



THE LONDON BOROUGH
www.bromley.gov.uk

BROMLEY CIVIC CENTRE, STOCKWELL CLOSE, BROMLEY BRI 3UH

TELEPHONE: 020 8464 3333

CONTACT: Rosalind Upperton
Rosalind.Upperton@bromley.gov.uk

DIRECT LINE: 020 8313 4745

FAX: 020 8290 0608

DATE: 23 July 2019

To: Members of the
PLANS SUB-COMMITTEE NO. 3

Councillor Katy Boughey (Chairman)
Councillor Tony Owen (Vice-Chairman)
Councillors Kevin Brooks, Samaris Huntington-Thresher, Charles Joel,
Alexa Michael, Keith Onslow, Angela Page and Kieran Terry

A meeting of the Plans Sub-Committee No. 3 will be held at Bromley Civic Centre on
THURSDAY 1 AUGUST 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 6 JUNE 2019**
(Pages 1 - 10)
- 4 **PLANNING APPLICATIONS**

SECTION 1

(Applications submitted by the London Borough of Bromley)

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

SECTION 2

(Applications meriting special consideration)

Report No.	Ward	Page No.	Application Number and Address
4.1	Bickley	11 - 18	(19/01395/FULL6) - 34 Homemead Road, Bickley, BR2 8BA
4.2	Penge and Cator	19 - 34	(19/01513/FULL1) - Land Adj 2 Torr Road, Penge, SE20 7PS

SECTION 3

(Applications recommended for permission, approval or consent)

Report No.	Ward	Page No.	Application Number and Address
4.3	Bickley	35 - 42	(19/00525/FULL6) - Suttoncroft, Bickley Park Road, Bickley, BR1 2AY
4.4	Bickley	43 - 52	(17/02468/CONDT4) - St Hugh's Playing Fields, Bickley Road, Bickley, Bromley,
4.5	West Wickham	53 - 60	(19/01992/FULL6) -13 Hayes Chase, West Wickham BR4 0HU
4.6	Bromley Town	61 - 70	(19/01998/FULL6) - 103 Murray Avenue, Bromley, BR1 3DS

4.7	Copers Cope Conservation Area	71 - 78	(19/02201/FULL1) - 69 High Street Beckenham, BR3 1AW
4.8	Cray Valley West Conservation Area	79 - 86	(19/02246/FULL6) - 17 Sefton Road, Petts Wood, BR5 1RG
4.9	Penge and Cator	87 - 94	(19/02299/FULL6) - 134 Kent House Road, Beckenham, BR3 1JY

SECTION 4

(Applications recommended for refusal or disapproval of details)

Report No.	Ward	Page No.	Application Number and Address
4.10	Orpington	95 - 116	(19/00732/FULL1) - 18 Homefield Rise, Orpington, BR6 0RU

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		

This page is left intentionally blank

PLANS SUB-COMMITTEE NO. 3

Minutes of the meeting held at 7.00 pm on 6 June 2019

Present:

Councillor Katy Boughey (Chairman)
Councillor Tony Owen (Vice-Chairman)
Councillors Kevin Brooks, Samaris Huntington-Thresher, Charles Joel,
Alexa Michael, Keith Onslow, Angela Page and Kieran Terry

Also Present:

Councillors Marina Ahmad, William Huntington-Thresher,
Robert Mcilveen and Michael Rutherford

1 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

No apologies for absence were received.

2 DECLARATIONS OF INTEREST

Councillor Tony Owen declared a non-pecuniary interest in Item 4.11 as he was acquainted with the lady who spoke in objection to the application. Councillor Owen did not take part in the discussion or vote on this application.

On 3 June 2019, Members of the Urgency Committee granted an unconditional dispensation for Cllrs Robert Mcilveen and Michael Rutherford to be permitted to attend this meeting either to address Members or listen to the debate on a planning application in relation to their residential property (Item 4.13 - 49 Forde Avenue, Bromley BR1 3EU).

The dispensation applied to any subsequent meetings on the same or similar applications until the end of the Municipal Year.

3 CONFIRMATION OF MINUTES OF MEETING HELD ON 11 APRIL 2019

RESOLVED that the Minutes of the meeting held on 11 April 2019 be confirmed and signed as a correct record.

4 PLANNING APPLICATIONS

SECTION 1

(Applications submitted by the London Borough of Bromley)

4.1 BROMLEY TOWN CONSERVATION AREA

(19/00237/FULL1) - Pedestrianised Area Highway, High Street, Bromley

Description of application – Erection of two detached retail (Class A1) kiosk units.

Comments received from the Advisory Panel for Conservation Areas and the London Fire Brigade were reported and circulated to Members.

The proposed hours of operation and the removal of redundant kiosks were discussed in finer detail.

Members having considered the report, **RESOLVED that PERMISSION BE GRANTED** as recommended, subject to the conditions and informative set out in the report of the Chief Planner with condition 3 amended to read:-

'3 The use hereby permitted shall not operate before 08:00 and after 21:00 on Mondays to Saturdays or before 10:00 and after 18:00 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.'

A further informative was also added as follows:-

2 Any kiosk unit(s) hereby permitted which subsequently becomes redundant shall be removed from the site within a period of 2 months and the land shall be reinstated to its former condition.

**4.2
BROMLEY TOWN
CONSERVATION AREA**

(19/00241/FULL1) - 162 High Street, Bromley, BR1 1HJ

Description of application – Erection of two detached kiosks to provide 4 retail (Class A1) units.

Comments received from the Advisory Panel for Conservation Areas and the London Fire Brigade were reported and circulated to Members.

The proposed hours of operation and the removal of redundant kiosks were discussed in finer detail.

Members having considered the report, **RESOLVED that PERMISSION BE GRANTED** as recommended, subject to the conditions and informative set out in the report of the Chief Planner with condition 3 amended to read:-

'3 The use hereby permitted shall not operate before 08:00 and after 21:00 on Mondays to Saturdays or before 10:00 and after 18:00 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.'

A further informative was also added as follows:-

2 Any kiosk unit(s) hereby permitted which subsequently becomes redundant shall be removed from the site within a period of 2 months and the land shall be reinstated to its former condition.

SECTION 2

4.3 PETTS WOOD AND KNOLL

(Applications meriting special consideration)

(18/05592/FULL6) - 10 Derwent Drive, Petts Wood, BR5 1EW

Description of application – Single storey side extensions incorporating garage conversion, enlargement of existing porch entrance and enlargement of roofspace incorporating extension to rear roof to provide first floor accommodation with rooflights to front and side and Juliet balcony to rear.

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

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

1 The proposed development by reason of its design, scale and bulk would result in an overdevelopment of the site resulting in a detrimental visual impact and loss of light to the neighbouring property and incongruous impact on the prevailing character of the area, contrary to Supplementary Planning Guidance No 1 General Design Principles and No 2 Residential Design Guidance, Policy 37 of the Bromley Local Plan (2019) and Policies 7.4 and 7.6 of the London Plan (2016).

**4.4
BICKLEY**

**(19/00263/FULL6) - 1 Oldfield Close, Bickley,
Bromley, BR1 2LL**

Description of application – Part demolition and reconfiguration of existing garage to form lounge, alterations to existing lounge to form new garage with pitched roof, first floor front and two storey rear extensions, removal of chimneys, new chimney stack to side and elevational alterations.

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

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

**4.5
DARWIN**

**(19/00509/FULL1) - Luxted Farm, Luxted Road,
Downe, BR6 7JT**

Description of application – 4 dormer extensions and elevational alterations to include enlarged doors, glazed roof panels and alterations to windows.

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

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

**4.6
ORPINGTON**

**(19/00620/OUT) - 14 Knoll Rise, Orpington,
BR6 0DD**

Description of application – Outline planning application for the demolition of four existing houses (No. 14 to No. 20 Knoll Rise), erection of three new buildings ranging from three to four storeys comprising 41 apartments with associated access, parking and amenity space.

Oral representations from Ward Member Councillor William Huntington-Thresher in objection to the application were received at the meeting.

In relation to a previous planning appeal decision, Members were informed that the Inspector did not endorse the Council's reason for refusal on Highways grounds. It was therefore advisable not to include those grounds should Members decide to refuse this application.

A vote to include a reason for refusal on Highways grounds fell.

Members having considered the report, objections and representations, **RESOLVED that the application BE REFUSED** as recommended, for the reasons set out in the report of the Chief Planner amended to read:-

'1 The development, as proposed, by reason of its size, scale and massing would result in a cramped overdevelopment of the site, out of character, overly prominent and harmful to the visual amenities of the area and suburban character of the wider locale which this site is considered to contribute positively to as a result of its size, scale and massing contrary to Policies 3, 4 and 37 of the Bromley Local Plan and Policies 3.4 and Table 3.2, 7.4 and 7.15 of the London Plan, Draft London Policies D2, D6 and the Mayor's Housing SPG.

2 The proposed development fails to provide a satisfactory standard of living accommodation for future occupiers by virtue of the inadequate private outdoor spaces, communal garden access arrangement in an area of open space deficiency, lack of outlook and privacy contrary to Policies 4 and 59 of the Bromley Local Plan, Policies 4 and 37 of the Draft Local Plan and Policies 7.4 and 7.15 of the London Plan and the Mayor's Housing SPG.'

The following reason for refusal was also added:-

3 The development will result in the loss of important suburban family housing at this location, this being an essential characteristic of the residential form of the area, contrary to Policies 4 and 37 of the Bromley Local Plan and Policy 7.4 of the London Plan.

4.7
**CRYSTAL PALACE
CONSERVATION AREA**

**(19/00651/FULL1) - Land adjacent to Rochester
House, 2-10 Belvedere Road, Anerley, London,
SE19 2AT**

Description of application – Demolition of existing bin store fronting Belvedere Road and removal of 6 no. car parking spaces to the courtyard with erection of 4 bedroom three storey town house with associated car parking an replacement bin store.

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

The Planning Officer reported that:-

- (a) the final sentence of the first paragraph on page 111 had been amended to read: 'On the basis that there would be 26 retained spaces to serve the flats
- (b) a 3D visual from the applicant's agent showing the proposed site view had been received and circulated to Members;
- (c) should Members decide to grant permission, a condition in relation to refuse collection should be added.

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

1 The proposed dwelling, by reasons of its design would appear incongruous and out of character with the surrounding area, detrimental to the visual amenities of neighbouring residents and the appearance of the Belvedere Road Conservation Area, contrary to Policies 37 and 41 of the Bromley Local Plan (2019) and Supplementary Planning Guidance No 1 General Design Principles and No 2 Residential Design Guidance, Belvedere Road Supplementary Planning Guidance and Policies 3.5, 7.6 and 7.8 of the London Plan (2016).

2 The proposed development, by reason of its design, siting and layout would give rise to an unacceptable loss of outlook to the occupiers of surrounding properties, whilst leading to a significant loss of privacy by way of overlooking to future

occupants of the proposed dwelling, contrary to Policy 37 of the Bromley Local Plan (2019) and Supplementary Planning Guidance No 1 General Design Principles and No 2 Residential Design Guidance.

3 The proposal has the potential to lead to an increase in local residents parking on surrounding streets, thus generating considerable pressure to on-street car parking, leading to a significant risk to traffic and pedestrian safety, by reasons of illegal or unsuitable parking and on-street manoeuvring, which would be prejudicial to the free flow of traffic conditions and general safety in the highway, contrary to Policy 30 of the Bromley Local Plan (2019).

SECTION 3

(Applications recommended for permission, approval or consent)

4.8 CHISLEHURST CONSERVATION AREA

(19/00705/FULL1) - 1 Riverwood Lane, Chislehurst BR7 5QN

Description of application – Demolition of existing dwelling and erection of detached two storey 4 bedroom dwelling with integral garage, rear balcony and terracing.

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

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

4.9 DARWIN

(19/00782/FULL1) - 7 Moselle Road, Biggin Hill TN16 3HS

Description of application – Demolition of existing bungalow and detached garage and construction of 2 detached three bedroom bungalows with additional vehicular access, associated parking and cycle and refuse stores.

Further comments received from a neighbouring property were reported and circulated to Members.

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

**4.10
PETTS WOOD AND KNOLL**

(19/00796/FULL6) - 53 St John's Road, Petts Wood, BR5 1HT

Description of application – Demolition of garage and rear dormer window. Erection of single storey rear extension and two storey side extension incorporating porch, dormer windows and integral garage and replacement hard surfacing to front. (Amended plans and description.)

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

**4.11
CHISLEHURST
CONSERVATION AREA**

(19/00890/FULL6) - Bywood, Manor Park, Chislehurst BR7 5QD

Description of application – Demolition of existing detached garage and chimney stack and erection of single storey front, side and rear extensions and elevational alterations.

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

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

1 The proposed development due to its design, scale and bulk, would lead to an overdevelopment of the site resulting in an overbearing form of development, giving rise to loss of sunlight and daylight, detrimental to the amenities of the neighbouring property Bedans, Manor Park, Chislehurst, contrary to Policy 37 of the Bromley Local Plan (2019) and Policy 7.6 of the London Plan (2016).

**4.12
BROMLEY COMMON AND
KESTON**

**(19/00978/FULL6) - 51 Lower Gravel Road,
Bromley, BR2 8LP**

Description of application – First floor side extension.

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

**4.13
BROMLEY TOWN**

**(19/01202/FULL6) - 49 Forde Avenue, Bromley,
BR1 3EU**

Description amended to read: – ‘Single storey rear extension and patio’.

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

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

**4.14
BICKLEY**

**(19/01280/FULL1) - 187 Southborough Lane,
Bromley, BR2 8AR**

Description of application – Change of use from Class A1 Use (shop) to Class A4 Use (micro pub).

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

In regard to Members’ concern about licensing hours and noise disturbance, the Planning Officer advised that these issues could be addressed via condition. A requirement to provide a fire exit could be included within the Management Plan.

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

1 The proposed change of use to a micropub in this location will result in an unacceptable level of noise and disturbance to local residents and in the absence of a satisfactory noise management plan would be contrary to Policies 37 and 98 of the Bromley Local Plan (2019).

The following informative was also added:-

1 Please note that if a subsequent application is made for a similar development, details with regard to the fire exit should be included in the management plan.

SECTION 4

(Applications recommended for refusal or disapproval of details)

4.15 PETTS WOOD AND KNOLL

(19/00953/FULL1) - 75 Queensway, Petts Wood, BR5 1DQ

Description of application – Detached two storey building with accommodation in roof space comprising 2 two bedroom maisonettes, with 2 car parking spaces on land to the rear of 75 Queensway.

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

It was reported that further objections similar to those already contained in the report, had been received.

It was also reported that an amended site plan had been received.

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.

The meeting ended at 9.10 pm

Chairman

SECTION '2' – Applications meriting special consideration

Application No : 19/01395/FULL6

Ward:
Bickley

Address : 34 Homemead Road Bickley Bromley **Objections: No**
BR2 8BA

OS Grid Ref: E: 542931 N: 167897

Applicant : Miss Suphi

Description of Development:

Increase in roof height to provide second floor accommodation and single storey front and rear extensions

Key designations:

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

Proposal

Planning permission is sought to enlarge the roof of the existing bungalow to provide first floor accommodation. A new front extension and partial rear extension is also proposed. New windows and doors are proposed in the front, rear and flank elevations.

The application is a resubmission of a previously refused planning application.

Location and Key Constraints

The application site, a bungalow, is located on the eastern side of Homemead Road, Bickley. The property is one of the only single storey dwellings within the wider locality, with the majority of the built form being semi-detached properties of varying designs. No. 32 is also a bungalow whilst No.36 is a two storey property.

Comments from Local Residents and Groups

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

Consultee comments

No consultee comments sought.

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) & the London Plan (March 2016).

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

37 General Design of Development

Supplementary Planning Guidance

SPG1 - General Design Principles

SPG2 - Residential Design Guidance

Planning History

Under planning application ref:- 18/02046/FULL6 planning permission was refused for 'increase in roof height to provide second floor accommodation and single storey front and rear extensions'. The reason for refusal read as follows:-

The proposed first floor side extension does not comply with the Council's requirement for a minimum 1 metre side space to be maintained to the entire flank boundary in respect of two storey development, in the absence of which the extension would result in a cramped form of development, harmful to the spatial standards and character of the area and contrary to Policies BE1, H8 and H9 of the Bromley Unitary Development Plan.

Considerations

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

- Design
- Neighbouring amenity
- CIL

Consideration should also be given to the previous reason for refusal.

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.

Policy 6 of the Bromley Local Plan (2019) states that 'The scale, form and materials should respect or complement those of the host dwelling and be compatible with development in the surrounding area', it goes on to state that 'Space or gaps between buildings should be respected or maintained where these contribute to the character of the area.'

Policy 8 of the BLP normally requires extensions of two or more storeys in height to be a minimum of 1m from the side boundary of the site for the full height and length of the building.

The application site is located on the eastern side of Homestead Road. This side of the road comprises a mix of dwelling styles, which are of various ages of construction. The neighbouring properties located either side of the site are both different. No.32 is also a bungalow; but of a different style and design to No.34 whilst No.36 is a two storey detached property. All three properties are also set back from the highway allowing room for an area of off-street parking.

