March 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 (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
- 5.9 Overheating and cooling
- 5.10 Urban Greening
- 5.11 Green Roofs and Development Site Environs
- 5.12 Flood Risk Management
- 5.13 Sustainable Drainage
- 5.14 Water quality and wastewater Infrastructure
- 5.15 Water use and supplies
- 5.16 Waste self-sufficiency
- 5.17 Waste capacity
- 5.18 Construction, excavation and demolition waste
- 6.5 Funding Crossrail and other strategically important transport infrastructure
- 6.9 Cycling
- 6.12 Road Network Capacity
- 6.13 Parking
- 7.1 Lifetime Neighbourhoods
- 7.2 An Inclusive Environment
- 7.3 Designing Out Crime
- 7.4 Local Character
- 7.5 Public Realm
- 7.6 Architecture
- 7.14 Improving Air Quality
- 7.15 Reducing and Managing Noise, Improving and Enhancing the Acoustic Environment and Promoting Appropriate Soundscapes.
- 7.19 Biodiversity and Access to Nature
- 8.3 Community Infrastructure Levy

Housing: Supplementary Planning Guidance. (March 2016)

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

Bromley Local Plan (2019):

- Policy 1 Housing Supply
- Policy 4 Housing Design
- Policy 8 Side Space
- Policy 30 Parking
- Policy 32 Road Safety
- Policy 37 General Design of Development

Supplementary Planning Guidance

Supplementary Planning Guidance 1: General Design Principles

Planning History

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

95/00490/EUC – Consent was refused for the use of the first and second floors as 2 flats (26.04.1995)

95/01304/FUL – Planning permission was granted retrospectively for the conversion of first and second floors into 2 x 1 bedroom flats (19.07.1995)

95/02631/ADV – Advertisement consent was refused for the installation of externally illuminated advertisement hoarding (03.01.1996)

97/01626/FUL – Planning permission was refused for elevational alterations and change of use of ground floor from retail shop Class A1 to one bedroom flat (18.09.1997)

03/00586/FULL1 – Planning permission was refused for conversion of basement area into 2 studio flats with 1.1 metre high railings and alterations to front elevation at 19 and 21 Anerley Road (04.06.2003)

04/00015/FULL1 – Planning permission was granted for rear porches, elevational alterations, formation of light wells and stairs at front and rear, reduction of rear garden levels and conversion of basement into 2 one bedroom flats at 19 and 21 Anerley Road (01.03.2004)

17/04076/FULL1 – Planning permission was granted for the demolition of Nos. 19 & 21 Anerley Road and construction of a new build replacement 3 storey building with basement and mansard roof over both properties, rear balconies to ground, first and second floors and roof terrace to mansard to create 9 units (5 x 1-bed and 4 x 2-bed) with associated refuse and cycle stores (30.01.2018)

Considerations

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

- Principle of development
- Design
- Standard of residential accommodation
- Neighbouring amenity
- Highways
- Cycle Parking
- Refuse
- Sustainability
- CIL

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 (2016) generally encourage the provision of small scale infill development in previously developed residential areas provided that it is designed to complement the character of surrounding developments, the design and layout

make suitable residential accommodation, and it provides for garden and amenity space.

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

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

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

Policy 4 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 currently consists of two, three storey buildings with basements that have been converted into one bed units, planning permission was previously granted under ref: 17/04076/FULL1 for the demolition of Nos. 19 & 21 Anerley Road and construction of a new build replacement 3 storey building with basement and mansard roof over both properties. As such the principle of the redevelopment of the site has been established. The new scheme of for a similar footprint and scale however with a modern and contemporary design approach.

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

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.

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

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

Policy 4 and 37 of the BLP 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 8 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 scheme submitted represents a very similar footprint and siting to the original buildings and that recently approved under ref: 17/04076/FULL1 on site in terms of its width and spatial gaps to boundaries. While not complying with Policy 8 directly, the current building follows the original buildings footprint position; it is considered that the spatial relationship on site to adjacent buildings is acceptable.

The new building would use of Aluminium cladding panels coloured to blend and compliment the colours of the brickwork along Anerley Road together with frameless glass in order that the building's fabric retains crispness and elegance throughout its life, and pays respect to its context. This contrasting use of materials would create a modern addition to the traditional row of terraces; the design has sought to maintain the window alignment and rhythm to give some reference to the host terrace altogether with a modern twist. The entrance is centrally expressed in a minimal contemporary manner.

The rear elevation is used to reflect the context of its neighbours, with its London roof profile continued across the new build elevation.

The mansard roof extension follows a similar rationale, with a contemporary interpretation of a traditional mansard roof with dormer windows. It is clad in raised seam zinc. The zinc cladding returns round onto the flank wall to the northern 'side' elevation.

In order to meet the space standards set out in the London Plan a rear extension is proposed to extend ~5m from the existing main rear elevation. This is significantly less of an extension to No.33 Anerley Road, under application ref: 16/01144/FUL1, where a three storey extension of over 5m has been granted.

It is considered that the juxtaposition of the striking contemporary front elevation of the proposed building with the uniform traditional frontage adjacent would add visual interest and contrast to the street scene and as such would adhere to the objectives set out in the above policies.

Standard of residential accommodation and amenity space:

Policy 4 of the BLP sets out the requirements for new residential development to ensure a good standard of amenity. The Mayor's Housing SPG sets out guidance in respect of the standard required for all new residential accommodation to supplement London Plan policies. The standards apply to new build, conversion and change of use proposals. Part 2 of the Housing SPG deals with the quality of residential accommodation setting out standards for dwelling size, room layouts and circulation space, storage facilities, floor to ceiling heights, outlook, daylight and sunlight, external amenity space (including refuse and cycle storage facilities) as well as core and access arrangements to reflect the Governments National Housing Standards.

The London Plan makes clear that ninety percent of new housing should meet Building Regulation requirement M4 (2) 'accessible and adaptable dwellings' and ten per cent of new housing should meet Building Regulation requirement M4 (3) 'wheelchair user dwellings', i.e. is designed to be wheelchair accessible, or easily adaptable for residents who are wheelchair users. The relevant category of Building Control Compliance should be secured by planning conditions.

Policy 3.5 of the London Plan and the Housing SPG (2016) Standard 24 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 Technical housing standards - nationally described housing standard (2015).

The floor space size of each of the units range between 58-64 m² for the 1 bed units, 70-79m² for the 2 bed units and 116 m² for the 3 bed unit. The nationally described space standard requires 50m² for a one bed two person unit, 70 m² for a four person two bedroom unit and 95 m² for a six person three bed unit. On this basis, the floorspace provision for all of the units is considered compliant with the required standards and is considered acceptable.

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

In terms of amenity space, Policy 4 states that adequate private or communal amenity space should be provided with regards to new residential accommodation. Nationally Described Space Standards state that adequate private amenity space should also be provided with a minimum of 5 sqm of private outdoor space for 1-2 person dwellings and an extra 1sq m for each additional occupant.

In terms of amenity space the rear garden is to be dedicated to cycle parking and refuse and there is no other amenity space provided. Exceptions where the new development is close to public park/recreation ground can be made and therefore given the close proximity to the Crystal Palace Park on balance the lack of amenity space is acceptable at this location.

Neighbouring amenity

Policy 37 of the BLP 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.

In terms of outlook, the fenestration arrangement will provide front and rear outlook for each unit overlooking cycle stores/refuse or overlooking the street.

The existing building sits slightly behind the building line of the existing terrace. Whilst it is appreciated that the proposal represents a slightly deeper building than currently on site it is similar to the footprint of the previous approval and given the orientation, location of the buildings and their relationship it is considered that the development would not cause any significant loss of daylight, sunlight and/or overshadowing to the neighbouring properties.

Highways

The NPPF recognises that transport policies have an important role to play in facilitating sustainable development but also in contributing to wider sustainability and health objectives. The NPPF clearly states that development should only be

prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

London Plan Policy 6.13 requires the maximum standards for car parking, which is supported by Policy 30 of the BLP. London Plan and BLP Policies encourage sustainable transport modes whilst recognising the need for appropriate parking provision. Car parking standards within the London Plan, Bromley Local Plan should be used as a basis for assessment.

The site is located within close walking distance of Crystal Palace train station. The property is within a high (5) PTAL rating and the area is well served by local shops.

The development is for 9 units; with no off -street parking spaces. The overall traffic and parking demand would be very similar to existing therefore no objection is raised in this regard.

Cycle parking

London Plan requires two cycle spaces per unit, no details of any lockable storage has been provided only the location to the rear of the building has been outlined, however subject to further details required in a condition no objection is raised in this regard.

Refuse

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

CIL

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

Conclusion

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

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

as amended by documents received on 21.06.2018, 06.11.2018 and 26.03.2019

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 Details (including samples) 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 above ground work is commenced. The works shall be carried out in accordance with the approved details.**

Reason: In order to comply with Policy 37 of the Bromley Local 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 37 of the Bromley Local Plan and in the interest of the visual and residential amenities of the area.

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

Reason: In order to comply with Policy 37 of the Bromley Local Plan and in the interest of the visual and residential amenities of the area.

- 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 37 of the Bromley Local Plan and in the interest of visual amenity and the amenities of adjacent properties.

- 6** 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 37 of the Bromley Local Plan and in order to provide adequate refuse storage facilities in a location which is acceptable from the residential and visual amenity aspects.

- 7** 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 33 of the Bromley Local 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.

- 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 Policies 31, 32 and 33 of the Bromley Local Plan and in the interest of the amenities of the adjacent properties.

- 9** 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 a satisfactory means of surface water drainage and to accord with Policy 5.13 of the London Plan.

- 10 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 4 and 37 of the Bromley Local 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 Any repositioning, alteration and/ or adjustment to street furniture or Statutory Undertaker's apparatus, considered necessary

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

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

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

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

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

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

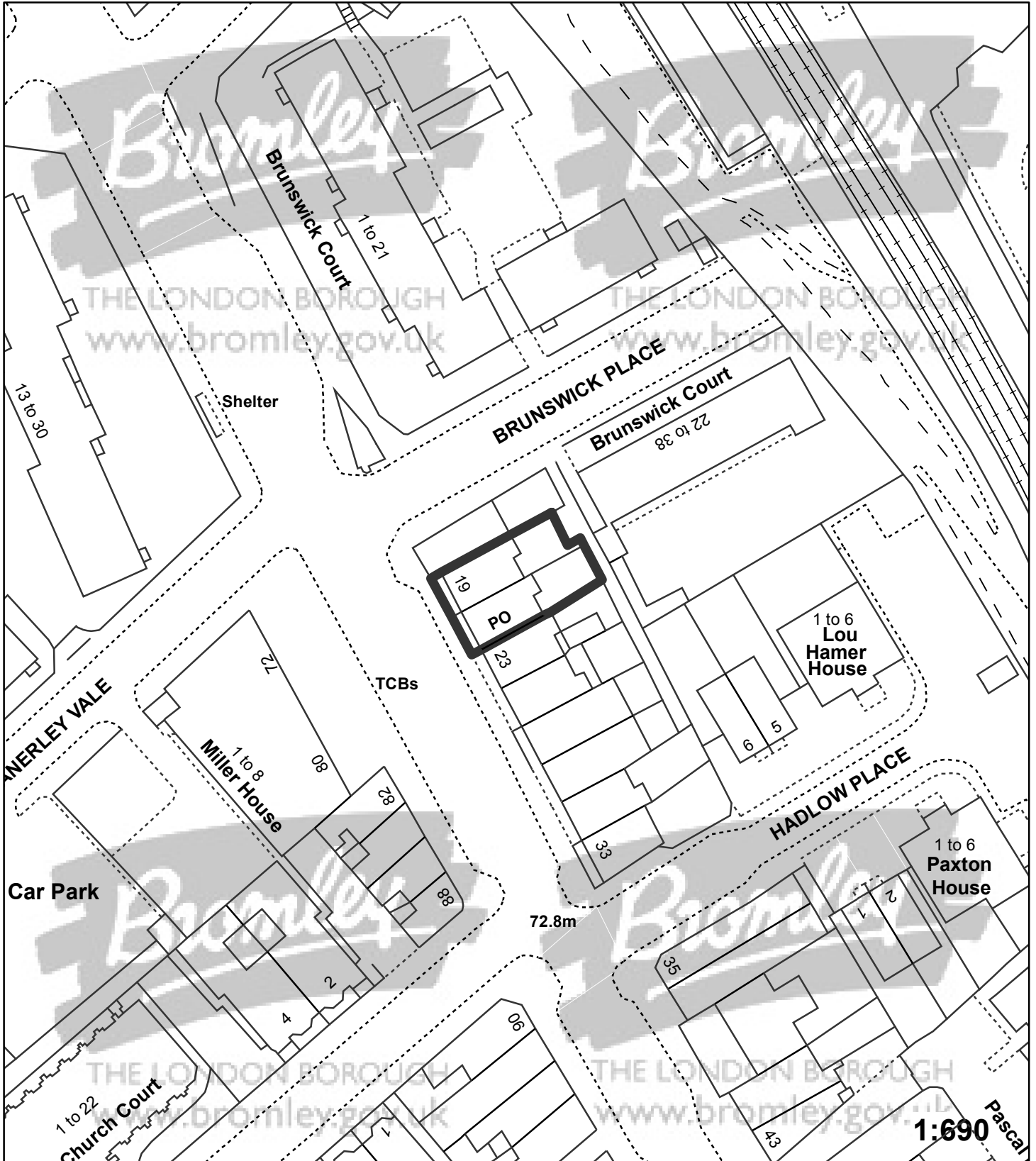
litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

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Application:18/01303/FULL1

Address: 19 Anerley Road Penge London SE19 2AS

<BOL>Proposal:</BOL> Demolition of Nos. 19 & 21 Anerley Road and construction of a new build replacement 4 Storey building with basement to create 9 units (4 x 1-bed, 4 x 2-bed and 1 x 3 bed) with associated refuse and cycle stores.



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

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SECTION '2' – Applications meriting special consideration

Application No : 19/00444/FULL6

Ward:
Bickley

Address : Roseview Hill Brow Bromley BR1 2PG **Objections:** Yes

OS Grid Ref: E: 541972 N: 169396

Applicant : Mr Odon Kasindi

Description of Development:

Part single/two storey front extension incorporating garage extension and new basement, first floor part rear extension and first floor side extensions with hip to gable roof conversion including alterations to rooflights creating one additional rooflight, internal and elevational alterations.

Key designations:

Biggin Hill Safeguarding Area
London City Airport Safeguarding
Open Space Deficiency
Smoke Control SCA 10

Proposal

Planning permission is sought for a front projecting extension to create an enlarged garage with storage above, hip to gable roof alterations to the main roofslope, two storey rear extension, new basement and elevational alterations including changes to the materials, door and windows of the property. Internal alterations are shown inside the property with a large lounge been created at ground floor and reconfiguration of the existing bedrooms and enlargement of the master bedroom. The existing loft area is also shown to be enlarged.

The application can be divided into 5 main elements:

- 1) Front garage extension
- 2) Hip to gable roof alterations
- 3) Two storey rear extension
- 4) Basement
- 5) Elevational alterations

1) Front garage extension

The proposed front double garage will project to the front of the property and measure 3.3m in depth x 6.6m in width x 5.8m in height. The proposed enlarged garage will have a single garage door which will open onto the existing driveway. Tall and narrow windows are shown in the front elevation of the new garage. Additional storage is shown above the garage.

2) Hip to gable roof alterations

The drawings show a hip to gable roof alterations to accommodate an enlarged loft area to increase the size of the existing bedrooms and provide two en-suite bathrooms. The height of the existing roof will remain the same. The drawing illustrate that the new section of roof will have roof tiles to match the existing.

3) Two storey rear extension

The existing kitchen is shown to be enlarged to create a kitchen/dining area. On the first floor the master bedroom is also shown to be enlarged measuring between 1.3m -2m in depth.

4) Basement

The application proposes a basement to accommodate a swimming pool, bar, office and cinema and office. The basement extension would cover the existing footprint of the main property.

5) Elevational alterations

New aluminium windows and doors are shown to the front and rear of the property. The new windows will be tall and narrow at first floor with a slightly wider style of window being proposed for the ground floor. This pattern of new windows is replicated on the rear elevation of the property. The roof tiles are shown to match the existing and the property is shown to be finished with a white render.

The application is accompanied by a covering letter which sets out the details associated with the proposal.

The application should also be considered in line with planning application ref: 19/00445/FULL6, which is also pending consideration for a separate application.

Location and Key Constraints

The application property is a detached two storey dwellinghouse located on the western side of Hill Brow, close to the junction with Chislehurst Rd. The property has an existing double garage and in and out driveway and is set within a large plot.

Hill Brow is an unmade road and consists of a mixture of different dwelling types. The surrounding area is solely residential in nature. The property is not in a Conservation Area and is not a Listed Building.

Comments from Local Residents and Groups

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

- I write to record my objections to the planning application referenced above in my capacity as next-door neighbour (Frederika 5A Hill Brow). In my view the plans represent an unnecessary and undesirable overdevelopment of the site that is not in keeping with the architecture of the road. Roseview was originally a large bungalow and when that bungalow was pulled down, a large but generally sympathetic property was built in its place.
- The squaring off of the roof significantly reduces the light to my property, in particular the back living room, my terrace, my greenhouse and a portion of my garden.
- The surrounding houses all have pitched roofs - a squared off roof would not be in keeping
- When we built our house in 2002 we built it with red brick in order to remain in keeping with the surrounding houses. White render and large modern glazing is not in keeping.
- Building a swimming pool would unnecessarily disturb the foundations of my house and those of the other neighbours.
- Roseview is already a substantial property and the further development proposed will lead to over-development of the site. It is already a substantial family home; there is no need for the basement with a cinema etc
- The large garage projects forward from the house which is not a feature of other houses on the road.
- The road is not maintained by the Council and is already in a very poor state; it will suffer further deterioration from the lorries required for the extensive works proposed; any development permitted should be on the condition that the road is reinstated to at least its current condition.
- The property was previously a bungalow and is now a property that blends in well with sloping roofs and tiled/brick roofs and Tudor style design.
- The proposed design is wholly inappropriate. It will have deep modern windows and stark white cement finish.
- Digging out the basement under the present garage will disturb the foundations of the house.

Sundridge Residents Association

- Would spoil the fine period character of the property in this attractive setting.
- The introduction of roof detailing and fenestration would be alien to the character of the host building.
- New double garage would adversely affect the streetscene.
- No precedent for development in front of the building line in the rd.

Comments from Consultees

Highways - It appears the applicant is increasing the size of the garage and there is enough space within the site curtilage to park few cars so I would not have any objection to the application.

Please include condition regarding satisfactory parking layout.

Trees - I note the TPO tree to the front of the property. I do not predict that there would be any risk of damage to this tree, so no objection and no conditions to recommend.

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.

The National Planning Policy Framework was published on 24th July 2018 and updated on 19th February 2019.

The development plan for Bromley comprises the London Plan (March 2016) and the Bromley Local Plan (2019). The application falls to be determined in accordance with the following policies:

The London Plan (2016):

Policy 7.4 Local Character
Policy 7.6 Architecture

Bromley Local Plan (2019)

Policy 6 Residential Extensions
Policy 8 Side Space
Policy 30 Parking
Policy 37 General Design of Development

Other Guidance:

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

Planning History

Under planning application reference: 03/00307/FULL1 planning permission was granted for front boundary wall and gates.

Under planning application reference: 01/02981/FULL1 planning permission was granted for demolition of existing dwelling and erection of detached seven bedroom house with integral garages.

Considerations

It is considered the planning issues and considerations relate to:

- Design//Character & appearance
- Neighbouring amenity
- Highways
- CIL

Design/Character and appearance

London Plan Policy 7.4 requires developments to have regard to the form, function, and structure of an area. Policy 6 of the Bromley Local Plan 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. (iii) 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.

Policy 8 states that when considering applications for new residential development, including extensions, the Council will normally require the following:

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

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

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

The existing property was built in 2001 and comprises a detached seven bedroom Tudor style property which sits back from the roadside and is off-set from both neighbouring boundaries. The property comprises of a hipped roof design with front gables and dormer windows to the front and rear elevations.

Hill Brow is an unmade road which comprises of a mixture of properties. Roseview is located on the western side of the road with mainly large detached properties set

within large plots. The opposite side of the road comprises a mixture of semi-detached and smaller detached properties.

The main changes to the front elevation will be the construction of a front projecting extension to create an enlarged double garage. A hip to gable ended roof alterations and new aluminium windows and doors is also proposed.

The proposed basement extension would be in keeping with the size and scale of the house and they would not be visible within the street scene

The proposed dwelling would change to have a contemporary design in terms of the external alterations. A site visit of the property showed that the majority of properties have a traditional brick design all with hipped roof designs and the change away from this would be noticeable. It is considered the proposed gable end roof alterations would look out of keeping in the streetscene.

The proposed front extension to accommodate a double garage, will add further bulk, scale and mass to the property extending by 3.3m in depth x 5.8m in height, however, the front extension would not be highly visible in the streetscene and is considered to be a subservient addition to the property.

The two storey rear extension is relatively modest only extending between 1.3m and 2m in depth. Being located towards the centre of the property and to the rear the modern design is considered subservient to the host dwelling.

The addition of a new basement to the property is considered acceptable on the basis that it covers the same footprint as the existing property.

The changes to the windows and doors would look somewhat different and would have a modern feel compared to the existing make-up. On balance, given the property does not lie in a Conservation Area or Area of Special Residential Character (ASRC) the change is cosmetic and the Council does not raise an objection.

Neighbouring Amenity

Policy 37 states that the development should respect the amenity of occupiers of neighbouring building and those of future occupants and ensure their environments are not harmed by noise and disturbance or by inadequate daylight, sunlight or privacy or by overshadowing. This is supported within Policy 7.6 of the London Plan.

The alterations to the property as a whole are to the front, rear and the roof of the property. The front extension to create a new double garage is considered acceptable and only extending by 3.3m in depth it is not considered affect the outlook of No.3.

The roof alterations would mean that the gable ended roof would be closer to both neighbours, however, given both properties are off-set from the boundaries it is not considered that this would affect either neighbour so significantly in terms of loss of light or overshadowing.

No new windows are proposed to the flank elevations that could result in any significant impact on privacy to the neighbouring property.

In terms of the elevational alterations and the change of windows and doors are mainly cosmetic and as such it is considered that the proposal would not have any significant impact on the neighbour's amenities in terms of loss of light, increase sense of enclosure or outlook over the current situation.

Highways

The property has an 'in' and 'out' driveway for parking in front of the property as well as an integral garage.

The Council's Highways Officer has raised no objection to its enlargement subject to a condition.

CIL

The current application is not considered to be CIL liable.

Conclusion

Having had regard to the above the proposed roof alterations to the property are not considered to be in keeping with the streetscene, which all have hipped roofs.

