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DATE: 28 July 2020

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

Councillor Alexa Michael (Chairman)
Councillor Angela Page (Vice-Chairman)
Councillors Kathy Bance MBE, Katy Boughey, Kira Gabbert, Christine Harris,
Tony Owen, Will Rowlands and Suraj Sharma

A meeting of the Plans Sub-Committee No. 1 will be held on
THURSDAY 6 AUGUST 2020 AT 6.00 PM

PLEASE NOTE: This is a 'virtual meeting' and members of the press and public can see and hear the Sub-Committee by visiting the following page on the Council's website: –
<https://www.bromley.gov.uk/councilmeetingslive>

Live streaming will commence shortly before the meeting starts.

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 11 JUNE 2020**
(Pages 1 - 6)
- 4 **PLANNING APPLICATIONS**

Report No.	Ward	Page No.	Application Number and Address
4.1	Copers Cope	7 - 16	(20/01380/TPO) 7 Ferguson Close, Bromley BR2 0LY
4.2	Chislehurst Conservation Area	17 - 30	(20/01457/FULL3) - 27 High Street, Chislehurst, BR7 5AE
4.3	Kelsey and Eden Park	31 - 42	(20/01550/FULL1) - 96 Wickham Road, Beckenham, BR3 6QH
4.4	Bromley Town	43 - 60	(20/01631/FULL2) - Ground Floor (Part), Northside House, 69 Tweedy Road, Bromley BR1 3WA
4.5	Kelsey and Eden Park	61 - 70	(16/01330/CONDT1) - Jacanda Lodge, North Drive, Beckenham, BR3 3XQ
4.6	Bromley Town	71 - 82	(20/01789/FULL2) - North Lodge, 2 Rochester Avenue, Bromley, BR1 3DD.
4.7	Kelsey and Eden Park	83 - 108	(20/02011/FULL1) - 26 Manor Road, Beckenham, BR3 5LE.

PLANS SUB-COMMITTEE NO. 1

Minutes of the meeting held at 6.00 pm on 11 June 2020

Present:

Councillor Alexa Michael (Chairman)
Councillor Angela Page (Vice-Chairman)
Councillors Kathy Bance MBE, Katy Boughey, Kira Gabbert,
Christine Harris, Tony Owen and Suraj Sharma

Also Present:

Councillors Gary Stevens

1 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

An apology for absence was received from Councillor Will Rowlands.

2 DECLARATIONS OF INTEREST

There were no declarations of interest reported.

3 CONFIRMATION OF MINUTES OF MEETING HELD ON 20 FEBRUARY 2020 AND THE NOTES OF DECISIONS TAKEN UNDER DELEGATED POWERS FOR THE CANCELLED MEETING OF 16 APRIL 2020.

RESOLVED that the Minutes of the meeting held on 20 February 2020 and the Notes of Decisions taken Under Delegated Powers for the cancelled meeting of 16 April 2020 be confirmed and signed as a correct record.

4 PLANNING APPLICATIONS

SECTION 2

(Applications meriting special consideration)

4.1

PENGE AND CATOR CONSERVATION AREA

(20/00765/FULL6) - 29 Lennard Road, Penge, SE20
7LX

Description of application – Single storey rear
extension and fenestration alterations.

It was reported that on page 20, paragraph 7.2.5 of the Assistant Director (Planning and Building Control) report should be amended to read:-

“The extension will not join the two properties however the brick built extension will be visible to the neighbour when they stand in their conservatory. No.27 would suffer from some loss of outlook as a result of the extension but it is not considered that the height and depth adjacent to the common boundary with this property would result in a significant loss of amenity to warrant the refusal of the application.”

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

Members having considered the report, objection and representations, **RESOLVED that THE APPLICATION BE DEFERRED**, without prejudice to any future consideration, **UNTIL A TIME THAT A SITE VISIT CAN BE CARRIED OUT SAFELY BY OFFICERS.**

4.2 CLOCK HOUSE

**(20/01037/FULL1) - 6 Queens Road Beckenham
BR3 4JW**

Description of application – Single storey rear extension (RETROSPECTIVE)

THIS REPORT WAS WITHDRAWN BY THE ASSISTANT DIRECTOR (PLANNING AND BUILDING CONTROL).

SECTION 3

(Applications recommended for permission, approval or consent)

4.3 HAYES AND CONEY HALL

**(05/03149/RECON) - 74 West Common Road,
Hayes, Bromley, BR2 7BY.**

Description of application – Removal of condition 2 of permission 05/03149/FULL6 granted for the construction of a detached garage to allow conversion of part of the garage to habitable accommodation for use as a 'granny annexe' ancillary to the host dwelling at No. 74 West Common Road.
RETROSPECTIVE

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 Assistant Director, (Planning and Building Control).

**4.4
PETTS WOOD AND KNOLL**

(19/05118/FULL1) - Villa May, Lakeswood Road, Petts Wood, Orpington, BR5 1BJ

Description of application - Two storey side extension, single storey rear extension, alterations to roof and conversion to form 5 flats (3x1 bedroom and 2x2 bedroom) with associated car parking, refuse/cycle storage, amenity areas and landscaping, and widening of existing vehicular access.

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 informatives set out in the report of the Assistant Director, (Planning and Building Control).

SECTION 4

(Applications recommended for refusal or disapproval of details)

**4.5
CHISLEHURST
CONSERVATION AREA**

(20/00556/TPO)- 5 Oakleigh Park Avenue, Chislehurst BR7 5PB

Description of application – This application has been in connection with a subsidence investigation at 5Oakleigh Park Avenue. The felling of the two subject oak trees (T1/T3) is proposed to achieve building stabilisation in accordance with the professional recommendations.

Oral representations in support of the trees being felled were received at the meeting.

Members having considered the report, objection and representations, **RESOLVED that THE APPLICATION BE DEFERRED**, without prejudice to

any future consideration, to **SEEK FURTHER EVIDENCE AND TO INVESTIGATE IF DEFECTIVE DRAINAGE HAD NOT BEEN A CONTRIBUTING FACTOR, AND TO ENSURE ALL THE DOCUMENTATION IS AVAILABLE TO VIEW BEFORE BEING RECONSIDERED BY A PLANS SUB-COMMITTEE.**

**4.6
CHISLEHURST**

(20/01232/TPO) - 24 Hill Close, Chislehurst BR7 6HY

Description of application – T2 Oak adjacent to 24 Hill Close - Remove.

SUBJECT TO TPO 1552 (21.12.1998).

Members having considered the report, **RESOLVED** that **THE APPLICATION BE DEFERRED**, without prejudice to any future consideration, to **SEEK FURTHER EVIDENCE AND INVESTIGATE IF DEFECTIVE DRAINAGE HAD NOT BEEN A CONTRIBUTING FACTOR AND FOR THE OWNERSHIP OF THE TREE TO BE CONFIRMED BEFORE COMING BACK TO A SUB- COMMITTEE.**

5

TREE PRESERVATION ORDERS

**5.1
WEST WICKHAM**

Confirmation of Tree Preservation Order No. 2684 - West Wickham Methodist Church, Hawes Lane, West Wickham, BR4 9AA

Description of application - Confirmation of Tree Preservation Order (TPO) 2684.

Members having considered the report and objection, **RESOLVED** that **TREE PRESERVATION ORDER NO 2684 RELATING TO A YEW TREE BE CONFIRMED WITHOUT MODIFICATION TO SECURE TREE PROTECTION** as recommended in the report of the Assistant Director, (Planning and Building Control).

**5.2
PETTS WOOD AND KNOLL**

Confirmation of Tree Preservation Order No. 2687 - 40 Silverdale Road, Petts Wood, BR5 1NJ

Description of application – Confirmation of Tree Preservation Order (TPO) 2687.

Oral representations in objection to the Tree Preservation Order being confirmed were received at the meeting.

Members having considered the report and objections, **RESOLVED that TREE PRESERVATION ORDER NO 2687 RELATING TO AN OAK TREE BE CONFIRMED WITHOUT MODIFICATION TO SECURE TREE PROTECTION** as recommended in the report of the Assistant Director, (Planning and Building Control).

The Meeting ended at 7.30 pm

Chairman

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Agenda Item 4.1

Application No: 20/01380/TPO

Ward: Copers Cope

Address: 7 Ferguson Close, Bromley BR2 0LY

OS Grid: E: 538501 N: 168747

Applicant: Hannah Stewart, Crawfords **Objections:** Yes

Description of Development:

TG2 Group of Oak trees - Fell nearest two trees to the subject property to near ground level.

SUBJECT TO TPO 513 (22.12.1987)

Proposal

1. This application has been made in connection with a subsidence investigation at 6 Ferguson Close. The felling of two oak trees (TG2) situated in the rear garden of 7 Ferguson Close is proposed to achieve building stabilisation. Subsidence related reports have been submitted in support of the application.

Location

2. The site address is comprised of a detached dwelling located at the end of the cul-de-sac, on the south side. 4 oak trees and 1 lime tree are protected under the above referenced Tree Preservation Order (TPO). The lime tree was felled as a result of application 91/01257/TFL. The development of the cul-de-sac dates back to planning permission 87/02619/FUL.

Consultations

3. A site notice was sent to the applicant to display at the front of the property.
4. Three representations were received in objection to the proposals. Photos have been submitted to show the separation between the conservatory and dwelling. The points made are summarised as follows:
 - a) The trees pre-date the construction of the dwelling.
 - b) The 5 trees at No. 7 are regularly inspected by an arboriculturist.
 - c) Subsidence is not an issue for other adjoining properties, even where extensions have been built.
 - d) "Such construction would require to dig out between 2.4 - 2.8 metres to construct a raft slab with six piles for a 4 metre across by 3 metre wide extension given the nature of the ground conditions in the vicinity."
 - e) The depths of foundations revealed in the trial pits indicate a lack of proper inspection and advice during construction, resulting in an inappropriate design.
 - f) "The separation of the construction at No 6 Ferguson Close from the main building can be clearly viewed at the side adjacent to No 7 Ferguson Close and it is clear that the traditional 'toothing out' method of

construction was not employed and it is difficult to ascertain if a suitable and sufficient 'wall tie' construction was therefore employed.”

- g) “It would seem appropriate that the construction at No 6 Ferguson Close in question is not fit for purpose and should be replaced with any such replacement being constructed on a raft slab with piling at the owners' expense.”
- h) The presence of TV related equipment is questionably responsible for damage.
- i) Neighbours should have been notified of the application.
- j) The foundations are inadequate in relation to the distance from mature trees.
- k) A neighbouring property's extension had to be reinforced in the 1980s following subsidence at the insurance company's expense. No further subsidence has been reported.

5. Building Control has been consulted and no comments were received.

Considerations

6. The construction of the properties in the cul-de-sac date back to the late 80s-early 90s. The damage related to the claim was first noticed in July 2018. The claim was initiated on 30th October 2018. Investigations carried out by Crawford were reported on 21st November 2018.
7. The presence of the TPO reflects the important contribution the trees make to the locality and the high amenity value merited. No recent management, with the exception of deadwood pruning, has been noted within the supporting tree survey.
8. Damage is occurring to the rear conservatory. The Technical Report supplied in support of the application may be referred to for information on specific areas of damage. The degree of damage is category 3 (5-15mm) as listed in the Building Research Establishment; Digest 251.
9. The following supporting documents have been appended to the application:
 - Arboricultural Appraisal Report (22.04.20)
 - Technical Report (29.01.19)
 - Level Monitoring (21.03.19 – 19.02.20)
 - Site Investigation Report (17.04.19)
 - Statement of Reasons

A site visit has not been possible, due to the current restrictions. Tree survey data has been submitted as part of the application supporting documents and reference tree dimensions. No defects have been noted by the tree surveyor. The oak trees are situated approximately 13m from the policyholder's dwelling. The height of the trees is estimated to be 17m and the zone of influence is therefore calculated to be 21m.

10. Two boreholes (BH1/BH2) were excavated as part of the investigation. Foundations are revealed at depths of 350mm in BH1 and 900mm in BH2. Root identification in BH1 reveals oak roots are beneath the foundations of the dwelling.
11. Level monitoring results indicate movement associated with seasonal soil moisture loss. Movement is most severe at monitoring stations positioned along the rear

elevation of the conservatory. The period of monitoring is 11 months from March 2019 to February 2020, covering 6 readings.

12. Soil analysis has proven that the plasticity index is high, indicating an increased potential for volume change. The highest reading recorded indicates a plasticity index of 60%.
13. The Engineer has recommended the trees be felled to remove the influence on the local soil conditions. The Arboricultural Consultant has agreed that tree felling is required.
14. Drainage defects have not been discounted from the investigation.
15. The estimated cost of repairs if the trees remain is £50,000 and £8000 if the trees are removed.
16. A heave assessment has been made and the impact is not predicted to be adverse.

Conclusion

17. The foundations are not considered deep enough to withstand the influence of the subject tree within the zone of influence. The required foundation depth has been calculated to be a depth exceeding 2.42m. This is based on the highest actual plasticity index record (60%). The design is subsequently inadequate to resist the influence of mature vegetation on local soil conditions.
18. Damage to the dwelling is isolated to the conservatory. Foundations in BH1 adjacent to the conservatory are noticeably shallower than that revealed in BH2 positioned adjacent to the front elevation. This shows a major difference in foundation design and support. The conservatory is likely to have been constructed later than the dwelling under permitted development rights.
19. The trees are confirmed older than the property.
20. Level monitoring data supplied, indicates the building has sunk and then risen. The reports submitted in support of the application have concluded that seasonal movement is occurring.
21. No evidence has been presented to discount defective drainage.
22. The external damage reported within the Technical Report (SU1807473) would be consistent with subsidence related damage.
23. A monetary value has been applied to the oak tree adopting the CAVAT (Capital Asset Value for Amenity Trees) system. CAVAT provides a method for managing trees as public assets rather than liabilities. It is designed not only to be a strategic tool and aid to decision-making in relation to the tree stock as a whole, but also to be applicable to individual cases, where the value of a single tree needs to be expressed in monetary terms. CAVAT is recognised in the English court system, with various case examples available.
24. The subject trees combined are valued at £13,153. The costs of repair are therefore substantially greater than that of the trees value.