The existing property is a single storey bungalow which includes a pitched roof. It forms one of two bungalows on this side of the road. Both are somewhat unusual amongst the larger scale properties located in the road. However, as noted above this side of does have a degree of variety in terms of dwelling styles. The creation of a two storey dwelling in place of the existing bungalow is not considered to be any more unusual than the existing arrangement.

The submitted drawings remain the same as those submitted for the refused application. As part of the resubmission the agent has cited a near similar application at No.18 Homestead Road (located further up the street) which was granted planning permission in 2016 by members under application ref:- 16/00124.

The current application before the Council proposes the insertion of an additional floor and a front extension and a partial rear infill extension. The dwelling is proposed to be increased in height and will host a duo-pitched roof profile. The dwelling is proposed to have new windows in the front, rear and side elevations (although the windows in the flank elevations will be obscure glazed).

The proposed first floor extension would mimic the dwelling's existing footprint except for a first floor front extension (above the existing bedroom & porch) and partial rear infill extension on the ground and first floor.

Whilst the proposal on the ground floor is not set in from the boundary with No.32 the proposal would be of a similar height to the other neighbour at No.36. Whilst the development would not strictly accord with Policy 8 in respect of maintaining a full 1m side space for the entire width of the property it is not considered the scheme would not harm the spatial qualities of the streetscene in light of the precedent that has already been set at No.18 Homestead Road. Furthermore, it is not considered that the proposal would result in a cramped form of development.

The wider streetscene is primarily made up of two storey properties, with the host dwelling being only one of the few that are single storey within the locality. Whilst the majority of the street is laid out with detached and semi-detached dwellings the dwelling as existing appears out of place and incongruous within the wider area, and therefore the insertion of the first floor is welcomed. It is considered that the detached two storey dwelling would not appear out of character within the wider area, and would appear more harmonious with neighbouring properties than as existing. The ridge height of the dwelling extends no higher than the adjacent neighbour at No.36.

The extensions are proposed to be constructed of brick to match the existing house and white PVCu doors and windows.

Neighbouring amenity

In relation to neighbouring amenity the main impact would be on the adjoining neighbouring properties, No.32 & No.36.

The ground floor element of the newly created two storey property will still be located on the boundary with No.32 whilst the first floor front and rear extensions will be located 1m from the boundary. A 1m side space for the ground and first floors will exist to the other neighbour; No.36.

In terms of the impact to the residential amenities of neighbouring residents, the proposed first floor extension does not project further than the rear elevation of both neighbouring properties and is not considered to cause any undue harm in terms of appearing overbearing or prominent. A total of three windows are to be located in the flank elevations, however they are shown to be obscure glazed which is not considered to cause a loss of privacy or overlooking.

The increase in the roof height of the property will add bulk, scale and mass to the property and No.32 will feel this more as the development will in part be located on the shared boundary. It is considered that this could lead to the occupants of No.32 feeling more enclosed, however, No.32 is located approximately 2m away from the shared boundary and no letters of objection have been received.

There are also properties to the rear of the site. The proposed development would result in greater opportunities for overlooking due to the elevated nature of the new rear facing windows, however these would serve bedrooms and the back to back separation between these windows and the rear elevation of the building to the rear would be around 45m. The garden at the application site is approximately 22m in depth and there is a similar arrangement at No.39 Blackbrook Lane.

Additionally, due to the separation distances outlined above, orientation of the site and garden arrangement is not considered that the development would result in a loss of outlook, overshadowing or material loss of light or overshadowing to the property at the rear.

CIL

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

Conclusion

Having had regard to the above it is considered that the development in the manner proposed may be considered acceptable in design terms and would on balance have an acceptable impact on neighbouring residential amenities.

Background papers referred to during production of this report comprise all correspondence on the file ref 19/01395/FULL6 set out in the Planning History section above, excluding exempt information.

RECOMMENDATION: PERMISSION

Subject to the following conditions:

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

Reason: 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.

- 4 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

Application:19/01395/FULL6

Address: 34 Homestead Road Bickley Bromley BR2 8BA

Proposal: Increase in roof height to provide second floor accommodation and single storey front and rear extensions



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

This page is left intentionally blank

SECTION '2' – Applications meriting special consideration

Application No : 19/01513/FULL1

Ward:
Penge And Cator

Address : Land Adjacent 2 Torr Road Penge
London

Objections: Yes

OS Grid Ref: E: 535721 N: 170183

Applicant : Mr A Tsiaoukkas

Description of Development:

Creation of a studio flat

Key designations:

Biggin Hill Safeguarding Area
London City Airport Safeguarding
Open Space Deficiency
Smoke Control SCA 1

Proposal

Permission is sought to erect a studio flat on land adjacent to No.2 Torr Road, Penge. The plot was formerly the rear garage of No. 28 Green Lane which has now been severed but both lie within the applicant's ownership.

The current application is a resubmission of a previously refused application for a similar development.

Location

The application site comprises a vacant garage/former joinery workshop situated in between No.2 Torr Rd and the rear garden of No.28 Green Lane. The surrounding locality is predominantly residential in nature, although there are some commercial units which front Green Lane to the north.

Consultations

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

- Sewers: Whilst remodelling our garden at no 28 - which adjoins the site on Torr Road - our builders discovered that the applicant had tapped into our sewers for the Torr Road site. We have been told that this is illegal. In the process they also broke the sewerage pipe on our land, which lead to waste entering into our garden underneath the flagstones, which we had to fix at significant cost. We are extremely concerned that they will seek to use this

outlet causing us, and our neighbours, issues. This is something I have tried to get assurances on but the owner and applicant has not responded.

- Shared wall: As a result of how the applicant divided up the land which had previously formed the full garden/ property at number 28 Green Lane, our garden wall runs over the boundary onto their new property. This wall was not renovated when the applicant remodelled number 28 and is very fragile. We are extremely concerned that in the plan submitted the wall will need to be cut into for the new gate. Previously, our builders have stated that almost certainly the wall will fall down, which will also impact our garden gate which is attached. Again, we have reached out to the applicant to reach an agreement but they have not responded.
- General Build Quality: Having now lived at number 28 for 3.5 years we have concerns about the build quality of any project undertaken by the applicant. We have discovered numerous structural build faults, and have had to pay in excess of £10k repairing them. These include: not properly installing the joists for our kitchen floor extension and utility room (which we have had to pull up and re-lay); Significant number of internal/external wall build gaps which have caused issues with vermin; Not putting on coping stones on the extension which cost us significantly in terms of rain damage; Faults with internal wiring; Faulty installation of a bathroom ceiling vent which has caused significant rain damage; Failure to properly install extraction fans in bathrooms; Laying garden patios above the specified height and failure to install a damp proof course properly; Poor felting on the roof and failure to close off the chimneys; Issues with the waste pipe which was not properly attached leading to water coming down the pipe; damage to the water pipe which connected to the mains caused when they were fixing the front garden which led to significant leakage and reduced water pressure; failure to seal the exit fume pipe from the boiler which caused internal rain damage; failure to properly screw down floors, as well as the damage to the sewerage pipe. Whilst other aspects - such as general roofing work and loft conversion - were done well, we have discovered many cut corners which give us significant cause for concern.
- Loss of privacy will be severely impacted with two large windows/doors looking directed into our garden.
- The development will be a tall imposing building.
- The "back garden" of the development is adjacent to our land, and currently there is no secure boundary between each parcel of land. A (semi-permanent fence) should be erected to ensure that the building work does not impact, encroach or damage our garden and that our privacy is maintained throughout the building work.
- The boundary shown in the plans is not entirely clear, and the back garden may be smaller than shown on plans.
- We would like assurance that our garden will not be built on, and erection of a fence to clearly demarcate the agreed boundary before development begins.
- We consider the proposed site to be too small for a residential building with a pitched roof, as previously there was a low-level workshop.

Comments from Consultees

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

No car parking would be provided; however as the transport accessibility is good a reduction in the parking requirement may be justified as the site is considered accessible to public transport links, being within walking distance of bus routes and a Rail Station. Therefore I raise no objection to the development.

Furthermore a covered and secure cycle storage facility would be provided to encourage cycling as a sustainable transport alternative.

Please include the following with any permission:

AG12 (Cycle parking)

Trees - There is potential for significant impact on the health and appearance of the off site tree T1 Leyland cypress. However, since we would not object to the tree's removal if it were proposed, we have no objection. In the event of permission being granted I would recommend the following condition and informative:

Tree Protection

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 (AITPP-01). 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.

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.

Informative

Prior to commencing the development hereby approved, the applicant should consider the potential impact on the structural stability of any trees in neighbouring properties. Whilst a right exists under common law for A to cut back any parts of neighbour B's trees to the boundary line, A also has a duty of care to B and should therefore not undertake works that could make a tree unstable or raise the risk of it failing. Therefore, it is prudent to discuss works the tree owner and seek professional arboricultural advice.

Environmental Health - I have considered the above and have no objections within the grounds of consideration, subject to the following.

I would recommend a PC23 (Land Contamination Assessment) condition is attached.

The application site is within an Air Quality Management Area declared for NOx. I would therefore recommend that the following conditions are attached:

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 (To minimise the effect of the development on local air quality within an Air Quality Management Area in line with NPPF p124 and Policy 7.14 of the London Plan).

I would also recommend that the following informative:

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 2017 which is available on the Bromley web site.

Drainage - Please impose PC06.

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

London Plan Policies

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

Bromley Local Plan

- 1 Housing supply
- 4 Housing design
- 8 Side Space
- 30 Parking
- 32 Road Safety
- 33 Access for All
- 34 Highway Infrastructure Provision
- 37 General design of development
- 73 Development and Trees
- 77 Landscape Quality and Character

- 112 Planning for Sustainable Waste management
- 113 Waste Management in New Development
- 115 Reducing flood risk
- 116 Sustainable Urban Drainage Systems (SUDS)
- 117 Water and Wastewater Infrastructure Capacity
- 119 Noise Pollution
- 120 Air Quality
- 122 Light Pollution
- 123 Sustainable Design and Construction
- 124 Carbon dioxide reduction, Decentralise Energy networks and Renewable Energy

Supplementary Planning Guidance

SPG1 - General Design Principles

SPG2 - Residential Design Guidance

Housing: Supplementary Planning Guidance. (March 2016)

Planning History

Under planning application ref:- 16/03628/FULL1 - Creation of a new studio flat - Application Refused - Date issued - 08.12.2016

Under planning application ref:- 15/03539/FULL1-Demolition of single storey workshop and construction of two storey detached two bedroom house with solar panels to roof (on land adjacent to No.2 Torr Road)- Application Refused- Date issued-09.10.2015.

Under planning application ref:- 15/02175/FULL1-Demolition of existing single storey workshop and construction of two storey detached two bedroom house.- Application Refused- Date issued-27.07.2015

Under planning application ref:- 14/02133/FULL2-Demolition of workshop, change of use from joinery workshop (Use Class B1) to residential dwelling (Use Class C3) with single storey rear extension and rear dormer extension- Application Permitted- Date issued-17.10.2014

Considerations

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

- Resubmission
- Design
- Standard of Residential Accommodation
- Highways and Traffic Issues
- Impact on Adjoining Properties
- Trees
- CIL

Resubmission

The site has a long planning history with the last four planning applications having been refused. The last application (Application Reference: 16/03628/FULL1) was refused for the following two reasons:

1. *The proposal represents a cramped overdevelopment of the site by reason of the constricted size of the plot, detrimental to the character of the area contrary to Policies BE1 and H7 of the Unitary Development Plan and Policy 3.5 of the London Plan*
2. *In the absence of a tree survey the proposal would result in the loss of existing trees on the site contrary to Policy NE7 of the UDP.*

It was noted when visiting the site and that of the neighbours (No.29 Green Lane) that the majority of the existing structure has now been demolished with just the front façade remaining.

Following the refusal of the last application the agent has submitted revised drawings, which allows a 0.8m gap to the boundary with the neighbouring gardens (No.28 & 29 Green Lane). An Arboricultural Report has been submitted with the application to assess the existing Cypress Tree located in the neighbour's garden.

Design

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

Policy 3 (Backland and Garden Land Development) & Policy 4 (Housing Design) requires that the new residential development would have no impact upon the character, appearance or context of an area and that the design would be of a high quality and to recognise as well as complement the qualities of the surrounding areas. Density ranges should be compliant with the Technical Housing Standards and levels of residential amenity should be compliant with the London Plan.

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.

Policy 37 of the 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. Policy 4 requires the design of new residential development to be of a high quality and to recognise as well as complement the qualities of the surrounding areas. Density ranges should be compliant with the Technical Housing Standards and levels of residential amenity should be compliant with the London Plan.

The submitted plans indicate that the proposed dwelling would comprise a single storey studio flat located between the rear garden of No.28 Green Lane and No.2 Torr Road.

The site is located in a residential area where the Council will consider infill development provided that it is designed to complement the character of surrounding developments, the design and layout make suitable residential accommodation, and it provides for garden and amenity space. Any adverse impact on neighbouring amenity, conservation and historic issues, biodiversity or open space will need to be addressed. Therefore, the provision of an additional dwelling unit on the land needs to be considered in respect of the impact 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.

A material consideration to the determination of this application is No.2 Torr Road (which lies next to the site) which was granted planning permission in 2012 under planning application ref:- 12/02914/FULL1 for the conversion of a commercial unit to a two bedroom residential dwelling. The application currently lies before the Council is similar but also different; the same because it is for the same proposed use (residential) but different because the structure at No.2 was already in existence and the agent proved that the former commercial use had become redundant.

The site was formerly the garage to No.28 Green Lane, which has now been severed and currently lies redundant. Taking account of the site and its immediate neighbour (No.2 Torr Road) it may be considered that a single storey detached

dwellinghouse would not look particularly out of context in the streetscene despite No.2 Torr Road being two storeys in height and Land Adj to No.2 single storey. New windows and doors would exist in the front, rear and flank elevations. The design of the building in terms of its height and width/proportions may be considered acceptable. The key materials are noted as white painted brickwork & render with blue painted window frames.

A 0.8m gap has been left to the boundary of the rear garden of No.28 Green Lane and a 0.6m gap to the rear garden of No.29 Green Lane. The plans indicate that this is to protect the roots of the neighbouring Cypress Tree and to make the property appear less cramped. An area of amenity space lies to the rear of the property which backs on the rear garden of No.30 Green Lane.

While the new plot would not be immediately characteristic of neighbouring sites and has already resulted in the shortening of the rear garden of No.28 Green Lane, on balance, it may be considered that the proportions of the site may now be acceptable in the context of London Plan guidance and with the varied residential character of the locality, the provision of an additional unit of residential accommodation on the site may be considered appropriate.

Standard of Residential Accommodation

Policy 3.5 of the London Plan (2016) Table 3.3 sets out the minimum space standards for new development.

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 proposal is also M4(2) compliant making it an accessible and adaptable dwelling.

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.

It is considered that the proposed would provide residential accommodation of a satisfactory standard and have the required amenity space to serve the needs of prospective occupants.

Car parking

No parking is provided, although the site has a high PTAL of 5 and is within close proximity to Penge East and Kent House railway stations; while Green Lane to the north also has bus stops. Given the accessibility of the site, no highway objections are raised

Cycle parking

The applicant has provided details of cycle parking/storage.

Refuse

The applicant has provided details of refuse storage for the unit. The location point is considered acceptable.

Trees

Policy 73 of the Bromley Local Plan outlines 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 are considered desirable to be retained.

There are a number of large established trees surrounding the proposed development - namely a Leylandi tree, a large Elder tree and a Beech. All of which are over 30ft in height and have a well-established roots, the trees as well as their visual attractiveness also offer a degree of screening.

The agent has provided an Arboricultural Report as part of the application submission which has been reviewed by the Council's Tree Officer. The Tree Officer has commented as follows; there is potential for significant impact on the health and appearance of the off site tree T1 Leyland cypress. However, since we would not object to the tree's removal if it were proposed, we have no objection. In the event of permission being granted a condition and informative have been recommended.

Impact on Neighbouring Properties

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

Taking into consideration the reduction in height of the development from a two storey development (two applications refused in 2015) to single storey the proposed loss of outlook and privacy concerns raised previously in connection to the first floor bedroom windows are not considered to be relevant anymore. However, the height at 4.4m will be visible from neighbouring gardens; namely No.28, 29 & 30 Green Lane.

There is still a concern that the additional bulk, scale and mass of the structure will lead to a loss of outlook and visual amenities of neighbouring properties, however, Members may decide that sufficient gap between the structure and rear gardens of neighbours garden may be sufficient to overcome the previous grounds of refusal.

The single storey design is considered to reduce the impact to immediate neighbours and the quality of materials may seek to soften the impact of the development in this location.

CIL

The Mayor of London's CIL is a material consideration. CIL would be payable on this proposal

Background papers referred to during production of this report comprise all correspondence on the file ref(s) 19/01513/FULL1 and any other applications on the site set out in the Planning History section above, excluding exempt information.

RECOMMENDATION: PERMISSION

Subject to the following conditions:

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

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

- 2 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 interests of visual and residential amenity.

- 4 (a) Details of arrangements for 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 6.9 of the London Plan and in order to provide adequate bicycle parking facilities at the site in the interest of reducing reliance on private car transport.