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

RECOMMENDATION: APPLICATION BE REFUSED

The reasons for refusal are:

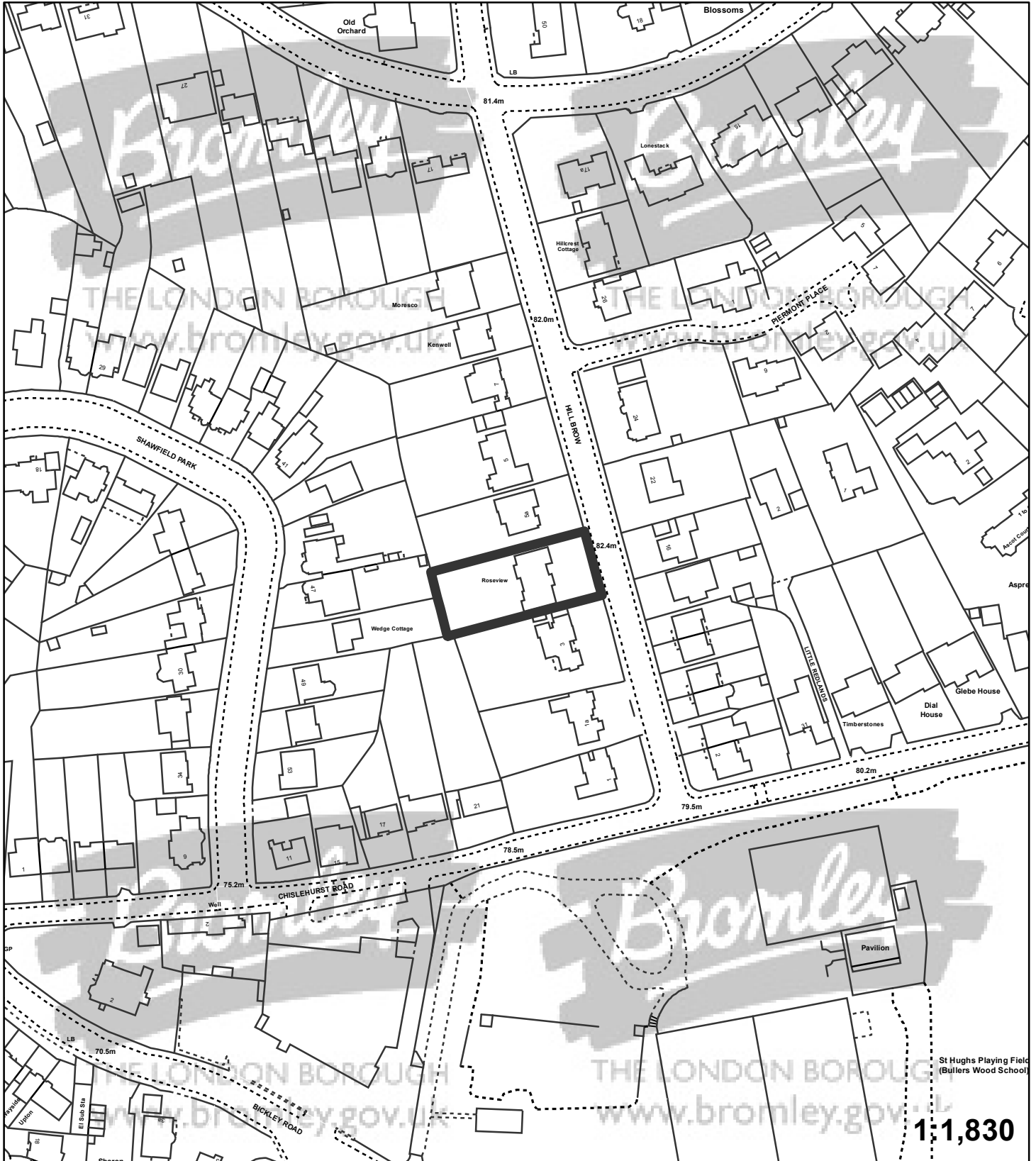
- 1 The proposed hip to gable roof alterations would harm the host dwelling and character and appearance of the street scene, contrary to Policies 6 and 37 of the Bromley Local Plan.**

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Application:19/00444/FULL6

Address: Roseview Hill Brow Bromley BR1 2PG

Proposal: Part single/two storey front extension incorporating garage extension and new basement, first floor part rear extension and first floor side extensions with hip to gable roof conversion including alterations to rooflights creating one additional rooflight, internal and elevational



"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 : 19/00445/FULL6

Ward:
Bickley

Address : Roseview Hill Brow Bromley BR1 2PG **Objections: Yes**

OS Grid Ref: E: 541972 N: 169396

Applicant : Mr Odon Kasindi

Description of Development:

Extensions and alterations to the dwelling including a garage extension to the front

Key designations:

Biggin Hill Safeguarding Area
London City Airport Safeguarding
Open Space Deficiency
Smoke Control SCA 10

Proposal

Planning permission is sought for a front projecting garage with office above, hip to gable roof alterations to the main roofslope, two storey rear extension and elevational alterations including changes to the materials, doors and windows of the property. Internal alterations are shown inside the property with a cinema added along with a storage area leading to the new double garage at ground floor and reconfiguration of the existing bedrooms and enlargement of the master bedroom. The existing loft area is also shown to be enlarged.

The application can be divided into 4 main elements:

- 1) Front garage extension with office above
- 2) Hip to gable roof alterations
- 3) Two storey rear extension
- 4) Elevational alterations

1) Front garage extension with office above

The proposed front double garage will project to the front of the property and measure 8.4m in depth x 6.6m in width x 5.8m in height. The proposed garage will sit at right angle to the front of the entrance to the property and have two garage doors facing inwards towards the existing driveway. Tall and narrow windows are shown in the front elevation of the new garage with a total of four rooflights shown in the first floor to provide light to the proposed office. New windows and doors are also shown the rest of the property at both ground and first floor including a new front door.

2) Hip to gable roof alterations

The drawings show a hip to gable roof alterations to accommodate an enlarged loft area to increase the size of the existing bedrooms and provide two en-suite bathrooms. The height of the existing roof will remain the same. The drawing illustrate that the new section of roof will have roof tiles to match the existing.

3) Two storey rear extension

The existing kitchen is shown to be enlarged to create a kitchen/dining area. On the first floor the master bedroom is also shown to be enlarged measuring between 1.3m -2m in depth.

4) Elevational alterations

New aluminium windows and doors are shown to the front and rear of the property. The new windows will be tall and narrow at first floor with a slightly wider style of window being proposed for the ground floor. This pattern of new windows is replicated on the rear elevation of the property. The roof tiles are shown to match the existing and the property is shown to be finished with a white render.

The application is accompanied by a covering letter which sets out the details associated with the proposal.

The application should also be considered in line with planning application ref: 19/00444/FULL6, which is also pending consideration for a separate application.

Location and Key Constraints

The application property is a detached two storey dwellinghouse located on the western side of Hill Brow, close to the junction with Chislehurst Rd. The property has an existing double garage and in and out driveway and is set within a large plot.

Hill Brow is an unmade road and consists of a mixture of different dwelling types. The surrounding area is solely residential in nature. The property is not in a Conservation Area and is not a Listed Building.

Comments from Local Residents and Groups

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

- I write to record my objections to the planning application referenced above in my capacity as next-door neighbour (Frederika 5A Hill Brow). In my view the plans represent an unnecessary and undesirable overdevelopment of the site that is not in keeping with the architecture of the road. Roseview was originally a large bungalow and when that bungalow was pulled down, a large but generally sympathetic property was built in its place.

- The squaring off of the roof significantly reduces the light to my property, in particular the back living room, my terrace, my greenhouse and a portion of my garden.
- The surrounding houses all have pitched roofs - a squared off roof would not be in keeping
- When we built our house in 2002 we built it with red brick in order to remain in keeping with the surrounding houses. White render and large modern glazing is not in keeping.
- Building a swimming pool would unnecessarily disturb the foundations of my house and those of the other neighbours.
- Roseview is already a substantial property and the further development proposed will lead to over-development of the site. It is already a substantial family home; there is no need for the basement with a cinema etc
- The large garage projects forward from the house which is not a feature of other houses on the road.
- The road is not maintained by the Council and is already in a very poor state; it will suffer further deterioration from the lorries required for the extensive works proposed; any development permitted should be on the condition that the road is reinstated to at least its current condition.
- The property was previously a bungalow and is now a property that blends in well with sloping roofs and tiled/brick roofs and Tudor style design.
- The proposed design is wholly inappropriate. It will have deep modern windows and stark white cement finish.
- Digging out the basement under the present garage will disturb the foundations of the house.

Sundridge Residents Association

- Would spoil the fine period character of the property in this attractive setting.
- The introduction of roof detailing and fenestration would be alien to the character of the host building.
- New double garage would adversely affect the streetscene.
- No precedent for development in front of the building line in the rd.

Comments from Consultees

Highways - It appears the extension to the front will obstruct the in and out drive. Please ask the applicant to submit a site layout explaining how the revised drive will be used as a turning area and parking.

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.

The National Planning Policy Framework was published on 24th July 2018 and updated on 19th February 2019.

The development plan for Bromley comprises the London Plan (March 2016) and the Bromley Local Plan (2019). The application falls to be determined in accordance with the following policies:

The London Plan (2016):

Policy 7.4 Local Character
Policy 7.6 Architecture

Bromley Local Plan (2019)

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

Other Guidance:

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

Planning History

Under planning application reference: 03/00307/FULL1 planning permission was granted for front boundary wall and gates.

Under planning application reference: 01/02981/FULL1 planning permission was granted for demolition of existing dwelling and erection of detached seven bedroom house with integral garages.

Considerations

It is considered the planning issues and considerations relate to:

- Design//Character & appearance
- Neighbouring amenity
- Highways
- CIL

Design/Character and appearance

London Plan Policy 7.4 requires developments to have regard to the form, function, and structure of an area. Policy 6 of the Bromley Local Plan 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. (iii) 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.

Policy 8 states that when considering applications for new residential development, including extensions, the Council will normally require the following:

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

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

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

The existing property was built in 2001 and comprises a detached seven bedroom Tudor style property which sits back from the roadside and is off-set from both neighbouring boundaries. The property comprises of a hipped roof design with front gables and dormer windows to the front and rear elevations.

Hill Brow is an unmade road which comprises of a mixture of properties. Roseview is located on the western side of the road with mainly large detached properties set within large plots. The opposite side of the road comprises a mixture of semi-detached and smaller detached properties.

The main changes to the front elevation will be the construction of a front projecting double garage which will encompass a portion of the existing driveway, hip to gable roof alterations and new aluminium windows and doors.

The proposed dwelling would change to have a contemporary design in terms of the external alterations. A site visit of the property showed that the majority of properties have a traditional brick design all with hipped roof designs and the change away from this would be noticeable. It is considered the proposed gable end roof alterations would look out of keeping in the streetscene.

The proposed front extension to accommodate a double garage, will add further bulk, scale and mass to the property extending by 8.4m in depth and 5.8m in height. The front extension would be visible in the streetscene and given its prominent due to this positioning it would also be close to the boundary with neighbour at No.3 to create a visual impact. It is considered that this element of the development would not be subservient in form and would therefore appear as a bulky and incongruous form of development within the streetscene.

The two storey rear extension is relatively modest only extending between 1.3m and 2m in depth. Being located towards the centre of the property and to the rear the modern design is considered subservient to the host dwelling.

The changes to the windows and doors would look somewhat different and would have a modern feel compared to the existing make-up. On balance, given the property does not lie in a Conservation Area or Area of Special Residential Character (ASRC) the change is cosmetic and the Council does not raise an objection.

Neighbouring Amenity

Policy 37 states that the development should respect the amenity of occupiers of neighbouring building and those of future occupants and ensure their environments are not harmed by noise and disturbance or by inadequate daylight, sunlight or privacy or by overshadowing. This is supported within Policy 7.6 of the London Plan.

The alterations to the property as a whole are to the front, rear and the roof of the property. The front extension to create a new double garage would cause a visual impact to the neighbours at No.3 and the views afforded to them from their existing living room windows given the proposed depth, width and height. This element of the proposal is considered detrimental to neighbouring amenity.

The roof alterations would mean that the gable ended roof would be closer to both neighbours, however, given both properties are off-set from the boundaries it is not considered that this would affect either neighbour so significantly in terms of loss of light or overshadowing.

No new windows are proposed to the flank elevations that could result in any significant impact on privacy to the neighbouring property.

In terms of the elevational alterations and the change of windows and doors are mainly cosmetic and as such it is considered that the proposal would not have any significant impact on the neighbour's amenities in terms of loss of light, increase sense of enclosure or outlook over the current situation.

Highways

The property has an 'in' and 'out' driveway for parking in front of the property as well as an integral garage.

The Council's Highways Officer requested a swept path drawing to ensure that cars using the garage can adequately maneuver on the existing driveway, however, if planning permission was forthcoming this could be secured by way of a condition.

CIL

The current application is not considered to be CIL liable.

Conclusion

Having had regard to the above, it is considered that the proposed front garage extension, given its depth, width and height would result in an overly dominate and bulky addition, which would fail to respect the scale and form of the surrounding area and streetscene generally and impact detrimentally on the amenities of the neighbouring property. Furthermore, the roof alterations to the property are not considered to be in keeping with the streetscene which all have hipped roofs.

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

RECOMMENDATION: APPLICATION BE REFUSED

The reasons for refusal are:

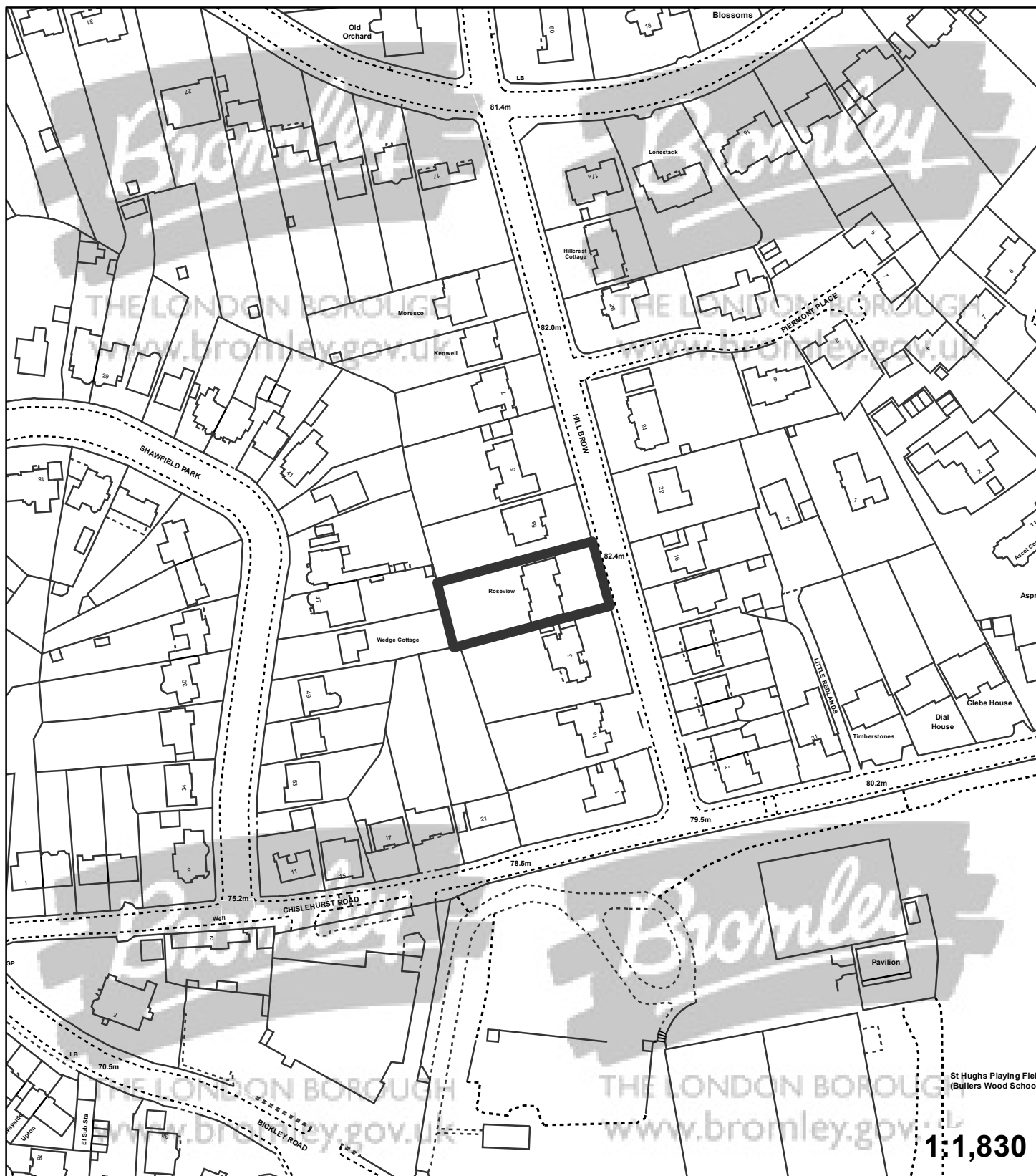
- 1 The proposed double garage office extension, by reason of its forward projection and design would result in a bulky and incongruous form of development, harmful to the character and appearance of the dwelling and streetscene in general contrary to Policies 6 & 37 of the Bromley Local Plan (2019) and Supplementary Planning Guidance Number 1 & 2.**
- 2 The proposed double garage by reason of its forward projection, excessive height, scale and bulk would result in a dominant and visually intrusive form of development, harmful to the amenities of the neighbouring properties, by reason of a loss of light, outlook and impact on visual amenities, contrary to Policies 6 & 27 of the Bromley Local Plan.**
- 3 The proposed hip to gable roof alterations would harm the host dwelling and character and appearance of the street scene, contrary to Policies 6 and 37 of the Bromley Local Plan.**

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Application:19/00445/FULL6

Address: Roseview Hill Brow Bromley BR1 2PG

Proposal: Extensions and alterations to the dwelling including a garage extension to the front



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

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

Application No : 18/05517/FULL1

Ward:
Clock House

Address : Westbury Court 252 Croydon Road
Beckenham BR3 4DA

Objections: Yes

OS Grid Ref: E: 536490 N: 168750

Applicant : Mr J Dayani

Description of Development:

Demolition of existing residential block of 6 flats and erection of new 3 storey building with rooms in roof space containing 10 two bedroom flats with 10 car parking spaces, cycle and refuse storage and amenity area

Key designations:

Smoke Control SCA 15

Proposal

Full planning permission is sought for the demolition of the existing block of 6 flats and construction of a new three storey building with a fourth storey of accommodation in the roof space to provide a total of 10 two bedroom flats.

Summary of works:

- The new building is located to be line in at the front with the existing buildings to maintain the building line
- At the rear the building would be set back by around 7m further than the existing building bringing it closer to the rear boundary of the site
- Towards the front the building is set in from the flank boundaries of the site between 1.5m and 2.45m
- Towards its rear the building steps away from the side boundaries providing a separation distance of between 3.4m and 4.4m
- The building measures approximately 12.4m in height to the roof ridge lowering to approximately 12.2m towards the rear and is approximately 8.2m in height to the eaves
- Vehicular access is from Croydon Road, via a new consolidated single vehicular crossover to replace the 2 existing crossover arrangements, leading to 8 car parking spaces at the front of the site
- The existing mature tree to the front will be retained
- Cycle parking is proposed to the side of the building in a secure store
- Pedestrian access will be via the front entrance to Croydon Road

- The proposed new building is of traditional design with feature gable elevations to the front
- Communal amenity space is provided to the rear
- Each apartment also benefits from a private balcony or patio area
- Refuse/recycling is to be stored to the north eastern side of the building, at a distance of approximately 17m back from the highway
- A covered cycle storage area is provided further towards the rear of the site adjacent to the north eastern side of the building.

The application was supported by the following documents:

- Design and Access Statement
- Planning statement
- Tree Survey and Arboricultural Integration Report:

The proposal will involve the removal of two category C trees. The report finds that this would not have an adverse impact on the character or appearance of the area and, furthermore, the retained trees would not be effected by construction activities. The retained trees will be protected in accordance with current standards and guidelines. Subject to the implementation of tree protection measures, the report concludes that none of the retained trees would be harmed by the proposals.

- Sustainability & Energy Statement (January 2019):

The Statement includes an energy strategy showing how selected energy efficiency, low carbon and renewable energy technologies have been considered and those, which have been included into the scheme.

It is proposed to enhance the fabric insulation standards of the apartments above the minimum required by the Building Regulations. Various technologies are also considered and whilst wind turbines, combined heat and power, ground source heat pumps, solar hot water heating panels and air source heat pumps are not considered appropriate the use of photovoltaic panels and flue-gas heat recovery systems are feasible. It is proposed to install a photovoltaic array of 6.6 kW. This will be comprised of 22 x 300W Panels.

Overall, the reduction in carbon dioxide emissions as a result of the energy efficient design and renewable technologies would be 35.15% over the Target Emissions in the 2013 Building Regulations.

The residual carbon emissions from the site are 6,936 kg per annum or 6.936 Tonnes. Therefore the carbon offset payment (based upon £1,800 per tonne) should be £12,485.

- Transport Statement V3 (April 2019):

This provides a description of the existing site and its surroundings, and its accessibility in relation to public transport. It estimates the average number of vehicle trips that the development would generate. 8 car parking spaces would be provided for the 10 flats, which the applicant considers would strike a balance between providing too much parking so as to discourage unsustainable travel and

ensure sufficient parking is provided on site. Electric vehicle charging spaces will also be provided.

The report concludes that the proposal would accord with the relevant national and local policies and the proposals will result in a negligible impact on traffic flow on Croydon Road and the surrounding highway network when compared to the existing residential use.

Location and Key Constraints

The site is located on the northern side of Croydon Road. The existing site comprises, to the front, a three storey double fronted building containing 6 flats built in the 1950s.

Car parking is located to the front and to the rear of the site via a side access drive. The remainder of the rear of the site is amenity space for the occupiers of the flats.

The site is adjoined to the west by a four storey block of flats known as Duke Court, whilst further to the west at the junction of Westbury Road is a recent development of four storey townhouses. To the east the site is adjoined by a three storey Victorian villa, No.254 Croydon Road.

The character of the northern side of Croydon Road is predominantly three/four storey apartment buildings while the southern side is characterised by semi-detached two storey residential dwellings.

At the front of the site is a Horse Chestnut Tree which is subject to a Tree Preservation Order (TPO) No.553 and which provides significant public amenity value.

The site is in an Air Quality Management Area.

Comments from Local Residents and Groups

Nearby owners/occupiers were notified of the development in writing, a site notice was posted and a press advert was published. 4 letters of objection were received which can be summarised as follows:

- Overcrowding/overdevelopment
- Larger and higher than existing
- Overlooking from balconies
- Insufficient parking
- Noise and disturbance during construction
- Danger from Construction vehicles
- Highways safety
- Emergency service's access
- Over-spilling of refuse onto footpath
- Bins sited directly by windows of flats
- Better to refurbish existing building

Comments from consultees

Tree Officer:

Two small low value trees are proposed for removal from the rear of the existing building. Since this would have little to no impact on the character and appearance of the area, there is no objection.

With regard to any impact on the retained trees G1, T1, T2, T3, T4 and T5, this is either relatively minor or sufficiently well mitigated.

With regard to T6 Horse Chestnut, the potential impact on roots of the proposed parking spaces within the RPA would be mitigated to an extent through the use of a cellular confinement system sub-base and permeable surfacing.

However, of greater concern in this case is the future pressure to prune/fell T6 due to the creation of parking spaces immediately under the canopy. T6 was protected by TPO 553 in 1988 to preserve the public amenity provided by this large canopy tree that is a prominent feature in the street scene. Whilst the proposed development would not have an immediate effect on the tree's appearance, the nature of risk assessments would fundamentally change through the introduction of a target with near constant occupancy. This could elevate the overall risk arising from a likelihood of branch failure that is only categorised as 'possible' from low to moderate. In addition, the nuisance experienced by users of the car park from falling debris, as well as their perception of a risk of damage to their cars is likely to result in more frequent and/or more extensive requests for pruning (or even felling) than would otherwise have been the case. Given the change in the risk rating described above, such requests could be difficult for the Council to refuse, thereby potentially allowing a gradual (or sudden) diminution in the tree's landscape value and physiological health and a likely reduction in retention span.

Therefore, I would object to the proposal on the grounds that it would create an unacceptable degree of future pressure on a tree with high public amenity value and would be contrary to policy 73 of the Bromley Local Plan and the purpose of TPO 553.

By way of recommendation or advice, I would have no objection to parking proposed to the front of building that was a reasonable distance outside the line of the canopy of T6 and no objection parking in the area to the rear of the building.