25. Alternative methods of stabilisation by way of root barrier installation have been discounted without an appraisal or explanation.
26. The investigation findings have demonstrated on the balance of probability that the subject trees are causing seasonal movement of a cyclical nature, implicating them in the insurance claim.
27. Based on the findings of the investigation and the demonstrated costs exercise, it would not be expedient for the Council to defend the retention of the trees. Consent is therefore recommended.

Financial Implications

28. No budget has been allocated to the defence of a compensation claim, should the application be refused. A claim may include and is not restricted to any further damage from the date of the decision, costs incurred in respect further repairs, costs incurred in further monitoring and legal costs. Members are also reminded of the officer costs involved in defending against a compensation claim.
29. Attention is drawn to section 202E of the Town and Country Planning Act 1990. This allows the applicant to make a compensation claim in respect of a refused decision.

Response to Objections

- a) The trees pre-date the construction of the dwelling.
- b) The inspection routine of the trees as no bearing on this decision.
- c) This application has been assessed on the basis of the evidence provided in respect of the subsidence claim.
- d) The officer's calculation indicates a foundation depth requirement to at least 2.42m.
- e) The foundation design is confirmed to be inadequate by the officer.
- f) The officer cannot comment on the structural integrity of the extension and would have to rely on professional advice in this regard.
- g) The officer cannot comment on the required repairs without professional advice.
- h) The results of the investigation would indicate that soil conditions are causing movement. The TV equipment is not considered a contributing factor.
- i) Due to the current restrictions in place, it has not been possible to offer a postal notification. A site notice was sent to the applicant to be displayed.
- j) The officer findings support the fact that foundations would need to be deeper, where construction takes place in the calculated zone of influence.
- k) The officer can only note this fact and consider the current application on the merits of the case.

RECOMMENDATION: Consent

TG2 Group of Oak trees - Fell nearest two trees to the subject property to near ground level.

CONDITIONS

1. **TL14 Tree Consent – Commencement**

The tree works hereby granted consent shall be carried out within 2 years of the date of this decision.

Reason: In order to comply with Policy 73 of the Bromley Local Plan and in the interest of good arboricultural practice and the visual amenities of the area.

2. **Replacement Trees (AG04)**

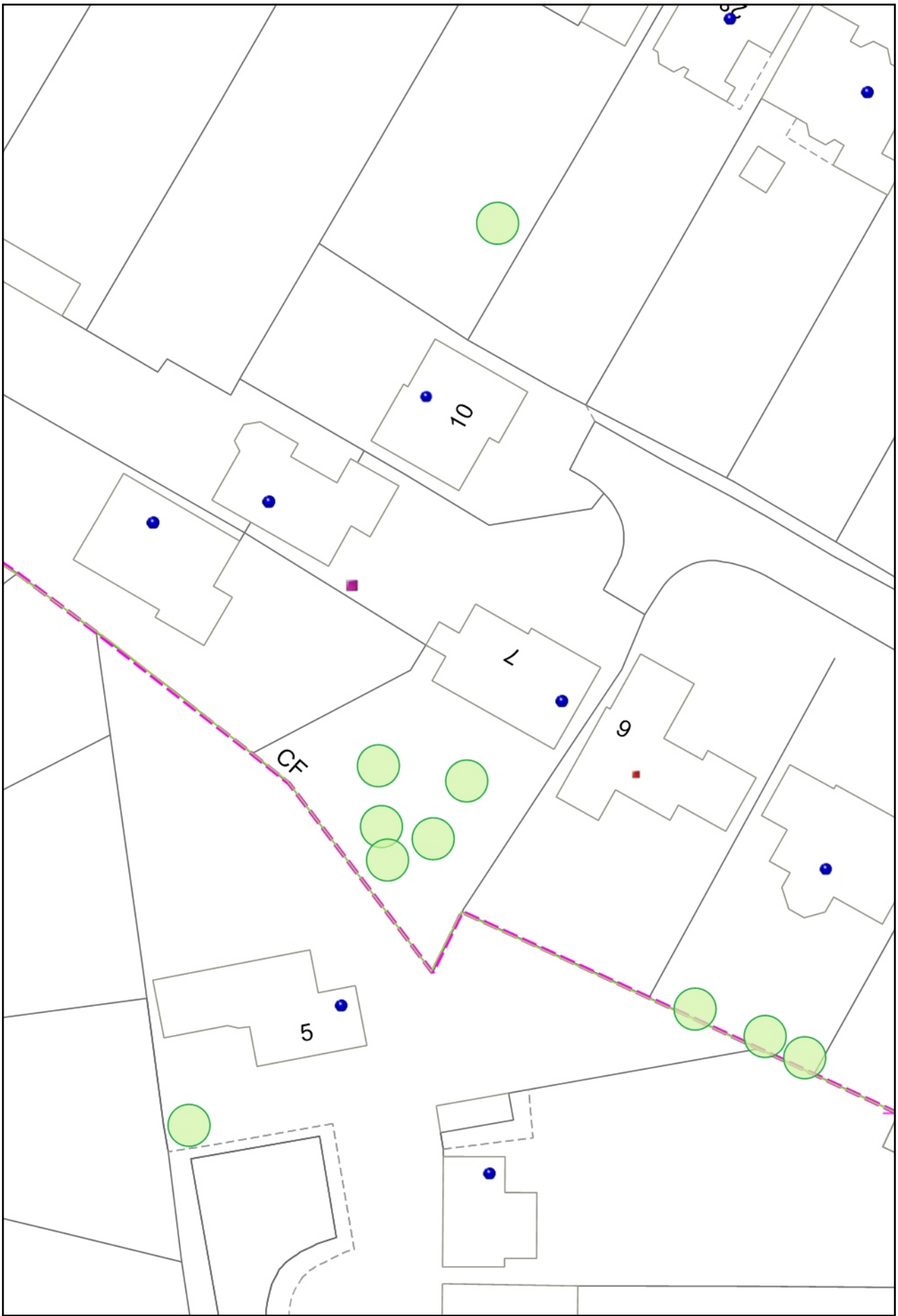
2 replacement Hawthorn trees (*Crataegus Spp.*), root-balled or container grown of standard size (minimum 2m height) shall be planted to the rear of the application site or the policyholder's rear garden. The replacement trees will be planted within 12 months of the removal of the subject tree(s). Any replacement tree which dies, is removed or becomes seriously damaged or diseased within 5 years of the date of this consent shall be replaced in the next planting season with another of similar size and species to that originally planted.

Reason: In order to comply with Policies 37, 73 and 74 of the Bromley Local Plan and in the interest of the visual amenities of the area.


INFORMATIVES


1. You are advised that formal consent is not required for the removal of deadwood, dangerous branches and ivy from protected trees.
2. This decision does not override any necessary permission that need be obtained from the land owner.

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Ordnance Survey 100017661.


20/01380/TPO 7 Ferguson Close,
Bromley BR2 0LY

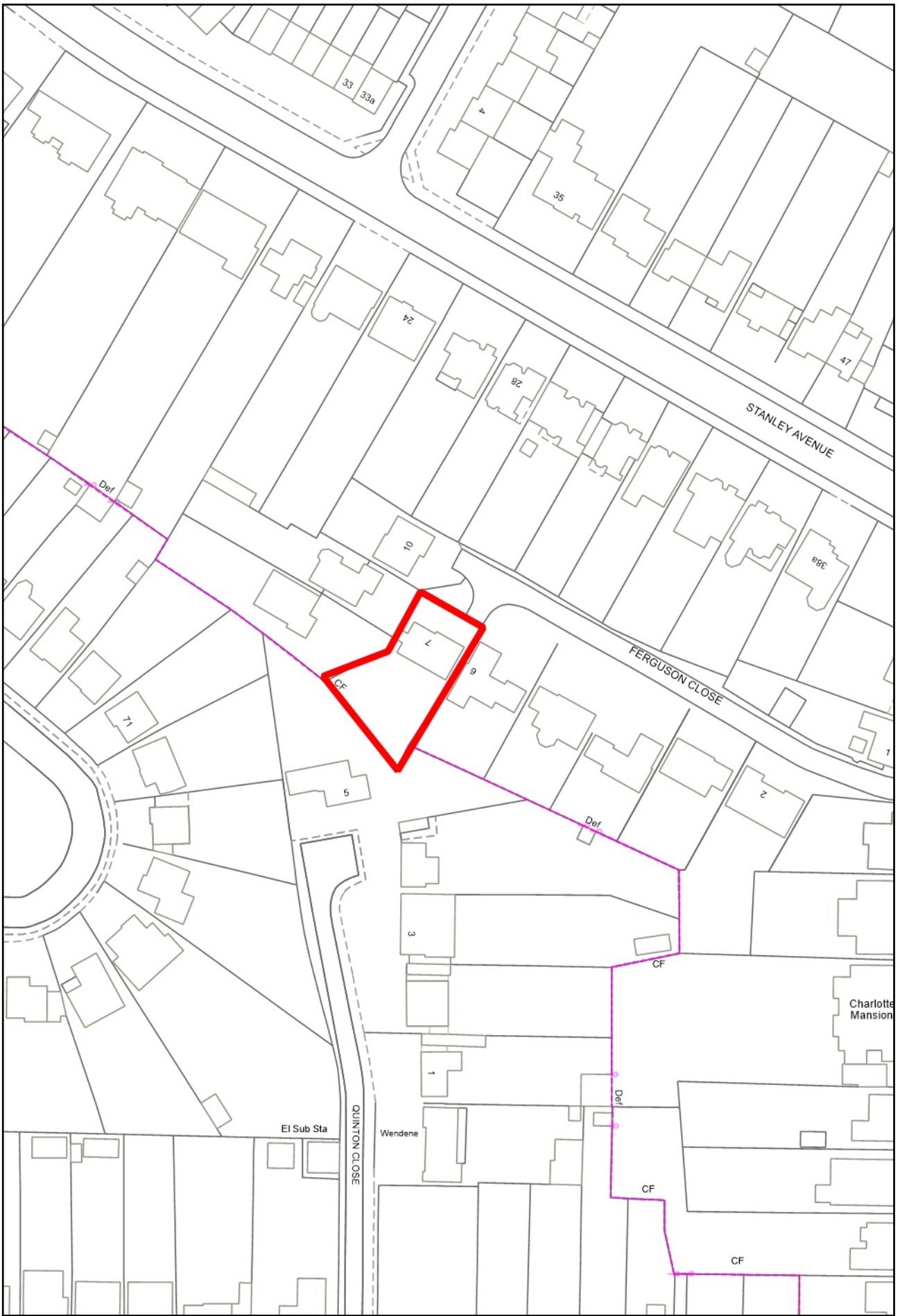


30 June 2020

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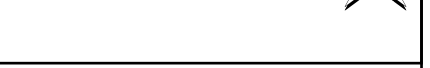
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 20/01380/TPO
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28 July 2020

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Agenda Item 4.2

Committee Date	6 th August 2020	
Address	27 High Street Chislehurst BR7 5AE	
Application Number	20/01457/FULL3	Officer - Lawrence Stannard
Ward	Chislehurst	
Proposal	Change of use to coffee shop / café (Mixed Use Class A1/A3) and elevational alterations.	
Applicant	Agent	
Mr F Worman	Mr Joe Alderman	
27 High Street, Chislehurst BR7 5AE	303 Downe House High Street Orpington BR6 0NN	
Reason for referral to committee	Significant Objections	Councillor call in No

RECOMMENDATION	Permission
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<p>KEY DESIGNATIONS</p> <p>Conservation Area: Chislehurst Biggin Hill Safeguarding Area London City Airport Safeguarding Smoke Control SCA 17</p>

Representation summary	<ul style="list-style-type: none"> • A site notice was displayed from the 15th May for 21 days. • Neighbour notification letters were sent on the 5th May. • A press ad was published on the 13th May.
Total number of responses	160
Number in support	31
Number of objections	129

SUMMARY OF KEY REASONS FOR RECOMMENDATION

- The development would not result in a harmful impact on the character and appearance of the area.
- The character and appearance of the Conservation Area would be preserved
- The development would not adversely affect the amenities of neighbouring residential properties
- The loss of the A1 retail unit would not harm the retail function of Chislehurst High Street, nor result in an over concentration of A3 uses within the local centre.

1 LOCATION

- 1.1 The application site is located on the western side of High Street, Chislehurst, and forms a primary retail frontage.
- 1.2 The site is located within the Chislehurst Conservation Area, and the host building is Locally Listed.

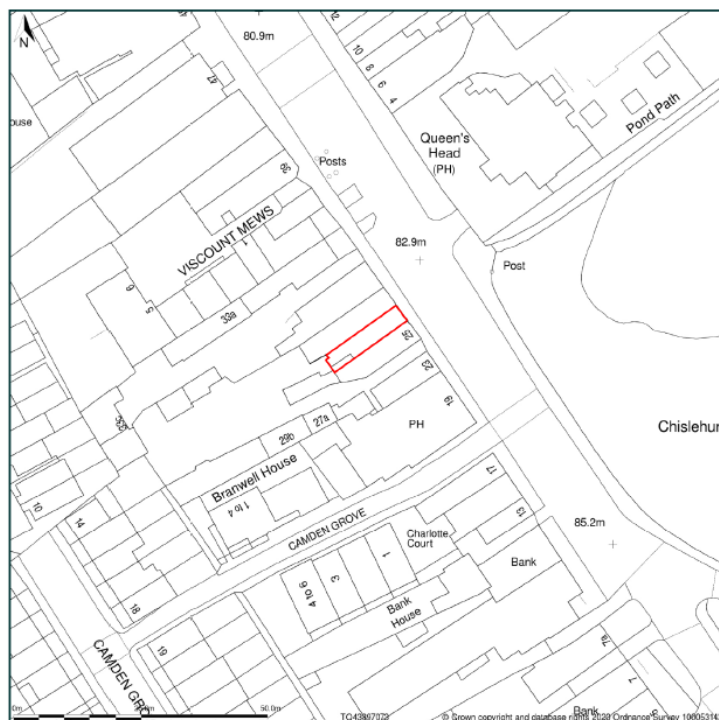


Figure 1: Site Location Plan

2 PROPOSAL

- 2.1 Planning permission is sought for the change of use of the existing vacant retail shop (A1) to coffee shop / café (Mixed Use Class A1/A3).
- 2.2 It is proposed to use the unit as a bespoke coffee shop / deli / café.
- 2.3 The application also seeks elevational alterations consisting of the addition of four conservation style rooflights in the flank roofslopes of the building (two on either flank).