- 5** Prior to the commencement of the development hereby approved (including demolition and all preparatory work), tree protection measures shall be installed in accordance with the approved Tree Protection Plan (AITPP-01). 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.

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.

- 6** (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

You are further informed that :

- 7** You should consult the Street Naming and Numbering Section at the Civic Centre on 020 8313 4742 or e-mail: address.management@bromley.gov.uk

regarding Street Naming and Numbering. Fees and application forms are available on the Council's website at www.bromley.gov.uk

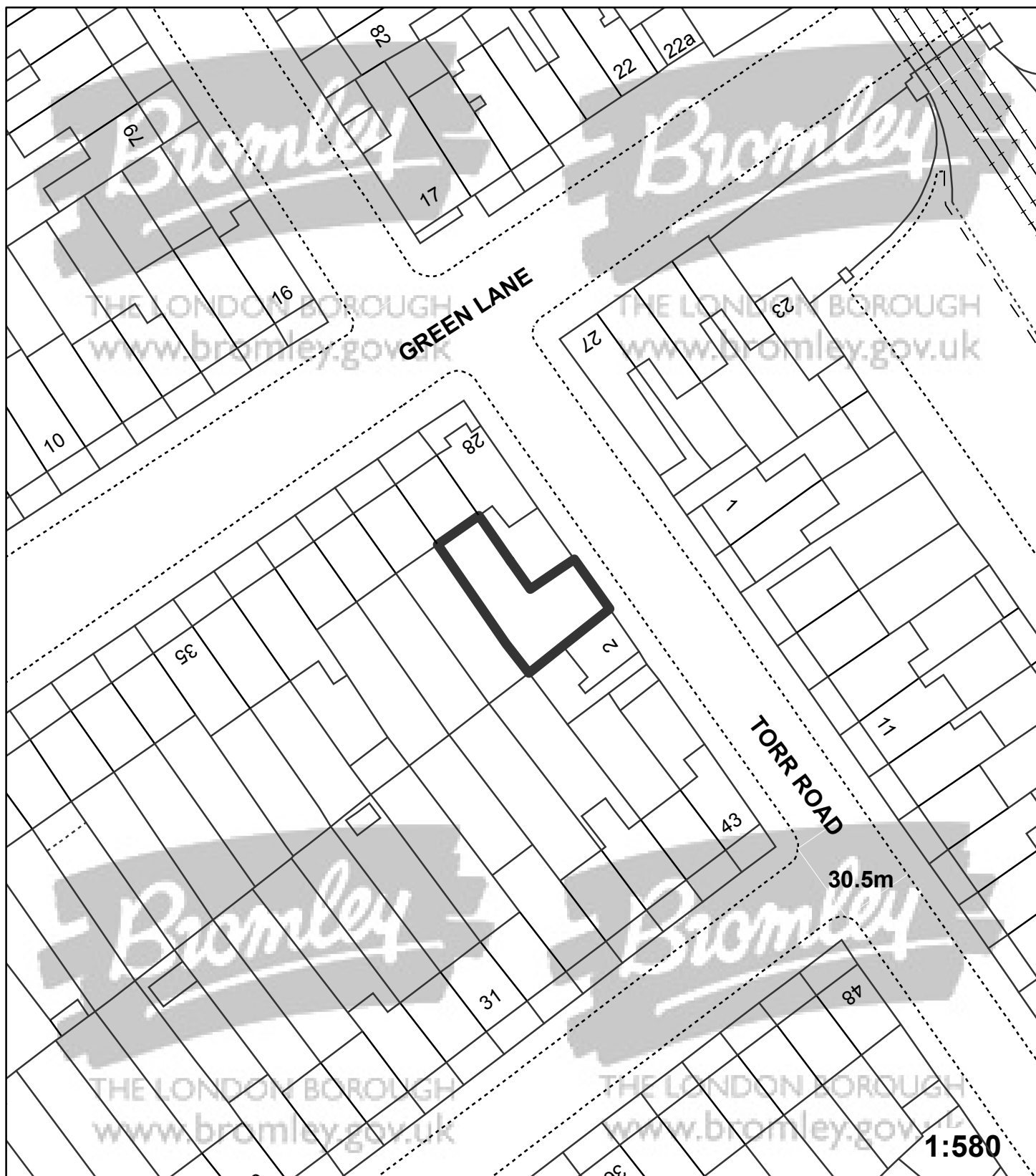
- 8** Before works commence, the Applicant is advised to contact the Pollution Team of Environmental Health & Trading Standards regarding compliance with the Control of Pollution Act 1974 and/or the Environmental Protection Act 1990. The Applicant should also ensure compliance with the Control of Pollution and Noise from Demolition and Construction Sites Code of Practice 2017 which is available on the Bromley web site.
- 9** Prior to commencing the development hereby approved, the applicant should consider the potential impact on the structural stability of any trees in neighbouring properties. Whilst a right exists under common law for A to cut back any parts of neighbour B's trees to the boundary line, A also has a duty of care to B and should therefore not undertake works that could make a tree unstable or raise the risk of it failing. Therefore, it is prudent to discuss works the tree owner and seek professional arboricultural advice.
- 10** 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

This page is left intentionally blank

Application:19/01513/FULL1

Address: Land Adjacent 2 Torr Road Penge London

Proposal: Creation of a studio flat



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

This page is left intentionally blank

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

Application No : 19/00525/FULL6

Ward:
Bickley

Address : Suttoncroft Bickley Park Road Bickley
Bromley BR1 2AY

Objections: Yes

OS Grid Ref: E: 543165 N: 169150

Applicant : Mr Michael Conner

Description of Development:

Part one/two storey side extension to include roof alterations to each flank elevation.

Key designations:

Biggin Hill Safeguarding Area
London City Airport Safeguarding
Open Space Deficiency
Smoke Control SCA 10
Smoke Control SCA 13
Smoke Control SCA 12

Proposal

The application seeks consent for the construction of part one/two storey side/rear extensions.

Location and Key Constraints

The application property is a two storey detached residential dwelling, which is located on the south east side of Bickley Park Road. It incorporates a pitched roof with Tudor detailing on the upper level. The property benefits from a garage to the side and a generous rear garden. Off -street parking is available on the frontage.

Summary Comments from Local Residents and Groups

The following neighbouring representations have been received in objection to the development:

- The proposal suggests the end wall will be built up to the boundary but a 1m gap should be left for maintenance.
- Need assurance that dismantling of existing structure and building will be done within applicant's land and will pose not risk to neighbouring garden or children.

- Concerns about damage to neighbouring property and garden. Should be reinstated to a good standard.
- If existing boundary wall is removed then it should be reinstated and is of an equal structure and finish.
- Want assurances there will be no loss of light
- Overlooking
- Arrangements for access on neighbouring land
- Liability for damage or expense lies with the applicant.

Planning History

The most recent planning history at the site is summarised as follows:

99/03157/FULL1 Part one/two storey side and rear extension, detached double garage and front boundary wall and gates. Permission 30.03.2000

00/00026/FULL1 - Detached five bedroom house and detached triple garage land rear of Sutton Croft. Permission

01/02834/FULL1 - Detached five bedroom house and detached triple garage with storeroom - Land rear of Suttoncroft. Permission

03/02049/FULL1 - Detached five bedroom house with basement accommodation and detached triple garage with storeroom. Permission

04/03726/RENEW Part one/two storey side and rear extension, detached double garage and front boundary wall and gates (renewal of permission ref. 99/03157). Permission

11/03382/FULL6 -Part one/two storey side extension to include roof alterations to each flank elevation. Permission

Policy Context

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

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

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

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

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

- The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- The degree of consistency of the relevant policies in the emerging plan to the policies.

The Bromley Local Plan was adopted in January 2019.

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

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

London Plan Policies

Policy 7.4 Local character
Policy 7.6 Architecture

Bromley Local Plan

Policy 6 Residential Extensions
Policy 8 Side Space
Policy 37 General Design of Development
Policy 123 Sustainable Design and Construction

Supplementary Planning Guidance

Bromley's SPG No.1 - General Design Principles
Bromley's SPG No.2 - Residential Design Guidance

Considerations

The main issues to be considered in respect of this proposal 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. 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.

Policies 6 & 37 of the BLP and the Council's Supplementary design guidance seek to ensure that new development, including residential extensions are of a high quality design that respects the scale and appearance of host dwelling, neighbouring development and surrounding areas.

The principle of side extensions has already been established as planning permission was granted under ref: 11/03382/FULL6, but that permission has subsequently lapsed. The current proposal is a resubmission of that permission and is virtually identical, however it is noted that the current scheme has been made marginally narrower on the south western flank.

As with the lapsed permission the proposed extensions to the north eastern side of the property occupy a similar footprint as the existing garage and the pitch roof would adjoin the main house. It is set down from the ridge and back from the frontage, thereby appearing subservient in form. The extension to the south western flank is more substantial but as with the previous case a side space of some 6m is left to the side of Campbell House and the access between services a new dwelling to the south. The land to the south west is also at a substantially higher level than the application site and therefore a portion of this southern flank wall would be obscured by the higher ground level. The design of this element also retains a similar pitched roof and is again set back from the front and down from the ridge, being subservient in appearance.

The proposal would include deep rear projections; however the northern addition has a similar form and mass to the existing garage structure, albeit the pitch of the main roof where it adjoins would be marginally bulkier. The extension to the south western flank would have a similar depth to the northern addition. They are however set substantially down from the main ridge, appearing single storey in height. They are sufficiently subservient and would not be out of proportion or scale with the host building or site in general.

The extensions would utilise similar matching materials and detailing. They extensions are considered to generally be sympathetic alterations which would complement the character and appearance of the existing property. There would be minimal harm to the appearance of the locality and given the detached nature of the property and arrangement of adjoining properties it would not result in harm to the spatial qualities of the area. Additionally, significant weight is attached to the fact that the principle of virtually identical extensions has already been established by the 2011 permission. Therefore the extensions are considered to be acceptable in design terms.

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.

The application property backs onto the rear of 2a-2e Coates Hill Road. These properties have relatively shallow gardens and are on a lower level. They are also located to the north east. However, as noted above there is already a garage structure located to the north of the property and this pitched roof structure abuts the common boundary with 2c-2d/e. The proposed extension to the north of the dwelling would have a similar footprint to this existing structure. It would also be slightly deeper to the front and the roof would now adjoin the main dwelling, thereby being marginally bulkier and closer to the shared boundary, however the higher roof element would not project beyond the front/rear of the main building line. The lower portion of the pitched roof would be of a similar size and form to the existing garage. Therefore it is not considered it would visually intrusive or overbearing and given the similarities to the existing arrangement and placement of the buildings it is not considered there would be a material loss of light or overshadowing.

To the south west is Campbell House. As noted above this property and land along this side of the host dwelling is at a higher ground level. Whilst the addition would extend to bulk towards this neighbour and it does also extend quite substantially in to the rear garden there is an adequate degree of separation and the changes in ground level also will mitigate any detrimental visual impact. No loss of light or overshadowing is anticipated due to the orientation of the site.

Additionally no windows are proposed within the flank elevations and as such no material loss of privacy or overlooking would occur. There is already an established degree of overlooking towards the front and rear of the site and the additional windows in these elevations would not result in a loss of privacy which is materially worse than the current arrangement.

Given the design of the extension and layout of the plot it is considered the impact on neighbouring amenities is acceptable.

Other Matters

Comments have been made in respect of access of neighbouring land, reinstatement of walls, safety during construction and damage to neighbouring gardens. The proposed extensions are shown to be set away from the boundary and that there would be no encroachment from the development. The boundary issue and reinstatement is a civil matter between interested parties. The remaining areas of concern are also civil matters and fall beyond the scope of this assessment.

CIL

The Mayor of London's CIL is a material consideration. CIL is likely to be payable on this application.

Conclusion

Having had regard to the above it is considered that the development in the manner proposed is acceptable and has satisfactorily address previous objections.

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:19/00525/FULL6

Address: Suttoncroft Bickley Park Road Bickley Bromley BR1 2AY

Proposal: Part one/two storey side extension to include roof alterations to each flank elevation.



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

This page is left intentionally blank

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

Application No : 17/02468/CONDT4

Ward:
Bickley

Address : St Hugh's Playing Fields Bickley Road
Bickley Bromley

Objections: Yes

OS Grid Ref: E: 541958 N: 169210

Applicant : Kier Construction (Southern)

Description of Development:

Details of conditions submitted in relation to planning permission ref: 17/02468/FULL1

Condition 7 - Hard and Soft Landscaping Scheme

Key designations:

Smoke Control SCA 10

Proposal

This is an application for the approval of landscaping details reserved by condition of planning permission 17/02468/FULL1 which was granted on appeal for the Proposed erection of a 6FE Secondary Boys School comprising a part 2 storey, part 3 storey school building of 8,443m² including a sports hall (also for wider community use) together with hard and soft landscaping, creation of a new vehicular access on Chislehurst Road, 69 parking spaces, drop off/pick up area and associated works. Erection of a temporary 2 storey classroom block on site for 12 months to accommodate 5 classrooms, a laboratory, offices and toilets (amended submission of application DC/16/03315/FULL1).

The application was received and validated on 10th April 2019.

Condition No. 7 (hard and soft landscaping) states:

No above ground works or landscaping work shall take place until a hard and soft landscaping scheme has been submitted to and approved in writing by the local planning authority. The scheme shall include materials to be used in hard surfacing, means of enclosure including the entrance gates and barrier, street furniture and bollards and a specification of plants, shrubs and trees. The scheme shall include a timetable for implementation and shall be carried out as approved. If, within a period of 5 years from the date of planting the plant, shrub or tree (or any replacement for it) is removed, uprooted, destroyed or dies or becomes seriously damaged or defective, another plant, shrub or tree of the same size and species as that originally planted shall be planted at the same place within the first

planting season thereafter unless the local planning authority gives its written consent to any variation.

The application is supported by the following documents and drawings:

- Application form
- Covering letter dated 8th April 2019
- Drawing 3817_LLB_ZZ_ZZ_DR_L_0001_P01: Landscape GA Site Wide
- Drawing 3817_LLB_ZZ_E1_DR_L_0001_C01: Detailed Landscape GA
- Drawing 3817_LLB_ZZ_E2_DR_L_0001_C01: Detailed Landscape GA
- Drawing 3817_LLB_ZZ_E3_DR_L_0001_C01: Detailed Landscape GA
- Drawing 3817_LLB_ZZ_E4_DR_L_0001_C01: Detailed Landscape GA
- Drawing 3817_LLB_ZZ_ZZ_DR_L_0002_C02: Planting Plan Site Wide
- 3817_LLB_SP_L_0001: Hardworks Specifications C2 (30/01/19)
- 3817_LLB_SP_L_0002: Softworks Specifications C2 (01/02/19)
- Drawing 0939_P_Bullers Wood: Topographical and underground utility mapping survey
- Email dated 12th June 2019
- Email dated 28th June 2019

Location and Key Constraints

The site is situated off Bickley Road in Bickley, Bromley. The site is designated as Urban Open Space and currently forms the playing fields and partial sports provision for Bullers Wood Girls School to the north east of the site. The boundary of the adjacent Conservation Area extends along Pines Road.

The site forms a triangular parcel of land with Bickley Road, Chislehurst Road and Pines Road bordering the site. To the western boundary of the site is a commercial car dealership garage (BMW). To the south eastern corner are a number of large detached dwellings and their respective garden areas which back onto the site.

The site is largely grassed or tree covered and all the trees on the site are covered by a Tree Preservation Order. The boundaries to the site are largely comprised of trees and hedgerow.

Existing vehicular access to the site is from Bickley Road and is formed of an old red brick wall with entrance gates and an original tree lined hard surfaced drive to central hard surfaced areas and an existing track through the trees. There is currently pedestrian access (used by the Girls School) from Pines Road.

The site is surrounded by residential properties to most boundaries and is in a predominantly residential area characterised by large detached and semi-detached dwellings.

Consultations

Comments from local residents (summary):

- new vehicle and pedestrian entrances on Chislehurst Road adjacent to the new school building, top playground and visitor car park will have a significant negative impact on residential amenity of neighbours living opposite
- It is important that adequate screening is provided along the Chislehurst Road frontage to limit the impact of the new school development as much as possible
- proposals will result in a significant reduction in the screening compared to what is currently provided by the existing boundary vegetation
- additional new planting should be required along the boundary to improve the existing screening given the close proximity of the new development to the road and properties opposite
- there is no extra new planting proposed between the vehicle and pedestrian entrances themselves
- The Planting Plan Site Wide shows that the proposed hedge consisting of *Carpinus Betulus* is not an evergreen tree and will not, on its own, provide adequate all-year round screening
- further new planting is required in front/behind this hedge, using trees/shrubs that will together provide proper all-year round screening
- request additional planting in the area between the new vehicle and pedestrian entrances
- The new black wire fence between the vehicle and pedestrian entrances to be brought forward to the line of the visibility splay
- With the fence moved forward, this will allow proper new planting to cover the area behind the fence and back to the delivery bay.

Comments from Consultees

Tree Officer

The loss of trees is not clearly identified on the plans illustration and will actually involve a loss of some established screening. As individuals there is little amenity value and on this basis they do not present a constraint to the visibility splays. However, the new planting shown on the landscape plan for this aspect of the site would not satisfactorily mitigate the additional losses. An opportunity therefore arises to implement buffering on the northern boundary of the site.