Updated Tree comments following the amended parking layout (revision F):

Revision F of the proposed layout removes another parking space from what is indicated as the canopy spread of the TPO tree. As before, this should further reduce future conflict with the tree and result in an even smaller increase in future pressure to prune/fell the tree.

Nonetheless a small increase in future pressure is still predicted since parking spaces 7 and 8 still represent the introduction of targets close enough to be

relevant to tree risk assessments. It would still be preferable that parking spaces 7 and 8 be located further from the TPO tree.

However, as before I recognise the constraints of the proposed site layout and the limited scope for the relocation of spaces 7 and 8. Therefore, the small increase in risk to the TPO tree's longevity (as a result of future pressure) should be weighed against any social and economic benefits of the development in its current form and the viability of alternatives that could avoid conflict with the TPO tree altogether. In the event that approval is granted I would recommend the use of an informative and conditions for an updated TPP and AMS.

Highways:

The development is in an area with PTAL rate of 2 on a scale of 0 – 6b, where 6b is the most accessible.

Vehicular access- the site is accessed from Croydon Road, via a new vehicular crossover leading to the car parking area. The existing vehicular access points should be reinstated to footway level at the applicant's cost.

Car parking- Eight car parking spaces indicated (previously nine spaces) on the submitted plans which are satisfactory, as it accords with LB Bromley's Parking Standard.

Cycle parking – twenty cycle parking spaces would be provided which is acceptable.

Refuse store- indicated; however please also consult Waste Management team.

No objections subject to conditions.

Environmental Health:

The application site is within an Air Quality Management Area declared for NOx. I would therefore recommend conditions requiring electric vehicle charging points and in relation to gas boilers and a construction management plan.

Ideally this application should have been accompanied by an acoustic report to fully consider road traffic noise. As the development is set back 20m from the road it is less of a concern. I have looked at a previous application on this road which places levels around 70dB which with this level of spatial propagation and normal attenuation through a window should meet BS8233 levels.

Drainage:

The attenuation tank shown in the proposed site plan is only indicative which is in principle acceptable but need to be detailed at the later stage. Surface water drainage condition recommended.

Thames Water:

No objection with regards to waste water network, waste water process infrastructure capacity and surface water drainage. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required.

Secure by Design:

I have reviewed the documents provided with this application, and believe this development could achieve Secured by Design (SBD).

However there are several points which for building security and resident safety I believe need clarification or modification, these include the inclusion of defensible space, standard of internal division walls, a secure mail delivery and a visitor strategy, secure parking arrangements, and the use of tested and accredited doors and windows.

I also note in the design and access statement secure storage is provided for cycles and refuse, which does not appear to be the case on the attached plans.

In order to assist with addressing these concerns, and to ensure current guidelines are implemented, I would request a Secured by design condition be attached to any permission that may be granted in connection with this application and that the wording is such that the development will follow the principles and physical security requirements and achieve Secured by Design prior to occupation.

At this time I do not believe our offices have been contacted regarding this development, and would ask that my contact details be passed to the applicant for security consultation.

I feel that should this application proceed, it should be able to achieve the security requirements of Secured by Design with the guidance of the south east Design out Crime office and the Secured by Design guidance document New Homes 2016.

The adoption of these standards will help to reduce the opportunity for crime, creating a safer, more secure and sustainable environment.

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.

In determining planning applications, the starting point is the development plan and any other material considerations that are relevant. The adopted development plan in for this proposal includes the Bromley Local Plan (2019) and the London Plan (March 2016).

Relevant policies and guidance in the form of the National Planning Policy Framework (NPPF), National Planning Policy Guidance (NPPG) as well as other guidance and relevant legislation, must also be taken into account.

Current Policies relevant to this application include:

London Plan (2016)

- 2.18 Green Infrastructure: the multi-functional network of green and open spaces
- 3.3 Increasing housing supply
- 3.4 Optimising housing potential
- 3.5 Quality and design of housing developments
- 3.6 Children and young people's play and informal recreation
- 3.8 Housing choice
- 3.9 Mixed and balanced communities
- 5.2 Minimising carbon dioxide emissions
- 5.3 Sustainable design and construction
- 5.7 Renewable energy
- 5.9 Overheating and cooling
- 5.10 Urban greening
- 5.11 Green Roofs and Development Site Environs
- 5.13 Sustainable Drainage
- 5.14 Water quality and wastewater infrastructure
- 5.15 Water use and supplies
- 6.3 Assessing effects of development on transport capacity
- 6.9 Cycling
- 6.10 Walking
- 6.13 Parking
- 7.1 Lifetime neighbourhoods
- 7.2 An inclusive environment
- 7.3 Designing out crime
- 7.4 Local character
- 7.5 Public Realm
- 7.6 Architecture
- 7.13 Safety, security and resilience to emergency
- 7.14 Improving Air Quality
- 7.15 Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes
- 7.19 Biodiversity and access to nature
- 7.21 Trees and woodlands
- 8.2 Planning obligations
- 8.3 Community infrastructure levy

Bromley Local Plan (2019)

1 Housing Supply
2 Affordable Housing
4 Housing Design
30 Parking
31 Relieving Congestion
32 Road Safety
33 Access for all
37 General Design of Development
42 Development adjacent to Conservation Areas
55 Urban Open Space
69 Development and Nature Conservation Area Sites (LNR & SINIC)
70 Wildlife Features
72 Protected Species
73 Development and Trees
77 Landscape Quality and Character
79 Biodiversity and Access to Nature
113 Waste Management in New Development
115 Reducing Flood Risk
116 Sustainable Urban Drainage Systems
117 Water and Wastewater Infrastructure Capacity
119 Noise Pollution
120 Air Quality
122 Light Pollution
123 Sustainable Design and Construction
124 Carbon reduction, decentralised energy networks and renewable energy
125 Delivery and Implementation of the Local Plan

Supplementary Planning Guidance:

London Plan:

Housing (March 2016)

Accessible London: Achieving an Inclusive Environment (2014)

Sustainable Design and Construction (2014)

Shaping Neighbourhoods: Character and Context (2014)

Providing for Children and Young People's Play and Informal Recreation (2012)

London Borough Bromley:

Planning Obligations (2010)

SPG1 General Design Principles

SPG 2 Residential Design Guidance

Relevant Planning History

01/01562/FULL1: Roof extension to provide fourth floor comprising 2 two bedroom flats; 2 three storey rear extensions to provide shower rooms to existing 6 flats. Elevational alterations including replacement windows; 3 additional car parking spaces:

Refused on 18th September 2001 on the following ground:

The proposed roof extension would be out of character and out of scale with adjacent development, detrimental to the appearance of the street scene, contrary to Policies E.1 and H.2 of the Unitary Development Plan and policies BE1 and H6 of the first deposit draft Unitary Development Plan (March 2001).

01/03003/FULL1: 2 three storey rear extensions to provide shower rooms to existing flats, elevational alterations including replacement windows and removal of rear balconies and staircase. Single storey extension to garages to provide 2 additional garages:

Permitted on 29th November 2001.

05/04203/TPO: Fell horse chestnut tree in front garden SUBJECT TO TPO 553

Refused on 2nd February 2006 on the following ground:

The horse chestnut tree is considered to make an important contribution to the visual amenities of the street scene and the loss of the ash would be seriously detrimental to the amenities of this part of Croydon Road, contrary to Policy G.26 of the adopted Unitary Development Plan and Policy NE6 of the second deposit draft Unitary Development Plan (September 2002).

Considerations

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

- Land use/Principle of development
- Design
- Landscaping, Trees and Ecology
- Neighbouring amenity and response to representations
- Housing and accommodation standards
- Highways
- Other

Land use/Principle of development

The existing site is a flatted development comprising 6 residential units. The proposal is for a replacement block of 10 residential units. There are numerous examples of purpose built flats/apartment blocks in this part of Croydon Road and, overall, the principle of the proposed development is acceptable.

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.

Paragraph 124 of the NPPF (2018) states that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better

places in which to live and work and helps make development acceptable to communities.

Paragraph 127 of the NPPF (2018) requires Local Planning Authorities to ensure that developments will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development; are visually attractive as a result of good architecture, layout and appropriate and effective landscaping and are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities).

New development shall also establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit; optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

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

Bromley Local Plan (BLP) policy 37 states that all development proposals, including extensions to existing buildings, will be expected to be of a high standard of design and layout. Developments will be expected to meet all of the following criteria where they are relevant:

- a -Be imaginative and attractive to look at, of a good architectural quality and should complement the scale, proportion, form, layout and materials of adjacent buildings and areas;
- b -Positively contribute to the existing street scene and/or landscape and respect important views, heritage assets, skylines, landmarks or landscape features;
- c -Space about buildings should provide opportunities to create attractive settings with hard or soft landscaping (including enhancing biodiversity);
- d -The relationship with existing buildings should allow for adequate daylight and sunlight to penetrate in and between buildings;
- e - Respect the amenity of occupiers of neighbouring buildings and those of future occupants, providing healthy environments and ensuring they are not harmed by noise and disturbance, inadequate daylight, sunlight, privacy or by overshadowing;
- f -The development should address sustainable design and construction and include where appropriate on-site energy generation;
- g - Suitable access should be provided for people with impaired mobility and meet the principles of inclusive design. Where necessary and relevant to the development, contributions may be sought to improve accessibility around the development;
- h -Security and crime prevention measures should be included in the design and layout of building and public areas;
- i - Recycling and waste storage facilities are incorporated within the design layout;
- j -Respect non-designated heritage assets. Applications should be accompanied by a written statement setting out design principles and illustrative material showing the relationship of the development to the wider context.

BLP policy 4 requires all new housing developments to achieve a high standard of design and layout whilst enhancing the quality of local places. Housing schemes will also need to respect local character, spatial standards, physical context and density. The Council will expect all of the following requirements to be demonstrated:

- a - The site layout, buildings and space around buildings are designed to a high quality, recognising as well as complimenting the qualities of the surrounding areas;
- b - Minimum space standards for dwellings as set out in Policy 3.5 and Table 3.3 of the London Plan and the London Plan Housing Supplementary Planning Guidance (as updated);
- c - The provision of sufficient external, private amenity space that is accessible and practical;
- d - The provision of appropriate play space in accordance with the Mayor's Play and Informal Recreation SPG;
- e - Off-street parking that is well integrated within the overall design of the development;
- f - Density that has regard to the London Plan density matrix whilst respecting local character, including heritage;
- g - Layout that is designed to give priority to pedestrians and cyclists over the movement and parking of vehicles;
- h - Safety and security measures are included in the design and layout of buildings and public areas;
- i - Ninety percent of new housing meets Building Regulation requirement M4 (2) 'accessible and adaptable dwellings'; and
- j - Ten percent of new housing meets Building Regulation requirement M4 (3) 'wheelchair user dwellings' i.e. is designed to be wheelchair accessible, or easily adaptable for residents who are wheelchair users.

The footprint of the building itself is fairly compact, largely utilising the area of the existing building's footprint. The new building line is located to line at the front with the existing buildings to maintain the front building line along the street, with balcony bays projecting out as per adjacent buildings. The main change would be the rear addition, which measures approximately 6.5m deep x 12m wide. However, at three storeys with a fourth storey of accommodation in the roof slope, the development would not be dissimilar to the scale of the existing building which is three storeys or the adjacent developments which are 3 storeys with a fourth storey of accommodation in the roof.

A pitched roof is proposed which helps to reduce the overall massing of the development. Furthermore, the street scene elevations provided demonstrate that the ridge height of the building would not exceed the height of the adjacent buildings and the eaves line would also be on a similar level to those of its two neighbours.

It is also noted that the adjacent development at No.254 has a significantly greater depth of rearward projection than Westbury Court or Dukes Court with the main part of the building projecting approximately 6.5m behind Westbury Court and a later addition on the rear eastern side projecting back a further 11m (approx.). As such the proposed scale and massing of the development would not appear out of character with the existing pattern of development in the area and there would be

adequate space retained about the building for a communal garden, landscaping, car and bicycle parking and a refuse store.

The proposed layout provides vehicle and separate pedestrian access directly from Croydon Road. The main entrance at the front of the building is accessed via a step-free approach route. Inside this leads to a communal corridor, stairs and a lift for the upper floor flats. Externally, step-free, gated paths are provided on either side of the building leading to the communal garden and the refuse and bicycle stores. One accessible car parking bay is provided close to the main entrance. Overall, the development would be easily accessible for all and would appear to meet BLP policy 4 and London Plan policy 3.8 with regards to 'accessible and adaptable dwellings' and 'wheelchair user dwellings'.

In terms of appearance and materiality, the proposal features a main pitched roof, gabled elements to reflect the style of older buildings in the road and front balconies which are also featured at Dukes Court. The entrance to the building is clearly demarcated within a projecting bay and a gable roof feature. At the rear, the building steps in at the sides and steps down in height and the rear roof is pitched. Materials will be red brick and lighter red feature soldier courses, plain tiled red/brown roof and white windows, fascias and soffits. The balconies include glazed screens/safety enclosures.

The subservient 'extension' section at the rear, the pitched roof design and various architectural features and varied materials of this development all provide suitable articulation and a breaking down of massing. Overall the development would make an attractive addition to the street scene.

London Plan Policy 5.11 also requires that Major development proposals should be designed to include roof, wall and site planting, especially green roofs and walls where feasible. The pitched roof of the main building would not be suitable for a green roof in this instance; however, the applicant has proposed a living roof over the proposed bicycle store.

Conditions are recommended to secure details and samples of the materials and the design of the bin and bicycle enclosures, including living roof details.

Density

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

In this setting and taking into account the Public Transport Accessibility Level (PTAL) of the site, the maximum density which the 2016 London Plan, at policy 3.4, advises is 170 units/hectare and 450 habitable rooms/ha, 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 of the

proposed development equates to 109 units/hectare and 327 habitable rooms/hectare which is within the recommended density ranges in the London Plan.

Overall, the proposed development would relate well to the existing character and context in which it is to be located, would respect the rhythm and proportions of the surrounding built-up area, whilst providing an adequate site layout and a form of development which optimises the residential density of the site.

Landscaping, Trees and Ecology

London Plan policies 2.18 and 7.19 highlight the importance of green infrastructure. Green infrastructure is an overarching term for a number of discrete elements (parks, street trees, green roofs etc.) that go to make up a functional network of green spaces and green features. New development should improve existing or create new habitats or use design (green roofs, living walls) to enhance biodiversity and provide for its on-going management (para 7.61).

The applicant is proposing a landscaped communal amenity area at the rear which will replace the existing hard surfacing. Planting is also proposed at the front of the building and in the car parking area adjacent to the highway frontage and along the south western boundary.

Policy 73 of the BLP 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. Tree preservation orders will be used to protect trees of environmental importance and visual amenity.

The Horse Chestnut tree at the front of the site is subject to a TPO. As set out in the Tree Officer's comments above, the initial plans submitted proposed car parking spaces immediately under the tree's canopy which gave rise to significant concerns over future pressure to prune/fell the tree. Given the increase in the perceived risk of branches and debris damaging resident's cars, it could be difficult for the Council to refuse future applications to prune or fell the tree, thereby potentially allowing a gradual (or sudden) diminution in the tree's landscape value and physiological health and a likely reduction in retention span.

To address these concerns the applicant has reduced the number of car parking spaces to 8. While this could still give rise to a small increase in future pruning pressure since parking spaces 7 and 8 still represent the introduction of targets close enough to be relevant to tree risk assessments, it is recognised that the constraints of the proposed site layout means there is limited scope for the relocation of these spaces. Furthermore, the introduction of a communal amenity area and site wide landscaping is seen as a significant benefit of the scheme.

The development would positively contribute to the existing street scene while at the same time enhancing and respecting existing landscape features. On balance, the proposal is acceptable from a trees and ecology perspective.

Tree conditions are recommended. Furthermore, full details of all boundary treatments and details of the hard and soft landscaping throughout the site should also be secured via condition.

Neighbouring amenity and response to representations

BLP policy 37 seeks to protect existing residential occupiers from inappropriate development. Issues to consider are the impact of a development proposal upon neighbouring properties by way of overshadowing, loss of light, overbearing impact, overlooking, loss of privacy and general noise and disturbance.

The proposed development would position the building closer to Dukes Court than the existing building. At its widest and closest point, there would be approximately 3m separation between the neighbouring blocks and the development would have a rearward projection of around 3.3m beyond the rear elevation of Dukes Court. Directly adjacent to this, there are a number of windows at the rear of Dukes Court. However, these appear to serve kitchens as opposed to main habitable rooms and, given the 3m separation; the development would not prejudice the amenities of the occupants of the adjacent flats as a result of its siting and depth of rearward projection.

Further towards the rear, the proposed building steps away from its neighbours on both sides, as does Dukes Court. While the rearward projection of the narrower part of the building behind Dukes Court, at around 5m, would be substantial, the separation distances would ensure that the outlook from any of the habitable room windows at the rear of Dukes Court would not be significantly prejudiced.

Furthermore, given the siting and orientation of the two buildings, with Dukes Court located to the south west of the application site, there would be no significant loss of light or overshadowing from the proposed development.

There are 3 flank windows proposed (on ground, first and second floors) which would face onto the side of Dukes Court. These are all secondary windows to the living/kitchen/dining areas of three of the flats. It is recommended and considered reasonable that these windows are obscure glazed and non-opening below 1.7m from finished floor level in order to not prejudice the future re-development potential of the adjacent site (although there are currently no known plans for this). A condition is recommended accordingly.

Turning to the impact on 254 Croydon Road, the proposed building would extend back around 6.5m further than the existing building at the application site, however, it would have a similar alignment to the rear of No.254. The proposed building would also be positioned further away from the flank boundary with the neighbouring site compared to existing, providing a separation distance of between 5m and 7.5m (approx.) to the side of No.254.

There are a number of existing windows in the south western elevation of 254 which already face onto the existing building and there are no additional windows either to the side or rear of 254 which are likely to be affected by this proposal. Given the existing relationship between Westbury Court and No.254, the outlook

and visual impact of the proposed development on occupiers of 254 is therefore considered acceptable.

Six flank windows are proposed in the north-east elevation facing No.254 and the proposal also includes front and rear balconies which would be in close proximity to the site boundary with No.254. Again, it is recommended that a condition is imposed to ensure that these windows are obscure glazed and non-opening. As they are all secondary windows this is acceptable and the rooms which they serve would still be well lit. A condition is also recommended requiring details of balcony screening for the balconies either side of the building to be provided, in order to prevent overlooking to the adjacent sites.

The overall height and scale of the proposed building would not significantly exceed that of the existing building which is being replaced and the proposal would also incorporate a pitched roof. Together with the stepping-in of the building at the rear, this would all help to ensure that there would not be any significant overshadowing to No.254 as a result of the proposed development.

To its rear (north-west) elevation, the building would maintain around 10.5m separation to the site boundary with 2 Westbury Road, with proposed rear balconies positioned around 9m from this neighbouring site boundary. The separation distance between the proposed rear habitable room windows in the new building and the rear corner of the neighbouring dwelling itself would be approximately 15.5m. The separation between the proposed balconies and the rear corner of the neighbouring dwelling would be around 20m. The relationship and orientation of the two buildings, together with the 15-20m separation provided would prevent any direct overlooking into the rear or side windows at No.2.

Furthermore, the proposed building would be predominantly 3 storeys high, the same as the existing building, albeit with a fourth storey which would be set well back from the main rear elevation. Therefore, while it would be closer to neighbouring sites compared to the existing building, it would not appear unduly overbearing.

It is also important to note that this is a built-up urban area and the pattern of development in the vicinity means that a degree of overlooking from the upper floors of dwellings into neighbouring sites is already prevalent. Therefore, while the building would be perceivably closer to its neighbours at the rear, it would not result in an unduly harmful relationship.

Overall, subject to conditions to control the obscurity of the glazing and to secure balcony screening where necessary, the development in the manner proposed would not have a significantly detrimental impact on the amenities of neighbouring occupiers.

In addition to the above issues, local residents have also raised concerns regarding insufficient refuse storage facilities. The layout proposed allows space for the storage of 2no 1100ltr bins and 5no 240ltr bins for refuse and recycling which is adequate for a residential development of this size. Furthermore, the proposed enclosure would be within 18 metres of the nearest accessible point from

the highway and would be provided with a path not less than 1.4 metres wide and free of steps, kerbs and ramps. This would be convenient and accessible for collection purposes and visually unobtrusive in the street scene. A condition is recommended to secure a suitable enclosure for the bins which would not only mitigate their visual impact but also any odour impacts which could harm the amenities of neighbouring residents and future occupiers of the proposed flats.

In order to mitigate disturbance to nearby residents, demolition and construction hours will need to be restricted to 0800 to 1800 hours Monday to Friday and 0800 to 1300 hours on Saturdays. No noisy works will be permitted on Sundays or Public Holidays. Separate enforcement powers are available in this regard under the provisions of section 60 and 61 of the Control of Pollution Act 1974. A demolition/construction methodology will also need to be secured via condition.

In terms of overdevelopment/overcrowding, design and density has been discussed earlier in the report and is considered acceptable. Highways impacts are discussed below.

Housing and accommodation standards

New development is expected to provide mixed and balanced communities. Policies within the Bromley Local Plan do not set a prescriptive breakdown in terms of unit sizes. Individual sites will be considered on a case by case basis.

In accordance with the London Plan Policy 3.8 90% of new housing should meet Building Regulation requirement M4 (2) 'accessible and adaptable dwellings' and ten per cent of new housing should meet Building Regulation requirement M4 (3)(a or b) 'wheelchair user dwellings', i.e. is designed to be wheelchair accessible, or easily adaptable for residents who are wheelchair users.

With regard to affordable housing, BLP policy 2 states that the Council will seek affordable housing on all housing development capable of providing 11 residential units or more or where the residential floorspace is more than 1000sqm, irrespective of the number of dwellings.

The proposal is for 10 x two bedroom units with a total residential floorspace (GIA) of 668.7sqm in the following arrangement:

Ground Floor:

Flat 1: 2 bedroom/3 person flat 61m²

Flat 2: 2 bedroom/3 person flat 75m² (wheelchair accessible/Part M4(3))

Flat 3: 2 bedroom/3 person flat 61m²

First Floor:

Flat 4: 2 bedroom/3 person flat 61m²

Flat 5: 2 bedroom/4 person flat 74m²

Flat 6: 2 bedroom/3 person flat 61m²

Second Floor:

Flat 7: 2 bedroom/3 person flat 61m²

Flat 8: 2 bedroom/4 person flat 74m²

Flat 9: 2 bedroom/3 person flat 61m²

Third Floor:

Flat 10: 2 bedroom/4 person flat 79.7m²

While ideally the development would provide a better mixture of one and two bedroom units and potentially some affordable units; as discussed above, the development as proposed takes into account local context and character while at the same time optimising the residential density of the site within the recommended density ranges in the London Plan.

Flat 2 is proposed to be part M4(3) compliant and the applicant has confirmed that the remaining units are designed to all comply with Part M4(2). Conditions are recommended to ensure that all of the units meet the relevant standard of Part M4.

While the submitted drawings and accommodation schedule demonstrate that floor space in some dwellings would exceed the minimum standards set out in the Government's Technical housing standards - nationally described space standard, the wheelchair accessible unit requires additional floorspace to comply with Building Regulation requirement M4(3). Furthermore, Flat 10, whose balcony is constrained by the roof pitch, has been provided with an enlarged living room to make up for the lack of external amenity space.

The Mayor's Housing SPG sets out guidance in respect of the standard required for all new residential accommodation to supplement London Plan policies. The standards apply to new build, conversion and change of use proposals. Part 2 of the Housing SPG deals with the quality of residential accommodation setting out standards for dwelling size, room layouts and circulation space, storage facilities, floor to ceiling heights, outlook, daylight and sunlight, external amenity space (including refuse and cycle storage facilities) as well as core and access arrangements to reflect the Governments National Technical Housing Standards.