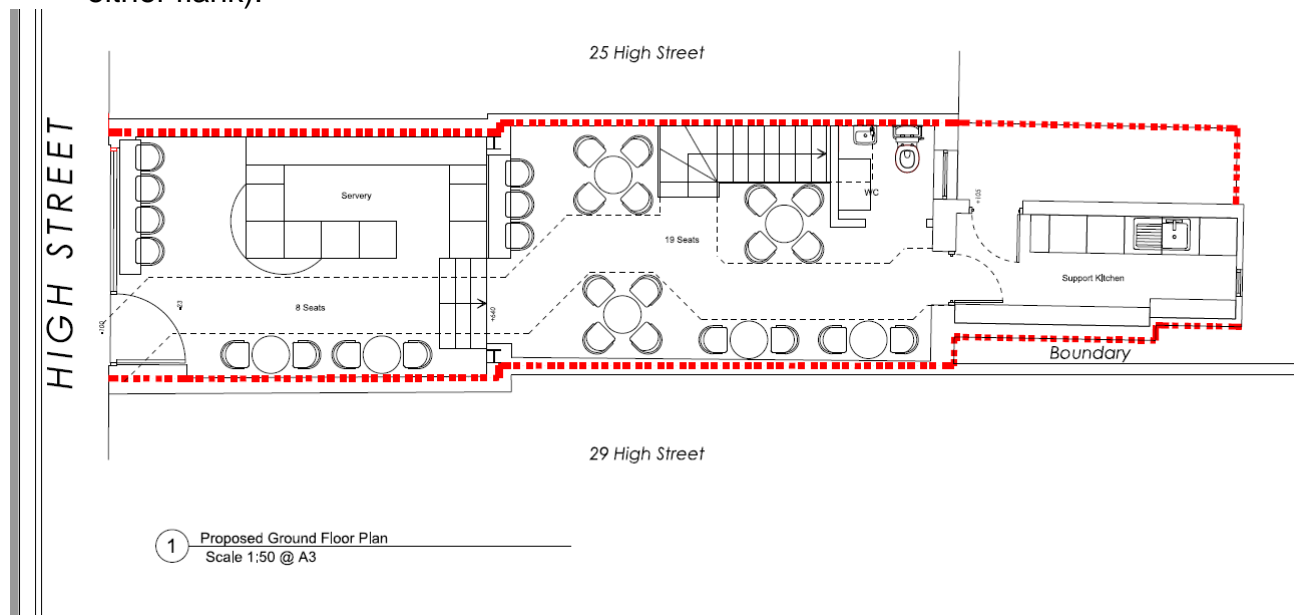


Figure 2: Proposed Ground Floor Layout

3 RELEVANT PLANNING HISTORY

- 3.1 The application site has no previous planning history.

4 CONSULTATION SUMMARY

- 5.1 It is noted that revised plans were submitted on the 14th July following initial consultation which removed the front terrace and retained the existing chimneys.

A) Statutory

Highways Officer

- In terms of trip generation, there are already a number of coffee shops / cafes nearby. I appreciate this is marketed as an independent shop but the majority of customers are likely to divert from the other nearby premises as many of the objectors suggest. I don't think there is any survey information available but it is unlikely that the overall number of customers making new trips is going to be significant. There is pay and display parking available in the High Street which I appreciate there is a heavy demand for and is often fully occupied. There are also three car parks along the High Street.

- If there is limited rear access deliveries will have to be taken over the pavement. This will be the same for any occupier of the premises. It is also the same for a number of properties in Chislehurst High Street which do not have rear access. It would be difficult to refuse on these grounds .
- The construction phase may be difficult particularly if all materials have to go in from the front. I would suggest that if it gets permission a construction management plan condition is included. They may also need to cordon off a parking bay or two but that would be something to arrange with the Parking section once everything else is in place.

B) Local Groups

The Chislehurst Town Team

- Understand this common change of use is permitted on a temporary basis for up to two years and therefore they could open as a coffee shop tomorrow under permitted development regulations.
- No quotas or guidelines on the number of types of business on a high street.
- High Streets are changing rapidly and struggling to attract retail outlets.
- Before lockdown cafes were all busy and supported and therefore can argue there is sufficient demand.
- The offering is a positive addition that embraces and develops the High Streets emerging café culture.
- It is independent and the owner is known as a responsible and supportive business owner on the High Street.
- No cooking of hot food using raw ingredients which we feel is significant.
- Premises has been empty since 2017 and we must encourage and support positive investment and regeneration in the High Street.
- Veranda / first floor terrace is a lovely addition which along with elevational alterations are sympathetic to the surroundings and add to the long term café culture of the High Street.

The Chislehurst Society (Observations)

- Consider the change of use would not harm the character of appearance of the heritage building nor adversely affect the character an appearance of the Conservation Area.
- Society has previously raised concerns over potential nuisance arising from first floor terraces in the High Street- there are issues relating to the proposed terrace that we consider should be addressed.
- No information on the first floor use / occupation of adjoining premises.
- Privacy side screens may limit daylight into front windows of adjoining units and would not shield these occupiers from noise nuisance.
- No mention of any lighting on the open front terrace.

C) Adjoining Occupiers

Objections

Comments relating to the proposed use (Addressed in para 6.1 and 6.5)

- Too many coffee shops already / Balance in trades within the High Street should be considered.
- Adverse impact on existing cafes in the area.
- Doesn't make sense to have another coffee shop / café between two others and next door to one.
- Another coffee shop / deli has recently been approved.
- Footfall would not support current businesses and community.
- Another food outlet whilst removing an empty shop will spread thinner the business available for current providers and risk them closing.
- Could lead to a full A3 use in the near future (for which this property is unsuitable).
- Concerns how building materials, suppliers and waste will be delivered and removed during construction and long term.
- High Street is missing specialist shops / alternative shops should be provided / A1 retail is needed.
- Under the impression only so many of the same sorts of shops on the high street were allowed.
- Plans are with a roof terrace overlooking the pond when quite frankly it would be overlooking the pub.
- By my judgement only one space for a disabled customer to sit at a table in their wheelchair.
- No space for appropriate ventilation.

Impact on the area (Addressed in para 6.2 and 6.3)

- Works not in keeping with other properties.
- Overdevelopment of the premises utilising ground and first floors with outside terrace seating.
- Plans are repugnant and the frontage would have zero if no kerb appeal.

Disruption of works / safety (Addressed in para 6.5)

- Danger to pedestrians and parked cars if deliveries have to go through the front across the pavement and traffic congestion as no suitable parking available.
- Impact on other businesses due to noise, scaffolding and disruption.
- Risk of health and safety issues due to lack of fire exits and cars coming to / from side entrance.

Parking (Addressed in para 6.5)

- Parking is already a problem.

Impact on amenities (Addressed in para 6.4)

- Loss of light to upstairs room of our property due to covered terrace with high dividing structure.
- Top floor of No.25 is enjoyed by customers for light and peaceful and private environment – light lost and noise impact from terrace will disturb customers.

- Concerns whether an alcohol licence will be sought after as terrace use is also being asked.

Comments In Support

- Excited to have a roof terrace and small business coffee shop to support
- Style and layout is perfect for the building and sustainability of the high street.
- Can see no logical or planning reasons why this application should not be granted planning permission.
- It will suit the needs of the high street and local residents.
- Very few places where you can sit outside and enjoy a coffee.
- Will open a vacant shop on our high street.
- Provides an opportunity to enjoy the nature on view at the nearby pond.
- Support for it being an independent shop rather than a chain.
- A welcome addition to the area as there isn't enough places to socialise.
- Design is attractive to look at.
- Enhance the amenities of the High Street and offers people choice.
- Different to what is offered on the High Street already so won't impact detrimentally on existing businesses.
- Always a demand for more coffee shops, eateries etc.
- Work environment is changing which will result in a café culture becoming more necessary for social and business occasions.

5 POLICIES AND GUIDANCE

5.1 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.

5.2 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.

5.3 The development plan for Bromley comprises the London Plan (March 2016) and the Bromley Local Plan (2019). The NPPF does not change the legal status of the development plan.

5.4 The 'Intend to Publish' version of draft London Plan (December 2019) is a material consideration in the determination of this planning application. Paragraph 48 of the NPPF states that decision makers may give weight to relevant policies in emerging plans according to: (1) the stage of preparation of the emerging plan; (2) the extent to which there are unresolved objections to relevant policies in the emerging plan; and (3) the degree of consistency of relevant policies to the policies in the Framework.

- 5.5 The draft New London Plan was submitted to the Secretary of State (SoS) on 9 December 2019, following the Examination in Public which took place in 2019. This was version of the London Plan which the Mayor intended to publish, having considered the report and recommendations of the panel of Inspectors.
- 5.6 The London Assembly considered the draft new London Plan at a plenary meeting on 6 February 2020 and did not exercise their power to veto the plan.
- 5.7 After considering the 'Intend to Publish' Plan, on 13 March 2020 the Secretary of State for Housing, Communities and Local Government wrote to the Mayor identifying directed changes to a number of policies in the draft plan. The SoS considered these changes were necessary to address concerns regarding inconsistencies with national policy. The Mayor cannot publish the New London Plan until the directed changes have been incorporated, or until alternative changes to address identified concerns have been agreed with the SoS. This could affect the weight given to the draft plan with regard to the directed policies.
- 5.8 At this stage, the Council's up-to-date Local Plan is generally considered to have primacy over the draft London Plan in planning determinations. However, where no modifications have been directed the draft London Plan policies are capable of having significant weight (as seen in a recent SoS call-in decision in the Royal Borough of Kensington and Chelsea). Where specific draft London Plan policies have been given particular weight in the determination of this application, this is discussed in this report.
- 5.9 The application falls to be determined in accordance with the following policies:-

5.10 National Policy Framework 2019

5.11 The London Plan

6.13 Parking

7.4 Local character

7.5 Public realm

7.6 Architecture

7.8 Heritage assets and archaeology

5.12 Draft London Plan

D1 London's form and characteristics

D4 Delivering good design

D5 Inclusive design

5.13 Bromley Local Plan 2019

6 Residential Extensions

21 Opportunities for Community Facilities

30 Parking
37 General Design of Development
41 Conservation Areas
95 Local Centres
98 Restaurants, Pubs and Hot Food Takeaways
123 Sustainable Design and Construction

5.14 Bromley Supplementary Guidance

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

6 ASSESSMENT

6.1 Principle - Acceptable

- 6.1.1 The submitted Design and Access Statement indicates that the existing site is vacant and has been for some time.
- 6.1.2 The existing unit was last used as an Optician. The Land Use Gazetteer classifies Opticians (dispensing) and Opticians shops as A1. An Opticians surgery which is separate from the shop and ophthalmologist's surgery are usually classed as D1, however, if there were such activity on the site it is likely to have been ancillary in nature to the main A1 use.
- 6.1.3 There are currently two other opticians within the vicinity of the site and therefore no concerns are raised in terms of the loss of the opticians.
- 6.1.4 The site is located within the Chislehurst Local Parade. Policy 95 states that a change of use from A1 to other uses within a Local Centre will only be permitted if the proposal does not harm the retail character of the shopping frontage, has no adverse impact on residential amenity, does not create a concentration of similar uses, attracts visitors during shopping hours, and complements the shopping function of the centre.
- 6.1.5 It is noted that the unit is located close to other A3 uses within the parade, including one adjacent to the application site, and that there are a number of other A3 uses within the parade. However, the number of A1 use units significantly exceeds the number of A3 uses within Chislehurst High Street. It is considered that the loss of one A1 unit would affect the main function of the local centre remaining as A1 retail, nor result in an over concentration of A3 uses within the local centre when considered as a whole.
- 6.1.6 Furthermore, it is considered that the proposed use would attract visitors to the centre during shopping hours and the change of use is therefore considered to comply with Policy 95 and would be acceptable in principle.
- 6.1.7 Notwithstanding the above which has been assessed under the current policy, from September the 1st 2020 shops, cafés, restaurants and ophthalmologists surgery which have previously fallen into the A1, A3 and D1 use class will fall

into the same use class which has been designated Class E. Planning consent will not be required to go between an A1, A3 and D1 from 1st September 2020 as it will not be considered to be development.

6.2 Design – Layout, scale – Acceptable

6.2.1 The proposed development would include elevational alterations to the property consisting of the addition of four conservation style rooflights in the flank roofslopes of the building (two on either flank).

6.2.2 It is not considered that these alterations would significantly alter or harm the appearance of the host building, nor would they appear overly prominent within the streetscene.

6.2.3 Having regard to the *scale, siting and design of the rooflights* it is considered that they would complement the host property and would not appear out of character with surrounding development or the area generally.