Specimen trees are not going to be appropriate for this location and in view of the future use of the area. It would therefore be necessary to select hedgerow species. A mix of native species including hornbeam and beech would ensure a degree of screening is retained year round.

Hornbeam (*Carpinus betulus*) as boundary hedging is a suitable species for the site boundaries and would be fitting in the context of the site. The hedging on the southern boundary already gives a picture of what long term hedge management

looks like at the site and we would not want to encourage the wrong choice of boundary treatment that may lead to future conflict or over dominance.

The applicant subsequently submitted further information which confirmed that the area to the west of the existing access is already heavily vegetated and the area to the east behind the existing boundary screening is running track and a playing field. As such it would not be possible to provide additional planting in these areas. The Tree Officer has agreed that on that basis, there is no further room for mitigation planting.

The applicant has also amended the proposed hedgerow species in response to comments received from neighbouring residents. While the Tree Officer had no objection to the initial hedging and considers that the change of species has led to a less desirable hedge composition, if this is what is required to address screening objections, then they would not oppose the proposals.

Highways:

The internal roads are as per the agreed plans so I would have no comments. The vehicular junctions will be subject to the s278 agreement so there may be adjustments but they are likely to be very minor tweaks.

The sightline at the new Chislehurst Road access must be kept clear so there should be a regime of cutting back / trimming the vegetation to achieve this. There is a note on the planting plan that pruning must take place to keep the sightline onto Chislehurst Road clear.

Furthermore, the pedestrian gate onto Bickley Road is now shown opening inwards which is acceptable.

No objections to the condition being discharged.

Drainage

The submitted information including "External Works Construction Details" Plan DRW No. 08473-EAL-00-XX-DR-C-0003 Rev C dated 07/07/2017 to incorporate permeable paving to store surface water run-off is acceptable. Recommend the discharge of condition 7.

Policy Context

Section 38(6) of the Planning and Compulsory Purchase Act (2004) requires that the determination of these applications must be made in accordance with the 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 (2016). The Draft new London Plan was published by the Mayor for consultation in December 2017. The consultation period ended on Friday 2 March.

The examination of the draft new plan in public opened on Tuesday 15 January 2019. The weight attached to the draft policies increases as the preparation of the new London Plan process advances.

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.

The NPPG states that Development that is ready to proceed should not be held back by delays in discharging planning conditions. In most cases where the approval is straightforward it is expected that the local planning authority should respond to requests to discharge conditions without delay, and in any event within 21 days, unless a longer period has been agreed in writing between the applicant and the local planning authority.

The relevant policies are:

London Plan (2016)

- 2.18 Green Infrastructure: the multi-functional network of green and open spaces
- 3.18 Education Facilities
- 3.19 Sports Facilities
- 5.3 Sustainable Design and Construction
- 5.11 Green Roofs and Development Site Environs
- 5.13 Sustainable Drainage
- 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
- 7.19 Biodiversity and Access to Nature
- 7.21 Trees and woodlands

Bromley Local Plan (2019)

- 27 Education
- 28 Educational Facilities
- 32 Road Safety
- 33 Access for All
- 37 General Design of Development
- 40 Other non-designated heritage assets
- 42 Development adjacent to a Conservation Area
- 55 Urban Open Space
- 69 Development and Nature Conservation Sites
- 70 Wildlife Features
- 72 Protected Species
- 73 Development and Trees
- 78 Green Corridors

79 Biodiveristy and Access to Nature
115 Reducing Flood Risk
116 Sustainable Urban Drainage Systems
123 Sustainable Design and Construction

Supplementary Planning Guidance

London Plan:

Accessible London: Achieving an Inclusive Environment (2014)
Sustainable Design and Construction (2014)

Bromley:

SPG1 - General Design Principles

Relevant Planning History

16/03315/FULL1: Proposed erection of a 6FE Secondary Boys School comprising a part 2 storey, part 3 storey school building of 8,443m² including a sports hall (also for wider community use) together with hard and soft landscaping, creation of a new vehicular access on Chislehurst Road, 68 parking spaces, drop off/pick up area and associated works. Erection of a temporary 2 storey classroom block on site for 12 months to accommodate 5 classrooms, a laboratory, offices and toilets -

Refused and dismissed at appeal on 11th December 2017, the main issue being the effect of the proposal on highway safety in the surrounding area.

17/02468/FULL1: Proposed erection of a 6FE Secondary Boys School comprising a part 2 storey, part 3 storey school building of 8,443m² including a sports hall (also for wider community use) together with hard and soft landscaping, creation of a new vehicular access on Chislehurst Road, 69 parking spaces, drop off/pick up area and associated works. Erection of a temporary 2 storey classroom block on site for 12 months to accommodate 5 classrooms, a laboratory, offices and toilets (amended submission of application DC/16/03315/FULL1) -

Refused and Allowed at Appeal on 19th December 2018.

19/00370/FULL1: Stationing and temporary use of a modular building for educational purposes for a one-year period with associated access and parking -

Permitted on 1st May 2019.

Considerations

The main issues to be considered in respect of this application are the impact on the character and appearance of the area, the impact on highways safety, the impact on trees and ecology and the acceptability from a drainage perspective.

In her Appeal decision, the Planning Inspector specifically commented on the landscaping for the scheme having particular regard to the impact the development would have on the Chislehurst Road frontage:

Para 43: Whilst a landscape masterplan has been submitted further details are necessary of the new trees, hedgerows and shrub planting proposed. This should particularly provide for new landscaping along the Chislehurst Road frontage and behind sight lines to replace trees and vegetation removed for the highway works and infrastructure.

The construction of the proposed vehicle and pedestrian accesses for the new school, along with the required visibility splays would involve the loss of some established screening along the Chislehurst Road boundary. The Tree Officer has not objected to the loss of the individual trees which hold little amenity value.

In response to Tree Officer's and neighbouring residents concerns that the proposed screening would not mitigate the losses, the applicant amended the scheme to provide additional mixed native hedge planting to the rear of the new sections of boundary fence either side of the new vehicle access. The Tree Officer considered that the proposed hedge species: hornbeam (*Carpinus betulus*) was suitable for the site boundaries and would be fitting in the context of the site.

However, following ongoing concerns from local residents that the planting regime would not provide adequate screening of the development from the houses opposite on Chislehurst Road, the applicant has revised the planting again to include evergreen species. While the Tree Officer is of the view that the change of species has led to a less desirable hedge composition, it is considered the revised proposals would provide better screening of the site all year round and is more in line with the landscaping which was indicated at application stage.

While local resident's request for the 1.8m high wire mesh fence to be moved forward in line with sight lines, and additional planting introduced to the area behind is noted, this would make the fence appear more prominent in the street scene, whereas in the current proposals, the view of the area to the left hand side of the vehicle access (when viewed from Chislehurst Road) would be one of trees and planting. Furthermore, directly behind the proposed fence is a retained tree and there is very little scope for increasing planting density in this area.

With regard to other additional 'buffer' planting behind the existing line of vegetation to the east of the proposed access on Chislehurst Road, the applicant has advised that this would not be possible as it would directly impact upon the usability and size of the playing field. This is accepted. Furthermore, to the west of the proposed access, the site is already densely planted along the boundary and will be retained as such.

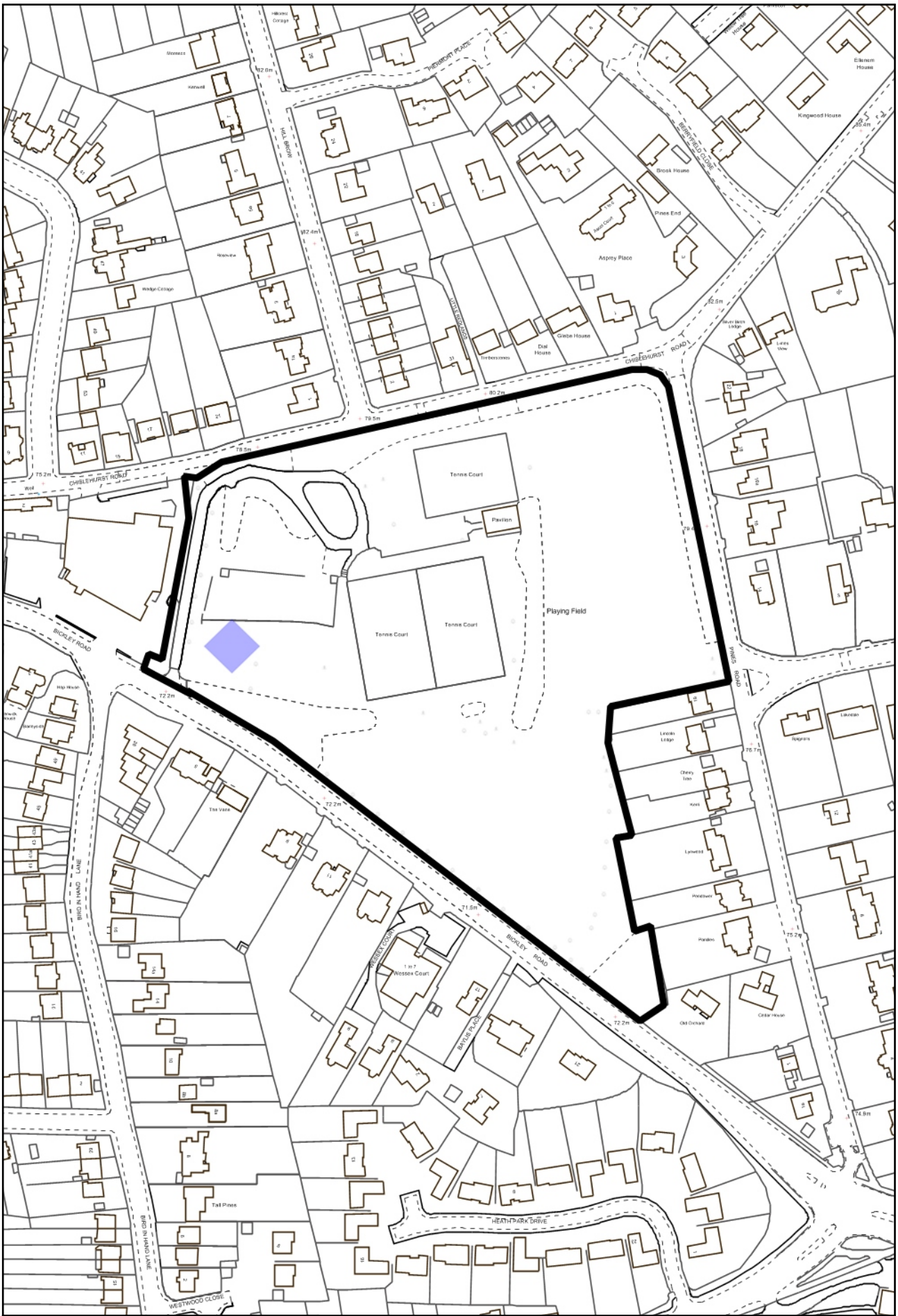
Overall it is considered that the proposed hard and soft landscaping scheme would provide an attractive setting for the development and sufficient measures will be put in place for new and replacement planting along the Chislehurst Road frontage. Furthermore, the proposed planting to the east of the Chislehurst Road access also comprises native species including pedunculate oak, field maple (*Acer campestre*), hawthorn (*Crataegus monogyna*) and beech which were all highlighted as species beneficial for wildlife within the Ecological Assessment which was approved at application stage.

The proposal to incorporate permeable paving to store surface water run-off is also acceptable.



The applicant states that all external planting will be completed no later than the first planting season prior to the end of practical completion.

RECOMMENDATION: APPROVE

- 1 **The details are acceptable to approve the condition. The scheme shall be carried out as approved. If, within a period of 5 years from the date of planting the plant, shrub or tree (or any replacement for it) is removed, uprooted, destroyed or dies or becomes seriously damaged or defective, another plant, shrub or tree of the same size and species as that originally planted shall be planted at the same place within the first planting season thereafter unless the local planning authority gives its written consent to any variation.**

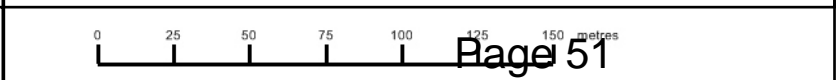


© Crown copyright and database rights 2015.
Ordnance Survey 100017661.


17/02468/CONDT4 - St Hugh's
Playing Fields, Bickley Road, Bickley


Tuesday, July 23,
2019

1:2500



This page is left intentionally blank

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

Application No : 19/01992/FULL6

Ward:
West Wickham

Address : 13 Hayes Chase West Wickham BR4
0HU

Objections: No

OS Grid Ref: E: 539262 N: 167601

Applicant : Mr George Bryan

Description of Development:

Part one /two storey side and rear extension with roof alterations incorporating half hip to gable, rear dormer with roof-lights. (RETROSPECTIVE)

Key designations:

Biggin Hill Safeguarding Area
London City Airport Safeguarding
Smoke Control SCA 2

Proposal

Planning permission is sought for a part one /two storey side and rear extension with roof alterations incorporating half hip to gable, rear dormer with roof-lights. It is noted that works are well underway and this is a retrospective application.

This application seeks amendments to the approved scheme. The first floor set back is now 4 metres instead of the previously approved 6 metres.

It is noted that this proposal is also for a reduction in the shape of the roof from the recently refused scheme. This application indicates an obscure glazed window to bedroom 4 adjacent to No 15 Hayes Chase. This window is already in situ.

Location and Key Constraints

The application site comprises a two storey detached dwelling with a detached garage positioned to the rear/side of the host dwelling adjacent to the boundary with No 11. The site lies on the south-eastern side of Hayes Chase and benefits from off-street parking and a large rear garden.

The properties along Hayes Chase share a regularity and consistency of appearance with a reasonably spacious character enhanced by the spacious front gardens of well set back properties. There are some examples within area where the similar side/rear extensions have been implemented (Nos 3, 8, 11, 15 20, 24, 38).

Comments from Local Residents and Groups

Nearby owners/occupiers were notified of the application and representations and no comments 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 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 (January 2019), the London Plan (March 2016). The NPPF does not change the legal status of the development plan. The National Planning Policy Framework was published on 24th July 2018 and updated on 19th February 2019.

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
37 General Design of Development

Supplementary Planning Guidance

SPG1 - General Design Principles

Planning History

Planning permission was granted for Part one/two storey side and rear extension with roof alterations under 18/03178 at Plans Sub Committee held on the 31st January 2019.

Planning permission was refused Part one /two storey side and rear extension with roof alterations incorporating half hip to gable, rear dormer with a Juliette balcony and roof-lights. 19/00761/FULL6 at Plans Sub Committee held 25th April 2019.

This was refused for the following reasons:

01: The proposal, by virtue of its bulk and design would result in a discordant alteration, harmful to the character and appearance of the host building which would not respect or complement the character and appearance of the street scene generally, contrary to 6 and 37 of the Bromley Local Plan.

02: The proposed development by reason of the flank first floor habitable room window and its proximity to the neighbouring property No.15 would result in a form of development which would not provide satisfactory amenities for that adjoining property, due to the loss of privacy that could arise. The proposal is therefore contrary Policies 6 and 37 of the Bromley Local Plan (BLP).

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

Hayes Chase is characterised by detached dwellings sited in reasonably wide plots. Many houses have been extended to the side to replace the former detached garages and some have been the subject of first floor extensions. In general, the impression of spaciousness in the immediate locality has been protected by the retention of gaps at first floor level which afford views between the dwellings.

The first floor side extension would lie above a ground floor element adjacent to the boundary below set back from the main front elevation by 4m as such the space at first floor level would remain and due to the design of the extension to include a subservient pitched roof this element would be almost invisible from the street view. Therefore it is not considered that this would have a detrimental impact on the visual amenity of the street scene. Policy 8 refers to the desirability of retaining space about buildings to safeguard the amenity of neighbouring residents, to prevent a cramped appearance and to avoid unrelated terracing. The proposed side element of the extension would be consistent with the other extensions to which the planning permissions have been granted. What is more, both neighbouring properties are benefiting from the similar site/rear extensions (No15, reference number 00/00057/FULL1 and No11, reference number 06/03408/FULL6).

The roof shape whilst larger than the approved scheme, has been reduced from the refused scheme and is now much improved in terms of design and impact and is acceptable in this location.

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

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.

Having regard to the scale, siting, orientation and 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.

Subject to the imposition condition regarding the use and retention of obscure glazing to the first floor flank windows it is not considered that an unacceptable loss of privacy to neighbouring dwellings would arise.

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.