The submitted drawings demonstrate that all dwellings would be dual aspect, will accommodate the furniture, access and activity space requirements relating to the proposed number of occupants and would have minimum ceiling heights of 2.5m for at least 75% of the gross internal area. Although bedroom 1 of Flat 10 (situated in the roof space) would only be provided with a 'Velux' style roof window, the drawings demonstrate that the window sill would be at a low enough height to enable an acceptable outlook for future occupiers. All of the other habitable rooms in Flat 10 would benefit from gable windows or glazed balcony doors which are acceptable. This meets London Plan standards.

Turning to an assessment of the internal noise environment of the proposed flats, BLP policy 119 states that the design and layout of new development should ensure that noise sensitive areas and rooms are located away from parts of the site most exposed to noise wherever practicable. *"External amenity areas should incorporate acoustic mitigation measures such as barriers and sound absorption where this is necessary and will assist in achieving a reasonable external noise environment"*.

The proposed building itself will be set back from Croydon Road by a minimum of 17m and there are habitable room windows and external amenity areas proposed at the front of the building. The applicant has set out a commitment within their Design and Access Statement to provide double glazed windows to the flats to help minimise noise from the adjacent London Distributor Road. It is also acknowledged that the site is within an established residential area and there is already a residential development on the site, which has the same aspect as the proposed development.

At this stage no details have been provided by the applicant of the specific windows to be installed. It is therefore recommended that a condition requiring acoustically rated glazing for the windows, balconies and ventilation is attached to any grant of planning permission. Subject to the above and in view of the set-back of the building from the road, it is not anticipated that future residents would be exposed to unduly harmful levels of noise.

Furthermore, the floor plans and layouts submitted demonstrate that the majority of flats are arranged with living/dining/kitchen areas stacked over living/dining/kitchen areas of the flats below and bedrooms are positioned over other bedrooms which would help to minimise the transfer of noise between flats.

Concerns have also been raised over the potential noise, disturbance and odour impacts arising from the positioning of the bin and cycle stores directly outside windows serving living/kitchen/dining rooms of the ground floor flats. There is also a potential privacy issue for occupiers of flats 2 and 3 as a result of these areas being frequently accessed by other residents. Consequently, the applicant has confirmed that the windows to the sides of dining rooms and kitchens of flats 2 and 3 are for daylighting only and will be obscured glass to the lower panes to avoid disturbance and invasion of privacy. This can be secured via condition, as suggested above. Furthermore, occupants of the flats will still be able to be open windows and adequately ventilate the flats without being subjected to undue odour impacts. On balance, residents of the proposed development are therefore unlikely to be subjected to harmful levels of noise or odour impacts and no further acoustic investigation or other information is required at this stage.

The Housing SPG states that 5sqm of private outdoor space should be provided for 1-2 person dwellings and an extra 1sqm should be provided for each additional occupant. The dwellings all benefit from private balconies or terraces/patios which meet the minimum standard for private amenity space, apart from Flat 10 which, due to the roof configuration, has instead been provided with 8sqm of additional internal living space. This is considered acceptable and accords with the Housing SPG.

0.9m high walls are proposed around the edge of the ground floor patios in order to provide a better sense of privacy and defensible space for occupiers of the ground floor flats. This is considered acceptable. Details of the walls will need to be secured through the landscaping condition.

Development proposals that include housing should also make provision for play and informal recreation, based on the expected child population generated by the scheme and an assessment of future needs. For all new residential developments generating more than 10 children (as determined by the application of child occupancy assessments) suitable play space should be provided as part of the development scheme. Given the scale of this development, play space does not need to be provided on site, however, the applicant is proposing a communal amenity area which will be secure and well-overlooked and is considered acceptable to meet the needs of future occupiers.

Overall the proposal is acceptable in terms of housing provision and housing quality and, in this instance, affordable housing is not being sought in accordance with the terms of BLP policy 2.

Highways

The NPPF recognises that transport policies have an important role to play in facilitating sustainable development but also in contributing to wider sustainability objectives. All developments that generate significant amounts of movement should be supported by a Transport Assessment. Plans and decisions should take account of whether the opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, safe and suitable access to the site can be achieved for all people.

The NPPF clearly states in Paragraph 109 that development should only be prevented or refused on transport grounds where the residual cumulative impacts are severe.

The proposed site plan moves all car parking for the development to the front of the site, to enable the creation of a landscaped communal amenity area at the rear, whereas currently the development lacks useable amenity space and/or soft landscaping and is extensively hard surfaced.

The parking standards in the BLP for two bed flats in a PTAL 2 location is 0.7 (min) - 1 (max). Accordingly this development would require a minimum of 7 and a maximum of 10 spaces. Eight car parking spaces are proposed at the front of the site which accords with the BLP standards. It is also noted that there are a number of railway stations nearby (Elmers End is 950m away) and the nearest bus stop on Croydon Road is circa 200m from the site.

The Transport Statement confirms that the proposals will result in a negligible impact on traffic flow on Croydon Road and the surrounding highway network when compared to the existing residential use and the proposed development is unlikely to result in any significant adverse impact on the safety or performance of the existing highway and transport network.

The Council's highways officers have confirmed that 8 parking spaces is acceptable.

To conclude, the proposed number of car parking spaces provided at the site would be in accordance with the recently adopted Bromley Local Plan Parking standards and would help to ensure the future health and long-term retention of the protected tree at the front of the site which is a significant benefit.

Conditions are recommended in relation to visibility splays, a drainage scheme for the parking area, electric vehicle charging points, reinstatement of redundant crossovers, refuse/recycling and bicycle storage and construction management plan.

Other Matters

Pollution and contamination:

The site is within an Air Quality Management Area (AQMA). BLP policy 120 and London Plan policy 7.14, require that development proposals within these areas should address local problems of air quality, promote sustainable design and construction to reduce emissions from the construction of buildings and be at least 'air quality neutral' so as not to lead to further deterioration of existing poor air quality.

In order to reduce the potential impact that the development will have on air quality, conditions are recommended to ensure that the development incorporates Ultra Low NOx boilers, electric vehicle charging points and cycle storage to promote sustainable travel modes. Furthermore, a construction management plan will also need to be secured via condition. This would make the development acceptable in planning terms.

Drainage:

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

The applicant has indicated the use of an attenuation tank which is acceptable in principle, however, full details are required and a condition is recommended accordingly.

Energy and Sustainability:

The NPPF requires Local Planning Authorities to adopt proactive strategies to mitigate and adapt to climate change. London Plan and Draft Local Plan Policies advocate the need for sustainable development. All new development should address climate change and reduce carbon emissions.

BLP policy 123 requires that all applications for development should demonstrate how the principles of sustainable design and construction have been taken into

account alongside the principles set out in the general design policy. In addition, policy 124 states that Major developments should aim to reduce their carbon dioxide emissions in accordance with the levels set out in the London plan.

The applicant's submitted Energy Strategy demonstrates that, after following the Mayor of London's energy hierarchy, a 35.15% carbon saving over 2013 building regulations can be achieved, fulfilling the requirements of London Plan policy 5.2.

Overall, the reduction in carbon dioxide emissions as a result of the energy efficient design and renewable technologies would be 35.15% over the Target Emissions in the 2013 Building Regulations.

As the development does not achieve the London Plan target of 100% zero carbon onsite, the applicant has agreed to pay a Carbon Offset Payment of £12,485 towards energy saving projects which will need to be secured through a S106 legal agreement. A condition requiring the final design of the carbon saving measures including the location and design of the proposed PVs on the roof of the building is also recommended.

S106 and CIL:

The National Planning Policy Framework (NPPF) states that in dealing with planning applications, local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations.

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

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

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

BLP Policy 125 and the Council's Planning Obligations SPD state that the Council will, where appropriate, enter into legal agreements with developers, and seek the attainment of planning obligations in accordance with Government Guidance.

The development, as proposed, would give rise to the following contributions which the applicant has agreed, in principle, to pay:

Health: £7,150.00
Education: £30,796.01
Carbon off-setting: £12,485

Therefore a legally binding planning obligation will be required to secure the above contributions.

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

Conclusions

The application has been assessed against the adopted development plan and all other material considerations.

While the increase in the number of residential dwelling from 6 to 10 would result in some intensification of the use of this site compared to existing, the development in the form proposed is not found to result in highways or transport impacts so severe as to warrant its refusal on highway grounds.

Furthermore, the development is found to accord with the design and housing policies of the development plan and would complement the scale, proportion, form, layout and materials of adjacent buildings and areas while at the same time respecting the significant tree which positively contributes to the street scene and enhancing the landscaped setting of the site.

The proposal would also respect the amenities of occupiers of neighbouring buildings and those of future occupants.

Consequently, there are no material planning considerations which signify that the application should be refused. The application is recommended for permission, subject to conditions and the prior completion of a S106 legal agreement.

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

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

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: To comply with Section 91 of the Town and Country Planning Act 1990

- 2 The development hereby permitted shall not be carried out otherwise than in complete accordance with the plans and documents listed in this condition unless previously agreed in writing by the Local Planning Authority: 18845-PL-101, 18854-PL-103 F, 18854-PL-104 D and 18854-PL-105 C and 18845-PL-106.

Reason: To prevent any unacceptable deviation from the approved plans.

- 3 Prior to the commencement of the development hereby approved (including demolition and all preparatory work), an updated Tree Protection Plan and Arboricultural Method Statement shall be submitted for approval to the Local Planning Authority. Once approved and prior to the commencement of the development hereby approved (including demolition and all preparatory work) tree protection measures shall be installed in accordance with the approved Tree Protection Plan. Such measures shall not be moved or removed, but shall be retained in situ until completion of the development and all materials and machinery have been removed from the site, unless otherwise agreed in writing by the LPA. The development shall thereafter be carried out in accordance with the approved details and recommendations within the approved Arboricultural Method Statement or any variation as may subsequently be agreed in writing by the LPA.

Reason: Required prior to the commencement of development in order that the Local Planning Authority may be satisfied that the trees to be retained will not be damaged during development works and to ensure that, as far as is possible, the work is carried out in accordance with the approved details pursuant to section 197 of the Town and Country Planning Act 1990 in accordance with Policies 37, 73 and 74 of the Bromley Local Plan.

- 4 No development shall commence on site (including demolition) until such time as a Construction and Environmental Management Plan (CEMP) has been submitted to and approved in writing by the local planning authority. The CEMP shall be in accordance with the Control of Pollution and Noise from Demolition and Construction Sites Code of Practice 2017 (available on the Bromley web site) and, as a minimum, the plan shall cover:-
- (a) Dust mitigation and management measures.
 - (b) The location and operation of plant and wheel washing facilities
 - (c) Measure to reduce demolition and construction noise including, where applicable, noise trigger levels & monitoring
 - (d) Details of construction traffic movements including cumulative impacts which shall demonstrate the following:-
 - (i) Rationalise travel and traffic routes to and from the site as well as within the site.
 - (ii) Provide full details of the number and time of construction vehicle trips to the site with the intention and aim of reducing the impact of construction related activity.
 - (iii) Measures to deal with safe pedestrian movement.
 - (iv) Full contact details of the site and project manager responsible for day-to-day management of the works
 - (v) Parking for operatives during construction period

(vi) A swept path drawings for any tight manoeuvres on vehicle routes to and from the site including proposed access and egress arrangements at the site boundary.

(e) Hours of operation

(f) Other site specific Highways and Environmental Protection issues as requested on a case by case basis

(G) The development shall be undertaken in full accordance with the details approved under Parts a-f

Reason: Required prior to commencement of development to ensure sufficient measures can be secured throughout the whole build programme in the interests of pedestrian and vehicular safety and the amenities of the area and in order to comply with Policies 30, 31, 32, 119, 120 and 123 of the Bromley Local Plan.

5 (a) Prior to commencement of the development hereby approved (excluding any ground clearance or demolition) a scheme for the provision of surface water drainage and to prevent the discharge of surface water from private land on to the highway shall be submitted and approved in writing by the local planning authority;

(b) Before the details required to satisfy Part (a) are submitted an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system (SuDS) to ground, watercourse or sewer in accordance with drainage hierarchy contained within the London Plan Policy 5.13 and the advice contained within the National SuDS Standards;

(c) Where a sustainable drainage scheme is to be provided, the submitted details shall provide information about the design storm period and intensity, the method employed to delay (attenuate) and control the rate of surface water discharged from the site as close to greenfield runoff rates (21/s/ha) as reasonably practicable and the measures taken to prevent pollution of the receiving groundwater and/or surface water;

(d) The approved drainage scheme shall be implemented in full prior to first occupation of the development hereby approved.

Reason: Details are required prior to the commencement of any new operational development in order to ensure that a satisfactory means of surface water drainage, to reduce the risk of flooding can be achieved before development intensifies on site and to comply with the Policy 5.13 of the London Plan and Policies 115, 116 and 117 of the Bromley Local Plan

6 (i) Prior to commencement of above ground works, details of treatment of all parts on the site not covered by buildings shall be submitted to and approved in writing by the Local Planning Authority. The site shall be landscaped strictly in accordance with the approved details in the first planting season after completion or first occupation of the development, whichever is the sooner. Details shall include:

1) A scaled plan showing all existing vegetation and landscape features to be retained and trees and plants to be planted which shall include use of a

minimum of 30% native plant species of home grown stock (where possible) and no invasive species;

2) location, type and materials to be used for hard landscaping including specifications, where applicable for:

a) permeable paving

b) tree pit design

c) underground modular systems

d) Sustainable urban drainage integration

e) use within tree Root Protection Areas (RPAs);

3) A schedule detailing sizes and numbers/densities of all proposed trees/plants;

4) Specifications for operations associated with plant establishment and maintenance that are compliant with best practice; and

5) Full details of retained and proposed boundary treatments

(ii) There shall be no excavation or raising or lowering of levels within the prescribed root protection area of retained trees unless agreed in writing by the Local Planning Authority.

(iii) Unless required by a separate landscape management condition, all soft landscaping shall have a written five year maintenance programme following planting.

(iiii) Any new tree(s) that die(s), are/is removed or become(s) severely damaged or diseased shall be replaced and any new planting (other than trees) which dies, is removed, becomes severely damaged or diseased within five years of planting shall be replaced. Unless further specific permission has been given by the Local Planning Authority, replacement planting shall be in accordance with the approved details

Reason: In order to comply with Policies 37, 73 and 74 of the Bromley Local Plan to secure a visually satisfactory setting for the development and to protect neighbouring amenity.

7 (a) The development hereby permitted shall incorporate measures to minimise the risk of crime and to meet the specific needs of the application site and development. No above ground construction shall take place until details of such measures have been submitted to and approved in writing by the Local Planning Authority.

(b) The approved measures shall be implemented before the development is occupied and the security measures to be implemented in compliance with this condition shall achieve the Secured by Design accreditation awarded by the Metropolitan Police.

Reason: In the interest of security and crime prevention and to accord with Policies 4 and 37 of the Bromley Local Plan.

8 (a) Prior to commencement of above ground works, details (including samples) of the materials to be used for the external surfaces of the building which shall include 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.

(b) The development shall be carried out in accordance with the approved details.

Reason: In order to comply with Policy 37 of the Bromley Local Plan and in the interest of the appearance of the building and the visual amenities of the area.

9 (a) A scheme for protecting the proposed dwellings from traffic noise from Croydon Road, which shall include double glazing in windows and acoustically attenuated ventilation and balcony screening, shall be submitted to and approved in writing by or on behalf of the Local Planning Authority prior to construction of above ground works.

(b) The scheme shall be fully implemented before any of the dwellings are occupied and permanently retained as such thereafter.

Reason: In order to comply with Policy 119 of the Bromley Local Plan and to ensure a satisfactory standard of residential amenity.

10 (a) Details of arrangements for long-stay and short-stay bicycle parking (including covered storage facilities where appropriate) shall be submitted to and approved in writing by the Local Planning Authority prior to construction of any above ground works

(b) The arrangements as approved under part (a) 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 31 of the Bromley Local Plan and Policy 6.9 of the London Plan and in order to provide adequate bicycle parking facilities at the site in the interest of reducing reliance on private car transport.

11 (a) 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 construction of any above ground works

(b) The arrangements as approved under part (a) 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 37 of the Bromley Local Plan and in order to provide adequate refuse storage facilities in a location which is acceptable from the residential and visual amenity aspects.

12 Details of construction method, layout, species and a maintenance regime relating to the green/living roofs shall be submitted to and approved in writing by the Local Planning Authority before works are commenced on the relevant part of the development hereby permitted. The approved details shall be completed before any part of the development hereby permitted is first occupied, and permanently retained thereafter. Details should include:

- i) Fully detailed plans (to scale showing and stating the area of the roof. This should include any contoured information depicting the extensive substrate build up and details of how the roof has been designed to accommodate any plant, management arrangements, and any proposed photovoltaic panels and fixings;
- ii) A scaled section through the actual roof (i.e. not a generic section of a living roof) showing the details of the extensive substrate base and living roof components;
- iii) Details of the proposed plug planting and seed composition and planting methodology;
- iv) A statement outlining a management strategy detailing how the living roof would be maintained and monitored for a period of at least 5 years post installation.

Reason: To support sustainable urban drainage, enhance biodiversity, improve appearance of the development and to accord with policy 5.11 of the London Plan.

- 13** (a) Details of the measures outlined in the Sustainability and Energy Statement by Bluesky dated 08/01/19, including detailed drawings showing the installation of 22 x 300W Solar Photovoltaic panels, on the roof of the Development shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of above-ground works.

(b) The approved details, which should provide a reduction in expected carbon dioxide emissions of at least 35% above that required by the 2013 Building Regulations, shall be incorporated into the final design of the development and implemented prior to first occupation and shall be retained thereafter in operational working order.

Reason: In order to seek to achieve compliance with the Mayor of London's Climate Change Mitigation and Energy Strategy and to comply with policies 123 and 124 of the Bromley Local Plan.

- 14** Before any part of the development hereby permitted is first occupied, detailed drawings indicating the means of privacy screening for the north-eastern sides of the balconies for Flats 5, 6, 8, 9 and 10 and for the south-western sides of the balconies at Flats 4 and 7, as shown in the approved plans, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and maintained as such at all times.

Reason: In order to comply with Policy 37 of the Bromley Local Plan and to protect the amenities and privacy of the adjoining properties.

- 15** Before the development hereby permitted is first occupied the proposed windows in the north-eastern and south-western elevations of the building shall be obscure glazed to a minimum of Pilkington privacy Level 3 and shall be non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed and the windows shall subsequently be permanently retained as such.

Reason: In the interests of protecting residential amenity in accordance with Policy 37 of the Bromley Local Plan.

16 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 details as set out in this planning permission 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 30 of the Bromley Local 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.

17 Before any part of the development hereby permitted is first occupied the access 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 32 of the Bromley Local Plan and in the interest of pedestrian and vehicular safety.

18 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 to first be submitted to and approved in writing by the Local Planning Authority. The approved enclosure shall be permanently retained as such and the footway/verge reinstated as appropriate.

Reason: In order to comply with Policy 34 of the Bromley Local Plan and in the interest of pedestrian and vehicular safety.

19 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 and to comply with policy 120 of the Bromley Local Plan and Policy 7.14 of the London Plan.

20 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. The EVCPs shall be installed prior to occupation and shall be permanently maintained thereafter.

Reason: To minimise the effect of the development on local air quality within an Air Quality Management Area and to comply with policy 30 of the Bromley Local Plan and Policies 6.13 and 7.14 of the London Plan.

21 The development hereby permitted shall be built in accordance with the criteria set out in Building Regulations M4(3) 'wheelchair user dwellings'

i.e. designed to be accessible, or easily adaptable, for residents who are wheelchair users, for the unit identified in the application as an AD M4(3) compliant flat, and shall be permanently retained as such thereafter.

Reason: To comply with Policy 4 of the Bromley Local Plan and Policy 3.8 of the London Plan and to ensure that the development provides a high standard of accommodation in the interests of the amenities of future occupants.

- 22** Notwithstanding the requirements of condition 21 the approved residential units shall be built in accordance with the criteria set out in Building Regulations M4(2) 'accessible and adaptable dwellings' and shall permanently be retained as such thereafter.

Reason: To comply with Policy 4 of the Bromley Local Plan and Policy 3.8 of the London Plan and to ensure that the development provides a high standard of accommodation in the interests of the amenities of future occupants.

You are further informed that :

- 1** The proximity of T6 Horse Chestnut to parking spaces, shown as 7 and 8 on the plans hereby approved, may give rise to concerns for future occupants that prompt intentions to carry out tree works. Since T6 is protected by Tree Preservation Order 553, the Council's written permission must be gained prior to works being carried out. Please note that any future applications for works to abate nuisance that arise from the proximity of T6 to parking spaces 7 and 8 may be refused on the grounds of it being an issue that could have reasonably been foreseen.
- 2** You are advised that this application is considered to 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)). The Levy will appear as a Land Charge on the relevant land with immediate effect.

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.
- 3** Where a CEMP is required through the planning process it will relate to factors beyond just noise. For example, site waste management, air quality and emissions, dust management, site contamination and other issues. The above standard relates only to the noise aspects of a CEMP and is therefore not an exhaustive list of likely requirements.

Further information is available from the following sources:

**S61 of Control of Pollution Act 1974,
BS 5228-1:2009+A1:2014 'Code of practice for noise and vibration control on construction and open sites',
BS 7385-2:1993 Evaluation and measurement for vibration in buildings. Guide to damage levels from ground-borne vibration,
BS 6472-1:2008 'Guide to evaluation of human exposure to vibration in buildings - vibration sources other than blasting,
Relevant CIRIA practice notes, and
BRE practice notes.**

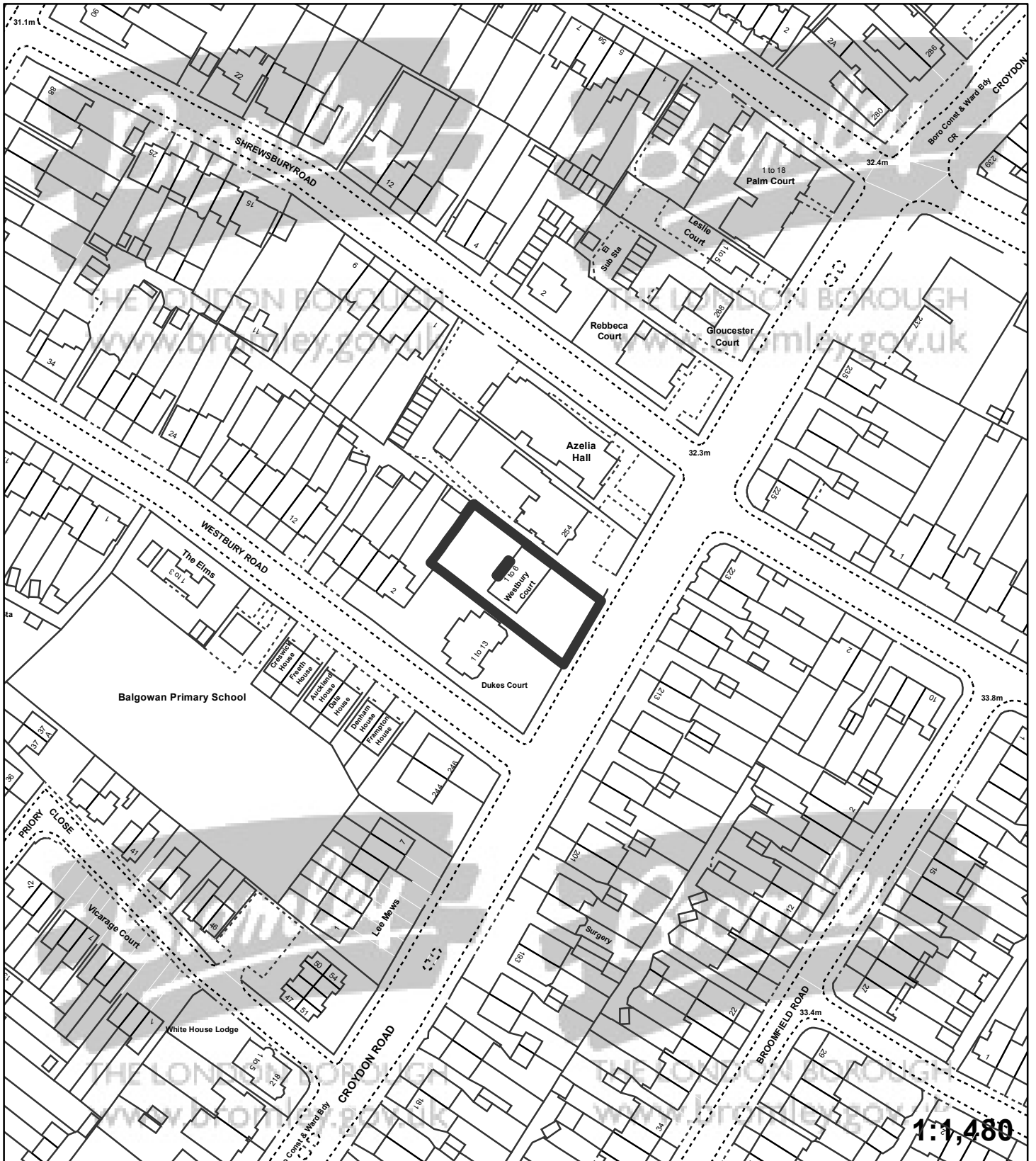
Whilst Best Practicable Means must be used at all times in the control of noise from construction sites it is recognised that construction sometimes involves high noise levels.