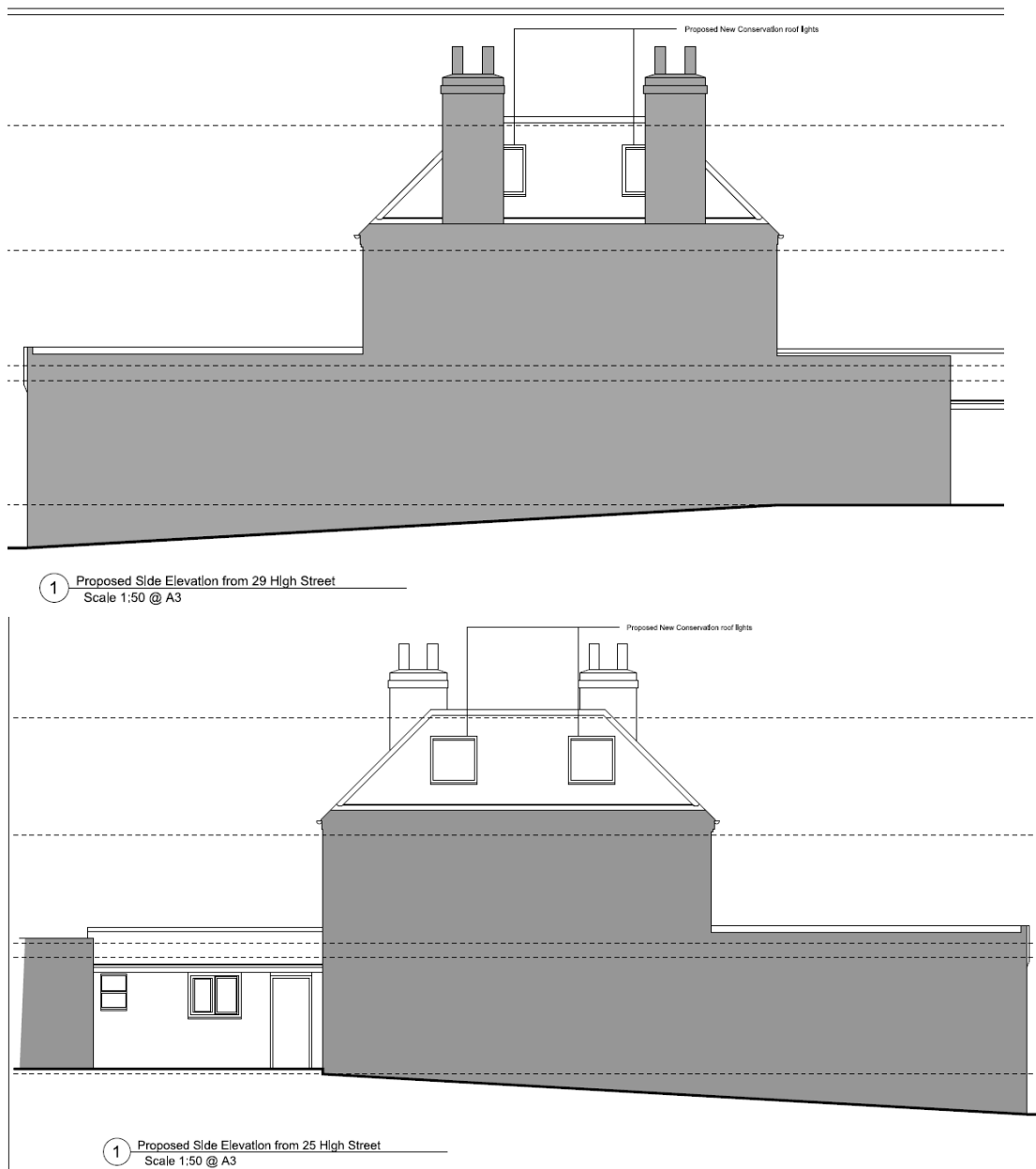


Figure 3: Proposed Flank Elevations

6.3 Conservation – Acceptable

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

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

6.3.3 The Conservation Officer has reviewed the application and has no objection to the impact of the proposed conservation style rooflights to the flank roofslopes of the building.

6.3.4 It is therefore considered that the development would preserve the setting of the locally listed host building and the character and appearance of the Chislehurst Conservation Area.

6.4 Residential Amenity – Acceptable

6.4.1 The proposed development would not result in the enlargement of the host building and would not result in any loss of light, outlook or visual amenities to nearby residents.

6.4.2 The only external alterations would be the addition of the conservation style rooflights to the flank roofslopes. Given their siting and the proposed use of the unit it is not considered that this would result in any loss of privacy to nearby residents.

6.4.3 The proposed use would not be considered to result in any significant noise and disruption to nearby residents.

6.5 Highways – Acceptable

6.5.1 It is not considered that the overall number of customers making new trips to the premises would significantly increase trip generation within the High Street given that the majority of customers are likely to diver from other nearby premises.

6.5.2 There is pay and display parking with the High Street and three additional car parks along the High Street that would provide provision for parking.

6.5.3 If rear access for deliveries is limited then these would have to be taken over the pavement, however this is the same for any occupier of the premises and the change of use would not alter this impact. Furthermore, this is the same for a number of other properties within the High Street and therefore any impact of this would not warrant refusing the application.

6.5.4 Highways Officers have recommended a construction management plan condition to ensure no issues are caused during the construction phase of the works. However, it is considered on balance that this is not reasonable given the limited works involved which would be limited to internal works and the addition of rooflights only.

7 CONCLUSION

7.1 Having regard to the above, the development in the manner proposed is acceptable in that it would preserve the character and appearance of the

Conservation Area and not harm the amenities of neighbouring residential properties.

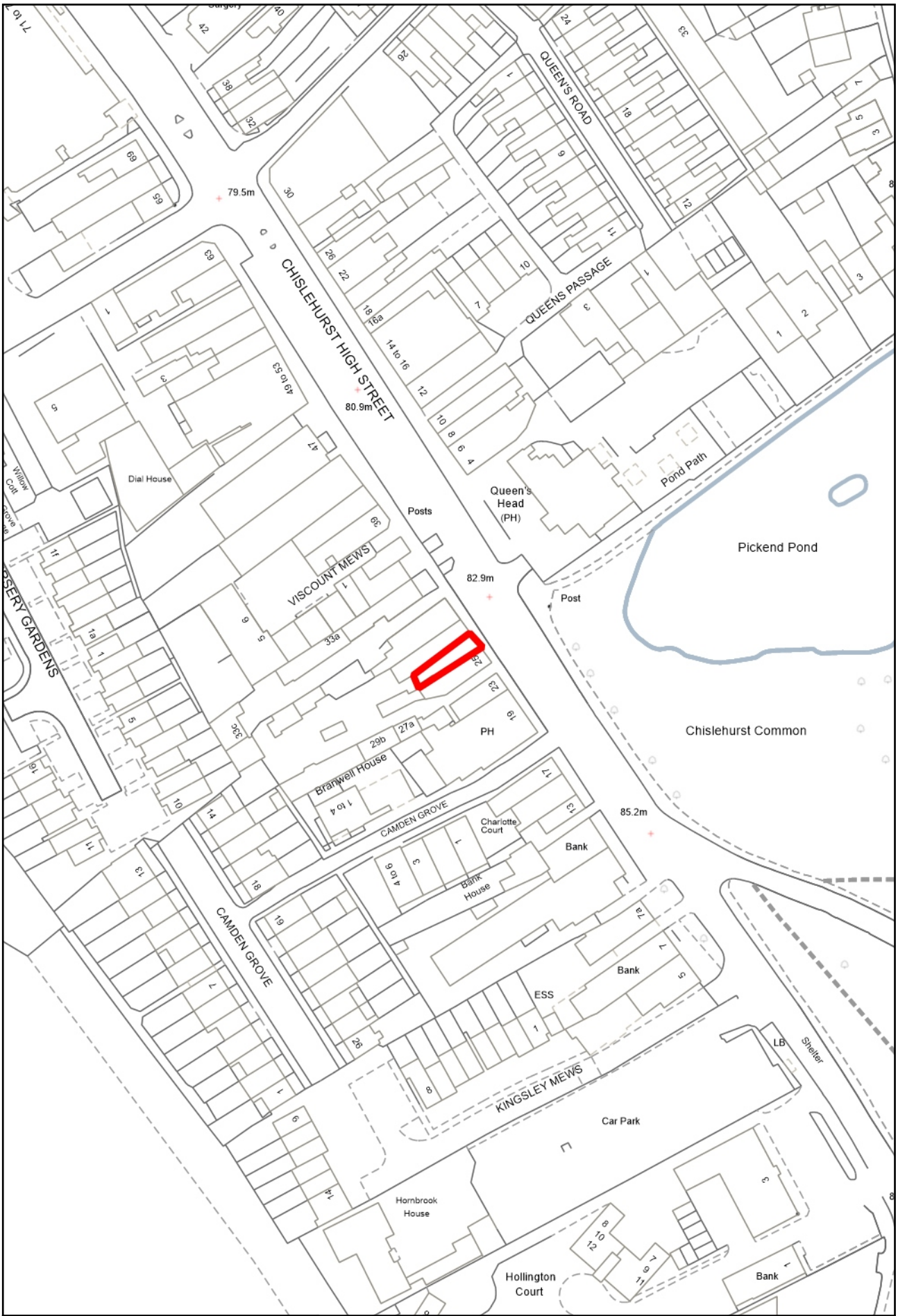
7.2 Conditions are recommended to secure the use of the unit and the opening hours.

RECOMMENDATION: Application Permitted


Subject to the following conditions:


1. Standard time limit of 3 years
2. Standard compliance with approved plans
3. Matching materials
4. Opening Hours 07:00 to 19:00 any day.

Any other planning condition(s) considered necessary by the Assistant Director of Planning




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20/01457/FULL3



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Agenda Item 4.3

Committee Date	06.08.2020	
Address	96 Wickham Road Beckenham BR3 6QH	
Application Number	20/01550/FULL1	Officer - Louisa Bruce
Ward	Kelsey And Eden Park	
Proposal	Erection of a timber clad structure with a retractable canopy to enclose the existing patio.	
Applicant	Agent	
Peter Bolton	Mr Peter Lee	
96 Wickham Road Beckenham BR3 6QH	1 The Crescent Stourbridge DY9 7LF United Kingdom	
Reason for referral to committee	Previous application went to committee.	Councillor call in No

RECOMMENDATION	Application Permitted
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<p>KEY DESIGNATIONS</p> <p>Biggin Hill Safeguarding Area London City Airport Safeguarding Smoke Control SCA 18</p>
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Land use Details		
	Use Class or Use description	Floor space (GIA SQM)
Existing	A3	214

Proposed	A3	214
----------	----	-----

Vehicle parking	Existing number of spaces	Total proposed including spaces retained	Difference in spaces (+ or -)
Standard car spaces	0	0	0
Disabled car spaces	0	0	0
Cycle	0	0	0

Representation summary	Neighbours were notified of the application on 11 th May 2020.	
Total number of responses	8	
Number in support	1 (Applicant)	
Number of objections	7 objections from three separate residents	

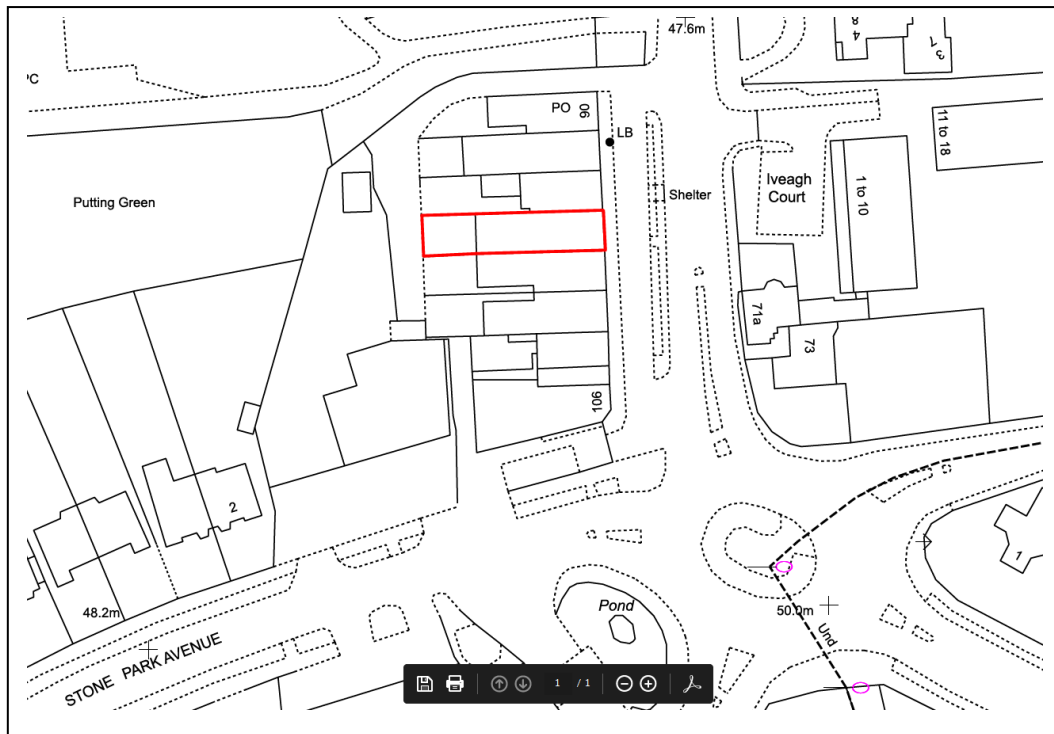
1 SUMMARY OF KEY REASONS FOR RECOMMENDATION

- The development would not result in a harmful impact on the character and appearance of the area
- The development would not adversely affect the amenities of neighbouring residential properties

1 LOCATION

1.1 The application relates to a two-storey mid-terrace property that is located within a commercial parade. The surrounding area is characterised by a mix of commercial units on the ground with residential properties above.

1.2 No.96 Wickham Road is a café (Daisy Grey) on the ground floor with separate living accommodation above. An existing outdoor seating area exists to the rear of the property



2 PROPOSAL

- 2.1 Permission is sought for a timber-clad structure with a retractable fabric canopy on the existing patio to the rear of the property, to provide more comfortable all-weather seating facilities to enhance the existing café 'Daisy Grey'.
- 2.2 The accompanying Design and Access Statement sets out that the aim is to provide an inviting seating environment in an 'outdoor room'. The business has struggled to make best use of the space in the past, as inclement weather often makes it undesirable to sit outside.
- 2.3 The retractable roof structure is an electrically operated awning supported on a powder-coated aluminium frame. The fabric awning retracts in a concertina fashion. Illumination is provided by integral LED downlights set into the fabric support bars. The LEDs are in fixed positions ensuring that the light shines downwards only, and their brightness can be adjusted.
- 2.4 There will be full-height glazing to the front elevation, with a double door. The same will apply to the rear elevation.
- 2.5 The boundary fencing will be replaced with a fully insulated stud wall with timber cladding of similar appearance to the existing fence.
- 2.6 The application is accompanied by a Design and Access Statement, photo illustration and a technical specification of the proposed canopy.