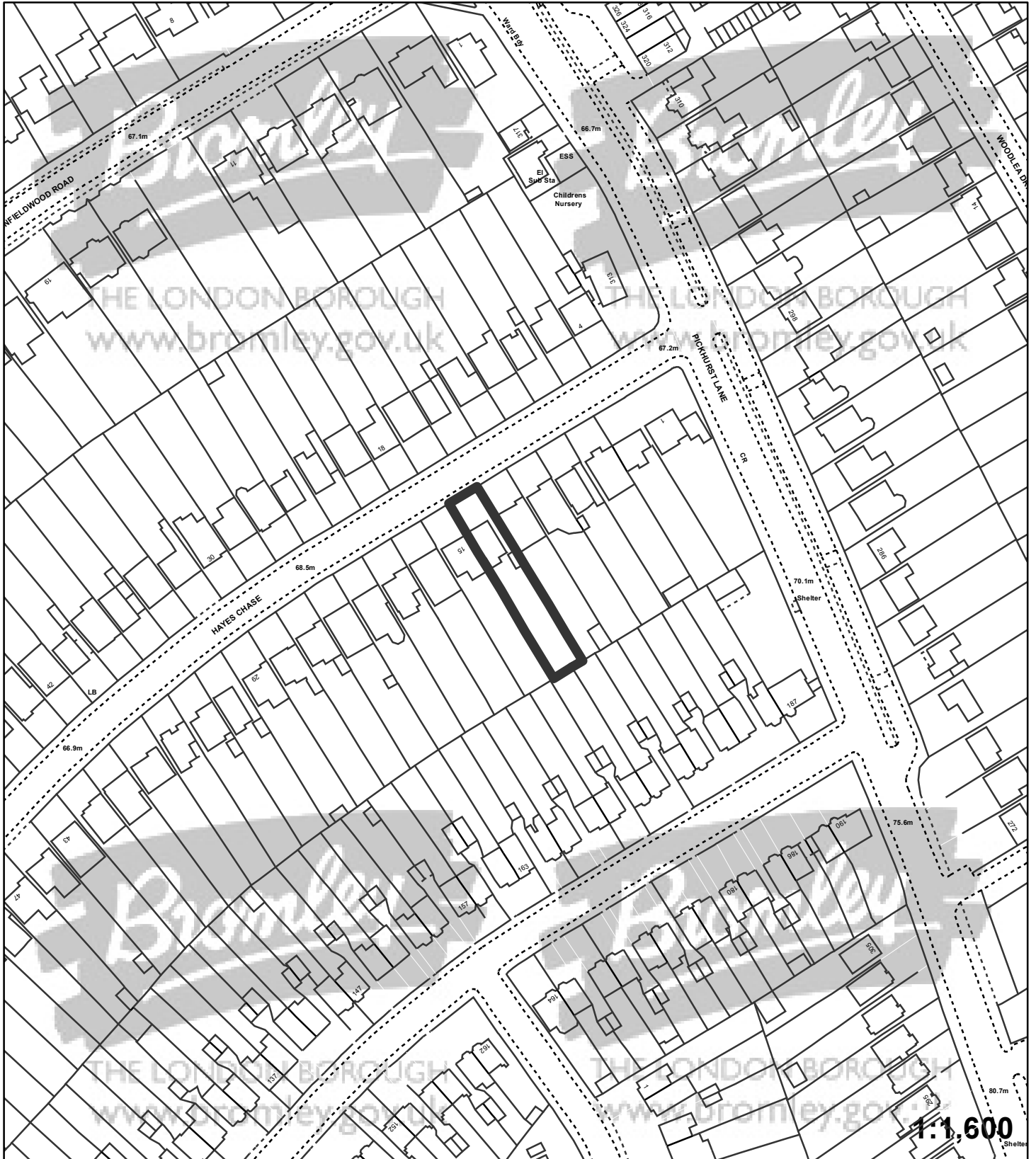
Reason: In order to comply with Policy 37 of the Bromley Local Plan and in the interest of the visual and residential amenities of the area.

This page is left intentionally blank

Application:19/01992/FULL6

Address: 13 Hayes Chase West Wickham BR4 0HU

Proposal: Part one /two storey side and rear extension with roof alterations incorporating half hip to gable, rear dormer with roof-lights.
(RETROSPECTIVE)



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

This page is left intentionally blank

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

Application No : 19/01998/FULL6

Ward:
Bromley Town

Address : 103 Murray Avenue Bromley BR1 3DS

Objections: Yes

OS Grid Ref: E: 540841 N: 169261

Applicant : Mr Hassan Hassan

Description of Development:

Part one and part two storey side extension over existing garage with three rooflights in rear roof pitch and one rooflight in side roof pitch.

Key designations:

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

Proposal

The application seeks planning permission for a part one and part two storey side extension over existing garage with three rooflights in rear roof pitch and one rooflight in side roof pitch.

The proposed side extension would extend to the southern side of the dwelling. It would involve additional first floor accommodation over the existing garage resulting in an enlargement and alteration to the existing cat slide which slopes down to the southern side of the dwelling. The height of the eaves is shown to be increased from 2.3m to 3.9m (an increase of 1.3m) and a new window at first floor within the front elevation of the extension is also proposed. The rear of the existing garage is also shown to be reduced in length by 0.5m and the garage space converted into habitable accommodation. To the rear of this existing garage, the proposed extension would extend at two storeys for a width of 1.7m and length of 7.5m to align with the main rear elevation of the existing dwelling. The flank wall of this part of the proposed extension would be located 1m from the southern side boundary. It would have a hipped roof sloping to the side and rear to match that of the existing dwelling; however, the eaves height is shown to be lower to the rear (a height of 3.9m from ground level to align with the eaves height of the proposed first floor extension above the existing garage).

The proposed extension would include two windows within the southern flank elevation (one at ground floor and one at first floor which is shown to be obscure glazed), a set of bi-folds at ground floor to the rear which would extend across part

of the rear of the existing dwelling, one rooflight within the side roof slope of the proposed extension, and three rooflights within the rear roofslope of the existing dwelling.

The submitted drawings indicate that the proposed extension would be finished with render walls, a tiled roof and black windows and doors to match the existing dwelling.

Additional information including a revised drawing (Drawing No. 136.200.116) and supporting statement were submitted by the applicant on 19.06.19 in relation to concerns regarding loss of daylight, sunlight and overshadowing and Rights to Light raised by the neighbouring occupier.

Location and Key Constraints

The application site hosts a two storey semi-detached dwellinghouse located on the western side of Murray Avenue, Bromley. This section of Murray Avenue comprises pairs of two storey semi-detached dwellinghouses of a similar size with variations in design.

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

- Loss of light
- Overshadowing
- The proposed extension will cause the light of sky to the bathroom and circulation areas of hall and stairwell to be reduced and constitutes an obstruction
- Right to light of over 35 years
- The design and access statement is contradictory
- Unlike most properties in Murray Avenue who have their own side passageways, the pathway between 101 and 103 is shared and so the two houses are very close together; the space between many properties is 2.5m but the passageway between 101 and 103 is 1.2m wide
- Light to the passageway will be darker
- The passageway will be the only source of entry if any works commence which will result in a loss of its use for an undetermined amount of time and will be a health and safety concern/issue
- The proportion and balance of the proposed extension will not be in keeping with the adjoining semi-detached property at 105

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
- 37 General Design of Development

Supplementary Planning Guidance

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

Planning History

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

Considerations

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

- Design and Scale
- Neighbouring amenity
- CIL

Design and Scale

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.

Policies 6 and 37 of the Bromley Local Plan 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. These policies are supported by Policies 7.4 and 7.6 of the London Plan.

The application property is one half of a pair of semi-detached dwellings, both of which benefit from side cat slide roofs with eaves heights at a single storey level. As such any extension to the side would to some extent unbalance the symmetry within the streetscene. However, it is noted that there is evidence of similar two storey side extensions within the area. Furthermore, whilst the height of the eaves would be increased by 1.6m, it would still remain lower than that of the eaves to the front of the main roof of the application dwelling and the neighbouring dwelling at No. 101, which would also allow the roof design to retain the same angle as the existing roof. The overall increase in width of the property when viewed from the streetscene as a result of the extension would therefore be modest and a degree of symmetry with the adjoining semi would be maintained. Accordingly, the impact of the extension on the character and appearance of the pair of semis within the streetscene is considered acceptable.

The proposed first floor element of the extension above the existing garage would abut the side boundary, with the two storey part of the extension behind being set a minimum of 1m from the boundary. Policy 8 of the Bromley Local Plan relates to Side Space and states that for applications for new residential development, including extensions, the Council will normally require a minimum 1 metre space from the side boundary of the site to the flank wall for the full height and length of the building. Supporting paragraph 2.1.68 further states that the Council considers that the retention of space around residential buildings at first floor and above 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 levels of visual amenity which characterise many of the Borough's residential areas.

The existing garage wall at the application property abuts the side boundary; however, there is a communal access between the application dwelling and neighbouring property at No. 101 of 1.2m in width which separates the flank walls of both dwellings. Furthermore, although the proposed extension would result in an increase in the height of the flank wall of the dwelling abutting this boundary, its increase in height would be only 1.6m with low level eaves height and sloping roof maintained. As such, given the size and design of the proposed extension and the presence of the 1.2m wide communal access, the overall reduction in space

between properties from viewed from the streetscene is considered to be minimal and would not result in a cramped appearance or unrelated terracing.

The two storey element of the extension would be set away from the boundary and its overall design would be in keeping with the scale and form of the existing dwelling. The materials for the proposed extension and the size of the proposed windows/doors would also match the existing dwelling.

Having regard to the above, it is considered that, on balance, the proposed extension would respect the scale and form of the host property and would not appear out of character with surrounding development or the area generally.

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 proposed extension would project to the southern side of the dwelling and as such the impact of the proposal on the amenities of the neighbour to the south at No. 101 fall to be carefully considered.

Concerns have been raised by the occupier of the neighbouring property at No. 101 with regards to loss of light and overshadowing to the flank windows which face the application site and the communal passageway which runs between the dwellings. The Local Planning Authority is required to consider the residential amenities of the neighbouring dwellings which include loss of daylight, sunlight and overshadowing. However, the legal aspects of Right to light would be a private matter which is not a material planning consideration.

The proposed extension would be located between 1.2m and 2.2m from the flank wall of this neighbouring dwelling (No. 101). It is noted that No. 101 benefits from two first floor flank windows which face the application site and as such the proposed extension would bring the application dwelling closer to these windows. However, they serve a stairway and bathroom, and as such do not serve habitable rooms. Furthermore, they are both obscure glazed. As such, the impact to light and outlook to these windows would be limited and is not considered to result in any significant loss of amenity to the occupiers of this neighbouring dwelling as to warrant a refusal of planning permission on this basis.

The proposed extension would project around 2.8m beyond the rear wall of this neighbouring dwelling. However, given the separation of 2.2m and the hipped roof design, as well as the orientation of the dwellings with No. 101 lying to the south of the application dwelling, there is not considered any undue loss of light or outlook to these rear facing windows.

Two flank windows and a rooflight within the side roof slope facing No. 101 are also proposed within the extension. The proposed ground floor window would face

a blank flank wall at ground floor at no. 101 and given that an existing ground floor window already exists in a similar location at the application dwelling there would not be any additional opportunities for overlooking or loss of privacy. The proposed first floor window would also be in a similar location to a first floor window within the existing dwelling. In addition, as it would serve a bathroom it is shown to be obscure glazed helping to reduce any impact on privacy. The proposed side rooflight would serve a stairway and could also be required to be obscure glazed and non-opening if less than 1.7m from internal room height to prevent any increased opportunities for overlooking and subsequent loss of privacy.

Having regard to the above, it is considered that no significant loss of amenity with particular regard to light, outlook, prospect and privacy would arise from the proposed development.

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, on balance, the development in the manner proposed is acceptable in that it would not result in a significant loss of amenity to local residents nor impact detrimentally on the character and appearance of the host dwelling or area in general. The application is therefore considered to accord with the overarching aims and objectives of Policies 6, 8 and 37 of the Bromley Local Plan and Policies 7.4 and 7.6 of the London Plan.

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 19.06.2019

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 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.

- 4 Before the development hereby permitted is first occupied the proposed window/rooflight within the southern flank roof slope; 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/rooflight shall subsequently be permanently retained as such.**

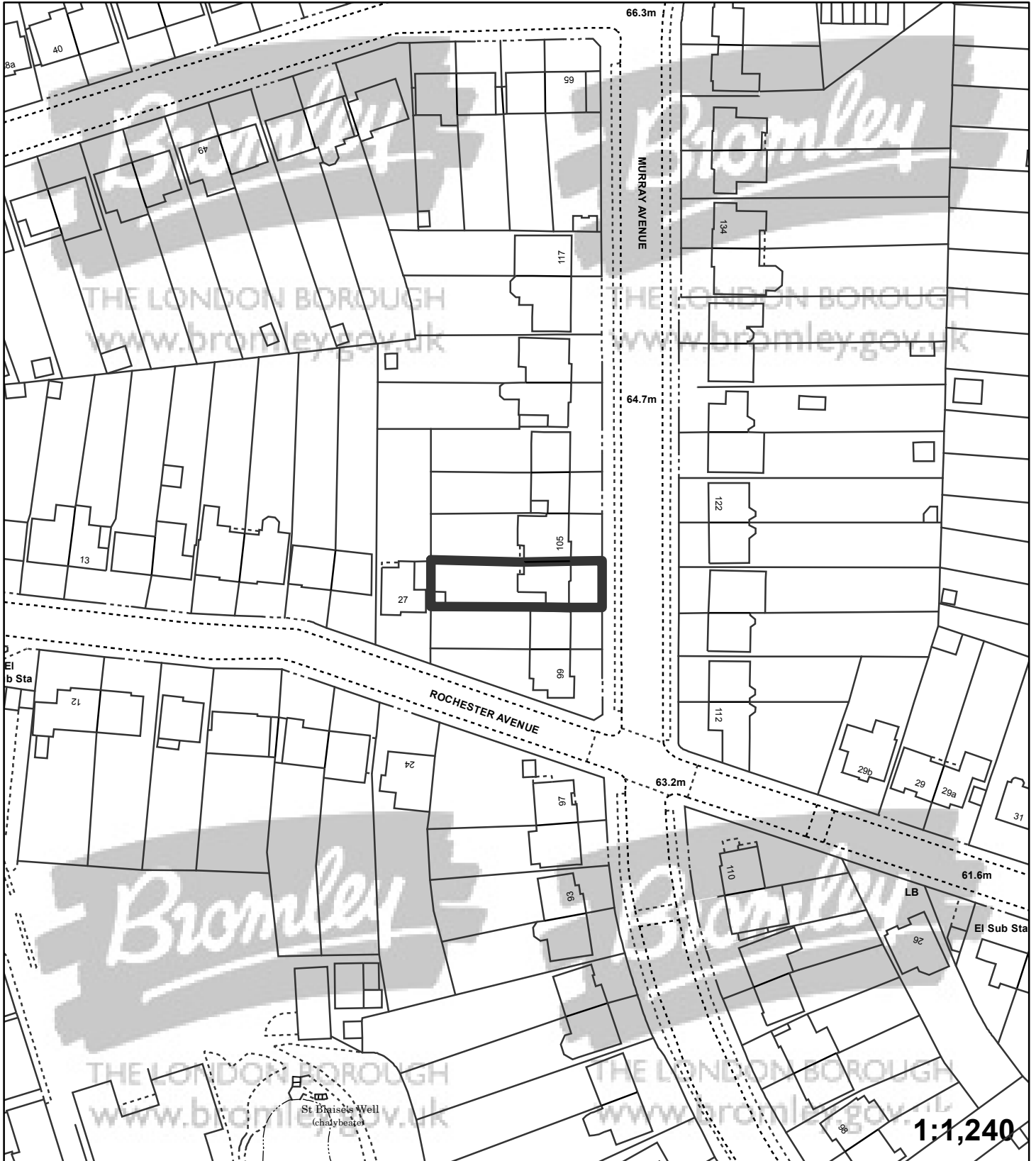
Reason: In the interests of protecting residential amenity in accordance with Policy 37 of the Bromley Local Plan.

This page is left intentionally blank

Application:19/01998/FULL6

Address: 103 Murray Avenue Bromley BR1 3DS

Proposal: Part one and part two storey side extension over existing garage with three rooflights in rear roof pitch and one rooflight in side roof pitch.



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

This page is left intentionally blank

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

Application No : 19/02201/FULL1

Ward:
Copers Cope

Address : 69 High Street Beckenham BR3 1AW

Objections: No

OS Grid Ref: E: 537446 N: 169489

Applicant : Autofuels Limited

Description of Development:

The installation of a replacement shopfront.

Key designations:

Conservation Area: Beckenham Town Centre
Areas of Archeological Significance
Biggin Hill Safeguarding Area
Local Cycle Network
Flood Zone 2
London City Airport Safeguarding
London Distributor Roads
Secondary Shopping Frontage
Smoke Control SCA 12

Proposal

The application seeks consent for the installation of a replacement shopfront. This application is submitted in response to dismissed appeal ref: APPG5180/C/18/3199021 following the issue of an Enforcement Notice. The enforcement notice concerned the authorised installation of the existing shopfront.

Location and Key Constraints

The application relates to a three-storey mid-terrace building, which is located on the east side of High Street Beckenham, close to a four way junction. The site includes commercial at ground floor level and is also located within the Beckenham Town Centre Conservation Area. The surrounding area is commercial and residential in character.

Comments from Local Residents and Groups

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

Comments from Consultees

Conservation Officer - The key elements that were missing from the refused scheme were the recessed central entrance and the stallriser. The inclusion of these elements is welcomed and the timber frame also appears more suitable than the frameless glass. On this basis the proposal is in accordance with Policies 41 and 101. The "as per approved plans" condition would suffice on this proposal

Highways - No objections

Policy Context

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

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

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

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

- The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- The degree of consistency of the relevant policies in the emerging plan to the policies.