- 4 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.**
- 5 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.**
- 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 You should consult Street Naming and Numbering/Address Management at the Civic Centre on 020 8313 4742, email address.management@bromley.gov.uk regarding Street Naming and numbering.**
- 8 Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.**

Application:18/05517/FULL1

Address: Westbury Court 252 Croydon Road Beckenham BR3 4DA

Proposal: Demolition of existing residential block of 6 flats and erection of new 3 storey building with rooms in roof space containing 10 two bedroom flats with 8 car parking spaces, cycle and refuse storage and amenity 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 : 18/05526/FULL1

Ward:
Plaistow And Sundridge

Address : Squirrels Chase Lodge Road Bromley
BR1 3ND

OS Grid Ref: E: 541272 N: 170486

Applicant : Mr T. White

Objections : NO

Description of Development:

Demolition of existing two storey dwelling with integral garage and erection of new two storey dwelling with integral garage, incorporating landscaping existing front and rear gardens

Key designations:

Biggin Hill Safeguarding Area
Green Chain
London City Airport Safeguarding
Adjacent to Metropolitan Open Land
Open Space Deficiency
Adjacent to Sites of Interest for Nat. Conservation
Smoke Control SCA 7

Proposal

Planning permission is sought for the demolition of existing two storey dwelling with integral garage and erection of new two storey 4 bedroom detached dwelling with integral garage, incorporating landscaping existing front and rear gardens.

The new house would be a contemporary flat roof dwelling with render, stone cladding, black aluminium fascia panels at roof and first floor levels, black windows and brise soleil over the front windows which will reflect the appearance of both the existing house to be removed and respond to the more substantial form and contemporary architectural detailing of the adjacent Grade II Listed house. The house would be a maximum height of 6.55m, 13.4m wide and 12m deep.

Location and Key Constraints

The site is at the end of Lodge Road where it abuts the open land of Sundridge. This land is adjacent to Metropolitan Open Land and a Site of Interest for Nature Conservation. The property next door, the former "Squirrels Chase" is a statutory listed building.

Comments from Local Residents

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

Support:

- Support the application on the basis that we have been reassured that the current design seeks to preserve our lighting, privacy and outlook (particularly from the kitchen and dining room of 38 Lodge Road);
- The proposed dwelling will leave a gap of not less than 2 meters between the external wall of the dwelling and the perimeter separating 38 Lodge Road and Squirrels Chase;
- The roof line will not significantly exceed the height of the current dwelling;
- Support of the application to demolish and rebuild the property know as Squirrels Chase;
- This property has a direct border with land belonging to the golf club and considers the current building to be an eyesore and believe that a rebuild in line with the proposed plans would be a great improvement.

Comments from Consultees

Drainage Engineer: No objections subject to a condition regarding Sustainable drainage system to be included with any permission

Highways: There are still three parking spaces with this new proposal so I would have no objection from a highway perspective but would ask that conditions regarding satisfactory parking, no loose parking materials to be used, wash-down facilities, refuse, cycle store, Construction Management Plan, and Highway Drainage with any permission.

Tree Officer: No objections to this. I would recommend a condition regarding tree protection with any permission.

Conservation Officer: The existing 1970s house appears to have been an extension to the listed building next door but has long since been severed and now has its own residential curtilage. It is of no particular significance to the listed building and its demolition would not result in harm to its setting or integrity. I find the proposed design to be acceptable in terms of architectural style and overall bulk and massing. Therefore the proposal accords with Policy 38.

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.

The National Planning Policy Framework was published on 24th July 2018. According to paragraph 48 of the NPPF decision takers can also give weight to relevant policies in emerging plans according to:

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

The development plan for Bromley comprises the Bromley Local Plan (2019) and the London Plan (March 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

National Planning Policy Framework (NPPF) (2018):

- Chapter 5 – Delivering a sufficient supply of homes
- Chapter 12 – Achieving well-designed places
- Chapter 16 – Conserving and enhancing the historic environment

London Plan Policies (2016):

- Policy 3.5 Quality and design of housing developments
- Policy 6.9 Cycling
- Policy 6.13 Parking
- Policy 7.4 Local character
- Policy 7.6 Architecture
- Policy 7.8 Heritage Assets
- Policy 8.3 Community infrastructure levy

Local Plan (2019):

- Policy 4 Housing Design

Policy 8 Side Space
Policy 30 Parking
Policy 37 General Design of Development
Policy 38 Statutory Listed Buildings
Policy 41 Conservation Areas
Policy 53 Land Adjoining Green Belt Or Metropolitan Open Land
Policy 73 Development and Trees

Supplementary Planning Guidance

SPG1 – General Design Principles
SPG2 – Residential Design Guidance

Planning History

The site has been subject to previous planning applications:

There is a long planning history for this site which is summarised below for your information:

92/01966/FUL – Detached one bed house with integral garage – non-compliance with condition 3 of application 73/1774 – Permission 04.11.1992

93/00408/FUL – Two storey side extension and pitched roof over – Refused 28.04.1993

94/00455/FUL – Pitched roof and single storey front/side/rear extension – Refused 13.04.1994

94/01568/FUL – Single storey extension for double garage and porch – Refused 03.11.1994

02/00123/FULL1 - First floor over garage with pitched roof to whole of side extension – Refused - 17.04.2002

04/00049/FULL6 - First floor side extension – Permission 18.02.2004

05/03043/FULL6 - First floor side and single storey rear extensions – Permission 19.10.2005

Considerations

The main considerations in the context of national, regional and local policy are:

- Principle of Development;
- Design, Siting, Layout and Impact on the adjacent Listed Building;
- Side Space;
- Heritage Assets;
- Residential Amenity and Standard of Residential Accommodation;
- Impact on Adjoining Occupiers;
- Highways;

- Cycle Storage;
- Refuse;
- Trees;
- Sustainability; and
- Community Infrastructure Levy (CIL).

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 11 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 when assessed against policies in the Framework or if 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.

The NPPF sets out a set of core land-use planning principles which should underpin both plan-making and decision-taking. Among others, planning should: always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings; and contribute to conserving and enhancing the natural environment.

The proposal is to demolish the existing dwelling and construct a new two-storey 4-bed detached dwelling, consequently careful consideration needs to be given to the design of the proposal, highways impacts, the effect it would have on the natural environment and the impact on the amenities of local residents.

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.

London Plan and BLP policies further reinforce the principles of the NPPF setting out a clear rationale for high quality design. Policy 4 set out a list of criteria which proposals will be expected to meet, the criteria is clearly aligned with the principles of the NPPF as set out above.

The site is located on land adjacent to the Metropolitan Open Land, Policy 53 states that proposals for development on land abutting either the Green Belt or Metropolitan Open Land (MOL), should ensure that they have no detrimental effect on the visual amenity, character or nature conservation value of the adjacent designated area. It is considered that the proposal as it is proposing to replace the existing dwelling with a similar single family dwelling house this would not have any significant impact on the adjacent MOL and complies with the above policy.

The site used to be part of the curtilage with the next door property which was the former "Squirrels Chase" now known as 38 Lodge Road, and is a statutory listed building. The site now has been split into separate legal titles; however consideration must still be given to the impact on the adjacent Listed Building.

It is considered that the proposed dwelling would not be out of character with the surrounding street scene nor the adjacent Listed Building in this regard. Therefore the provision of a new dwelling unit on the land 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 of the scheme, car parking and traffic implications, sustainable design and energy, community safety and refuse arrangements.

Design, Siting, Layout and Impact on the adjacent Listed Building:

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 BLP policies further reinforce the principles of the NPPF setting out a clear rationale for high quality design.

London Plan Policy 7.4 requires developments to have regard to the form, function, and structure of an area. Policy 37 of the BLP sets out criteria which proposals for new development will be expected to meet and requires new buildings to complement the scale, form, layout and materials of adjacent buildings and areas. Importantly these policies state 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 adjacent dwelling No. 38 Lodge Road is a Grade II Listed property, Policy 38 states that applications for development involving a listed building or its setting, or for a change of use of a listed building, will be permitted provided that the character, appearance and special interest of the listed building are preserved and

there is no harm to its setting. In the case of a change of use, the applicant needs to additionally demonstrate that the existing or last use is not viable or is no longer compatible with the building's fabric, interior or setting. This is supported by Policy 7.8 of the London Plan.

The NPPF requires the Council to consider the impact of any proposal on the setting of heritage assets.

National policy on design is set out in the National Planning Policy Framework, this states that the appearance of proposed development and its relationship to its surroundings are material planning considerations. Therefore development plans should provide clear indications of a planning authority's design expectation and concentrate on broad matters of scale, density, height, layout, landscape and access.

New development should contribute towards a better quality of environment as part of a coherent urban design framework, which looks at how the urban form is used and how that form has an impact on the way development is planned. The Unitary Development Plan contains policies designed to promote very high standards of design, to preserve and enhance the existing character of areas to promote environmental importance, and to ensure that the natural environment is not adversely affected.

The new dwelling will be sited centrally within the plot, providing side space to all boundaries. It will be set back from the front boundary line thereby maintaining the established building line. The proposed dwelling will have the appearance of a traditional two storey property when viewed from the street. It is considered that this element would not to impact on the character and appearance of the area.

Lodge Road hosts a variety of traditional Architectural styles, and the proposed new dwelling would commemorate this in its design. The new house proposes modern architectural features for the front and rear elevations and a number of distinctive use of horizontal fascia's and brise soleil together with stone cladding and render to offer a variety in design.

It is considered that the contemporary design would relate well to the site and streetscene. The street scene elevation which accompanies the application indicates that the proposal would be approximately 8.5m in height and as such it is considered that the design of the new dwelling would be in keeping with the character and appearance of the wider Chislehurst Conservation Area.

With regards to the impact on the adjacent Listed Building the existing house was constructed in the 1970s and seems to have been an extension or annex to the adjoining 1920s modernist statutory listed house. The house is of a typical 1970s style and whilst it has an unusual hexagonal plan form to one side it is not of particular interest and does not contribute to the significance of the listed building next door and it is therefore the location of the proposed new dwelling holds less importance in terms of the significance of the listed building and its setting.

Furthermore the replacement building is of a contemporary design which would be compatible with the listed building. The height is lower and whilst the house projects forward slightly this would cause any harm given the lower topography and height overall.

Overall it is considered that the proposed house would not have any adverse impacts on either the setting of the listed building or the character of the area. Nor would the development detract from the character and appearance of this listed building and will still allow retention and views of the dwellings original charm and character.

Having regard to the form, scale, siting and proposed materials of the new house it is considered that the proposed development would not appear out of character with surrounding development or the area generally.

Side Space:

Policy 8 of the Bromley Local Plan states that when considering applications for new residential development, including extensions, the Council will normally require the following:

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

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

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

The proposed block plan indicates that the new dwelling will be situated 2m from the south-western boundary with No. 37 Lodge Road and 1.1m reducing to 0.25m from the north-eastern boundary with Sundridge Park Golf Course. The existing dwelling also abuts the north-eastern boundary with the Golf Course. Whilst the proposal would not provide a "minimum 1 metre space from the side boundary of the site for the full height and length of the flank wall of the building" the proposal would not result in a terracing effect between the new development and any neighbouring property, the proposal would also not cause a cramped appearance within the wider streetscene given that the new dwelling is to be increasing the side space over the current situation and also is adjacent to Sundridge Park Golf Course. It is considered the separation distance retained allows for high spatial standards and a high level of visual quality to be maintained. Therefore does not conflict with the reason for the side space policy.

Heritage Assets:

The NPPF sets out in section 16 the tests for considering the impact of a development proposal upon designated and non-designated heritage assets. The test is whether the proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset and whether it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits. A range of criteria apply.

Paragraph 196/197 state where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a requirement on a local planning authority in relation to development in a Conservation Area, to pay special attention to the desirability of preserving or enhancing the character or appearance of that area.

Interpretation of the 1990 Act in law has concluded that preserving the character of the Conservation Area can not only be accomplished through positive contribution but also through development that leaves the character or appearance of the area unharmed.

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a duty on a local planning authority, in considering development which affects a listed building or its setting, to have special regard to the desirability of preserving the building or its setting, or any features of architectural or historic interest it possesses.

It is considered that the proposed development would preserve the character and appearance of the adjacent Grade II Listed Building as set out above.

Residential Amenity and Standard of Residential Accommodation:

Policy 3.5 of the London Plan (2015) 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 37 of the BLP states that the development should respect the amenity 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 nationally described space standard requires minimum of 124m² for a 2-storey 4 bedroomed 8 person unit. On this basis, the floorspace provision for the unit (273.3m²) is considered to comply with the required standards and the overall room sizes are compliant.

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.

The proposed dwelling provides sufficient amenity space with a large rear garden. The submitted block plan indicates that a number of existing trees will be retained which will provide screening and privacy for future occupiers.

Impact on Adjoining Occupiers:

Policy 37 of the BLP 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. This is supported by London Plan Policy 7.6.

Due to the layout of the surrounding plots it is considered that the proposed dwelling would sit comfortably within the plot and would provide adequate side space to reduce the impact on neighbouring amenity, by way of loss of light, outlook and privacy to either the donor property or any neighbouring occupiers.

Highways:

The NPPF recognises that transport policies have an important role to play in facilitating sustainable development but also in contributing to wider sustainability and health objectives. The NPPF clearly states that transport issues should be considered from the earliest stage of both plan making and when formulating development proposals and development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

The NPPF states that all developments that will generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed

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

The existing access off Lodge Road will be utilised to serve the new house. Given the level of parking proposed and the access and parking arrangements are considered to be satisfactory.

Cycle parking:

Cycle parking should be provided at all residential development in accordance with the standards set out in Table 6.3 of the London Plan. No cycle storage is proposed for the new dwelling and, given the loss of the existing garage, alternative cycle parking should be provided for occupiers of the host dwelling.

Given the size of the proposed plot together with the outbuildings there would be sufficient space on site to provide the cycle store and as such a condition in this instance is not considered necessary.

Refuse:

All new developments shall have adequate facilities for refuse and recycling. The applicant has provided details of refuse storage and this will be conditioned if planning permission is forthcoming.

Trees:

The site benefits from some large trees within the site, these trees provide natural screening and contribute to the aesthetics of the area.

The trees proposed for removal are generally low value, and as such there are no objections to this element.

The impact on retained trees in terms of encroachment on RPA's appears to be negligible; however the retained trees would need to be protected during construction.

As such no technical objections are raised subject to condition a condition regarding Tree Protection.

Sustainability and Energy:

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

No information has been provided with regards to how the development would incorporate appropriate sustainability measures to ensure that the development strives to achieve the objectives set out above.

CIL

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

Conclusion

Having had regard to the above it is 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 setting of the adjacent Grade II Listed Building, character of the area or street scene generally.

Background papers referred to during production of this report comprise all correspondence on the files 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: To comply with Section 91 of the Town and Country Planning Act 1990

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

Reason: In order to comply with Policy 37 of the Bromley Local Plan and in the interests of visual and residential amenity.

- 3 (a) Prior to commencement of the development hereby approved (excluding any ground clearance or demolition) a scheme for the provision of surface water drainage shall be submitted and approved in writing by the local planning authority.**

(b) Before the details required to satisfy Part (a) are submitted an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system (SuDS) to ground, watercourse or sewer in accordance with drainage hierarchy contained within the London Plan Policy 5.13 and the advice contained within the National SuDS Standards.

(c) Where a sustainable drainage scheme is to be provided, the submitted details shall:

i. provide information about the design storm period and intensity, the method employed to delay (attenuate) and control the rate of surface water discharged from the site as close to greenfield runoff rates (8l/s/ha) as reasonably practicable and the measures taken to prevent pollution of the receiving groundwater and/or surface water

(d) The drainage scheme approved under Parts a, b and c shall be implemented in full prior to first occupation of the development hereby approved

Reason: Details are required prior to the commencement of any new operational development in order to ensure that a satisfactory means of surface water drainage, to reduce the risk of flooding can be achieved before development intensifies on site and to comply with the Policy 5.13 of the London Plan and Policies 115, 116 and 117 of the Bromley Local Plan

4 No development shall commence on site (including demolition) until such time as a Construction and Environmental Management Plan has been submitted to and approved in writing by the local planning authority. As a minimum the plan shall cover:

(a) Dust mitigation and management measures.

(b) The location and operation of plant and wheel washing facilities

(c) Measure to reduce demolition and construction noise

(d) Details of construction traffic movements including cumulative impacts which shall demonstrate the following:-

(i) Rationalise travel and traffic routes to and from the site as well as within the site.

(ii) Provide full details of the number and time of construction vehicle trips to the site with the intention and aim of reducing the impact of construction related activity.

(iii) Measures to deal with safe pedestrian movement.

(iv) Full contact details of the site and project manager responsible for day-to-day management of the works

(v) Parking for operatives during construction period

(vi) A swept path drawings for any tight manoeuvres on vehicle routes to and from the site including proposed access and egress arrangements at the site boundary.

(e) Hours of operation

(f) Other site specific Highways and Environmental Protection issues as requested on a case by case basis

(g) The development shall be undertaken in full accordance with the details approved under Parts a-f

Reason: Required prior to commencement of development to ensure sufficient measures can be secured throughout the whole build programme in the interests of pedestrian and vehicular safety and the amenities of the area. In order to comply with Policies 30, 31, 32 and 119 of the Bromley Local Plan of the Unitary Development Plan and in the interest of the amenities of the adjacent properties.

- 5 Prior to the commencement of the development hereby approved (including demolition and all preparatory work), a Tree Protection Plan and Arboricultural Method Statement shall be submitted for approval to the Local Planning Authority. Once approved and prior to the commencement of the development hereby approved (including demolition and all preparatory work) tree protection measures shall be installed in accordance with the approved Tree Protection Plan. Once installed, photographic evidence of the fencing and ground protection shall be submitted to the LPA for approval. Such measures shall not be moved or removed, but shall be retained in situ until completion of the development and all materials and machinery have been removed from the site, unless otherwise agreed in writing by the LPA. The development shall thereafter be carried out in accordance with the approved details and recommendations within the approved Arboricultural Method Statement or any variation as may subsequently be agreed in writing by the LPA.**

Reason: Required prior to the commencement of development in order that the Local Planning Authority may be satisfied that the trees to be retained will not be damaged during development works and to ensure that, as far as is possible, the work is carried out in accordance with the approved details pursuant to section 197 of the Town and Country Planning Act 1990 in accordance with Polices 37, 73 and 74 of the Bromley Local Plan.

- 6 (a) Prior to commencement of above ground works, details (including samples) of the materials to be used for the external surfaces of the building which shall include 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.**

(b) The development shall be carried out in accordance with the approved details.

Reason: In order to comply with Policy 37 of the Bromley Local Plan and in the interest of the appearance of the building and the visual amenities of the area

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

Reason: In the interest of pedestrian and vehicular safety and in order to comply with Policy 32 Bromley Local Plan.

- 8** 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 drawings hereby approved 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 37 of the Bromley Local Plan and in order to provide adequate refuse storage facilities in a location which is acceptable in respect of residential and visual amenity impact.

- 9** 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, extension, enlargement or alteration permitted by Class A, B, C, or E of Part 1 of Schedule 2 of the 2015 Order (as amended), shall be erected or made within the curtilage(s) of the dwelling(s) hereby permitted without the prior approval in writing of the Local Planning Authority.

Reason: In the interests of protecting the character of the area and residential amenity of neighbouring properties in accordance with Policy 37 of the Bromley Local Plan.

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

Reason: In the interest of pedestrian and vehicular safety and in order to comply with Policy 32 Bromley Local Plan.