3 RELEVANT PLANNING HISTORY

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

3.2 Under planning application ref: 19/00963/FULL1 planning permission was granted for Change of Use from Retail (Use Class A1) to Retail/Café/Restaurant (Use Class A1/A3).

3.3 Under planning application ref:- 15/01934/FULL3 planning permission was refused for Change of use from retail shop (use class A1) to restaurant/takeaway (use class A3 (A5), installation of ventilation extraction system to rear. The application was refused on the following grounds:

1. *The proposal would give rise to unacceptable levels of activity and general noise and disturbance, detrimental to the residential amenities that the occupants of nearby residential properties could reasonably expect to be able to continue to enjoy, and thereby contrary to Policy S9 of the Unitary Development Plan.*
2. *In the absence of sufficient parking capacity in the vicinity of the application site to satisfactorily accommodate the additional traffic associated with the proposed use, the proposal would be likely to undermine the free flow of traffic along surrounding roads, inconvenience other road users and pedestrians, and prejudice road*

safety conditions in general, contrary to Policies S9 and T18 of the Unitary Development Plan.

- 3.4 Under reference 11/00591 planning permission was granted for Change of use from Class A1 Shop to Class D1 (Surgery/therapy/gallery use).
- 3.5 Under reference 95/01009 an application for a change of use to a restaurant was refused on the following grounds:
- "01 *The proposed change of use would result in the unacceptable loss of a retail unit detrimental to the retail character and amenity of this local shopping parade, contrary to Policy S.4 of the Unitary Development Plan.*
- 02 *The proposed use by reason of the days and hours of operation would give rise to unacceptable levels of activity and general noise and disturbance detrimental to the residential amenities that the occupants of nearby properties could reasonably expect to be able to continue to enjoy, thereby contrary to Policy S.6 of the Unitary Development Plan.*
- 03 *The proposed system of ventilation would not ensure that odours would be effectively dispersed without having a detrimental impact upon the residential amenities of nearby occupants, thereby contrary to Policy S.6 of the Unitary Development Plan."*
- 3.6 A subsequent appeal was dismissed.
- 3.7 Under reference 88/04870, planning permission was granted for a single storey rear extension.

4 CONSULTATION SUMMARY

A) Statutory

Highways – No objection

- No objections raised to proposed new access
- Adequate parking will be provided to serve the development.

B) Local Groups

None

C) Adjoining Occupiers – points addressed in paragraph 6.10 – 6.13

- In order to erect the canopy the occupier would have to move the ventilation system on the flat roof.
- The ventilation has been put up with no consideration for neighbours above.
- Will lead to increased parking around the back which is a private access road

- Will lead to increased noise
- Cyclists and walkers have been told to use the rear entrance which is a private accessway.

5 POLICIES AND GUIDANCE

- 5.1 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.
- 5.2 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.
- 5.3 The development plan for Bromley comprises the London Plan (March 2016) and the Bromley Local Plan (2019). The NPPF does not change the legal status of the development plan.
- 5.4 The 'Intend to Publish' version of draft London Plan (December 2019) is a material consideration in the determination of this planning application. Paragraph 48 of the NPPF states that decision makers may give weight to relevant policies in emerging plans according to: (1) the stage of preparation of the emerging plan; (2) the extent to which there are unresolved objections to relevant policies in the emerging plan; and (3) the degree of consistency of relevant policies to the policies in the Framework.
- 5.5 The draft New London Plan was submitted to the Secretary of State (SoS) on 9 December 2019, following the Examination in Public which took place in 2019. This was version of the London Plan which the Mayor intended to publish, having considered the report and recommendations of the panel of Inspectors.
- 5.6 The London Assembly considered the draft new London Plan at a plenary meeting on 6 February 2020 and did not exercise their power to veto the plan.
- 5.7 After considering the 'Intend to Publish' Plan, on 13 March 2020 the Secretary of State for Housing, Communities and Local Government wrote to the Mayor identifying directed changes to a number of policies in the draft plan. The SoS considered these changes were necessary to address concerns regarding inconsistencies with national policy. The Mayor cannot publish the New London Plan until the directed changes have been incorporated, or until alternative changes to address identified concerns have been agreed with the SoS. This could affect the weight given to the draft plan with regard to the directed policies.

5.8 At this stage, the Council's up-to-date Local Plan is generally considered to have primacy over the draft London Plan in planning determinations. However, where no modifications have been directed the draft London Plan policies are capable of having significant weight (as seen in a recent SoS call-in decision in the Royal Borough of Kensington and Chelsea). Where specific draft London Plan policies have been given particular weight in the determination of this application, this is discussed in this report.

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

5.10 National Policy Framework 2019

5.11 The London Plan

6.13 Parking

7.4 Local character

7.5 Public realm

7.6 Architecture

5.12 Draft London Plan

D1 London's form and characteristics

D4 Delivering good design

D5 Inclusive design

5.13 Bromley Local Plan 2019

30 Parking

37 General Design of Development

5.14 Bromley Supplementary Guidance

Supplementary Planning Guidance 1 - General Design Principles

6 ASSESSMENT

6.1 Design – Layout, scale – Acceptable

6.2 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.

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

- 6.4 Policies 6 and 37 of the Bromley Local Plan (BLP) and the Council's Supplementary design guidance seek to ensure that new development, including residential extensions are of a high quality design that respect the scale and form of the host dwelling and are compatible with surrounding development.
- 6.5 The proposed canopy would be erected around the existing outdoor seating area of the cafe. It would measure 3.7m in height x 6.7m in depth x 6.2m in width. The canopy would have an aluminium frame with an acrylic fabric canopy. The retractable roof structure is an electrically operated awning supported on a powder-coated aluminium frame. The fabric awning retracts in a concertina fashion.
- 6.6 Illumination is provided by integral LED downlights set into the fabric support bars. The LEDs are in fixed positions ensuring that the light shines downwards only, and their brightness can be adjusted during installation.
- 6.7 The canopy will have full height glazing to the front elevation, with a double door with the same to the rear elevation.
- 6.8 The boundary fencing will be replaced with fully insulated stud wall with timber cladding of similar appearance to the existing fence.
- 6.9 Having regard to the form, scale and siting it is considered that the proposed canopy would not impact significantly on the character or appearance of the host property or the surrounding area.

6.10 Residential Amenity – Acceptable

- 6.11 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.
- 6.12 The proposed frame canopy will not project beyond the existing outdoor seating area. The frame and canopy will be visible to neighbours living in the flats above the shops located on the parade in Wickham Road, however, it is not considered to impact on the amenities of this neighbouring property with regards to loss of light, outlook or visual amenity. The Design and Access Statement states that the wall will be insulated to provide a sound barrier to reduce any disturbance to neighbouring properties when the retractable canopy is open. The Environmental Health Department have raised no objection to the proposal.
- 6.13 Several letters of objection have been received from neighbours mainly concerning the ventilation system located on the flat roof of the café. The

ventilation was permitted under planning application ref: 19/00963/FULL1 and is currently subject of a pending planning investigation.

- 6.14 Having regard to the scale, siting and materials of the development, it is not considered that a significant loss of amenity with particular regard to light, outlook, prospect and privacy would arise.

7 CONCLUSION

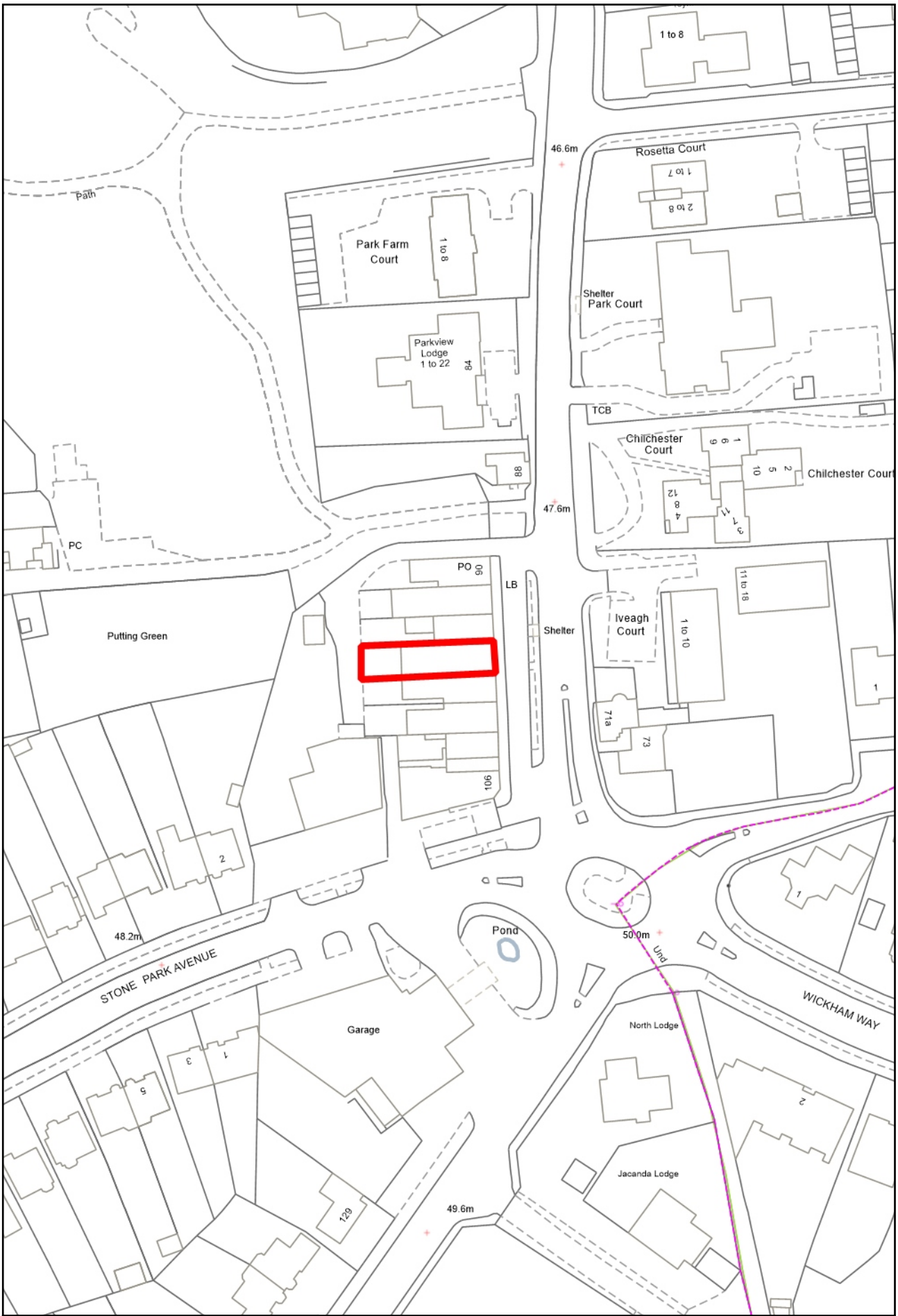
- 7.1 Having regard to the above, the development in the manner proposed is acceptable in that it would preserve the character and appearance of the Conservation Area and not harm the amenities of neighbouring residential properties.
- 7.2 Conditions are recommended to secure permission.
- 7.3 Background papers referred to during production of this report comprise all correspondence on the files set out in the Planning History section above, excluding exempt information.

RECOMMENDATION: Application Permitted


Subject to the following conditions:

- 1. Standard time limit of 3 years**
- 2. Standard compliance with approved plans**
- 3. Materials as set out in drawings**

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Agenda Item 4.4

Committee Date	06.08.20	
Address	Ground Floor (Part) Northside House 69 Tweedy Road Bromley BR1 3WA	
Application Number	20/01631/FULL2	Officer - Joanna Wu
Ward	Bromley Town	
Proposal	Change of use from B1(a) office to D1 eye clinic	
Applicant	Agent	
Mr James Clarke c/o Fisher German LLP	Mr Scott O'Dell The Estates Office Norman Court Ashby de la Zouch LE65 2UZ Leicestershire	
Reason for referral to committee	Councillor Call-In	Councillor call in Yes

RECOMMENDATION	Refusal
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<p>KEY DESIGNATIONS</p> <p>Biggin Hill Safeguarding Area Bromley Town Centre Area London City Airport Safeguarding Open Space Deficiency Smoke Control SCA 5</p>

Land use Details		
	Use Class	Floor space (GIA SQM)
Existing	B1 (a) office	538 m2
Proposed	D1 (Eye Clinic)	538 m2

Operational hours	7:30am to 18:30pm (Monday to Saturday).
Staff	30 Full time staff (20 staff at any time)
Visitors (patients)	A maximum of 50 patients per day (including pre-assessment clinic (PAC) and Theatre (TX)).

Vehicle parking	Existing number of spaces	Difference in spaces (+ or -)
Standard car spaces	0	+10 (visitors' car park) +10 at Bromley Cricket Club (staff car park)

Representation summary	Neighbouring properties were notified of the application by letter dated 28.05.2020; Site Notice was displayed on 09.06.20. Press Advertisement was published on 10.06.20	
Total number of responses	None	
Number in support	N/A	
Number of objections	N/A	

SUMMARY OF KEY REASONS FOR REFUSAL

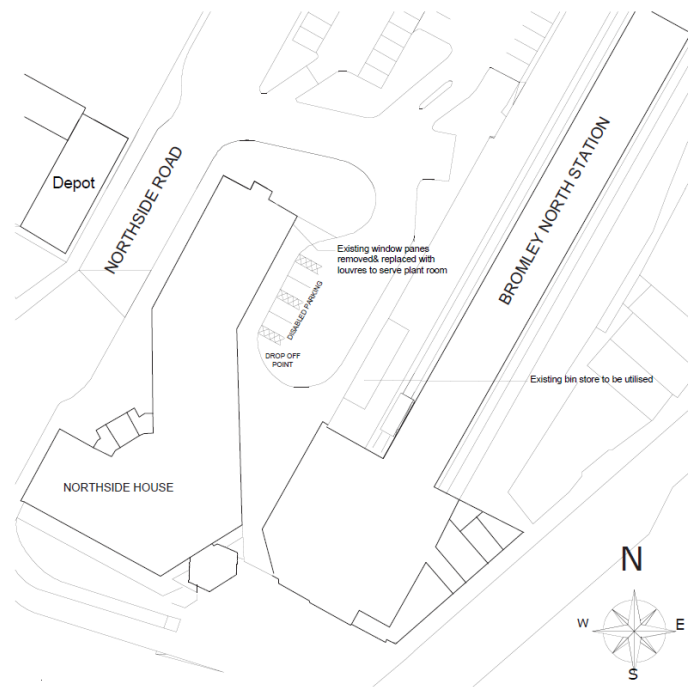
- The proposed change of use would result in the loss of the Class B1 floorspace in the designated Business Improvement Area, contrary to Policy 84 of the Bromley Local Plan.