The Bromley Local Plan was adopted in January 2019.

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

London Plan Policies

7.4 Local Character

7.6 Architecture

7.8 Heritage Assets and archaeology

Bromley Local Plan

Policy 37 General Design of Development

Policy 41 Conservation Areas

Policy 101 Shopfronts and Shutters

Planning History

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

Planning permission was refused under ref: 16/05804/FULL1 for the retention of replacement shopfront. This was then subsequently dismissed at appeal under ref: APP/G5180/Z/3175811 in September 2017.

Following this appeal decision the Council issued an enforcement notice requiring the removal of the unauthorised shopfront. An appeal against this notice was then submitted under ref: APP/G5180/C/18/3199021. On the 6th March 2019 the appellants appeal against the Notice was dismissed and the notice was upheld. The notice requires the removal of the unauthorised shopfront within 6 months from the date of the appeal decision which is the 6th September 2019.

Considerations

The main issue in this case relates to the impact of the replacement shopfront on the character and appearance of the host building and streetscene; whether or not it would preserve or enhance the character or appearance of the Conservation Area, and whether it satisfactorily addresses previous reasons for refusal and objections raised by the Inspector.

Policy 41 of the BLP relates to development within Conservation Areas. This requires new development, alterations or extensions to a building within a conservation area to preserve and enhance its characteristics and appearance by respecting or complementing the layout, scale, form and materials of existing buildings and spaces and using high quality materials.

Policy 101 of the BLP relates to shopfronts. This policy states that the Council will resist the removal of shop fronts of architectural or historic merit.

The installed shopfront replaced an existing example which featured more traditional elements of a shopfront design. The Inspector observed that the shopfronts in the wider area display a variety of designs with some appearing more traditional than others. A number of these however still retain traditional features including: a recessed door with fanlight above, two display windows and generous stall risers. Where these features remain, the Inspector found that they made a 'positive contribution to the quality of the built environment and therefore have an important role in preserving both the character and appearance of the CA.'

The original shopfront included many of these traditional features and was considered to be more in keeping with the character and appearance of the host building. The installed shopfront led to these features being lost and, due to the prominent location of the site, close to a 4 way junction and opposite a pedestrian crossing, the loss of such features was considered significantly harmful to the appearance and character of the surrounding area.

The shopfront currently in situ incorporates a significant use of glazing and features no stallriser or any visual break which could be provided by a mullion or transoms. The Inspector found that this amounted to an 'unsympathetic, unrelated and prominent form of development which fails to respect its context.'

At the time of the appeal relating to the Enforcement Notice, the appellant set out a number of proposed changes to the shopfront, including the installation of a stall riser and other traditional features in order to address Council objections, along with trying to obtain deemed consent via the appeal process. However, the Inspector observed that in respect of these changes, there remained an issue relating to the lack of a recessed door. The original shopfront, prior to the current example in situ, had a recessed door. The Inspector of this latter appeal considered that 'recessed doorways make a significant impact in preserving the character and appearance of the Conservation Area. The failure to provide a recessed door within the shopfront would erode the character and appearance of this part of the Conservation Area. As such the Enforcement Notice was upheld and planning permission refused on the deemed application.

The current application is therefore submitted to address the Enforcement Notice.

The proposed shopfront is now of timber construction and includes two large display windows set either side of a recessed entrance comprising a double set of doors with fan light above. There would be a generous stall riser and the areas of glazing would be suitably broken up with the use of mullions and transoms. The proposed shopfront has therefore sought to reintroduce many of the traditional features lost by the example currently in situ, and these traditional features were found to play an important role in preserving the character of the Conservation Area. The proposal overall would be more in complementary in its appearance and is sympathetic to the host building, streetscene and Conservation Area as a whole. As such, the revised proposal is considered to have satisfactorily addressed previous objections.

The Enforcement Notice requires the removal of the unauthorised shopfront by the 6th September 2019 but does not specify a replacement therefore a condition could be imposed requiring the installation of the approved shopfront within three months from the date of this permission.

Conclusion

The proposed shopfront is therefore considered to be an acceptable alteration which reintroduces important shopfront design features lost by the unauthorised works, and which are considered important in preserving the character and appearance of the Conservation Area.

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- 1 The shopfront hereby approved shall be installed within 3 months from the date of this permission.**

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 and in the interest of the character and appearance of the Conservation area and in order to comply with policies 41 and 101 of the Bromley Local Plan.

- 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.

This page is left intentionally blank

Application:19/02201/FULL1

Address: 69 High Street Beckenham BR3 1AW

Proposal: The installation of a replacement shopfront.



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

This page is left intentionally blank

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

Application No : 19/02246/FULL6

Ward:
Cray Valley West

Address : 17 Sefton Road Petts Wood Orpington
BR5 1RG

Objections: No

OS Grid Ref: E: 545589 N: 168094

Applicant : Mr & Mrs Woodgate

Description of Development:

Proposed first floor side / rear extension with internal alterations

Key designations:

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

Proposal

The application seeks permission for a first floor side/rear extension with internal alterations.

The proposed extension would be set back 3.2m from the front of the existing dwelling, behind the existing catslide roof, where it would project approx. 7.75m in depth and 2.686m in width. The extension would have a pitched roof with a ridge height of 7.9m, which lowers to a height of 6.8m towards the rear, and an eaves height of approx. 5.6m.

Location and Key Constraints

The application site hosts a two storey detached dwelling located on the western side of Sefton 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
- 7.8 Heritage assets and archaeology

Bromley Local Plan

- 6 Residential Extensions
- 8 Side Space
- 37 General Design of Development
- 42 Development adjacent to a Conservation Area

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;

- 04/04251/FULL6 - Single storey side and rear extension - Permitted 22.12.2004

Considerations

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

- Design
- Heritage Impact
- 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. 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 proposed extension would be set back from the front elevation of the dwelling by 3.1m, sited behind the existing catslide roof which would be retained. The ridge height would be lower than the main dwelling, and the proposed materials would consist of render and roof tiles to match the existing dwelling. The proposed extension is therefore considered to have a subservient appearance to the main dwelling that would not result in any significant harm to its character and appearance.

Policy 8 normally requires a 1m separation to the flank boundary to be provided for extensions of two or more storeys. The proposed first floor extension would not result in the dwelling projecting closer to the adjacent dwelling, though it would be sited above an existing single storey side element which is set 0.8m from the flank boundary of the site. The extension would therefore not provide the normal 1m side space expected. However its design is set back significantly from the front of the property and lower in height than the main dwelling resulting in a subservient appearance that would lessen its impact upon the spatial standards of the area and prevent the appearance of unrelated terracing when viewed from the street. It is therefore considered on balance that the development would not conflict with the aims of Policy 8 and would not harm the character of the area.

The rear boundary of the application site lies adjacent to the Chislehurst Road, Petts Wood Conservation Area. Given the separation distance from the main dwelling and that the site would not be highly visible from the Conservation Area itself, the development would not impact upon the Conservation Area and its character would be preserved.

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 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 proposed first floor extension would project 2m to the rear of the existing dwelling, though would be set approx. 7.7m from the flank boundary shared with No.19. Given the separation distance to this neighbour it is not considered that the development would result in any detrimental impact to the amenities of No.17.

With regards to the impact on No.15, the extension would result in the dwelling project 2.5m closer at first floor level, and 2m further to the rear. The rearward projection would be modest and would not extend beyond the rear of No.15. The roof of the extension would be lower than the ridge height of the main dwelling and the roof would pitch away from the boundary to partially mitigate the impact. The orientation of the sites are such that the extension would not significant impact upon light to this neighbour, and given its design and separation distance it is not considered that the extension would not result in an unacceptable level of harm to the outlook of this neighbour.

The flank wall of the proposed extension would be blank aside from one window serving a landing. Subject to a condition to ensure that this window is obscure glazed it is not considered that the extension would result in any unacceptable harm to the privacy of the neighbouring properties.

Having regard to the scale, siting, separation distance and orientation 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 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 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.

- 4** Before the development hereby permitted is first occupied the proposed window(s) in the first 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

This page is left intentionally blank

Application:19/02246/FULL6

Address: 17 Sefton Road Petts Wood Orpington BR5 1RG

Proposal: Proposed first floor side / rear extension with internal alterations



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

This page is left intentionally blank

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

Application No : 19/02299/FULL6

Ward:
Penge And Cator

Address : 134 Kent House Road Beckenham BR3 1JY **Objections:** NO

OS Grid Ref: E: 536177 N: 170826

Applicant : Mr Martin Charnley

Description of Development:

Single storey rear and first floor side extensions.

Key designations:

Biggin Hill Safeguarding Area
London City Airport Safeguarding
Open Space Deficiency
Smoke Control SCA 25
Urban Open Space

Proposal

The application seeks permission for the addition of a single storey rear extension and first floor side extension.

The proposed single storey rear extension would have a maximum depth of 2.13m and a width of 4.992m. It would feature a flat roof with a height of 3m that would project the full width of the property across the existing conservatory.

The first floor side extension would project 1.8m in width for a depth of approx. 10.3m. The proposed roof would be set 0.5m lower than the ridge height of the existing dwelling, and would pitch down to match the existing eaves height.

Location and Key Constraints

The application site hosts a two storey semi-detached dwelling located on the western side of Kent House 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
- 8 Side Space
- 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;

- 98/01769/FUL - Single storey rear extension - Permitted
- 18/04741/FULL6 - Single storey rear and first floor side extensions - Refused

Considerations

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

- Resubmission
- Design
- Neighbouring amenity
- CIL

Resubmission

The application is a resubmission following the refusal of application ref: 18/04741/FULL6 which sought permission for a similar proposal consisting of a single storey rear and first floor side extensions. The application was refused on the following ground;

1. *The proposal does not comply with the Council's requirement for side space to be maintained to the flank boundary in respect of two-storey development in the absence of which the extension would constitute a cramped form of development, out of character with the street scene, conducive to a retrograde lowering of the high spatial standards to which the area is at present developed and contrary to Policy H9 of the Unitary Development Plan and Policy 8 of the Draft Local Plan.*

The current application seeks to overcome the previous refusal grounds by setting the first floor extension in from the flank boundary by 1m. The existing ground floor element would remain abutting the boundary.

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 proposed first floor extension sits on top of an existing extension and is set 1m in from the flank boundary of the site, though it would sit above the existing ground floor side element which abuts the flank boundary. The first floor side extension is set back from the front of the existing dwelling by 1.1m and would be set 0.5m lower in its ridge height than the main dwelling. The extension is therefore considered to be a subservient addition to the host dwelling, and this would mitigate any impact that may occur to the spatial standards and visual amenities of the streetscene.

Policy 8 states:

When considering applications for new residential development, including extensions, the Council will normally require the following:

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 building;

The supporting text for Policy 8 in paragraph 2.1.68 details further;

The Council consider that the retention of space around residential buildings at first floor and above is essential to ensure adequate separation and to safeguard the privacy and amenity of adjoining residents.

The proposed first floor extension would provide a 1m side space and is considered to provide sufficient separation to avoid a terracing effect.

This approach is also in line with the recently allowed appeal at 104 Avalon Road, Orpington (ref: APP/G5180/D/18/3216935) where the Inspector discussed Policy 8 with a particular regard to the impact of a first floor side extension above an existing ground floor element abutting the boundary. The Inspector drew attention to the fact that Policy 8 "does refer to a gap of at least a metre 'normally' being required, which suggests that it can be applied with a degree of flexibility in appropriate circumstances. Further, the supporting text explains that 'the retention of space around residential buildings at first floor level and above is essential to ensure adequate separation'".

The houses along Kent House Road have a wide variation in their design and style and the extension would not be unduly out of character with the area. No.138 has previously been granted permission for a similar first floor side extension which is set back 1m from the flank boundary and above a ground floor element which abuts the boundary (ref:07/00841/FULL6).

It is considered that given the subservient design of the proposed side extension which is set back from the front elevation and the separation of 1m to the boundary at first floor level, the extension would not result in any significant additional harm to the visual amenities or spatial standards of the area. The extension would not result in any unrelated terracing and on balance is therefore not considered to conflict with the aims of Policy 8.

With regards to the proposed rear extension and alterations to the roof of the conservatory, these elements would remain similar to that originally proposed under the previous application ref: 18/04741/FULL6. No concerns were raised regarding these aspects of the development within the previous application.

It is considered that the rear extension and alterations to the roof of the conservatory would be fairly modest in their overall scale and bulk and that they would not harm the appearance of the host dwelling. Furthermore, given the proposed materials and their siting to the rear these alterations would not result in

any significant harm to the character of the area or visual amenities of the streetscene.

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 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 proposed single storey rear extension would not project beyond the rear of the existing conservatory, and the proposed first floor side extension would not project beyond the rear of the existing two storey rear part of the dwelling. As such the proposed extensions would not be highly visible from No.136. The application does include the alteration of the proposed roof to the existing conservatory, resulting in an increase in maximum height of approx. 0.2m, and an increase on the boundary of 0.6m. It is not considered that this increase in height would result in an unacceptable loss of outlook or light from this neighbour.

With regards to the impact upon the neighbouring property at No.132, the single storey rear extension would have a modest depth of 1.44m and is therefore not considered to significantly harm the amenities of this neighbour. The proposed first floor extension would result in the property projecting 1.8m closer at first floor level, though it would not project beyond the rear of the existing dwelling. Furthermore the roof of the extension would be lower than the ridge height of the main dwelling and the roof would pitch away from the boundary to partially mitigate the impact. No.132's first floor flank wall is blank aside from one window serving a bathroom, and whilst the extension would result in a degree of loss of light to this window it is considered on balance that this would not be sufficient as to warrant a refusal of the application on these grounds.

The flank wall of the proposed extension would include three windows serving a bathroom and an en-suite. The existing property already features two window serving a bathroom and whilst the extension would result in these windows being closer to the adjacent dwelling, subject to a condition to ensure that they are obscure glazed and non-opening below 1.7m it is not considered that the development would result significant opportunities for overlooking or from an unacceptable loss of privacy occurring.

Having regard to the scale and siting 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 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 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.

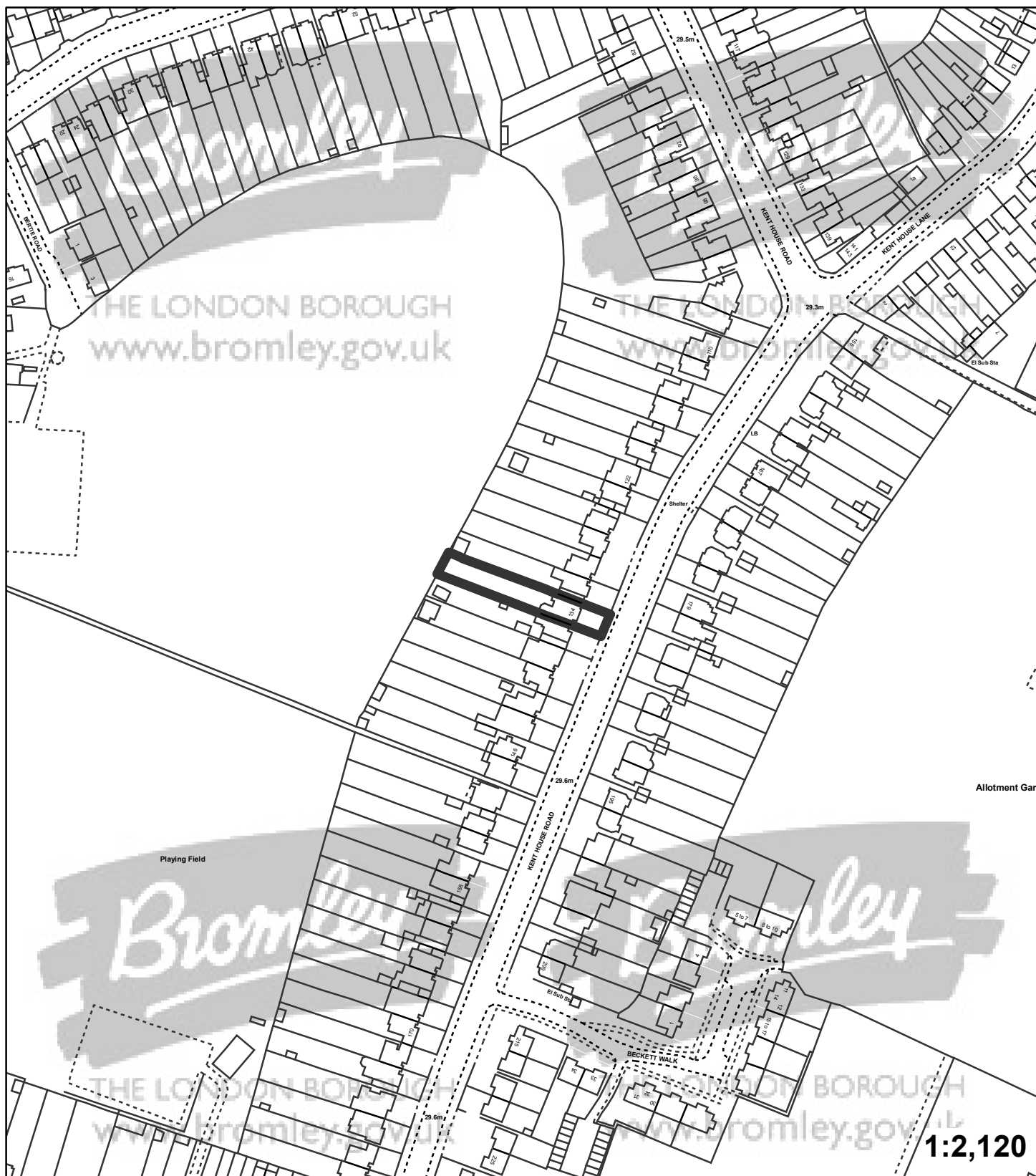
- 4 Before the development hereby permitted is first occupied the proposed window(s) in the first flank elevation shall be obscure glazed to a minimum of Pilkington privacy Level 3 and shall be non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of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

Application:19/02299/FULL6

Address: 134 Kent House Road Beckenham BR3 1JY

Proposal: Single storey rear and first floor side extensions.