You are further informed that:

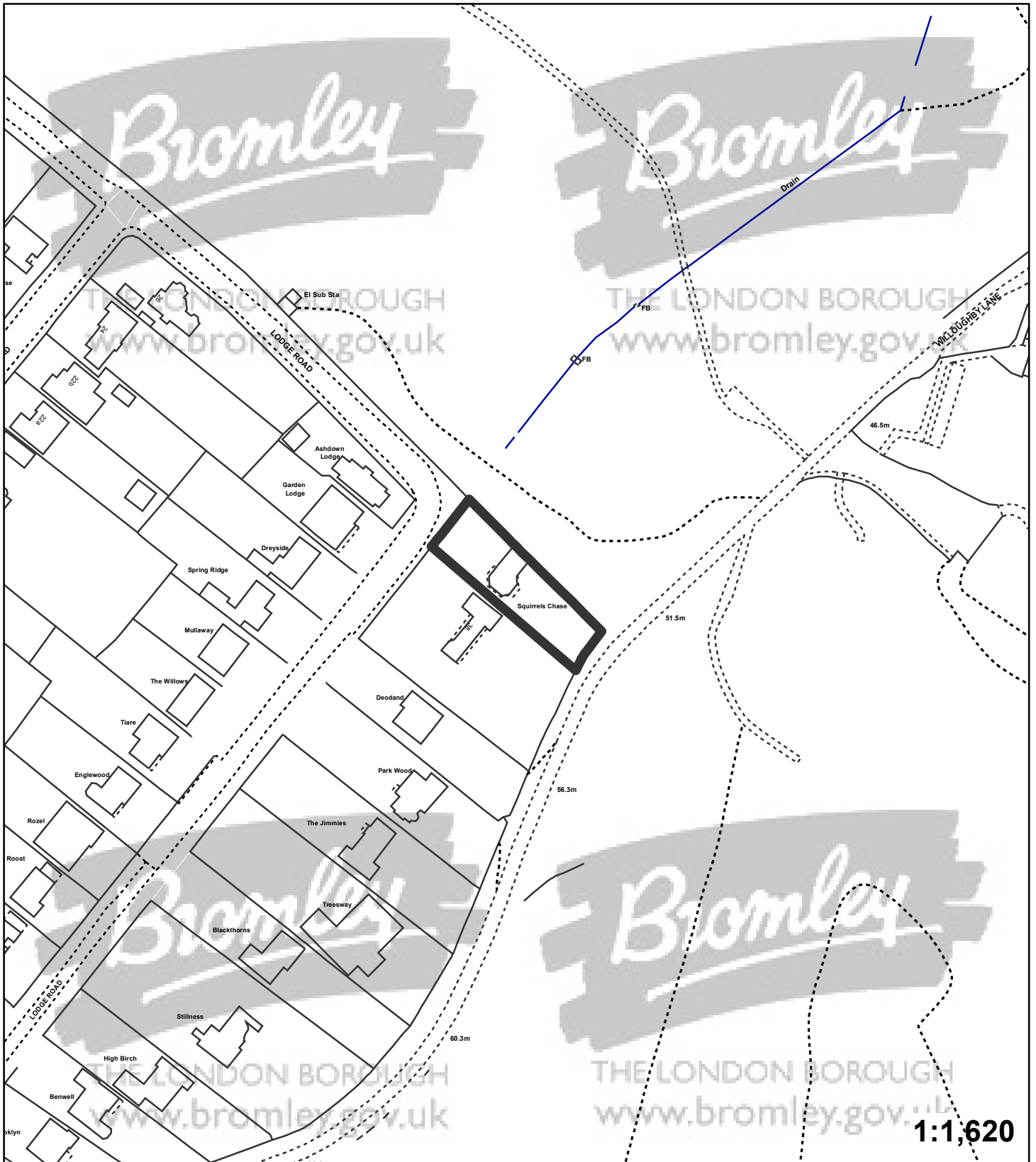
- 1** Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development

- 2** A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures they will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing wwqriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality.
- 3** Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water we would have no objection. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. Should you require further information please refer to our website. <https://developers.thameswater.co.uk/Developing-a-large-site/Apply-and-pay-for-services/Wastewater-services>
- 4** You are advised that this application may be liable for the payment of the Mayoral Community Infrastructure Levy under the Community Infrastructure Levy Regulations (2010) and the Planning Act 2008. The London Borough of Bromley is the Collecting Authority for the Mayor and this Levy is payable on the commencement of development (defined in Part 2, para 7 of the Community Infrastructure Levy Regulations (2010)). It is the responsibility of the owner and /or person(s) who have a material interest in the relevant land to pay the Levy (defined under Part 2, para 4(2) of the Community Infrastructure Levy Regulations (2010)). If you fail to follow the payment procedure, the collecting authority may impose surcharges on this liability, take enforcement action, serve a stop notice to prohibit further development on the site and/or take action to recover the debt. Further information about Community Infrastructure Levy can be found on attached information note and the Bromley website www.bromley.gov.uk/CIL

Application:18/05526/FULL1

Address: Squirrels Chase Lodge Road Bromley BR1 3ND

Proposal: Demolition of existing two storey dwelling with integral garage and erection of new two storey dwelling with integral garage, incorporating landscaping existing front and rear gardens



"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 : 19/00110/FULL6

Ward:
Petts Wood And Knoll

Address : 82 Lynwood Grove Orpington BR6 0BH **Objections: No**

OS Grid Ref: E: 545416 N: 166778

Applicant : Mr & Mrs Jerald Solis

Description of Development:

Demolition of existing boundary wall and replacement with new boundary wall and access gate with the addition of new hard landscaping.

Key designations:

Smoke Control SCA 4

Proposal

The application seeks permission for the demolition of the existing boundary and replacement with new boundary wall and access gate with the addition of new hard landscaping.

The boundary wall would measure approx. 10m in length along the front boundary of the site (including the sliding gate) and approx. 7.3m along the flank boundary of the site to adjoin the main dwelling and enclose the front garden area. It would have a height of 1.2m. Revised plans were submitted on the 17th April which included the retention of the existing vegetation and tree within the front garden, though a section of lawn would be replaced through an enlargement of the existing resin bound gravel drive.

The application also includes the replacement of the existing boundary fence which projects along the flank boundary of the site behind the dwelling. The proposed replacement wall would have a length of 15.7m, including the sliding gate that would provide access to the garage to the rear of the property. The wall would have a maximum height of 2.2m to match that of the existing fence.

Location and Key Constraints

The application site hosts a two storey detached dwelling located on the eastern side of Lynwood Road. The site is a corner plot, at the junction with Melbourne Close.

The site is located within The Knoll Area of Special Residential Character.

Comments from Local Residents and Groups

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

Comments from Consultees

Highways: No objection to the application.

Tree Officer: Although details of the tree to be removed have not been submitted, from what I can see it is fairly small. Being located on the front boundary with the main road its removal would have a small negative impact on the street scene. If you feel it is appropriate this could be mitigated by replacement planting of a suitable species somewhere on the front boundary set within the driveway, in order that the proposal make a positive contribution. (Revised plans were later submitted to retain the existing tree and vegetation to the front of the site).

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.

The National Planning Policy Framework was published on 24 July 2018 and updated on 19 February 2019.

The development plan for Bromley comprises the Bromley Local Plan (Jan 2019) and the London Plan (March 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

Bromley Local Plan

6 Residential Extensions

30 Parking

37 General Design of Development

44 Areas of Special Residential Character
73 Development and Trees

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;

- 91/01600/FUL - Single storey side extension - Permitted
- 02/03605/FULL1 - Two storey side extension and detached double garage - Refused
- 05/01455/FULL6 - Part one/two storey side and single storey rear extensions - Permitted
- 16/04276/FULL6 - Roof alterations to form habitable accommodation in the roofspace to include increase in ridge height, front gable features and front and rear rooflights, part one/two storey front extension, part one/two storey detached double garage and gym with games room above - Refused
- 17/03501/FULL6 - First floor and single storey rear extensions, alterations to porch and roof alterations to form additional habitable space including rooflights - Refused
- 18/03686/FULL6 - Single storey rear extension, loft conversion to form habitable accommodation within the existing roof space including a front gable window, addition of roof light and elevational alterations.- Permitted
- 18/04814/FULL6 - Demolition of existing garage and construction of new garage - Permitted
- 19/00916/FULL6 - Proposal for 2no. air conditioning external condensers, located in garden to side external wall. - Permitted

The site is also currently the subject of a further application which is currently pending consideration;

- 19/01306/FULL6 - First floor side extension - Pending Consideration

Considerations

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

- Design
- Highways
- Neighbouring amenity
- Trees
- CIL

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.

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

The Bromley Local Plan outlines that properties within the Lynwood Grove section of The Knoll ASRC feature a mix of open plan or landscaped front gardens delimited by low boundary walls or hedges. Creative use is often made of planted boundary walls and hedges to delimitate side boundaries and front gardens, as well as of paving materials for driveways.

From visiting the site, it is noted that most properties feature low boundary walls and soft landscaping to their front which contributes to the character of the area as set out within the Bromley Local Plan. The dwelling opposite the application site however does feature a similar wall and railings of a greater height than others within the area. No planning permission appears to exist for this though this may have been constructed through permitted development rights.

Revised plans were submitted on the 17th April which removed the piers on the boundary wall and retained the existing vegetation and tree to the front of the site. The boundary wall would therefore have a maximum height of 1.2m, consisting of a render finish with metal railings above. Whilst this would be higher than most other boundary walls within the area it is not considered that this would appear excessive in its height. It is further noted that the height would not significantly exceed the 1m normally allowed through permitted development rights. In any case, the retention of vegetation would also lessen the impact of the proposed wall and metal railings and would soften its appearance somewhat when viewed in the street scene. A condition is recommended to ensure the soft landscaping is retained to the front. Subject to this, it is therefore considered on balance that the proposed front boundary wall would not result in any significant harm to the appearance of the host dwelling or the character of the ASRC.

With regards to the proposed flank boundary wall to the rear of the dwelling, this would replace an existing fence of a similar height. It is therefore not considered that it would result in any significant additional harm upon the visual amenities of the street scene or the ASRC.

Highways

The NPPF recognises that transport policies have an important role to play in facilitating sustainable development but also in contributing to wider sustainability and health objectives. The NPPF clearly states that transport issues should be considered from the earliest stage of both plan making and when formulating

development proposals and development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

The NPPF states that all developments that will generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed.

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

The proposal would include the removal of a section of lawn and enlargement of the existing resin bound gravel drive to the front of the property to provide increased parking space. The front boundary wall would include a sliding gate to provide vehicular access to the front, and highways officers have raised no objections to the impact of this addition on highway safety. The flank wall would also include a sliding gate on Melbourne Close which would replace an existing gate that provides access to the rear garage, and this is not considered to have any additional impact on highways matters. As such, no concerns are raised from a highways point of view.

Neighbouring amenity

Policy 37 of the Bromley Local Plan seeks to protect existing residential occupiers from inappropriate development. Issues to consider are the impact of a development proposal upon neighbouring properties by way of overshadowing, loss of light, overbearing impact, overlooking, loss of privacy and general noise and disturbance.

The boundary wall would wrap around the front and southern flank of the site, and would be separated from neighbours by the highways of Melbourne Close and Lynwood Grove. It is considered that any impact on No.84 would be minimal given the modest height of the boundary wall, whilst the replacement wall to the flank boundary would not exceed the height of the existing fence and would not result in any additional impact on neighbouring properties to the rear.

Therefore, having regard to the scale, siting and separation distance of the development, it is not considered that a significant loss of amenity with particular regard to light, outlook, prospect and privacy would arise.

CIL

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

Conclusion

Having had regard to the above it is 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 ASRC.

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

as amended by documents received on 17.04.2019

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: To comply with Section 91 of the Town and Country Planning Act 1990

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

Reason: In order to comply with Policy 37 of the Bromley Local Plan and in the interests of visual and residential amenity.

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

Reason: In order to comply with Policy 37 of the Bromley Local Plan and in the interest of the appearance of the building and the visual 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 details as set out in this planning permission 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 30 of the Bromley Local 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 (a) Surface water from private land shall not discharge on to the highway.

(b) Prior to the commencement of above ground works 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.

(c) Before any part of the development hereby permitted is first occupied, the drainage system shall be completed in accordance with the details approved under Part (b) and shall be retained permanently thereafter.

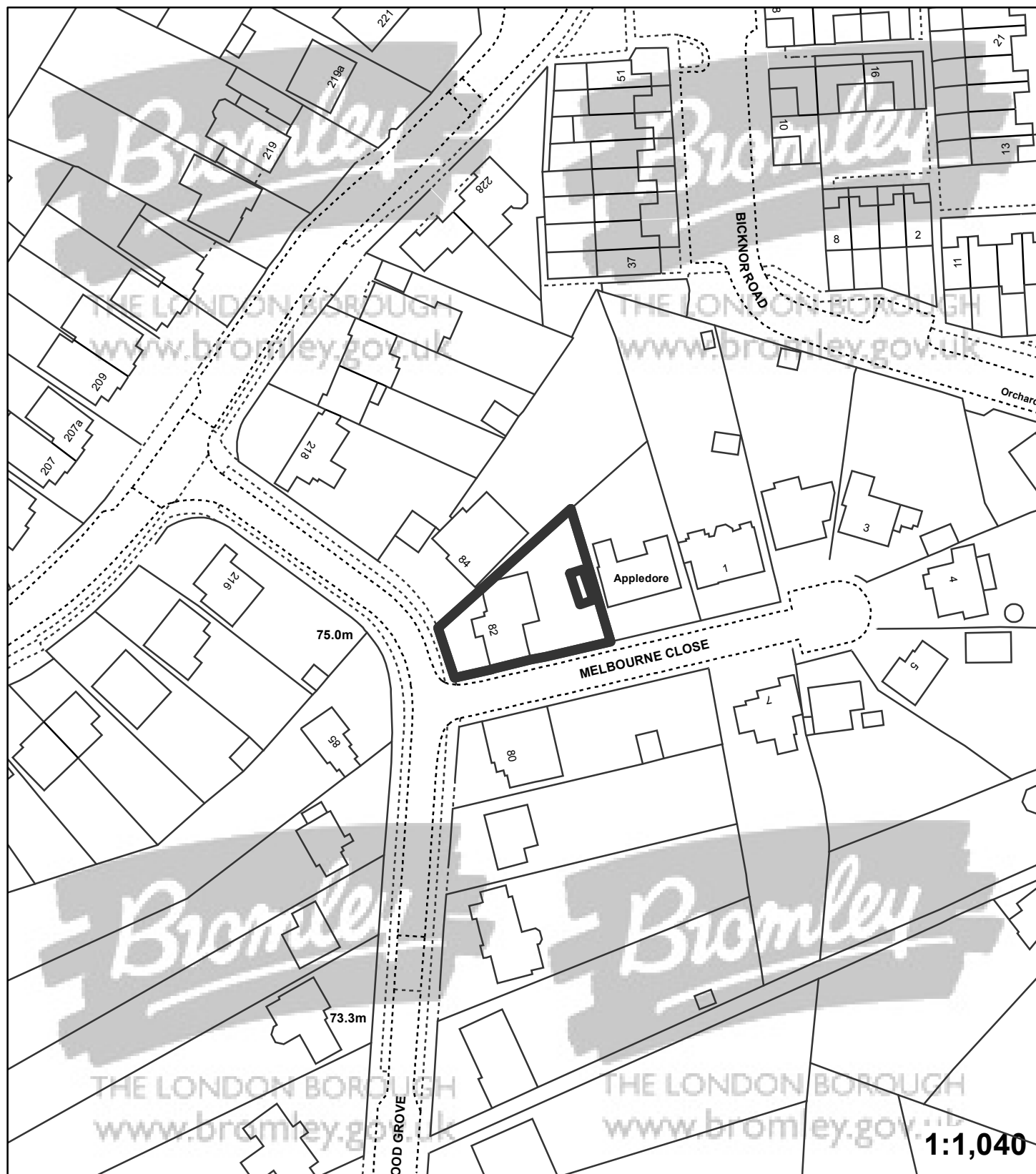
Reason: To ensure satisfactory implementation of the surface water drainage proposals can be secured before additional pressure is placed on existing arrangements and to accord with to London Plan Policy 5.13 Sustainable Drainage and Policies 115, 116 and 117 of the Bromley Local Plan

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Application:19/00110/FULL6

Address: 82 Lynwood Grove Orpington BR6 0BH

Proposal: Demolition of existing boundary wall and replacement with new boundary wall and access gate with the addition of new hard 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 : 19/00398/FULL6

Ward:
**Chelsfield And Pratts
Bottom**

Address : 239 Repton Road Orpington BR6 9JD

Objections: No

OS Grid Ref: E: 546855 N: 164366

Applicant : Mrs Claire Spiteri

Description of Development:

Single storey rear extension.

Key designations:

Smoke Control SCA 29

Proposal

Permission is sought for a single storey rear extension that is 4.5m deep and 4.7m wide. It will have a flat roof that is 2.5m high.

Location and Key Constraints

The application site is a two storey mid terraced property located on the northern side of Repton Road

Comments from Local Residents and Groups

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

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.

The National Planning Policy Framework was published on 24 July 2018 and updated on 19 February 2019.

The development plan for Bromley comprises the Bromley Local Plan (Jan 2019) and the London Plan (March 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

Bromley Local Plan

6 Residential Extensions

37 General Design of Development

Supplementary Planning Guidance

SPG1 - General Design Principles

SPG2 - Residential Design Guidance

Planning History

There is no planning history on this site.

Considerations

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

- Design
- Neighbouring amenity

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.

London Plan and Bromley Local Plan (BLP) policies further reinforce the principles of the NPPF setting out a clear rationale for high quality design.

Policies 6 and 37 of the Bromley Local Plan (BLP) 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.

The proposed single storey rear extension will be 4.5m deep and 4.7m wide. It will have a flat roof that is 2.5m high and will contain one roof light. It will be set in 0.3m from the north-western flank boundary and 1m from the south-eastern flank boundary.

The proposed extension is located at the rear of the property, as such will not be visible from the street. The size and design is considered in keeping with the host property, with materials indicated to match the existing property.

Having regard to the form, scale, siting and proposed materials it is considered that the proposed extension(s) would complement the host property and would not appear out of character with surrounding development or the area generally.

Neighbouring amenity

Policy 37 of the BLP 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.

With regards to the adjoining property to the south-east, No.241, there are existing outbuildings located along this shared boundary. Furthermore it was noted on site that this adjoining property has an existing conservatory. The submitted plans indicate the proposal will be set in 1m from the flank. It is therefore considered that the proposal will not impact significantly on the amenities of this adjoining property.

With regards to the adjoining property to the north-west, No.237, the proposed extension will be set in 0.3m from the north-western flank boundary and the flat roof will have a modest height of 2.5m. It was noted on site that No.237 has an existing roof canopy projection and the shared boundary currently consists of a high fence. It is therefore considered that the proposed extension will not impact significantly on the amenities of this adjoining property with regards to loss of light, outlook and visual amenities.

Having regard to the scale, siting, separation distance, orientation, existing boundary treatment of the development, it is not considered that a significant loss of amenity with particular regard to light, outlook, prospect and privacy would arise.

CIL

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

Conclusion

Having had regard to the above it is 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 files 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: To comply with 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 37 of the Bromley Local 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 37 of the Bromley Local Plan and in the interest of the visual and residential amenities of the area.

Application:19/00398/FULL6

Address: 239 Repton Road Orpington BR6 9JD

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 : 19/00406/FULL6

Ward:
Shortlands

Address : 23 Bushey Way Beckenham BR3 6TA

Objections: Yes

OS Grid Ref: E: 538671 N: 167526

Applicant : Mr Craig Travis

Description of Development:

2.24m high garden fence

Key designations:

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

Proposal

The application seeks retrospective planning permission for a garden fence with a maximum height of 2.2m along the boundary with neighbouring property, No.21.

Location and Key Constraints

The application site comprises a two storey semi-detached dwellinghouse located on the northern side of Bushey Way, Beckenham. The property is not listed and is located within an Area of Special Residential Character.

Comments from Local Residents and Groups

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

- The application is for a 'bulk block' addition to the height of the fence. I object to the fence as it is overbearing.
- The current application does not comply with Bromley Council's Area of Special Residential Character or boundary regulations.
- The application has not been signed by the applicant or his agent on the last page. Therefore there is no declaration.
- Under the description it is stated that the works started 1st June 2018 and ended 1st July 2018. Bromley Council's received date for endorsement was

4th October 2018. Work as clearly being undertaken up to and beyond the 9th October.

Local Groups (Park Langley Residents Association):

- In principle the PLRA opposes any applications for retrospective planning permission.
- All applicants ought to follow the local planning guidance and rules before any form of construction is undertaken.
- The fence in question appears to be of good quality and well-constructed.
- In our opinion it presents an overbearing appearance to the rear of the row of adjacent houses in Bushey Way. The fence is too high.

Local Ward Councillor:

- I see absolutely no justification in any part of this fence being higher than normal, and permitted under PD, ie 2m.
- The fact that the garden slopes away from the house is totally irrelevant and a 2m, only, high fence would be in keeping with the area and protects the sight lines from other nearby properties.
- In addition if this was allowed it would, I fear, open the flood gates to applications for other high fences.

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.

The development plan for Bromley comprises the London Plan (March 2016) and the Bromley Local Plan (2019). 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

Bromley Local Plan

6 Residential Extensions
37 General Design of Development
44 Areas of Special Residential Character

Supplementary Planning Guidance

SPG1 - General Design Principles
SPG2 - Residential Design Guidance

Planning History

11/02956/FULL6 - Part one/two storey side/rear extension including front dormer and side dormer extension to existing roof slope - Application Refused/Appeal Dismissed.

12/01889/FULL6 - Part one/two storey side/rear extension - Application Permitted.

18/03625/FULL6 - Demolition of existing garage, part one/ two storey rear and two storey side extensions, roof alterations to incorporate rear dormer with Juliet balcony and elevational alterations - Application Refused.

18/04977/FULL6 - Single storey and part two storey rear extension, two storey side extension and loft conversion - Application Refused.

Considerations

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

- Design
- Neighbouring amenity
- CIL

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.

Paragraph 124 of the NPPF (2019) states that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

Paragraph 127 of the NPPF (2019) requires Local Planning Authorities to ensure that developments will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development; are visually attractive as a result of good architecture, layout and appropriate and effective

landscaping and are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities). New development shall also establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit; optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

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

The fence is close boarded and constructed of timber with a concrete gravel board at the base and concrete posts to hold the fence in place. Due to the sloping ground level at the rear of the site the fence increases in height from 1.9m to 2.2m to ensure that it is level along the entire length of the property. The fence is partly visible from Overhill Way due to the slope on which the properties sit. Taking into account the fence's location at the rear of the property and its minimal increase in height towards the rear, over that allowed for under permitted development, it is not considered that it adversely impacts on the open character of Bushey Way or Overhill Way or has a detrimental impact on the streetscene in general or the wider Area of Special Residential Character.

Having regard to the form, scale, siting and materials it is considered that the fence complements the host property and does not result in a detrimental impact upon the spatial standards and visual amenity of the area.

Neighbouring amenity

Policy 37 of the Bromley Local Plan seeks to protect existing residential occupiers from inappropriate development. Issues to consider are the impact of a development proposal upon neighbouring properties by way of overshadowing, loss of light, overbearing impact, overlooking, loss of privacy and general noise and disturbance.

The fence panels which sit closest to the rear elevation of the neighbouring property, No.21, measure between 1.9m and 2.0m in height. The maximum height of the fence and the increase in height, above what is allowed for under 'permitted development', occurs further towards the rear of the property. Taking this into account it is not considered that the fence results in an unacceptable impact on the amenity of neighbouring properties in terms of overbearing impact, loss of light or increased overshadowing.

Having regard to the scale, siting and separation distance of the development, it is not considered that a significant loss of amenity with particular regard to light, outlook, privacy and prospect would arise.

Representations have been received raising concerns that the application form declaration has not been signed by the applicant or agent. Please note that the declaration has been signed however, due to the application form being published online, the signature has been redacted in line with the General Data Protection Regulations.

CIL

The Mayor of London's CIL is a material consideration. CIL is not payable on this application and the applicant has not completed the relevant form.

Conclusion

Having had regard to the above it is 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 files set out in the Planning History section above, excluding exempt information.

as amended by documents received on 23.04.2019

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- 1 The development shall be retained strictly in accordance with the application plans, drawings and documents hereby approved.**

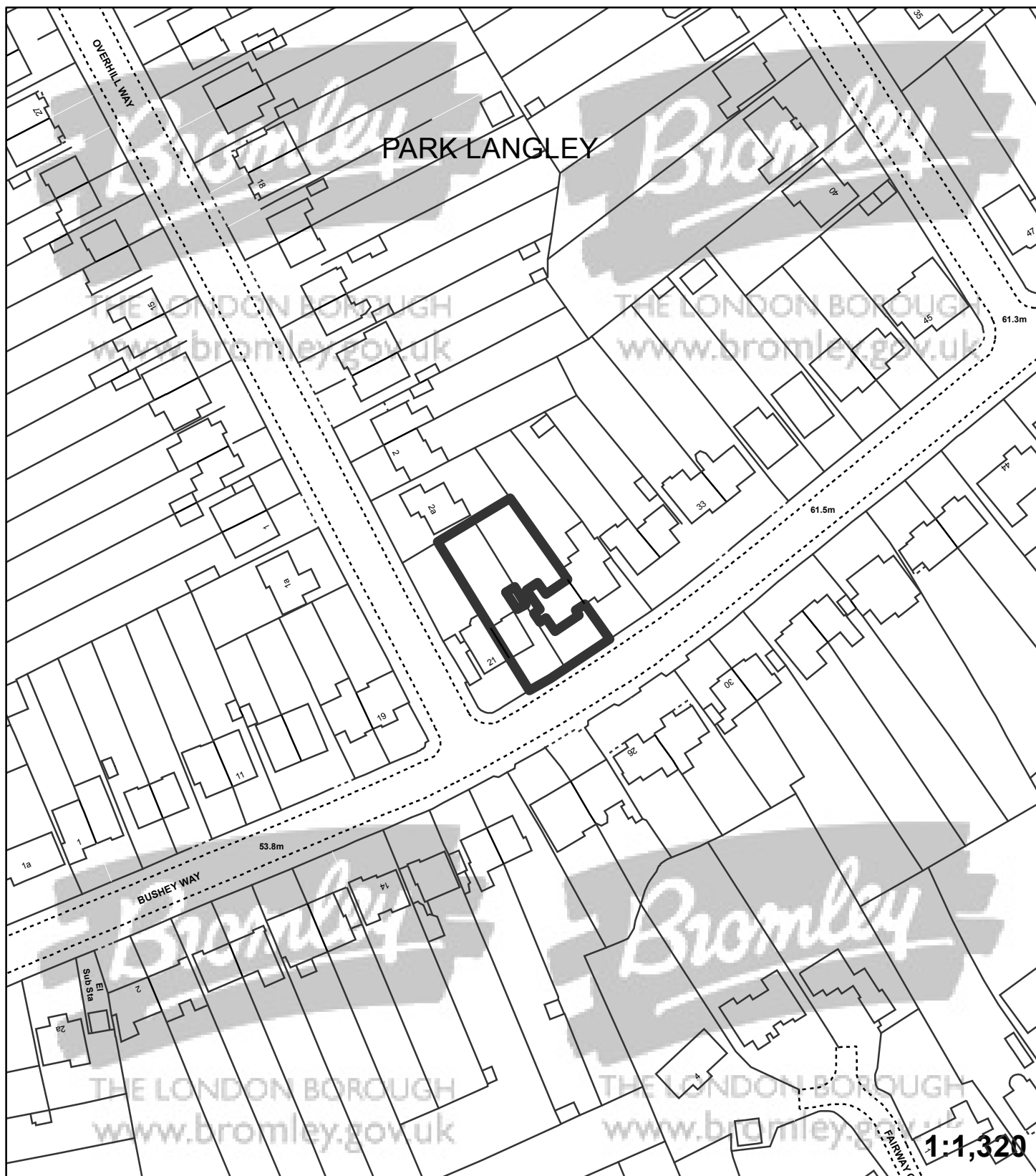
Reason: To ensure that the development is retained in accordance with the approved documents, plans and drawings submitted with the application in the interest of the appearance of the building and the visual amenities of the area and in order to comply with Policy 37 of the Bromley Local Plan.