1. Background

- 1.1 This application was presented at the previous Planning Sub-committee on the 9th of July with a recommendation that the application to be refused.
- 1.2 Following discussion of the application at that Planning sub-committee, members resolved that this proposal could be supported. Accordingly, the application was deferred to be represented to a "sister" committee bearing in mind the existing committee protocol for considering cases recommended for refusal. However, they were in agreement that this application should be considered as an exceptional case in terms of the proposed change of use reducing office (Class B1) floorspace in the Business Improvement Area, which Policy 84 seeks to protect.
- 1.3 The Planning sub-committee members also requested that officers provide a list of conditions for consideration at the next "sister" committee (without prejudice) and also to clarify the applicant's proposed arrangements for clinical waste disposal.
- 1.4 The applicants have confirmed that any medical waste will be stored securely in the existing bin store (as identified on the proposed site plan). This would be collected on a regular basis (usually weekly) by a specialist contractor. This issue will be controlled by a condition that requires that all clinical waste should be stored inside the premises until it needs to be put out for the waste collection.
- 1.5 A list of recommended conditions is attached in the Appendix A. Members should be aware that these conditions should be considered without prejudice to the decision of the planning sub-committee meeting on the 6th of August 2020.
- 1.6 The applicants have also commented on the officer's recommended conditions and their comments are attached in Appendix B.

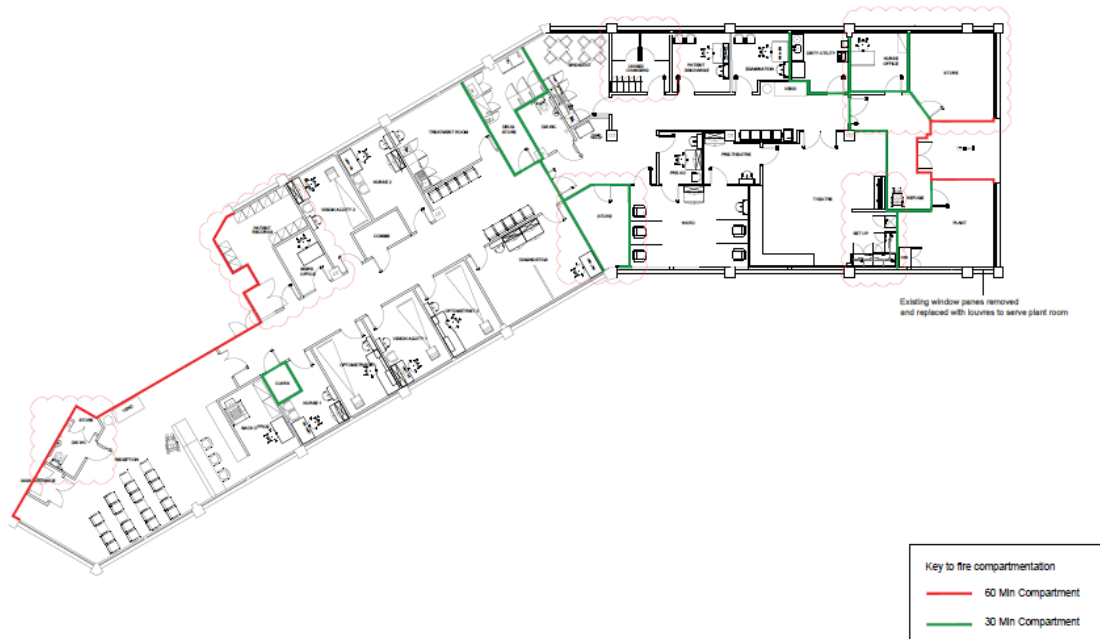
2. LOCATION

- 2.1 The application site lies on the northern side of Tweedy Road and comprises of a 6-storey commercial property, adjacent to Bromley North train station. To the rear of the office building there are three car parks and a private, barrier controlled car park for the use of Northside House. There are two well-served bus stops outside the building.
- 2.2 The site is located within a designated Business Improvement Area (BIA) in Bromley Town Centre. It also lies in the Bromley Town Centre (North East) Article 4 Direction area.



3. PROPOSAL

- 3.1 The proposal is a change of use from B1 (office) to D1 (eye clinic) use.
- 3.2 This application follows on from the previous proposed identical application that the council has recently refused (planning ref: 19/05007). The proposal includes the change of use of an office to an eye clinic, operated by SpaMedica who provide medical services as an NHS partner. The proposed floorspace for the change of use would be 538m², which is currently located on the ground floor (north wing). The proposed hours of operation would be from 07:30 to 18:30 Monday to Saturday. The proposal would not result in any external alterations except the removal of an open windowpane on the north elevation which is to be replaced with louvres to facilitate the inclusion of an internal plant room.
- 3.3 In the Design and Access statement, it is stated that the proposal would create a range of skilled and specialist jobs equating to around 30 full time equivalent clinical staff and a senior regional director. The clinical staff would include ophthalmologists, a Clinic Manager specialist nurse, medical receptionists and a driver. It is considered that the shift patterns and part-time working arrangements would mean that there would be up to 20 clinical staff on site at any one time.
- 3.4 The facility would support hospitals across London and the southern regions whilst also treating up to a maximum of 50 patients per day. This would only comprise of pre-booked day cases with no overnight stays or walk-in/ emergency facilities. The service would include pre-assessment consultations and cataract operations.
- 3.5 With regards to car parking provision, the allocated 10 parking spaces at Northside House would be reserved for patients only. The company have also liaised with Bromley Cricket Club at Plaistow Lane to arrange for staff to park at the cricket club and then walk from the Cricket Club to the Eye Clinic (approx. 20 mins walk). The proposed pick-up/ drop-off point would be located to the rear of the building near the rear of the office building block.
- 3.6 There would be no external mechanical equipment. Three plant and equipment units would be located in the internal plant room.



- 3.7 The applicants have also submitted two supporting documents, the Office Market Assessment and the Marketing report. The report shows that the proposed location has been marketed for 5 years during which there were 6 viewings in the last 12 months but there was no interest to rent this premises for B1 use.
- 3.8 Also, SpaMedica also state that when considering the suitability of sites for a new clinic, only 5 specific locations originally met their initial search criteria. Subsequently, only this site at Northside House has met all of their assessment criteria for the proposed use as an eye clinic.
- 3.9 The applicants also state that they would like the Council to impose a personal permission should this application be granted so that the application site will return back to B1 (office) use should SpaMedica no longer occupy the site.

4. RELEVANT PLANNING HISTORY

- 4.1 The application site has an extensive planning history predominantly relating to installation of telecommunications equipment on the roof as well as elevation and entrance alterations. A previous application to convert the office to an eye clinic was refused permission in April 2020.

02/03729/ADV - Internally illuminated front and rear entrance signs and two flag poles to front entrance. Application permitted.

02/03730/FULL1 - New cladding to existing ground and first floor columns and new canopies to front and rear of office building, alterations to hard and soft landscaping to front and rear. Application permitted.

02/03731/FULL1 - Construction of detached single storey building for use as a coffee shop to include internal seating, new cladding to existing ground and first floor columns and new canopies to office building, alterations to hard and soft landscaping to include external seating to front. Application permitted.

02/04044/FULL5 - Telecommunications antennae and equipment cabin on roof. Application permitted.

02/04403/FULL3 - Change of use of sixth floor from residential to offices and extension over roof terrace. Application permitted.

13/00650/FULL1 – The resurfacing of the external steps and ramp to the main entrance, with the re-cladding of the existing canopy and the addition of external render to the existing brick planters / hard landscaping and brick facades to the ground and first floors of the front elevation. Application permitted.

13/00651/ADV – Rear illuminated fascia letters. Application permitted.

14/01080/PLUD – Continued use as business offices (Class B1(a)). Application permitted.

19/05007/FULL3 Change of use from B1(a) office to D1 eye clinic - northern ground floor. Application refused.

5. CONSULTATION SUMMARY

A) Statutory

5.1 Bromley Clinical Commissioning Group (CCG): No Objection

The Bromley CCG do not currently commission any activity from this company so they cannot actively support the scheme, however they also have no objections at this stage.

5.2 Transport for London: No Objection

The site is set back from Tweedy Road, which is part of the Transport for London Road Network (TLRN), so the proposal is unlikely to have an unacceptable impact in this respect either during construction or residually.

The only other observation is that the change of use may result in an increase in 'drop off and pick up' vehicular activity and that there is a lack of defined area for this. There would be concerned that if buses accessing the adjacent TfL-owned bus station are affected in any way due to the increased vehicle activity in Northside Road (west side) with the proposed change of use.

5.3 Environmental Health Officer: Consulted but did not comment

5.4 Drainage Engineer: No comment

5.5 Highways: No Objection

B) Local Groups/ Adjoining properties

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

6. POLICIES AND GUIDANCE

6.1 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:

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

6.2 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.

6.3 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.

6.4 The 'Intend to Publish' version of draft London Plan (December 2019) is a material consideration in the determination of this planning application.

6.5 The draft new London Plan was submitted to the Secretary of State (SoS) on 9 December 2019, following the Examination in Public which took place in 2019. This is the version of the London Plan which the Mayor intends to publish, having considered the report and recommendations of the panel of Inspectors. Where recommendations have not been accepted, the Mayor has set out a statement of reasons to explain why this is.

6.6 Ahead of publication of the final plan, the SoS can direct the Mayor to make changes to the plan, and the London Assembly can veto the plan. These factors affect the weight given to the draft plan. At this stage, the Council's up-to-date Local Plan is generally considered to have primacy over the draft London Plan in planning determinations.

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

6.8 **National Policy Framework 2019**

6.9 **The London Plan**

- Policy 2.15 Town Centres
- Policy 4.2 Offices
- Policy 4.3 Mixed use development and offices

6.10 **Draft London Plan**

- Policy SD6 Town Centres
- Policy SD9 Town centres: Local partnerships and implementation
- Policy E1 Offices

6.11 Bromley Local Plan 2019

Policy 20 Community Facilities
Policy 26 Health & Wellbeing
Policy 30 Parking
Policy 37 Design of New Development
Policy 84 Business Improvement Areas (BIA)
Policy 92 Metropolitan & Major Town Centre Uses

6.12 Bromley Town Centre Area Action Plan (BTCAAP)

Policy BTC1: Mixed Use Development
Policy OS1: Bromley North station
Policy IA2 Business Improvement Areas

6.13 Bromley Town Centre (North East) Article 4 Direction

7. ASSESSMENT

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

- Resubmission
- Principle of development
- Design – Layout, scale height and massing
- Neighbourhood Amenity
- Transport
- Environmental Health/ contamination/ noise /air quality

7.2 Resubmission

7.2.1 The current application represents a resubmission of an earlier application (planning ref: 19/050078/FULL2) which was refused permission in April. The reason for refusal was:

7.2.2 “The proposed change of use would result in the loss of the Class B1 floorspace in the designated Business Improvement Area, contrary to Policy 84 of the Bromley Local Plan.”

7.2.3 Compared to the previous scheme, in this new planning application there is no difference in terms of the services they are proposing to provide. However, the applicants have submitted further supporting documents, such as the Marketing report and Office Market Assessment, which have been discussed in paras 3.7 and 3.8 above.

7.3 Principle of development - not acceptable

Here below are the policies that are relevant to this planning application.

London Plan (2016)

7.3.1 London Plan policy 2.7 Outer London: Economy seeks to address the need to consolidate and develop the strengths of Outer London's office market through encouraging new provision in competitive locations.

- 7.3.2 Strategic paragraph A of policy 4.2 Offices states that the Council should "encourage renewal and modernisation of existing office stock in viable locations to improve its quality and flexibility," and should "seek increases in current stock where there is authoritative, strategic, and local evidence of sustained demand for office-based activities."
- 7.3.3 Annex one of the London Plan outlines Bromley Town Centre's strategic role as a Metropolitan town centre. With an indicative employment capacity of 2,000, "a carefully managed approach should be taken to enhance the business environment and modernise viable office provision."

London Plan Intend to Publish

- 7.3.4 The Intend to Publish London Plan (December 2019) is a material consideration in the determination of this planning application.
- 7.3.5 Table 6.2 of the new London Plan will require Bromley to retain viable office floor space capacity and facilitate the redevelopment, renewal and re-provision of office space where viable and releasing surplus office capacity to other uses. The draft new London Plan is very clear about promoting office space. However it also recognises that some town centres are transitory and therefore mixed-use developments would not be unacceptable provided that the supply and quality of office space is improved.