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

This page is left intentionally blank

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

Application No : 19/00732/FULL1

Ward:
Orpington

Address : 18 Homefield Rise Orpington BR6 0RU **Objections:** Yes

OS Grid Ref: E: 546296 N: 166102

Applicant : C/O AGENT

Description of Development:

Demolition of Nos. 18-22 Homefield Rise and the construction of 9 x 3 bed houses with associated access and car parking together with the repositioning of the existing bus shelter and other street furniture.

Key designations:

Areas of Archeological Significance
Biggin Hill Safeguarding Area
London City Airport Safeguarding
Open Space Deficiency
Smoke Control SCA 29

Proposal

Planning permission is sought for the demolition of Nos. 18-22 Homefield Rise and construction of 9 x 3 bed houses with associated access and car parking together with the repositioning of the existing bus shelter and other street furniture.

The development adopts a traditional design approach proposing two storey dwellings with accommodation in the roof space. The footprints of the buildings have been arranged as two sets of terraces, with one fronting Homefield Rise and the other fronting Gravel Pit Way.

Block A would front Homefield Rise and have a maximum width of approximately 25.4m and maximum depth of 10.2m and a maximum height of 9m. This block would provide 5 x 3bed, 6 person units with a GIA of 110sqm – 113sqm.

Block B would front Gravel Pit Way and have a maximum width of approximately 20m and maximum depth of 10.2m and a maximum height of 9m. This block would provide 4 x 3bed, 6 person units with a GIA of 110sqm – 111sqm.

At the front of Block A will be 6 car parking spaces and 8 spaces to the rear of Block B to provide parking for the residents and 4 visitor bays. Pedestrian access to the buildings is from the front door there are additional accesses to some of the units via a side entrance gate with the shared access.

At the rear, gardens are provided for each unit.

The proposed materials are indicated to reflect the local character and match neighbouring buildings with feature gables to the front elevation and stone window surround and extruded brick detailing. The development proposes a traditional palette of materials with a modern twist.

The application was called-in to Committee by the Local Ward Councillor.

The application was supported by the following documents:

- Design and Access Statement
- Tree Survey
- Flood Risk Assessment
- Ecological Report
- Air Quality Report
- Supporting Letter (dated 15/05/2019)

Location and Key Constraints

The application site lies on the south side of Homefield Rise, on the corner with Gravel Pit Way, directly opposite the former Police Station site (since redeveloped) and College premises, which in turn form the periphery of the Walnuts Shopping Centre in Orpington High Street. The site is not located within a Conservation Area nor are the existing buildings listed.

Homefield Rise is made up of a variety of architectural styles with development on the north side of Homefield Rise generally being larger in scale with multi-storey blocks, compartmented to the southern side, with the majority of nearby buildings being 2 storeys in height.

The site location also has a range of public transport options, which include bus routes directly from the site, and has a PTAL of 4.

The application site area extends to 1590sqm.

The site falls within a larger redevelopment site which is identified in the Local Plan Site 11 for 18-44 Homefield Rise which is allocated for residential development up to 100 units. The application site comprises approximately one fifth of the total area of Site 11.

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:

- Security to the residents to the rear in Lancing Road and the future residents of the development given the location of the parking area and pedestrian access;
- Concern over the quality of amenity for the future residents of the housing facing Gravel Pit Way as this is a very busy road;
- Impact on the character of the area;
- Change the character of Gravel Pit Way from commercial access road to a residential street;
- If houses were reversed in their aspect that it would overcome the issues regarding security and result in the new homes from Homefield Rise and therefore not changing the character of Gravel Pit Way;
- Poor design;
- Create an undesirable precedent for further developments;
- Seek a commitment from the developer that a high secure fence combined with anti-climb measures or hedging would be included in the boundary treatment along the neighbouring boundaries;
- Concern over further garden grabbing in both Homefield Rise and Gravel Pit Way;
- Development is too close to the properties in Lancing Road;
- Loss of privacy;
- The properties are Council owned and therefore they will approve the application;

Support/Comment:

- Desperately need family houses rather than flats;
- Welcome the development is for town houses which do not loom over the gardens of Lancing Road;
- Welcome that the proposal does not include balconies which overlook properties to the rear;
- Homefield Rise would benefit from regeneration
- Development is in keeping with the area;
- Gravel Pit Way is no longer a commercial road with the Thornborrows development underway;
- The proposal would improve security to the residents in Lancing Road;
- There are empty houses in the road which is an eyesore, this development will be a benefit;
- Security issues could be addressed by CCTV;
- These are not council owned properties but privately owned.

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

Comments from Consultees

Highways: Four of the properties would front Gravel Pit Way and be served by a vehicular access from Homefield Rise. The access is 5m wide where it meets

Homefield Rise and so is wide enough for 2 vehicles to pass. There is a lamppost here which will need to be relocated. The other 5 properties directly front Homefield Rise.

There are a total of 14 parking spaces proposed. Turning will be difficult from the two spaces at the end of the access road. The site has a moderate PTAL (4) and the parking standards in the Local Plan would give a range of 9 – 14 spaces so the provision is at the top of the range.

There is a refuse store shown in the access. I am not sure which properties this is supposed to serve, it does not look big enough for 9 houses. This is not the normal collection method for houses which all front highways so Waste Services should be consulted to see if they are OK with this.

The proposal includes moving the bus stop and shelter in Gravel Pit Way as it will be in front of some of the properties. The applicant will need the agreement of TfL to do this. The location shown for the repositioned stop is on private property which is unusual and I would suggest that the applicant gets the agreement in principle from TfL

If the issue with the bus stop and refuse store is agreed, please include conditions regarding parking, stopping up of accesses, hardstanding for wash down facilities, construction management plan, lighting and highway drainage with any permission.

The applicant will need to apply to the Council's Highway section for the new crossovers and reinstating the redundant ones. All the costs, including removing / reinstating street furniture, will fall to the applicant.

Trees: No objection to the proposed tree removals: they are of sufficiently small size and/or low value for their amenity value to be replaced in the medium term by the planting of replacement trees. Therefore I would recommend a condition regarding retained trees and new tree planting with any permission.

No objection to the degree of impact on retained trees provided that the TPP is adhered to. Therefore I would recommend a tree protection condition if permission is granted.

Drainage: The submitted FRA carried out by Herrington Consulting Limited Issue 2 Revision 0 dated 01/02/2019 to incorporate permeable paving as well as a soakway to retain surface water run-off are acceptable, we do also accept the alternative option of incorporating a large tank to restrict surface water run-off to 2l/s. Please impose a condition to secure this with any permission.

Thames Water: Waste comments -

As you are redeveloping a site, there may be public sewers crossing or close to your development. If you discover a sewer, 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>.

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 wwriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality.

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>

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.

Thames Water recommends the following informative be attached to this planning permission. 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.

TfL: With respect to the Stop and Shelter being on private property the solution would be to impose a condition on the planning permission that gives TfL the right to install / maintain / replace or dispose of a Stop and Shelter on the affected property for a period of 100 years or for the developer to give over the land on which the Stop and Shelter is to be located on. Either would be I suspect acceptable to TfL.

The issues surrounding the Advertising ability of this shelter will have to be confirmed but on the face of it the small movement of the shelter and the visibility of it should not change it's revenue charging.

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 (2016):

- 3.3 Increasing Housing Supply
- 3.4 Optimising Housing Potential
- 3.5 Quality and Design of Housing Developments
- 3.8 Housing Choice
- 3.9 Mixed and Balanced Communities
- 5.1 Climate change mitigation
- 5.2 Minimising Carbon Dioxide Emissions
- 5.3 Sustainable Design and Construction
- 5.7 Renewable Energy
- 5.10 Urban Greening
- 5.11 Green Roofs and Development Site Environs
- 5.12 Flood Risk Management
- 5.13 Sustainable Drainage
- 5.14 Water quality and wastewater Infrastructure
- 5.15 Water use and supplies
- 5.16 Waste self-sufficiency
- 5.17 Waste capacity
- 5.18 Construction, excavation and demolition waste
- 5.21 Contaminated land

- 6.3 Assessing Effects of Development on Transport Capacity
- 6.5 Funding Crossrail and other strategically important transport infrastructure
- 6.9 Cycling
- 6.13 Parking
- 7.1 Lifetime Neighbourhoods
- 7.2 An Inclusive Environment
- 7.3 Designing Out Crime
- 7.4 Local Character
- 7.5 Public Realm
- 7.6 Architecture
- 7.14 Improving Air Quality
- 7.15 Reducing and Managing Noise, Improving and Enhancing the Acoustic Environment and Promoting Appropriate Soundscapes.
- 8.3 Community Infrastructure Levy

Bromley Local Plan (2019):

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

Supplementary Planning Guidance

- SPG1 – General Design Principles
- SPG2 – Residential Design Guidance

Housing: Supplementary Planning Guidance. (March 2016)

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

Planning History

16/04563/OUT - Demolition of numbers 18-44 Homefield Rise and the construction of 103 residential apartments in four separate three and four storey blocks to be served by two accesses, together with associated car parking, cycle parking, refuse storage and private communal amenity space. – Refused for the following reason:

“The proposal would constitute an overdevelopment of this suburban site that would fail to respect or complement the scale, form and layout of the surrounding area and would harm the amenities of neighbouring properties through overlooking, contrary to Policy BE1 of the Unitary Development Plan, and Policy 3.4 (including table 3.2) of the London Plan.”

The appeal was dismissed and the Inspector when considering the proposal found that the development would conflict with “Policy BE1 of the UDP in terms of the significant harm that it would cause to the character and appearance of the area and harm to living conditions, in terms of privacy and outlook”.

The Inspector acknowledged that the site was identified in the emerging local plan for the redevelopment of 'around 100 residential units' (87 net). However, as a draft allocation in an emerging plan this was afforded limited weight and, whilst found to be a material consideration it was not determinative. This was because the proposal must also result in a high standard of design as required by the relevant adopted development plan policy. Furthermore, the emerging plan policy had similar objectives and for this site in particular, proposals are required to create an effective transition between the adjacent town centre and lower rise residential area whilst respecting the amenity of adjoining properties.

Whilst the density of the scheme was found to be slightly above the relevant guidance for a suburban setting this was not determinative given the location on the edge of the town centre. Moreover, the Inspector considered that although this is linked to a site's accessibility such a design led approach requires a number of less calculated considerations and judgements. A proposal must be appropriate to the local context with regard to the principles of good design and as such, density is therefore only one measure of acceptability insofar as character and appearance is concerned.

The Inspector did acknowledge that the number of dwellings proposed would provide a substantial contribution towards housing in an area of high house prices and demand and took into account that 37 of the units would be secured as affordable in the Unilateral Undertaking. However, this was considered to be tempered by the housing land supply position which indicated to the Inspector that housing land supply is not restricted and this will also yield additional affordable housing and no substantive evidence to suggest that dismissal of the appeal would result in a less than 5 year supply.

The Inspector gave "moderate weight" to the economic benefits of construction jobs and associated spending in the local economy given their short term nature.

The Inspector was mindful of the intended allocation site in the Local Plan and the challenges in designing an appropriate scheme. He stated that, such a consideration should not result in a strict adherence to an intended figure, especially where that scheme also needs to be acceptable in terms of its overall design and impacts, which in this case he considered it would not be. He also stated that there was nothing substantive before him to suggest that this is the only viable scheme for the site.

The Inspector concluded that, although there are considerations that weigh heavily in favour of the proposal, nevertheless greater weight was given to the significant harm to the character and appearance of the area and harm to living conditions that he had identified.

Conclusions

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

- Principle of development;
- Density;
- Design, character and appearance;
- Impact on Adjoining Properties;
- Standard of Residential Accommodation;
- Amenity Space;
- Car parking;
- Cycle parking;
- Refuse;
- Sustainability and energy;
- Landscaping; and
- Community Infrastructure Levy

Principle of development:

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

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

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

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

Policy 3.3 Increasing Housing Supply of the London Plan acknowledges that there is a pressing need for more homes in London, provides some context for the level of housing need and sets out suitable locations for it to be delivered and requires the Borough to make provision for at least 641 additional dwelling completions per year 2015-2025. Policy 3.3, Clause E states that Boroughs, in their LDF Preparation, should identify and seek additional development capacity having regard to other policies in the Plan, in particular the potential to realise brownfield

housing capacity. Policy 3.3 Clause E (a-e) sets out suitable locations for additional development including:

- (a) Intensification;
- (b) Town Centre Renewal;
- (c) Opportunity and Intensification areas and growth corridors;
- (d) Mixed Use Redevelopment especially of surplus commercial capacity and surplus public land;
- (e) Sensitive Renewal of existing residential areas

The London Plan Policy 3.3 The current proposal could represent a significant contribution to the Council's required Housing Land Supply in a location adjacent to Orpington Town Centre. It is allocated within the Bromley Local Plan (2019) for residential development of around 100 units of which significant weight can be afforded. The site is also included as an identified site for within the Council's current Five Year Housing Land supply.

As existing residential land, an increased density and housing provision could make a valuable contribution to the Boroughs housing supply. However, it is necessary to demonstrate that an appropriate density can be achieved having regard to the context of the surroundings, standard of accommodation to be provided and detailed design considerations.

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

In terms of the extent of the development, the land carries no formal designation and is not located nearby sensitive areas such as conservation areas or sites of specific nature importance; no statutory listed buildings are located in close proximity to the site. Furthermore, the site is situated within an accessible, residential area bounded on three sides by a mixture of residential properties and is currently in residential use.

Policy 3.4 Optimising Housing Potential sets out relevant density ranges for settings defined as 'Central', 'Urban' and 'Suburban'. Table A2.1 classifies Orpington as a 'Major' Town Centre. The notes to Table 3.2 (Sustainable Residential Quality) is define sites within 800m walking distance of an International, Metropolitan or Major Town centre as 'Central'.

London Plan Policy 3.4 range for a PTAL 4 site in a Central is 140 - 290 units / ha for larger units, rising to a maximum of 405 units / ha for smaller units

It is noted that the Committee Report for the previous 103 unit scheme (ref: 16/04563/OUT) identified the site as being within an 'Urban' setting as defined in the London Plan Density Matrix and that in refusing permission, Members considered the site to be suburban in character. However, the proposal site is immediately adjoining Orpington Major Town Centre and is considered to meet the definition of a 'Central' setting. This is also contrary to the Design & Access

Statement para 4.2 which suggests this is an 'Urban' setting. As such the proposal falls well below the 140 minimum density for larger dwelling types. This minimum would suggest in excess of 22 larger units (increasing for a proposal of smaller units).

The Bromley Local Plan confirms, in Policy 1 'Housing Supply', that the Council will make provision for a minimum average of 641 additional homes per annum.

Policy 1 specifies that future housing supply should be sustainable and delivered on a range of sites including; allocated sites set out in Appendix 10.2 of the Local Plan, notably the 0.75ha housing site allocation (Site 11) 18 – 44 Homefield Rise. The allocation is included within the Council's Housing Trajectory.

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires applications for planning permission to be determined in accordance with the development plan unless material considerations indicate otherwise.

18-22 Homefield Rise forms the western element of Housing Site Allocation 11, indicated as coming forward in Local Plan phases 1-5 years (2015/16 – 2019/20) and 6-10 years (2020/1-2024/25). The Inspectors report into the Local Plan noted, in para 33 that Site 11 was in multiple ownership and suggests that the lack of planning permission indicates that it would be more likely to be delivered in the latter period set out in the Plan. The Inspector concluded that *'the policies for housing in the Plan are justified, deliverable, and consistent with the national policy and the London Plan'* (para 54).

The applicant highlights the refusal of a 2017 outline planning application for 103 residential apartments across four separate blocks (Ref DC/16/04563/OUT) covering 18-44 Homefield Rise (which was subsequently adopted as Site 11). A subsequent appeal against this decision was dismissed. With particular regard to density, the Inspector noted that whilst the development was slightly above the relevant guidance for a 'suburban' setting this was not determinative given the location on the edge of the town centre. Indeed, the Inspector found that a proposal must be appropriate to the local context with regard to the principles of good design and as such, density is therefore only one measure of acceptability insofar as character and appearance is concerned (para 12). He also concluded that the requirement for applications to be determined in accordance with the development plan unless material considerations indicate otherwise (para 28), and noted that the allocation was draft at that time (paras 32 – 34).