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Application:19/00406/FULL6

Address: 23 Bushey Way Beckenham BR3 6TA

Proposal: 2.24m high garden fence



"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 : 19/00572/FULL1

Ward:
Bickley

Address : 8 Meriden Close Bromley BR1 2UF

Objections: Yes

OS Grid Ref: E: 541885 N: 170028

Applicant : Mr & Mrs D & S Brown

Description of Development:

Demolition of existing house and erection of two storey, 4 bedroom detached house to include integral garage.

Key designations:

Biggin Hill Safeguarding Area
London City Airport Safeguarding
Open Space Deficiency
Smoke Control SCA 10

Proposal

The application seeks permission for the demolition of the existing house and the erection of a two storey, 4 bedroom detached house to include an integral garage.

Location and Key Constraints

The application site hosts a two storey detached dwelling located on the south-eastern corner of Meriden Close, a cul-de-sac.

Comments from Local Residents and Groups

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

Objections

- Out of keeping with design / character of other properties in Meriden Close.
- Seems excessive to make a larger house.
- Render will be at variance with all other properties and would not complement the area.
- Overdevelopment of the site.
- Oppose to demolition of the property, which is unnecessary as it is a perfectly habitable property.
- Disturbance in a densely populated close with already limited roadside parking. Vehicle access is already an issue.

- Any modification desires could surely be considered to internal work rather than a total new build.
- Would dominate the front aspect and garden of No.10
- Loss of privacy.
- Overbearing impact on neighbouring property / front garden.
- Would set an inappropriate and undesirable planning precedent.
- Demolition would cause considerable disturbance, nuisance and environmental pollution which could impact on residents.
- Concerns over impact of the works on health and wellbeing.
- Works could impact on ability to access Meriden Close (No.8) by vehicle or foot.
- New build being brought forward on the plot encroaches on the open plan environment of Meriden Close.
- Parking 4 cars on existing is only possible if overhanging the pavement, with house in current position and not being moved forward as planned.
- Roof design / materials not in keeping with the rest of Meriden Close.
- Concerns over accidents as a result of construction vehicles.
- Concerns over construction vehicles blocking access for emergency vehicles.
- Planning guidelines state new developments must 'respect the character of the area'.
- Significant increase in size.
- Loss of light.
- No other house has been demolished and entirely rebuilt.
- Main fall back appears to be the previously approved scheme, but when viewed in its entirety the proposal is totally at odds with the planning departments guidelines.
- Strange no submitted objections to rendering when it was first proposed - implies residents were not informed properly or shown drawings so did not fully understand.
- Visit by the Planner is essential for objections to become much clearer and compelling.
- Size of the property will be imposing and dominate the cul de sac.
- Several misleading / inaccurate statements in the documents submitted, relating to access, site analysis, size of the extensions etc.
- Would be pleased to received confirmation that no damage to footpaths will be caused as a result of the works and that the ratepayers will not be charged with any resultant costs.

Comments from Consultees

Drainage Engineer: Please consult Thames Water because a public surface water sewer crosses part of the site.

Thames Water (Summary):

Waste comments:

There are public sewers crossing or close to your development. If you're planning significant work near our sewers, it's important that you minimize the risk of damage. We'll need to check that your development doesn't reduce capacity, limit repair or maintenance activities, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes. <https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-nearor-diverting-our-pipes>.

With regard to surface water drainage, Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water we would have no objection. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. Should you require further information please refer to our website. <https://developers.thameswater.co.uk/Developing-a-large-site/Apply-and-pay-for-services/Wastewaterservices>

'We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Should the Local Planning Authority be minded to approve the planning application, Thames Water would like the following informative attached to the planning permission: "A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing wqriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality."

Thames Water would advise that with regard to waste water network and waste water process infrastructure capacity, we would not have any objection to the above planning application, based on the information provided.

Water comments

If you are planning on using mains water for construction purposes, it's important you let Thames Water know before you start using it, to avoid potential fines for improper usage. More information and how to apply can be found online at thameswater.co.uk/buildingwater.

On the basis of information provided, Thames Water would advise that with regard to water network and water treatment infrastructure capacity, we would not have any objection to the above planning application.

Highways: The site is located to the east of Meriden Close; the existing house is a two-storey detached house located in the south east corner of the turning head at the end of Meriden Close. It is a larger house than the surrounding dwellings.

Vehicular access- the site will utilise the existing access arrangement from Meriden Close, which is acceptable.

Car parking- the applicant would provide a garage with spaces to the front which is satisfactory.

Cycle parking - Two cycle parking spaces should be provided.

No objection to the application subject to conditions.

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.

The National Planning Policy Framework was published on 24 July 2018 and updated on 19 February 2019.

The development plan for Bromley comprises the Bromley Local Plan (Jan 2019) and the London Plan (March 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

Bromley Local Plan

6 Residential Extensions
8 Side Space
30 Parking
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;

- 87/03295/FUL - Single storey side extension - Permitted 07.12.1987
- 93/02362/FUL - Single storey rear extension - Permitted 18.11.1993
- 17/01453/FULL6 - Part conversion of garage to form habitable room, demolition of existing conservatory, first floor side/ two storey rear extension and elevational alterations. - Permitted 23.05.2017
- 18/02733/RECON - Variation of condition 2 of permission ref. 17/01453, granted for part conversion of garage to form habitable room, demolition of existing conservatory, first floor side/ two storey rear extension and elevational alterations, to allow a render finish to the existing house and proposed extension. - Approved 11.07.2018

Considerations

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

- Resubmission
- Design
- Side Space
- Residential Accommodation
- Highways
- Neighbouring amenity
- CIL

Resubmission

The application follows the approval of ref: 17/01453/FULL6 for the part conversion of the garage to habitable room, first floor side /two storey rear extension and elevation alterations, and of ref: 18/02733/RECON for a variation of condition 2 to allow a render finish to the existing house and proposed extensions.

The current scheme proposed the demolition of the existing house instead and the erection of a replacement dwelling, which the Design and Access Statement states would allow for the rationalisation of the internal layouts.

The existing house has a total gross internal area (GIA) of 210.05sqm, with the approved extensions allowing for an increase to 268.09sqm. The proposed replacement house would result in the dwelling have a GIA of 327.19sqm.

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.

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

The replacement house would have a similar siting within its plot as the existing dwelling, and its width of approx. 21.6m would also match that of the existing dwelling. Compared to the approved extensions the proposed dwelling would have a similar layout, though would include an additional two storey element to its front and a first floor side element to its eastern flank that would increase the bulk of host dwelling.

The replacement dwelling would have a higher ridge height (7.6m) than the existing dwelling by approx. 0.5m. The roof would step down in height twice at first floor level, corresponding to the step backs from the front-most elevation of the property, and this would provide a more subservient appearance to the eastern side of the proposed dwelling. The increase in the overall ridge height is modest and given the stepped design of the roof and the topography of the road, which slopes downwards from west to east, the alterations to the roof height would not appear overly prominent.

The design of the proposed dwelling would introduce a larger front gable than previously approved, and whilst there are no examples of front gables within the immediate streetscene there is a degree of variation in building design in the area and No.8 already does not conform to its immediate neighbours.

Given this, the overall bulk and design of the proposed dwelling is not considered to result such an unacceptable impact upon the visual amenities of the street scene and character of the area that it would warrant a refusal of the application on these grounds.

It is noted that there have been a number of concerns raised regarding the materials proposed to the new dwelling. The agent has submitted revised plans which indicate the final materials are now subject to confirmation, and a condition is therefore suggested for further details of the proposed materials to be submitted and agreed prior to the commencement of works. Subject to this condition requiring details of the proposed materials, the appearance of the proposed dwelling is not considered to be unduly out of character with or harmful to the host dwelling or the area in general.

Having regard to the form, scale and siting it is considered that the proposed extension(s) would complement the host property and would not appear out of character with surrounding development or the area generally.

Side Space

Policy 8 requires proposals of two or more storeys in height to provide a minimum 1 metre space from the side boundary of the site for the full height and length of the flank wall of the building. The proposal would provide a side space of 1.2m to the western flank boundary which would replicate that of the existing house and approved extensions. To its eastern flank, the dwelling would have a side space of 1m at ground floor level and 4m at first floor level. It is therefore considered that the replacement dwelling would comply with Policy 8 and would not result in unrelated terracing occurring or any significant harm to the spatial standards of the area.

Neighbouring amenity

Policy 37 of the Bromley Local Plan seeks to protect existing residential occupiers from inappropriate development. Issues to consider are the impact of a development proposal upon neighbouring properties by way of overshadowing, loss of light, overbearing impact, overlooking, loss of privacy and general noise and disturbance.

The replacement house would result in the dwelling projecting approx. 1m further forwards at ground floor level closest to No.10. The two storey element of the proposed dwelling set further forwards than the existing dwelling would be set between 8m - 12m from the front of the property, and would not project significantly forwards than the existing dwelling. Given the orientation and distance between the properties it is not considered that the proposed extensions would result in significant harm by way of loss of light, outlook or privacy to this neighbour above that which may already exist.

In terms of No.6, the impact of the proposed extension would be mitigated given that the dwelling at No.6 is raised approx. 0.8m higher than the host dwelling due to the topography of the road. The first floor would project 12.4m in total, and would extend approx. 3.8m beyond the rear of No.6. Given the separation distance between the properties of 2.6m, and that the host dwelling is set lower, it is not considered that the proposal would significantly harm the amenities of this neighbour by way of loss of light or outlook. The flank wall of the extension would be blank aside from one window serving an en-suite and therefore would not result in any additional opportunities for overlooking to this neighbour subject to a condition to ensure that the window is obscure glazed. It is also recommended for a condition to be added to prevent the addition of windows within the first floor flank elevation to protect the privacy of No.6.

Having regard to the scale, siting, separation distance and orientation of the development, on balance it is not considered that a significant loss of amenity with particular regard to light, outlook, prospect and privacy would arise.

Highways

The NPPF recognises that transport policies have an important role to play in facilitating sustainable development but also in contributing to wider sustainability and health objectives. The NPPF clearly states that transport issues should be

considered from the earliest stage of both plan making and when formulating development proposals and development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

The NPPF states that all developments that will generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed.

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

Highways Officers have raised no concerns with regards to the impact of the development on highways matters, however have recommended a number of conditions to request further information regarding refuse storage, a Construction Management Plan and surface water drainage, as well as ensuring wash down facilities are provided for construction vehicles.

CIL

The Mayor of London's CIL is a material consideration. CIL is payable on this application.

Conclusion

Having had regard to the above it is considered on balance 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 files 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: To comply with Section 91 of the Town and Country Planning Act 1990

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

Reason: In order to comply with Policy 37 of the Bromley Local Plan and in the interests of visual and residential amenity.

- 3** No development shall commence on site (including demolition) until such time as a Construction and Environmental Management Plan has been submitted to and approved in writing by the local planning authority. As a minimum the plan shall cover:
- (a) Dust mitigation and management measures.**
 - (b) The location and operation of plant and wheel washing facilities**
 - (c) Measure to reduce demolition and construction noise**
 - (d) Details of construction traffic movements including cumulative impacts which shall demonstrate the following:-**
 - (i) Rationalise travel and traffic routes to and from the site as well as within the site.**
 - (ii) Provide full details of the number and time of construction vehicle trips to the site with the intention and aim of reducing the impact of construction related activity.**
 - (iii) Measures to deal with safe pedestrian movement.**
 - (iv) Full contact details of the site and project manager responsible for day-to-day management of the works**
 - (v) Parking for operatives during construction period**
 - (vi) A swept path drawings for any tight manoeuvres on vehicle routes to and from the site including proposed access and egress arrangements at the site boundary.**
 - (e) Hours of operation**
 - (f) Other site specific Highways and Environmental Protection issues as requested on a case by case basis**
 - (g) The development shall be undertaken in full accordance with the details approved under Parts a-f**

Reason: Required prior to commencement of development to ensure sufficient measures can be secured throughout the whole build programme in the interests of pedestrian and vehicular safety and the amenities of the area. In order to comply with Policies 30, 31, 32 and 119 of the Bromley Local Plan of the Unitary Development Plan and in the interest of the amenities of the adjacent properties.

- 4**
- (a) Surface water from private land shall not discharge on to the highway.**
 - (b) Prior to the commencement of above ground works 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.**
 - (c) Before any part of the development hereby permitted is first occupied, the drainage system shall be completed in accordance with the details approved under Part (b) and shall be retained permanently thereafter.**

Reason: To ensure satisfactory implementation of the surface water drainage proposals can be secured before additional pressure is placed on existing arrangements and to accord with to London Plan Policy 5.13 Sustainable Drainage and Policies 115, 116 and 117 of the Bromley Local Plan

- 5 (a) Prior to commencement of above ground works, details (including samples) of the materials to be used for the external surfaces of the building which shall include 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.**

(b) The development shall be carried out in accordance with the approved details.

Reason: In order to comply with Policy 37 of the Bromley Local Plan and in the interest of the appearance of the building and the visual amenities of the area

- 6 (a) 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 construction of any above ground works**

(b) The arrangements as approved under part (a) 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 37 of the Bromley Local Plan and in order to provide adequate refuse storage facilities in a location which is acceptable from the residential and visual amenity aspects

- 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 details as set out in this planning permission 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 30 of the Bromley Local 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 A minimum distance of 5.0m shall be provided between the front doors of the garage(s) and the back edge of the footway.**

Reason: In order to comply with Policy 30 of the Bromley Local Plan and in the interest of pedestrian and vehicular safety.

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

Reason: In the interest of pedestrian and vehicular safety and in order to comply with Policy 32 Bromley Local Plan.

- 10 No windows or doors (other than those shown on the plans hereby approved) shall at any time be inserted in the first floor flank elevation(s) of the dwelling hereby permitted.

Reason: In the interest of the amenities of the adjacent properties and to comply with Policy 37 of the Bromley Local Plan

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

Reason: In the interests of the amenities of nearby residential properties and to accord with Policies 6 and 37 of the Bromley Local Plan

- 12 Any damage to the paving on Meriden Close during construction should be rectified at the expense of the applicant. Also the applicant will be responsible for maintaining the safety of all users of the Meriden Close from construction activity.

Reason: In the interest of pedestrian and vehicular safety and in order to comply with Policy 32 Bromley Local Plan.

You are further informed that :

- 1 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.
- 2 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.

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Application:19/00572/FULL1

Address: 8 Meriden Close Bromley BR1 2UF

Proposal: Demolition of existing house and erection of two storey, 4 bedroom detached house to include integral garage.



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

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

Application No : 19/00216/FULL1

Ward:
Chislehurst

Address : ECE Travel Royal Parade Mews
Chislehurst BR7 6TN

Objections: Yes

OS Grid Ref: E: 544411 N: 170082

Applicant : ECE Travel

Description of Development:

Erection of first floor extension over part of existing building and formation of 7 apartments with 7 car parking spaces

Key designations:

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

Proposal

The proposal relates to the erection of a first floor extension over part of the existing building and the conversion of the enlarged building from Class B1(a) office commercial to provide a total of seven flats (comprising 4x one-bedroom units and 3x two-bedroom units). The existing courtyard would be adapted to provide two parking spaces, whilst a further five spaces would be provided within the ground floor area of the existing two storey building.

The application is accompanied by a Design and Access Statement, a Planning Statement, and a Technical Note concerning highways matters.

Location and Key Constraints

The application premises is situated to the rear of the parade of shops fronting Royal Parade and is accessed via a driveway located between No 12 Royal Parade and Ivy Cottage, Royal Parade. The site forms part of a mews development. The rear (southern) site boundary abuts the properties at No 9 Church Road and The Studio, Church Road. The site falls within the Chislehurst Conservation Area.

Comments from Local Residents and Groups

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

- Concern regarding boundary position
- Lack of parking for contractors' vehicles
- Overlooking and loss of light in relation to 12 Royal Parade
- Proposal does not represent an improvement to the area
- The proposal is not an amalgamation of two previous planning permissions. What is applied for would negate the planning condition imposed when permission was given for a different extension of the existing structures, and is an over-development of residential accommodation in place of commercial space in an area of mixed residential and commercial use which gives the area its character
- This application does not involve any appeal from the terms of the previous consent, but ignores them
- Proposal will change significantly the character of this part of Royal Parade and will be harmful to this part of the conservation area, and will diminish neighbouring amenity
- Proposed residential units are likely to have many more than 7 vehicles to park. This will be insufficient
- Consent granted for residential scheme in August 2018 was for a change of use of the existing offices and was for 4 dwellings. It contemplated no further development on the site. This proposal will have a much greater impact
- Existing residents within this mews are already obstructed by vehicles connected with the present company
- Added fire risk associated with five parking bays within the proposed development
- Second storey extension proposed would involve several windows resulting in overlooking to neighbouring house and back garden and also into the windows at the back of neighbouring house.
- Any planning permission should have conditions that there would be no windows to the rear of the development
- Strong objection to any elevation of the rear corner adjacent to the existing timber screen. This would block the sunlight from 6am to around 10am, leaving only 4 hours per day, casting a shadow across neighbouring garden and leaving no sunlight entering a bedroom. Neighbouring garden is west facing and only receives morning sunlight.
- Need to ensure that no windows will be rear facing.
- Blocking views from neighbouring property, and preventing the sunlight into neighbouring balcony, together with the privacy issues
- Concern regarding an increase of residents and additional cars accessing into the mews as well as the surrounding areas
- The car parking spaces have always been an issue in the mews, the unreasonable design and the difficulty of access to the car park underneath neighbouring maisonette can lead to vehicles not parking in their allocated spaces, which can cause further parking and reversing problems for the vehicles of our existing residents
- Sewage system, general wastes and recycles would be overloaded.
- Use of glass windows and doors will undoubtedly increase the level of light reflection and light pollution in this area

- Compared to previous proposals this larger development would impact on neighbouring property and the surrounding conservation area negatively
- Due to the proximity of the proposed development to neighbouring property neighbours would be unable to access the rear wall of our property for maintenance purposes
- Loss of light to Church Road properties
- Increase in traffic congestion in an area which is already over capacity for both parking and traffic flow.

Comments from Consultees

No technical highways objections have been raised, subject to conditions.

Following receipt of a swept path parking analysis which demonstrates that vehicles can manoeuvre safely within the parking areas, no technical highways objection was raised, subject to a satisfactory condition.

No objection was raised by the Conservation Officer.

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.

The development plan for Bromley comprises the London Plan (March 2016) and the Local Plan (2019). The NPPF does not change the legal status of the development plan.

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
- 5.13 Sustainable Drainage
- 6.9 Cycling
- 6.13 Parking
- 7.4 Local Character
- 7.6 Architecture
- 7.8 Heritage Assets and Archaeology
- 8.3 Community Infrastructure Levy

Local Plan

Policy 1 - Housing Supply
Policy 4 - Housing Design
Policy 10 - Conversion of Non-Residential Buildings to Residential
Policy 30 - Parking
Policy 32 - Road Safety
Policy 37 - General Design of Development
Policy 41 - Conservation Areas
Policy 83 - Non-Designated Employment Land

Supplementary Planning Guidance

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

The Mayor's Housing Supplementary Planning Guidance (March 2016)

The Mayors Housing Supplementary Planning Guidance adopted in March 2016 is also of relevance to this appeal. Standard 26 of the SPG requires that a minimum of 5sqm of private outdoor space should be provided for 1-2 person dwellings and an extra 1sqm should be provided for each additional occupant. Standard 27 - The minimum depth and width for all balconies and other private external spaces should be 1500mm. Accompanying paragraph 2.3.31 states:

"Private open space is highly valued and should be provided in all new housing developments. Minimum private open space standards have been established in the same way as the internal space standards, by considering the spaces required for furniture, access and activities in relation to the number of occupants. The resultant space should be of practical shape and utility and care should be taken to ensure the space offers good amenity. This space does not count towards the GIA used in calculating the internal space standard 24."

DCLG Technical Housing Standards (March 2015)

Planning history

The site has been the subject of five applications (excluding this one) since 2008, four of which have sought a first floor extension in relation to the existing office use, most recently under ref. 18/01622/FULL1. To date, these remain unimplemented.

In addition, prior approval was granted under ref. 18/02545/RESPA in August 2018 for a change of use of the existing building from (Class B1(a)) Offices to a 3 x two bedroom and 1 x one bedroom dwellinghouses. This did not include a first floor extension. To date, this proposal has not been implemented.

Considerations

The main issues relating to this application concern the acceptability of the loss of an employment site; the effect that the proposal would have on the character and

appearance of the Chislehurst Conservation Area; the impact that it would have on the amenities of the occupants of surrounding residential properties; and its effect on local highway and parking conditions. As noted above, applications involving a first floor extension, albeit as forming an enlargement of the existing office accommodation, have previously been permitted under refs. 08/03478, 12/00517, 15/01309, and 18/01622. None of these permissions have been implemented. The 2018 permission remains extant until July 2021. These permissions do show that the Council has consistently accepted the principle of a first floor extension.

Loss of employment site

Policy 83 of the Local Plan (Non-Designated Employment Land) states that proposals for change of use or redevelopment of non-designated sites containing Class B uses for alternative employment generating uses will normally be allowed provided that the amenity of any nearby residential areas is not detrimentally affected.

However, the policy goes on to state that proposals for change of use of non-designated sites accommodating Class B uses to a non-employment generating use will be considered on the following criteria:

- a) whether there is a demonstrated lack of demand for the existing permitted uses, including evidence of recent, active marketing of the site for reuse or redevelopment undertaken prior to the submission of a planning application over a minimum period of six months,
- b) whether all opportunities for reuse or redevelopment for employment generating uses have been fully explored, both in terms of existing and any alternative uses and layouts, including small/more flexible business units, and
- c) where the site is capable of accommodating a mixed use scheme, whether the proposal includes the re-provision of a similar quantum of floorspace for employment generating uses, that is flexibly designed to allow for refurbishment for a range of employment uses.