Bromley Local Plan (2019)

- 7.3.6 Policy 84 "Business Improvement Areas (BIAs)" will seek to manage and improve the supply of high quality office floorspace in Bromley Town Centre through designating the following as BIA:
- A - London Road,
B - Bromley North, and
C - Bromley South.
- 7.3.7 Northside House is located in the Bromley North Business Improvement Area. Policy 84 states that redevelopment proposals resulting in the loss of Class B1(a) floorspace or which compromise the primary function of the BIA will not be permitted.
- 7.3.8 Article 4 Directions are in place within the designated area, removing permitted development rights to change from office to residential use.
- 7.3.9 Policy 84 does not take account of marketing or demand and instead seeks to retain office space within the BIA area. The proposal would reduce the overall floor area of office provision and would therefore be contrary to the requirements of Policy 84, which seeks to improve the supply of office space in the BIA. The proposal would not contribute to the borough's requirements for office space and may be considered to undermine the primary function of the BIA. This is particularly the case in this instance as the quality of the existing office space is high (Grade A). It is noted that there is no precedence with regards to the proposed change of use at Northside House.
- 7.3.10 Whilst it is noted that this unit has been vacant for 5 years, the remainder of the building has been fully occupied with some units only recently becoming

available. However, there is no evidence to demonstrate that the office is not viable. Therefore, it is considered that the proposal would undermine the function of the BIA in contravention of Policy 84 and would undermine the purpose of the existing Article 4 Direction at the site that was introduced to protect employment floorspace.

7.3.11 Policy 26 “Health & Wellbeing” states that the Council will work ‘proactively with health professionals’ to meet the ‘needs of the community’. The proposal has to consider the implications for health and wellbeing. It is acknowledged that the applicant is SpaMedica, an NHS partner, which provides cataract surgeries for NHS patients in the UK. However, the Bromley Clinical Commissioning Group does not currently commission services from this private operator, and it is not clear how the proposed facility would meet an identified healthcare need. However, even if the Council were satisfied that the proposal would address an unmet health need, Policy 26 would not override the strong protection afforded to the site by Policy 84. The proposal, therefore, would have no more community benefit than another commercial D1 use.

7.3.12 Having considered the case advanced by the applicant, it is not considered that the potential benefits of this proposal would outweigh the loss of Class B1 (a) use and justify a decision contrary to Policy 84.

7.3.13 It is also noted that the applicant has indicated that they would be prepared to accept a personal planning permission, which would require the premises to revert back to Class B1(a) use in the event that SpaMedica were to vacate the site. However, planning permission usually runs with the land and it is rarely appropriate to provide otherwise. In this case it is not considered that this offer would change the conclusions as to the overall acceptability of the proposal; a personal permission would still result in the loss of the existing office floorspace, contrary to Policy 84, which seeks to improve the supply of office space in the Business Improvement Area.

7.3.14 Therefore, the proposal would result in the loss of Class B1 use which should be resisted in accordance with Policy 84 and the application should be refused.

7.4. Design – Acceptable

7.4.1 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.

7.4.2 The proposal would not result in any external alterations except the removal of an open windowpane on the north elevation which is to be replaced with louvres to facilitate the inclusion of an internal plant room and therefore, the proposal raises no concerns in respect of design.

7.5. Highways – Acceptable

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

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

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

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

- 7.5.3 The proposal lies in PTAL 6a and the public accessibility level is very good. In the Bromley Town Centre Area Action Plan, Site A: Bromley North suggested that "car parking access to the site will need to be determined to minimise congestion on surrounding roads.....Short stay to service health and other mixed use facilities and long stay for commercial units and potential park and ride provision."
- 7.5.4 With regards to car parking provision, 10 off-street parking spaces for patients would be allocated within the existing Northside House parking area and the car park would be controlled and gated. For the staff parking, there are a total of 10 parking spaces allocated at the Bromley Cricket Club (Plaistow Lane) that the staff could park in and then walk to the Eye Clinic (approx. 20 mins walk). No objection has been raised from Highway officers.
- 7.5.5 With regards to the comments from Transport for London on the drop-off/ pick up points, on the submitted drawing it indicates that the drop-off/ pick up point would be located to the rear of Northside House, at the end of the cul-de-sac in an area separate to the car park and therefore, accessible. It is considered that the proposal would not have any effect on the traffic flow on Tweedy Road and Northside Road.

7.6. Neighbourhood Amenity – Acceptable

- 7.6.1 Policy 37 of the Bromley Local Plan seeks to protect existing residential properties from the impacts of development proposals by way of overshadowing, loss of light, overbearing impact, overlooking, loss of privacy and general noise and disturbance.
- 7.6.2 The site does not have many residential uses in the surrounding area. The proposed operational time would be 07:30 to 18:30 Mondays to Saturdays. It is considered that it would not create any detrimental issues to amenity.
- 7.6.3 There would be no external mechanical equipment. The Environment Health officer did not comment on this application but it is noted that they had commented on the previous identical scheme and did not raise any objections to the indoor plant room. Therefore, the amenity impact to the neighbouring occupiers would be limited.

8. Conclusion

- 8.1 Having had regard to the above it is considered that the development in the manner proposed is unacceptable as it would result in a significant loss of Class B1 office use in the designated Business Improvement Area in Bromley Town Centre.
- 8.2 The applicant has provided material in support of this proposal and this has been taken in to account in the determination of this case.
- 8.3 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:

REFUSAL

Reason for refusal:

1. The proposed change of use would result in the loss of the Class B1 floorspace in the designated Business Improvement Area, contrary to Policy 84 of the Bromley Local Plan.

Appendix A – Officer’s recommended conditions (without prejudice to the decision of the planning sub-committee meeting on the 6th of August 2020)

Standard 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.

Personal conditions

3. The premises shall be used for Class D1 Eye Clinic and for no other purpose of the Town and Country Planning (Use Classes) Order 1987.

REASON: In order to comply with Policy 92 of Bromley Local Plan and in the interest of the amenities of nearby residential property.

4. The premises shall be reinstated to B1 (office) use once the hereby approved Class D1 Eye Clinic is no longer in use.

REASON: In order to comply with Policy 84 of Bromley Local Plan and to protect B1 use floorspace in the Business Improvement Areas (BIA).

Operation hours

5. The Use hereby permitted shall not operate outside the following hours:

07:30hrs to 18:30:00hrs from Monday to Saturday

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

Noise Protection

6. At any time the combined plant noise rating level shall not exceed the measured typical background L90 level at any noise sensitive location. For the purposes of this condition the rating and background levels shall be calculated fully in accordance with the methodology BS4142:2014. Furthermore, at any time the measured or calculated absolute plant noise level shall not exceed 10dB below the typical background noise level (LA90 15 minute) in this location. All constituent parts of the new plant shall be maintained and replaced in whole or in part as often is required to ensure compliance with the noise levels.

REASON: In order to comply with Policies 37 and 119 of the Bromley Local Plan and to ensure a satisfactory standard of amenity for adjacent properties.

7. Before any mechanical plant is used on the premises it shall be mounted in a way which will minimise transmission of structure borne sound or vibration to any other part of the building in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.

REASON: In order to comply with Policies 37 and 119 of the Bromley Local Plan and to ensure a satisfactory standard of amenity for adjacent properties

Waste Protection

8. Clinical waste generated by the use hereby permitted shall be stored within the premises until collected and shall not be stored outside at any time.

Reason: In the interest of the amenities of the area and to accord with Policy 37 of the Bromley Local Plan.

Appendix B – Email received from applicants commenting on recommended conditions

Sent: 24 July, 2020 09:59
To: Wu, Joanna
Subject: RE: 20/01631 - Northside House - revised conditions

Thank you for the opportunity to comment on the conditions:

Condition 3 - Personal Condition

I would suggest that condition 3 recognises condition 4 otherwise the way condition 3 is currently worded, I am concerned that it would prevent reliance on condition 4. I would therefor suggest the following:

The premises shall be used for either a Class D1 Eye Clinic or a B1a office and for no other purpose of the Town and Country Planning (Use Classes) Order 1987.

REASON: In order to comply with Policy 92 of Bromley Local Plan and in the interest of the amenities of nearby residential property.

The premises shall be reinstated to B1 (office) use once the hereby approved Class D1 Eye Clinic is no longer in use.

REASON: In order to comply with Policy 84 of Bromley Local Plan and to protect B1 use floorspace in the Business Improvement Areas (BIA).

Condition 5 – Operation Hours

Whilst the typical opening hours have been stated on the application forms, SpaMedica needs to have 24/7 access to the building on the rare occasion there is a medical complication with a patient which needs to be rectified. The use will not have an adverse impact on amenities outside of these hours as it is within a commercial area. The vast majority of permissions obtained in other LPA areas on behalf of SpaMedica do not condition the opening hours as it is not considered to be necessary to protect neighbouring amenity. The NHS also require SpaMedica to have the ability to provide appointments on bank/national holidays and Sundays to ensure services are accessible to everyone and can be accompanied by a chaperon, including those who work. If you feel a condition is necessary then I suggest the following wording:

The Use hereby permitted shall not operate outside the following hours (unless to deal with an urgent complication with a patient):

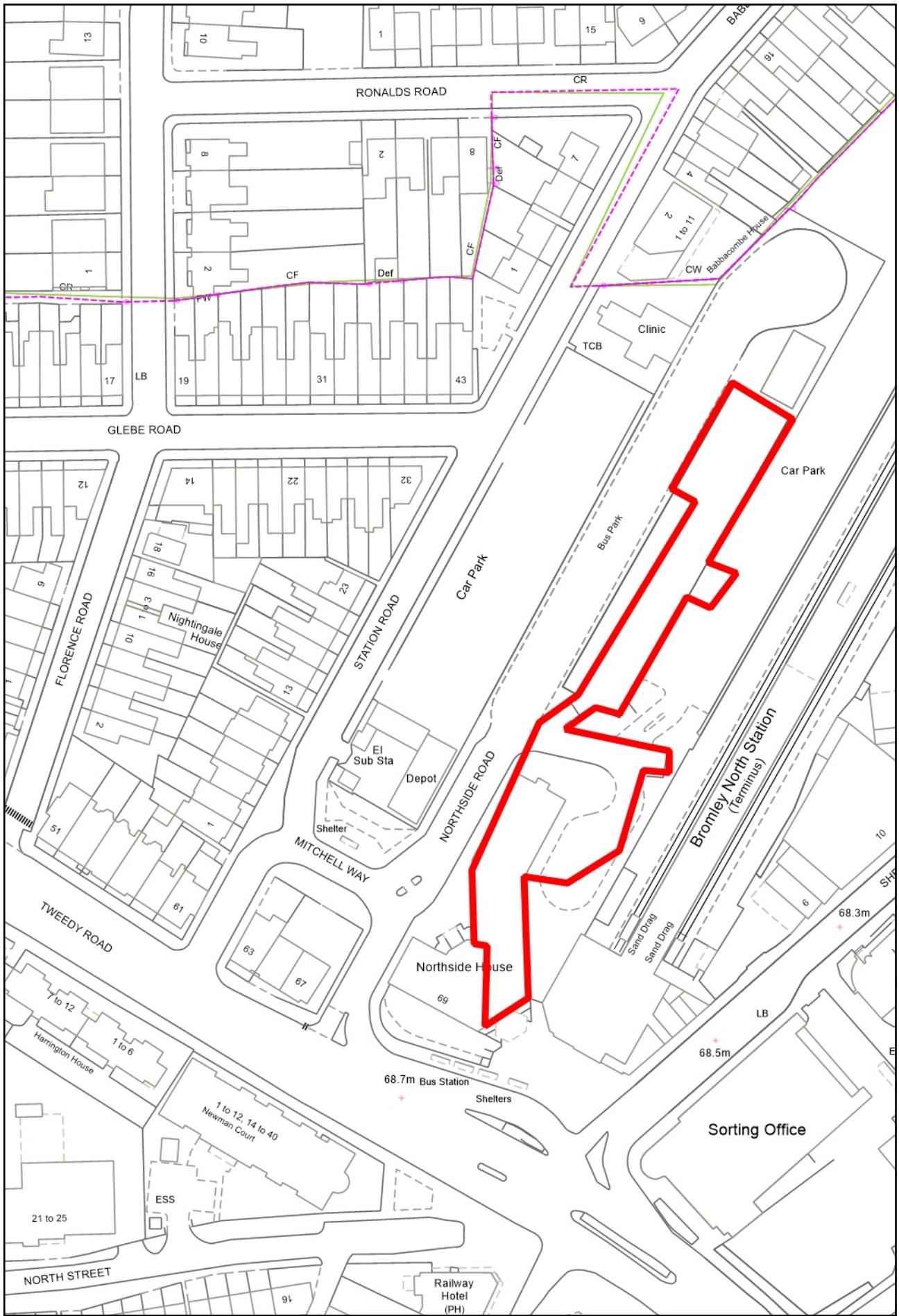
07:30hrs to 18:30:00hrs from Monday to Sunday

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


Condition 7 – Noise protection (internal)

This will require the submission of a further application and delay the operation of the eye clinic. I do not consider this to be necessary where the plant operated by SpaMedica must minimise noise and vibration given that it is located in close proximity to the theatre. If neighbouring units were impacted by the plant then SpaMedica would not be able to use the theatre. It is therefore apparent that the condition is not

necessary, certainly not one that requires discharging. We do not want to have to discharge any conditions which would cause delays.



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 20/01631/FULL2



28 July 2020

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Agenda Item 4.5

Committee Date	06.08.2020		
Address	Jacanda Lodge North Drive Beckenham BR3 3XQ		
Application Number	16/01330/CONDT1	Officer - Russell Penn	
Ward	Kelsey And Eden Park		
Proposal	Details submitted to discharge conditions in relation to planning ref 16/01330/FULL1: Condition 4 - Landscaping		
Applicant	Northern Land Developments Ltd		Agent
	C/o Mr John Escott Robinson Escott Planning Downe House 303 High Street Orpington BR6 0NN		Jim Quaife
			2 Squerryes Farm Cottages Westerham Kent TN16 1SL
Reason for referral to committee	Call-In		Councillor call in
			Yes

RECOMMENDATION	REFUSAL
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<p>KEY DESIGNATIONS</p> <p>Biggin Hill Safeguarding Area London City Airport Safeguarding Smoke Control SCA 21 Smoke Control SCA 9 Urban Open Space</p>

Representation summary	<i>No publicity has been undertaken. The application relates to a discharge of a planning condition only.</i>	
Total number of responses		0
Number in support		0
Number of objections		0

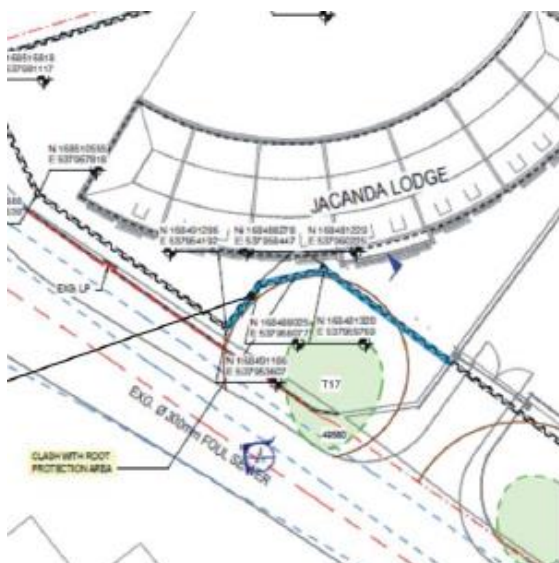
1 SUMMARY OF KEY REASONS FOR RECOMMENDATION

- The proposal would likely result in a harmful loss of public visual amenity due to the loss of the continued presence of the horse chestnut tree.