Since the appeal decision was issued, the site allocation has now been formally adopted within the Local Plan and, whilst the Inspector did raise concerns regarding the impact of the 103 unit development on the character and appearance of the area, that was in relation to a specific development proposal and does not itself mean that the site cannot accommodate a higher density of development as envisaged by the Site 11 allocation, subject to a suitable design and layout that responds appropriately to local character.

Site 11, of which the proposal site is a part, is allocated for 'around 100 residential units'. The proposal site comprises in the region of a fifth of Site 11, however this

particular development proposal for 9 houses represents only 9% of the overall quantum of development anticipated for Site 11. Given the location of the site at the corner of Homefield Rise and Gravel Pit Way, being relatively low lying and having the greatest back to back distances to neighbouring properties, it is considered that the application site is a key component of Site 11 and its ability to make the contribution to housing delivery anticipated in the Local Plan. Officers therefore consider that the application site has the ability to accommodate a greater density of residential development than currently proposed. As it stands, the proposal would comprise an unacceptable piecemeal form of development that would fail to optimise the housing output from this site and, if accepted, would compromise the delivery of the total quantum of development anticipated for Site 11.

It is therefore recommended that the proposal be refused for failing to optimise housing output and therefore being contrary to London Plan Policy 3.4 'Optimising Housing Potential' and Local Plan Policy 1 Housing Supply.

Density:

The density of the proposal would be 226hr/ha. Table 3.2 of the London Plan sets out the appropriate density range for a site with a PTAL of 4 in a Central area as 650–1100 hr/ha.

Given, the density of the proposal is well below the guideline density criteria the amount of development on site is considered to be an underdevelopment of the site in this sustainable location.

Design, character and appearance:

Policies 3.4 and 3.5 of the Further Alterations to the London Plan (March 2015) (FALP) reflect the same principles. Policy 3.4 specifies that Boroughs should take into account local context and character, the design principles (in Chapter 7 of the Plan) and public transport capacity; development should also optimise housing output for different types of location within the relevant density range. This reflects paragraph 110 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 9 units are split into a two terraces of 5 and 4 units which provides a break in the elevation and pedestrian access to the rear gardens and car parking area. The design of the terraces are traditional in style with pitched roofs, gable ends incorporating gable features within each row of terraces. The design has included two types of brick, to give a variety, texture and play in differing light conditions. The units have been designed as 2.5 storeys to provide accommodation within the roofspace but reduce the overall height of the buildings.

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

Notwithstanding the principle of an underdevelopment of the site as set out above which results in part from the form of housing proposed, it is considered that the development complies with policy on design and therefore this would not form a reason for refusal in this instance.

Impact on Adjoining Properties:

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 mainly front and rear outlook for each unit overlooking amenity space or overlooking the street.

Concerns have been raised from neighbouring properties in terms of loss of light, increased sense of enclosure, dominance and overbearing. The proposed houses are over 50m to the north of the properties sited on Lancing Road and approximately 10m from the flank wall of No. 26 Homefield Rise. Therefore, it is considered that a suitable level of privacy at the intended distances to existing neighbouring property will be maintained generally. Given the distance and the existing boundary screening on balance it is considered that the proposed development would not result in any loss of amenity in terms of increased sense of enclosure, loss of light.

With regards to overlooking there will be a degree of mutual overlooking within the development, however the separation between block A and B is approximately 10m and on balance this would be acceptable as not to impact significantly on the amenities of the future occupiers. Block B would be oriented east to west fronting on to Gravel Pit Way with the rear elevation and garden facing the car parking area and rear gardens of the properties in Homefield Rise. Given the separation, on

balance it is considered that the development would not lead to any significant loss of privacy to warrant a reason for refusal solely on this basis.

When considering the car parking area to the rear of the building concern is raised over the introduction of a residential car parking area and access road close to the neighbouring properties. Given the location of the parking area adjacent to neighbouring gardens and the access road which would run alongside the entire length of the boundary with No. 26 Homefield Rise. It is considered that this would cause undue impacts in terms of noise and nuisance given the amount of transient vehicular movements within close proximity to the common side boundary. No acoustic assessment has been provided to assess the impact of this area on the amenity of the neighbouring properties. Whilst it is noted that the adjacent property also forms part of the wider Site 11 allocation, this development must be acceptable on its own merits and in this case, the likely harm which would arise to the adjacent property highlights a further concern with the proposed piecemeal approach to developing the wider site.

Concerns have been raised over security the proposal should incorporate Secured by Design principles (as required by Policy 37 (h)) to take account of crime prevention and community safety.

Details over how the development could achieve secure by design principles have been included within the Design and Access Statement and as such it is considered that given this is a new building these would be achievable subject to conditions if permission was forthcoming.

For these reasons, it is considered that the proposed development would not impact significantly on neighbouring amenity in terms of loss of light, sense of enclosure or overlooking. However the development is considered to have a detrimental impact by way of noise and disturbance to neighbouring occupiers due to the location of the car parking area.

Standard of Residential Accommodation:

London Plan policies 3.4, 3.5 and 3.8 set out housing standards relating to density, minimum unit size standards and housing choice. These policies provide the context for the Mayor's Housing SPG May 2016 which sets out the current guidance in respect of the standards required for all new residential accommodation. The Housing SPG deals with the quality of residential accommodation, setting out baseline and good practice standards for dwelling size, room layouts and size, circulation space, storage facilities, floor to ceiling heights, outlook, daylight and sunlight, external amenity space (including cycle storage facilities) as well as core and access arrangements.

Table 3.3 of London Plan Policy 3.5 sets out the minimum unit space standards for new development. Annex 1 of the Housing SPG set out all the current standards. All of the proposed units will be required to meet the minimum standards to ensure that all baseline standards are met and units are capable of providing a good standard of accommodation throughout. Whilst the minimum standards are acceptable it is

reflective of the level of development proposed. Larger units would be welcomed and provide a better level of residential amenity as well as being more desirable.

All homes should provide for direct sunlight to enter at least one habitable room for part of the day. Living areas and kitchen dining spaces should preferably receive direct sunlight (standards 29 and 32, Housing SPG). There must be an area of unobstructed window/door glazing (natural lighting) to a habitable room (i.e. bedroom or dining room) equivalent to at least 1/10th of the room's floor area to achieve the requirement for natural light. There must also be an area of openable window equivalent to 1/20th of the floor area to the room to achieve the natural ventilation requirement.

Policy 3.5 of the London Plan sets out the Mayor's aspirations for the quality and design of housing developments. Part 2 of the Mayor's Housing SPG sets out guidance in respect of the standards required for all new residential accommodation to supplement London Plan policies setting out baseline and good practice standards for dwelling size, room layouts and circulation space, storage facilities, floor to ceiling heights, outlook, daylight and sunlight, external amenity space (including cycle storage facilities) as well as core and access arrangements. The 2016 Minor Alterations to the London Plan adopted the DCLG Technical Housing Standards - nationally described space standard (March 2015) which standard 24 of the SPG says that all new dwellings should meet.

The Housing SPG also says that developments should minimise the number of single aspect dwellings. Single aspect dwellings that are north facing, or exposed to noise levels above which significant adverse effects on health and quality of life occur, or which contain three or more bedrooms should be avoided. Policy 7.15 of the London Plan states that development proposals should seek to manage noise by mitigating and minimising potential adverse impacts of noise on, from, within, as a result of, or in the vicinity of new development without placing unreasonable restrictions on development. At the same time development proposals should improve and enhance the acoustic environment and promote appropriate soundscapes (including quiet areas); separate noise sensitive development from major sources (such as road, rail, etc) through the use of distance, screening or internal layout - in preference to sole reliance on sound insulation; and where it is not possible to achieve separation of noise sensitive development and undue noise sources, without impacting other sustainability objectives, then any potential impact should be mitigated through the application of good acoustic design principles.

The floor space size of each of the 9 units ranges between 110m² - 113m² respectively. The nationally described space standard requires 108m² for a 3-storey six person 3 bedroomed unit. On this basis, the floorspace provision for all of the units is considered compliant with the required standards and is considered acceptable.

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

Amenity Space:

Policy 3.5 also requires design of new housing development to consider elements that enable the home to become a comfortable place of retreat. All units must benefit from private amenity space which must comply with the requirements set out in the SPG. A minimum of 5sqm of private outdoor space should be provided for 1-2 person dwellings and an extra 1sqm should be provided for each additional occupant.

In terms of amenity space private rear garden areas are to be provided which exceed the minimum standard and as such no objection in this regard is raised.

Car parking:

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

Plans and decisions should also ensure that developments that generate significant movement are located where the need to travel will be minimised and the use of sustainable transport modes can be maximised while at the same time taking into account policies set out elsewhere in the Framework. Therefore developments should be located and designed to, among other things: accommodate the efficient delivery of goods and supplies; give priority to pedestrian and cycle movements, and have access to high quality public transport facilities; create safe and secure layouts which minimise conflicts between traffic and cyclists or pedestrians; incorporate facilities for charging plug-in and other ultra-low emission vehicles; and consider the needs of people with disabilities by all modes of transport (Paras.34-35, NPPF).

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

Four of the properties would front Gravel Pit Way and be served by a vehicular access from Homefield Rise. The access is 5m wide where it meets Homefield Rise and so is wide enough for 2 vehicles to pass. There is a lamppost which will need to

be relocated if planning permission is granted. The other 5 properties directly front Homefield Rise.

There are a total of 14 parking spaces proposed; however turning will be difficult from the two spaces at the end of the access road. The site has a moderate PTAL (4) and the parking standards in the Local Plan would give a range of 9 – 14 spaces, as such the provision is at the top of the range.

With respect to the Bus Stop and Shelter being on private property the solution would be to impose a condition on the planning permission that gives TfL the right to install / maintain / replace or dispose of a Bus Stop and Shelter on the affected property for a period of 100 years or for the developer to give over the land on which the Stop and Shelter is to be located on to TfL. This could be secured by way of condition or legal agreement if planning permission was granted.

With regards to construction, a condition regarding a Construction Management Plan could be requested if planning permission was granted to ensure that disruption and conflict during the construction phasing can be controlled.

Therefore given all of the above there are no technical highway objections to the proposal and on this basis does not form a reason for a refusal.

Cycle parking:

Cycle parking is required to be 2 spaces for per dwellings. The applicant has stated that secure shed are to be provided to each of the private dwelling rear garden. This is considered satisfactory and would not form a reason for refusal.

Refuse:

All new developments should provide adequate facilities for refuse and recycling, from the information provided on Drawing No. 400 REV. P3 the refuse area is not large enough and will need to accommodate additional bins and is not the normal method of collection for single family dwelling houses, however, given the extent of space surrounding the proposed buildings, there is sufficient space for alternative means of refuse storage to be agreed post decision which could be managed through a planning condition.

Sustainability and Energy:

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

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

Landscaping:

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

With regards to the retention and welfare of the existing trees, the tree officer is satisfied with the information provided in the Tree Protection Plan (TPP) and provided that these are not compromised, the proposal will not negatively impact retained trees and could be secured by way of condition if planning permission was granted.

Community Infrastructure Levy:

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

Conclusion

The assessment above considers the qualitative as well as the quantitative merits of the design of the proposal in the context of surrounding development and in relation to adjacent residential properties.

The site is allocated for around 100 residential units in the Local Plan and is therefore an appropriate, identified site, suitable for higher density residential development. The proposal would result in a piecemeal approach to developing the wider site that would fail to optimise housing output and result in an under provision of housing units impacting on the Borough's housing supply.

Matters concerning the impact on neighbouring amenity with regards to loss of privacy, loss of light and increased sense of enclosure have been taken into account and it is considered that as a result of the separation distances between the neighbouring dwellings and the proposed development, no adverse impacts upon neighbouring properties will occur. The siting of the dwellings are considered appropriate in that they are set at a distance which mitigates any potential overlooking or loss of privacy and as such no reason for refusal relating to these amenity issues are recommended.

Concerns however are raised over the possible impact on neighbouring occupiers with regards to noise and disturbance from the access road and car parking area to the rear of the site. No acoustic assessment has been provided to assess the impact of this area on the amenity of the neighbouring properties, and given the location of the parking area and access road which is in close proximity to the amenity space to the neighbouring properties, it is considered that this would

cause undue impacts in terms of noise and nuisance given the amount of transient vehicular movements.

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 15.05.2019
RECOMMENDATION: APPLICATION BE REFUSED

The reasons for refusal are:

- 1. The application site forms part of allocated Site 11 within the Bromley Local Plan which allocates the site as a whole for 'around 100 residential units'. The proposed development, by reason of the form and limited number of new dwellings proposed, comprise a piecemeal development that would fail to optimise housing output and prejudice the delivery of the wider site allocation, being contrary to Policy 3.4 of the London Plan (2016) and Policy 1 of the Bromley Local Plan. (2019).**

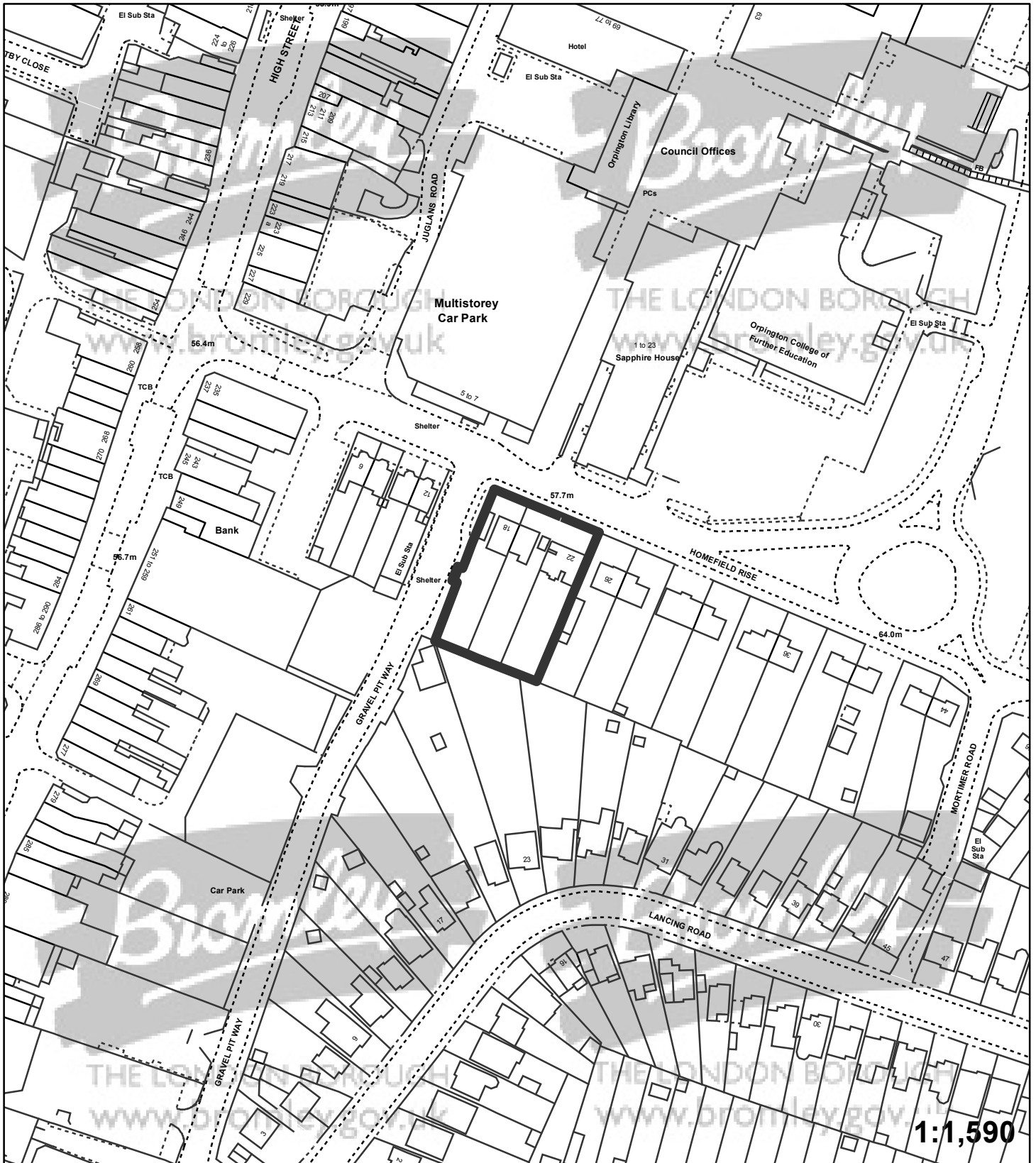
- 2. The proposed development would have a detrimental impact by way of noise and disturbance to neighbouring occupiers due to the location of the car parking area whereby no noise assessment has been submitted to disprove this, contrary to Policies 7.4 and 7.6 of the London Plan (2016) and Policies 4 and 37 of the Bromley Local Plan (2019).**

This page is left intentionally blank

Application:19/00732/FULL1

Address: 18 Homefield Rise Orpington BR6 0RU

Proposal: Demolition of Nos. 18-22 Homefield Rise and the construction of 9 x 3 bed houses with associated access and car parking together with the repositioning of the existing bus shelter and other street furniture.



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

This page is left intentionally blank