In this case, it is the applicant's contention that there are other material considerations which indicate that the proposal is justified, other than in accordance with Policy 83 of the Local Plan: namely, that there is an existing prior approval to change the use of this site to residential. Consequently, if the prior approval is implemented, thereby changing the use to residential, and then the application was re-submitted for the extension and alteration to form the 7 flats, Policy 83 would not be a relevant policy because there would be no loss of an employment site. In light of the current status of the site, and given that previous permissions have not been implemented, officers take a contrary view.

As the prior approval (application reference 18/02545) has not been implemented Policy 83 is engaged as the site's current use is within Class B (offices). Following a visit to the site by the Council on 4 March 2019 it was noted that the site remained in commercial use. It is not considered that there is sufficient information to accept that the prior approval represents a realistic fallback position for the applicant if permission is refused for the current proposal. Neither have the pre-

commencement conditions attached to the granting of prior approval been discharged. There is also a separate planning permission for a first floor office extension (application reference 18/01622) which indicates an ongoing intention to use the property for employment purposes. There is no evidence to suggest that either is more likely to be implemented than the other if the current application is refused.

In the absence of adequate information to demonstrate that Policy 83 has been complied with, the loss of the Class B employment use is considered unacceptable. Having regard to the terms of Policy 83, no lack of demand for the existing permitted commercial use has been demonstrated, including evidence of recent, active marketing of the site for reuse or redevelopment. In addition it has not been demonstrated whether all opportunities for reuse or redevelopment for employment generating uses have been fully explored, both in terms of existing and any alternative uses and layouts, including small/more flexible business units.

Conservation Area impact

In terms of its impact on the Chislehurst Conservation Area, the most visible aspect of this proposal - from the Royal Parade frontage - would be the 'link' extension which would connect the former two storey coach house with the larger two storey element located to the west. Whilst this element would be set at least 35 metres beyond the public highway at Royal Parade, it would contrast with the adjacent Georgian and Victorian architecture, but would be subservient in scale and eminence to that established architecture. The surrounding buildings include Statutory Listed buildings at Ivy Cottage and Gravetts Cottage to the east by the entrance and the entire line of shops fronting Royal Parade which are locally listed. It is considered that setting and local interest of these buildings would be maintained, particularly in view of the separation and relationship between those buildings and the proposed development.

Neighbouring amenity

The enlarged building would maintain a relatively modest height in view of its flat roof design. Whilst the rear of this element would be visible from the garage compound located at the rear at Church Row Villas, given the nature and use of this space as a service area rather than an amenity area, it is not considered that any loss in amenity would be so significant to warrant refusal. Furthermore, the impact of this element would be limited as a result of its height. On balance, it is considered that this 'link' element is acceptable subject to the use of appropriate materials (to be agreed by the Council).

The remainder of the extension would be located to the rear of the main row of shops fronting Royal Parade and would mainly be visible from the associated service yards and from first floor level of the buildings fronting Royal Parade. On average, a separation of approximately 12 metres would be maintained between the proposed extension and the buildings along Royal Parade. It is therefore not considered that the amenities of the Royal Parade properties would be so significantly undermined in terms of visual prominence or loss of privacy to warrant refusal. Similar conclusions are drawn in relation to the neighbouring dwelling at

Ivy Cottage located to the NW of the application site in view of the separation and siting of this property in relation to the proposed extension.

Along its southern flank the proposed extension would adjoin the dwelling known as 'The Studio', which is located along Church Row Mews. The extension would be partly visible from the small garden/yard area of The Studio, as well as from the back garden of Nos. 8 and 9 Church Row (located immediately behind that of The Studio). However, only a relatively small section of the proposed extension would be visible from the rear of The Studio and this would only be visible at a rather oblique angle. None of the extension would be visible from within The Studio dwelling itself. Consequently the impact on the amenities of those surrounding properties is considered acceptable, given the relationship of the proposed extension in relation to those surrounding properties and its height. Whilst it is noted that extensions and alterations have been permitted to The Studio (under ref: 17/00967/FULL6) which have begun to be undertaken, these do not alter the above considerations. A boundary wall would ensure that the external amenity space associated with proposed Flat 4 would not overlook 'The Studio'.

With regard to No 12A Royal Parade, located immediately to the west of the application property, a separation of approximately 7 metres would be maintained between the proposed extension and the first floor element of that property. The lack of windows along the first floor eastern flank of No 12A should prevent overlooking between those two elements. It should also be noted that a greenhouse is located partially between those two buildings.

Standard of Residential Accommodation

In March 2015 the Government published The National Technical Housing Standards. This document prescribes internal space within new dwellings and is suitable for application across all tenures. It sets out requirements for the Gross Internal (floor) Area of new dwellings at a defined level of occupancy as well as floor areas and dimensions for key parts of the home, notably bedrooms, storage and floor to ceiling height. The Gross Internal Areas in this standard will not be adequate for wheelchair housing (Category 3 homes in Part M of the Building Regulations) where additional internal area is required to accommodate increased circulation and functionality to meet the needs of wheelchair households.

Policy 4 of the Local Plan sets out the requirements for new residential development to ensure a good standard of amenity. The Mayor's Housing SPG sets out guidance in respect of the standard required for all new residential accommodation to supplement London Plan policies. The standards apply to new build, conversion and change of use proposals. Part 2 of the Housing SPG deals with the quality of residential accommodation setting out standards for dwelling size, room layouts and circulation space, storage facilities, floor to ceiling heights, outlook, daylight and sunlight, external amenity space (including refuse and cycle storage facilities) as well as core and access arrangements to reflect the Governments National Technical Housing Standards.

The London Plan makes clear that ninety percent of new housing should meet Building Regulation requirement M4 (2) 'accessible and adaptable dwellings' and

ten per cent of new housing should meet Building Regulation requirement M4 (3) 'wheelchair user dwellings', i.e. is designed to be wheelchair accessible, or easily adaptable for residents who are wheelchair users. The relevant category of Building Control Compliance should be secured by planning conditions.

Having regard to relevant space standards, the size of the proposed flats, as well as the shape and size of their rooms, it is confirmed that the proposed flats comply with the minimum space and bedroom standards. However, there are concerns regarding the lack of outdoor amenity space associated with most of the proposed units and the poor level of outlook associated with bedroom 1 of flats 4 and 7.

The Planning Statement accompanying the planning application advises at paras 6.10-6.11 that units 4, 6 and 7 would all be provided with some outside amenity space; however, it points out that the site constraints would preclude private outdoor amenity space for the remaining units. It also noted that the Mayor's Housing SPG accepts the absence of private outdoor space where site constraints preclude it. The statement goes on to point out that the affected units would all have additional internal space except for Unit 2 which would have some outdoor space along its frontage. The statement goes on to state that the site is only a few hundred metres from Chislehurst Common which contains a large expanse of outdoor space.

Taking account of the above, it is considered that there are too many shortcomings associated with the proposed design to justify the scheme in its present form. Whilst Unit 4 contains an outdoor amenity area, this is enclosed by tall structures on all sides and the space itself measures some 4.65sq m in area which falls somewhat below the minimum of 5sq m prescribed by the Housing SPG. In addition, the outdoor amenity areas associated with units 6 and 7 would fail to achieve the minimum depth required for all balconies and other private external spaces which should be 1500mm. The amenity space associated with Unit 2 would equally very narrow, extremely constrained and would adjoin parked cars. Accordingly it is considered that the outdoor amenity areas will be impractical for use by future occupiers.

Highways

The NPPF recognises that transport policies have an important role to play in facilitating sustainable development but also in contributing to wider sustainability and health objectives. The NPPF clearly states that transport issues should be considered from the earliest stage of both plan making and when formulating development proposals and development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

The NPPF states that all developments that will generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed

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

Each of the proposed flats would be provided with one off-street parking space which complies with relevant parking standards. Accordingly, it is considered that the proposed houses could be adequately accommodated within the site without leading to deleterious effects on local highway conditions. Furthermore, the applicant has submitted a swept path parking analysis which demonstrates that vehicles can manoeuvre safely within the parking areas.

CIL

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

Conclusion

Having had regard to the above the proposal is considered unacceptable in the absence of adequate and robust evidence to demonstrate the unsuitability and non-viability of the site for Class B uses, lead to the loss of an existing viable small business use of the site. In other regards, the proposal is considered to be acceptable. In addition, it is considered that the proposal would lack adequate amenities for future occupiers with particular regard to the lack of private external amenity space, whilst two of the proposed bedrooms would lack adequate outlook.

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

RECOMMENDATION: APPLICATION BE REFUSED

The reasons for refusal are:

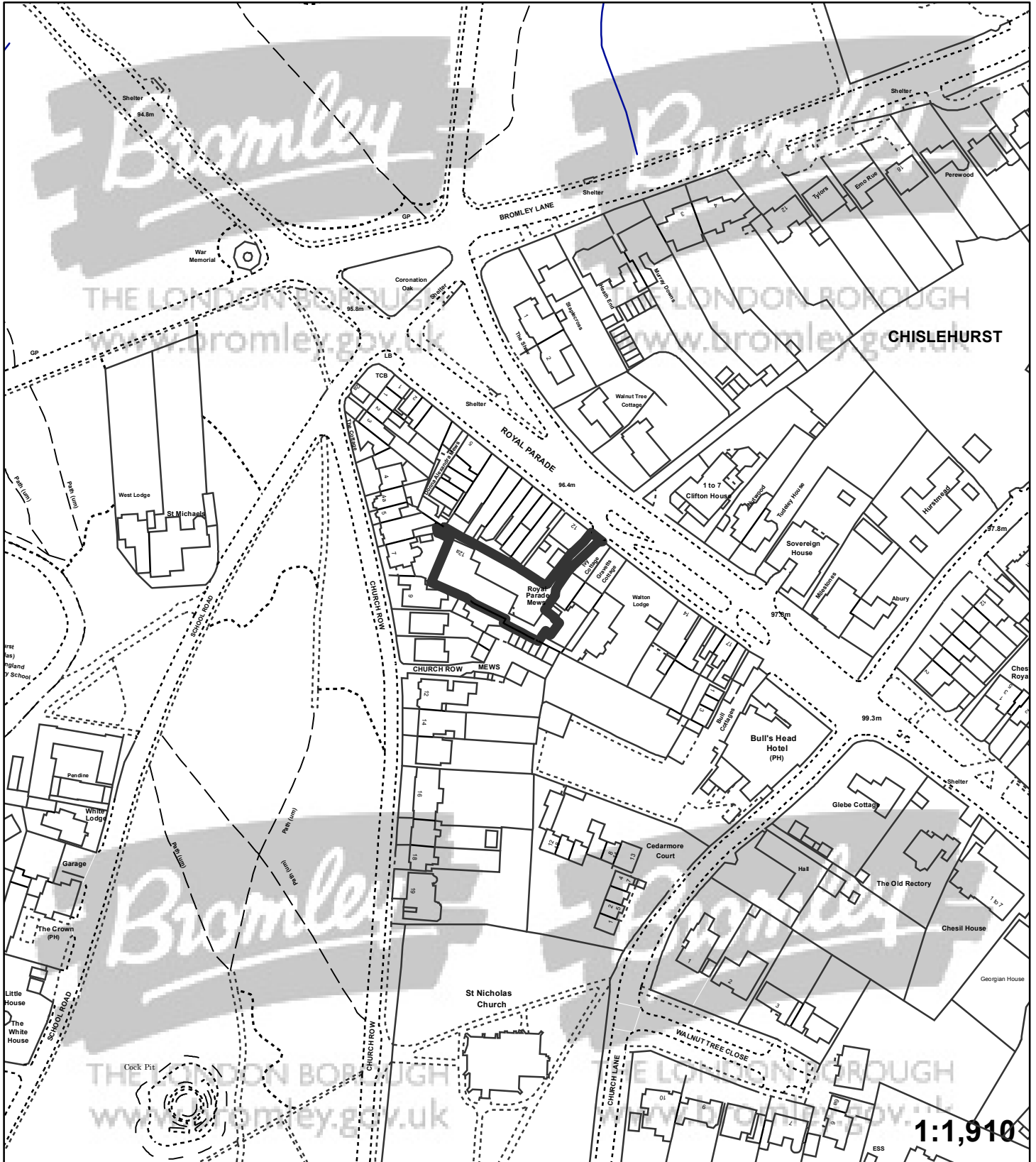
- 1. The proposal would, in the absence of adequate and robust evidence to demonstrate the unsuitability and non-viability of the site for Class B uses, lead to the loss of an existing viable small business use of the site, contrary to Policy 83 of the Local Plan.**
- 2. The proposal would lack adequate amenities for future occupiers with particular regard to the lack of private external amenity space, whilst bedroom 1 of flats 4 and 7 would lack adequate outlook, contrary to Policy 4 of the Local Plan and Policy 3.5 of the London Plan and the Mayor of London's Housing SPG (2016).**

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Application:19/00216/FULL1

Address: ECE Travel Royal Parade Mews Chislehurst BR7 6TN

Proposal: Erection of first floor extension over part of existing building and formation of 7 apartments with 7 car parking spaces



"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 : 19/00723/PLUD

Ward:
Petts Wood And Knoll

Address : 80 Crescent Drive Petts Wood
Orpington BR5 1BD **Objections: No**

OS Grid Ref: E: 544238 N: 167134

Applicant : Mr Terence Willis

Description of Development:

Erection of detached outbuilding together with hard standings
LAWFUL DEVELOPMENT CERTIFICATE (PROPOSED)

Key designations:

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

Proposal

The application seeks a lawful development certificate for a detached outbuilding to be used as a garage, workshop and store with a toilet. The building would measure 11.0m in width and 6.0m in depth. The structure would have a dual pitched roof which measures 4.0m in height at its maximum pitching down to 2.5m at the eaves.

Location

The application site comprises a semi-detached dwelling on the corner of Crescent Drive and Shepperton Road, Petts Wood. 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 no representations were received.

Planning Considerations

The application requires the Council to consider whether the proposal falls within the parameters of permitted development under Class E of Schedule 2, Part 1 of the Town and Country Planning (General Permitted Development) (England) Order 2015 and specifically whether any limitations/conditions of the Order are infringed.

Planning History

13/00978/FULL6 - Part one/two storey side and rear extension and detached garage to rear - Application Permitted.

13/02947/FULL1 - Erection of detached single storey dwelling with accommodation within roofspace and access onto Shepperton Road - Application Refused.

13/03099/FULL6 - Part one/two storey side and rear extension (amendment to planning ref: 13/00978 to amend the ground floor element) - Application Permitted.

13/03742/FULL6 - First floor rear extensions to Nos. 78 and 80 Crescent Drive - Application Permitted.

13/04265/FULL1 - Erection of a detached two storey three bedroom dwelling on land rear of 78-80 Crescent Drive with vehicular access onto Shepperton Road - Application Refused.

14/00022/FULL6 - Extension of existing detached garage - Application Permitted.

14/03044/FULL1 - Erection of a detached two storey three bedroom dwelling on land rear of 78-80 Crescent Drive with vehicular access onto Shepperton Road - Application Refused/Appeal Dismissed.

14/04874/FULL6 - Boundary wall and gates with maximum height of 2.3m fronting Shepperton Road - Application Permitted.

16/02518/FULL6 - Front boundary wall with piers and railings - Application Refused.

16/02648/FULL1 - Erection of a detached single storey three bedroom dwelling on land rear of 76-80 Crescent Drive with vehicular access onto Shepperton Road - Application Refused/Appeal Dismissed.

17/04534/FULL1 - Erection of a detached single storey three bedroom dwelling on land rear of 76-80 Crescent Drive with vehicular access onto Shepperton Road - Application Refused.

18/00805/OUT - Erection of detached bungalow (Outline Application) - Application Refused/Appeal Dismissed.

18/05257/PLUD - Erection of a single storey, detached outbuilding to use as a garage and workshop/store together with hardstanding and vehicular access
LAWFUL DEVELOPMENT CERTIFICATE (PROPOSED) - Proposed use/development is not lawful.

Conclusions

Class E of Schedule 2, Part 1 of the Town and Country Planning (General Permitted Development) (England) Order 2015 relates to the provision within the

curtilage of the dwellinghouse of any building or enclosure, swimming or other pool required for a purpose incidental to the enjoyment of the dwellinghouse as such, or the maintenance, improvement or other alteration of such a building or enclosure.

In assessing the lawfulness of the proposal there are two key considerations; whether the proposed physical dimensions and siting of the building would comply with the criteria of Class E, Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015; and whether the proposed building would be required for purposes incidental to the enjoyment of the dwellinghouse.

Under Class E the following criteria have been satisfied:

- (a) the property at No.80 Crescent Drive was originally constructed as a dwellinghouse.
- (b) the ground area of the building and other extensions to the property does not exceed 50% of the residential curtilage.
- (c) the building would not be situated on land forward of the front elevation of the dwelling.
- (d) the building would be single storey only.
- (e) the building would not fall within 2m of the boundaries, it would have a dual pitched roof, and it would not exceed 4m in height.
- (f) the height of the eaves of the building would not exceed 2.5m.
- (g) the building would not lie within the curtilage of a listed building.
- (h) no veranda, balcony or raised platform are proposed.
- (i) the building would not be used as a dwelling.
- (j) the proposals do not include a container.

In establishing whether the proposed building would be required for purposes incidental to the enjoyment of the dwellinghouse there are two main points that should be established. Firstly, whether the use of the outbuilding, in the context of the whole planning unit, is intended to be and would remain incidental or subordinate to the main use of the property as a dwellinghouse, and secondly, whether the proposed outbuilding is reasonably required in order to accommodate that use.

The building would have a GIA of approximately 57m² and is proposed to be used as a garage, workshop and store with a toilet. The relative size of the proposed building is an important consideration in assessing whether the proposal would provide incidental accommodation. However, the large size of the building proposed does not in itself mean that the outbuilding does not fall within the parameters of Class E. It is also a matter of fact and degree as to whether the proposed facilities are incidental to the enjoyment of the dwelling house.

Caselaw arising from *Emin v SSE & Mid Sussex DC* [1989] established that while the phrase 'incidental to the enjoyment of the dwellinghouse' should not be interpreted on the unrestrained whim of the householder there should also be some sense of reasonableness in the circumstances of the case. It is recognised that it can be reasonable for a garage, workshop and store to be considered an incidental use, especially if there is not sufficient space within the host property to

accommodate them. The main question therefore is whether the size of the proposed outbuilding would be reasonably required to accommodate these uses.

The provision of such a large outbuilding for the proposed use may be preferred by the applicant, but it is necessary to consider whether the proposed accommodation would be reasonably required, leaving aside the personal preference of the applicant. It is for the applicant to demonstrate that a building of the proposed size is reasonably required, and that it has been designed with incidental uses in mind.

The applicant has provided a short statement along with photographs which sets out that the owner has a number of leisure interests which include DIY, cycling and keeping fit. The outbuilding would therefore be used, in part, to accommodate the equipment needed for these activities. The statement goes on to state that the section to be used as a garage will accommodate the family's car as well as the bicycles and gym equipment. The host dwelling currently benefits from off street parking and a detached garage. The garage sits to the rear of the host dwelling and has a GIA of approximately 30m². It is noted from the site visit that the garage is currently used to accommodate the tools and equipment used by the applicant in the course of their daily work. Taking into account the size of the existing garage and its current use it is not considered that the applicant has demonstrated that the additional outbuilding would be reasonably required or that it has been designed with incidental uses in mind.

Taking the above into account it is considered that the proposal would not be incidental or subordinate to the main use of the property as a dwellinghouse, and that it has not been adequately demonstrated that the size of the outbuilding and floorspace proposed would be reasonably required.

The proposed development would not comply with the provisions of Class E, Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015.

RECOMMENDATION: CERTIFICATE BE REFUSED

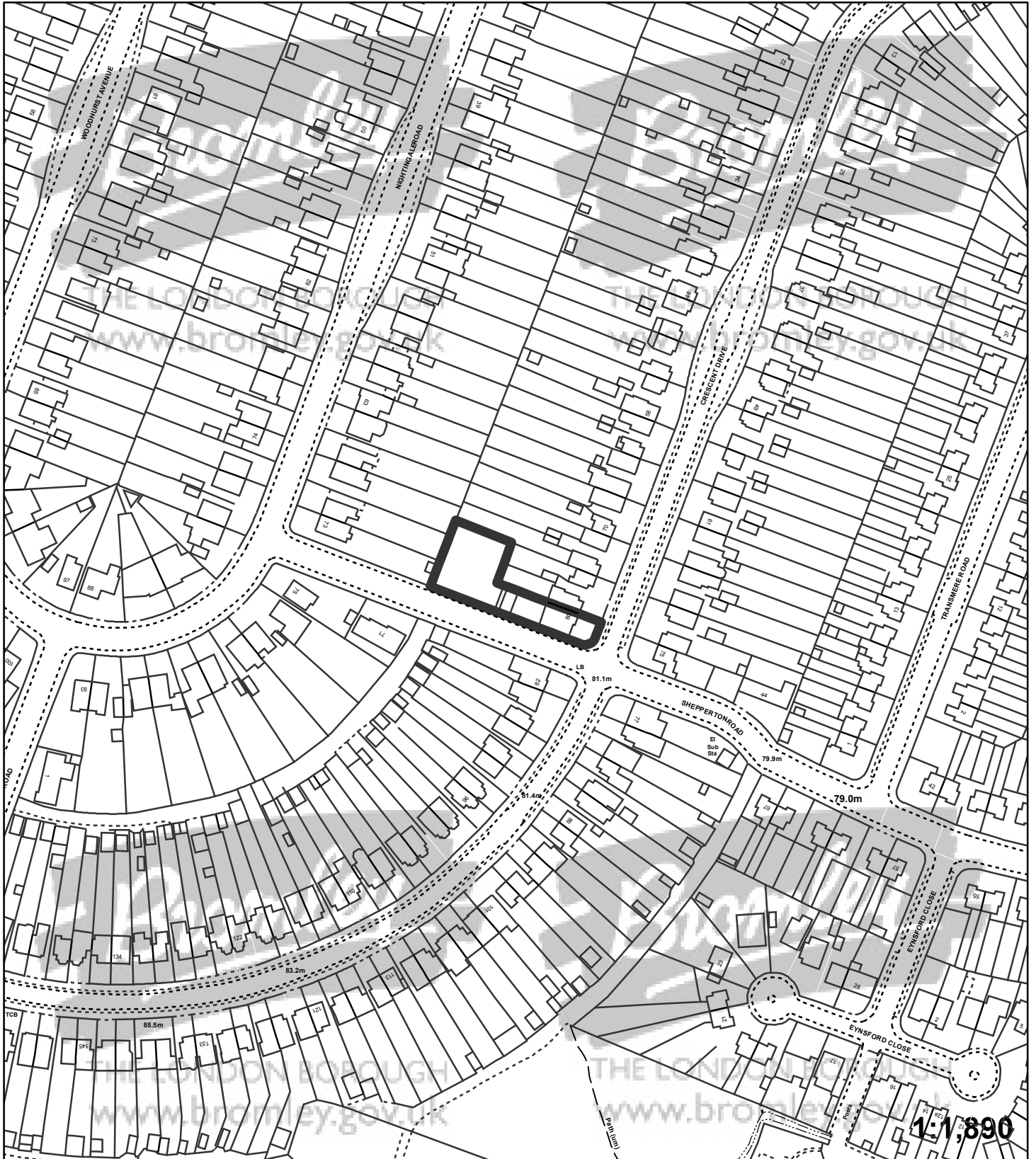
For the following reason:

The proposed detached outbuilding, as submitted, would not constitute permitted development under Class E of Part 1 Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015.

Application:19/00723/PLUD

Address: 80 Crescent Drive Petts Wood Orpington BR5 1BD

Proposal: Erection of detached outbuilding together with hard standings
LAWFUL DEVELOPMENT CERTIFICATE (PROPOSED)



"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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