2 LOCATION

2.1 The site is located on the eastern side of South Eden Park Road at the junction with Wickham Way, Park Avenue, Wickham Road and Hayes Lane on the traffic roundabout known locally as the Chinese Garage roundabout. The site comprises two detached dwellings accessed from the entrance adjacent to North Drive and from North Drive itself to the south, which is private access road. Further south is an open area of land designated as Urban Open Space. East of the site are large two storey detached properties located within the Park Langley Conservation Area which adjoins the eastern boundary of the site. West of the site is the Chinese Garage building which is Grade II Listed with more modern unlisted single storey buildings to the rear associated with its use for vehicle repairs/workshops. To the north of the site on the opposite side of the roundabout are two Grade II Listed residential dwellings and a small commercial shopping parade.

2.2 The boundary of the whole site adjoining the roundabout is screened with a high wall, fencing and Laurel hedging and a number of mature trees. This application relates to a horse chestnut tree (T17) on the submitted plan which is protected by a Tree Preservation Order (Ref:1763) made on 8/12/2000.



- 2.3 The horse chestnut tree is protected as a single tree, but is the continuation of a line of 5 horse chestnuts extending to the south west along the South Eden Park Road frontage which are protected by another TPO (Ref:1881) made 27/11/2001.

3 PROPOSAL

- 3.1 Permission is sought to re discharge Condition 4 of planning permission 16/01330/FULL1 in relation to a landscaping scheme for the site.
- 3.2 The condition has already been discharged under planning reference 16/01330/CONDIT. The revised application to discharge the condition again involves a minor alteration to the landscaping scheme to remove a horse chestnut tree (T17) that was previously indicated to be retained.

4 RELEVANT PLANNING HISTORY

- 4.1 The relevant planning history relating to the application site is summarised as follows:
- 4.2 Under ref. 16/01330/FULL1 planning permission was granted for the demolition of two detached dwellinghouses and construction of a crescent terrace of 7 three storey four bedroom plus roof accommodation townhouses with basement car parking, refuse store and associated landscaping.
- 4.3 The development has commenced on site involving sheet piling enabling works for the basement car park under Building Control reference 19/16279/DOMBNQ.
- 4.4 Under ref. 16/01330/CONDIT permission was granted for the discharge of planning conditions. Condition 3 – Materials; Condition 4 – Landscaping; Condition 5 - Slab Levels; Condition 6 - Contamination Assessment - parts (a) to (c); Condition 8 - Surface water drainage; Condition 11 - Construction Management.

5 CONSULTATION SUMMARY

A) Statutory

Tree Officer – Objection

- This application seeks to address planning conditions surrounding the construction of the boundary wall, fronting South Eden Park Road. The horse chestnut (T17) is proposed to be felled to allow substantial footings to be excavated. A supporting statement has been supplied on behalf of the client, by the retained arboricultural consultant.
- The boundary wall does not appear to be notable in terms of design and character. The wall has been repaired in the past, which is visible in the brickwork. The wall is approximately 1.5m high for the majority of the front boundary, but steps down to approximately 1m near the tree and access drive.
- Cost of repairs have been demonstrated in the supporting statement and this is relevant for comparing the value of the tree and the proposed mitigation scheme. A

CAVAT assessment of the tree, indicates the a value of £62,052 based on the tree survey data submitted with application 16/01330/FULL1. The estimated costs of repair therefore marginally exceed the value of the tree.

- To consider a costs exercise at this stage is not considered necessary. The current issue is a conflict of planning condition. The repair or reinstatement of the wall is considered less of a priority to the retention of the tree. It would therefore be viable to allow a change in boundary material/route. I am not satisfied that an appraisal for an alternative technical design has been carried out. I do not see the necessity of a wall structure that would need to exceed 1m or that it need be a wall. I would therefore encourage the boundary design be re-designed.
- I can confirm that the condition of the tree is not a concern. Horse Chestnut Leaf Minor (*Cameraria ohridella*) is impacting all horse chestnuts in the Borough and is not a defect that would warrant any remedial action. A number of other defects would need to be present before the impact on an individual tree is a cause for concern. I hope this clarifies that there are no health issues demonstrated that would lead me to reconsider a refusal stance.

B) Adjoining Occupiers

- Notification is not required in relation to an application to discharge a planning condition.

6 POLICIES AND GUIDANCE

- 6.1 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.
- 6.2 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.
- 6.3 The development plan for Bromley comprises the London Plan (March 2016) and the Bromley Local Plan (2019). The NPPF does not change the legal status of the development plan.
- 6.4 The 'Intend to Publish' version of draft London Plan (December 2019) is a material consideration in the determination of this planning application. Paragraph 48 of the NPPF states that decision makers may give weight to relevant policies in emerging plans according to: (1) the stage of preparation of the emerging plan; (2) the extent to which there are unresolved objections to relevant policies in the emerging plan; and (3) the degree of consistency of relevant policies to the policies in the Framework.
- 6.5 The draft New London Plan was submitted to the Secretary of State (SoS) on 9 December 2019, following the Examination in Public which took place in 2019. This

was version of the London Plan which the Mayor intended to publish, having considered the report and recommendations of the panel of Inspectors.

- 6.6 The London Assembly considered the draft new London Plan at a plenary meeting on 6 February 2020 and did not exercise their power to veto the plan.
- 6.7 After considering the 'Intend to Publish' Plan, on 13 March 2020 the Secretary of State for Housing, Communities and Local Government wrote to the Mayor identifying directed changes to a number of policies in the draft plan. The SoS considered these changes were necessary to address concerns regarding inconsistencies with national policy. The Mayor cannot publish the New London Plan until the directed changes have been incorporated, or until alternative changes to address identified concerns have been agreed with the SoS. This could affect the weight given to the draft plan with regard to the directed policies.
- 6.8 At this stage, the Council's up-to-date Local Plan is generally considered to have primacy over the draft London Plan in planning determinations. However, where no modifications have been directed the draft London Plan policies are capable of having significant weight (as seen in a recent SoS call-in decision in the Royal Borough of Kensington and Chelsea). Where specific draft London Plan policies have been given particular weight in the determination of this application, this is discussed in this report.
- 6.9 The application falls to be determined in accordance with the following policies:-

6.10 National Policy Framework 2019

6.11 The London Plan

- 7.4 Local character
- 7.5 Public realm
- 7.6 Architecture
- 7.21 Trees and Woodlands

6.12 Draft London Plan

- D4 Delivering good design
- D5 Inclusive design
- G7 Trees and woodlands

6.13 Bromley Local Plan 2019

- 37 General Design of Development
- 73 Development and Trees
- 77 Landscape Quality and Character

6.14 Bromley Supplementary Guidance

London Borough of Bromley Tree Management strategy 2016 – 2020

7 ASSESSMENT

7.1 Trees – Unacceptable

- 7.1.1 This application proposes to fell the protected horse chestnut tree (T17) to the front of the site to enable the re-construction of the boundary wall. This has been submitted as a revision of landscaping details (Condition 4). Condition 7 of the same planning permission relates to the Arboricultural Survey and Planning Integration Report.
- 7.1.2 Planning permission was granted under reference 16/01330/FULL1 with a key condition to ensure compliance with the arboricultural submission. The tree is a significant feature of the site and a key constraint to the development. Had the tree been proposed for felling in the original submission, the application would have been considered contrary to Council Policy and would have resulted in a recommendation for refusal.
- 7.1.3 It would appear that the conflict of planning conditions surrounding the construction of the boundary wall, fronting South Eden Park Road, have resulted in this issue surfacing. The horse chestnut is proposed to be felled to allow substantial footings to be excavated for a replacement boundary wall structure. A supporting statement has been supplied on behalf of the client, by the retained arboricultural consultant. This advice is purely to accommodate the re-construction of the wall.
- 7.1.4 The boundary wall does not appear to be notable in terms of design and character. The wall has been repaired in the past, which is visible in the brickwork. The wall is approximately 1.5m high for the majority of the front boundary, but steps down to approximately 1m near the tree and access drive.
- 7.1.5 Costs of repairs have been demonstrated in the supporting statement and this is relevant for comparing the value of the tree and the proposed mitigation scheme. A CAVAT assessment of the tree, indicates a value of £62,052 based on the tree survey data submitted with application 16/01330/FULL1. The estimated costs of repair therefore marginally exceed the value of the tree.
- 7.1.6 To consider a costs exercise at this stage is not considered necessary. The repair or reinstatement of the wall is considered less of a priority to the retention of the tree. It would therefore be viable to review a change in boundary structure type or design. It is not considered that an appraisal for an alternative technical design has been carried out to exhaust all possibilities that would allow the retention of the tree.
- 7.1.7 It has also been clarified above that there are no health issues demonstrated that would lead to acceptance that the removal of the horse chestnut tree would be warranted on its health wellbeing.
- 7.1.8 The tree is a key feature of the area and the permitted scheme (16/01330/FULL1). It is therefore recommended that the proposal be opposed and tree retention be defended.

8 CONCLUSION

- 8.1 Having regard to the above, the plans and information that has been submitted is insufficient to establish that the removal of the horse chestnut tree (TPO Ref: 1763)

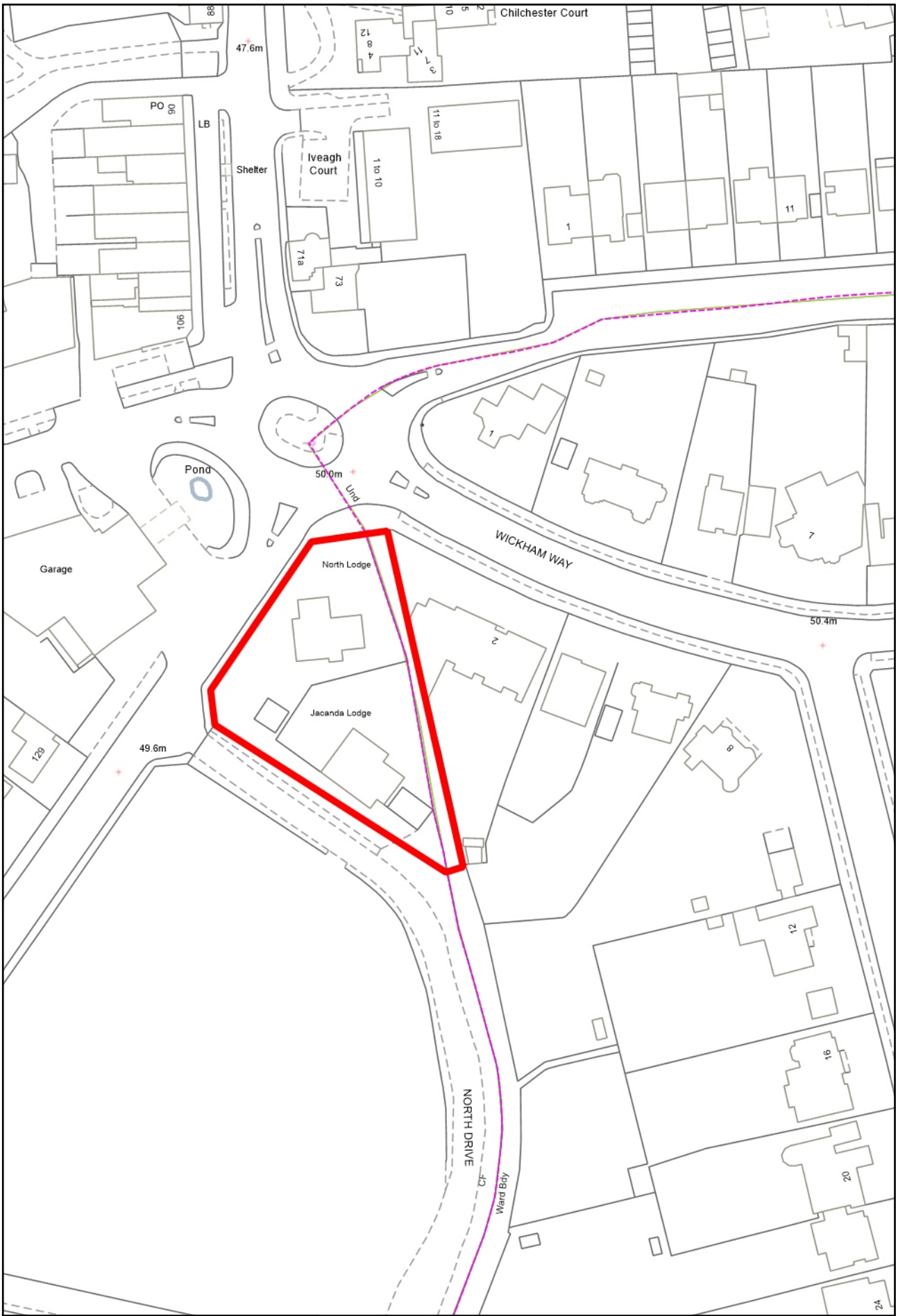
is necessary as part of the landscaping works and is the only solution possible to adequately establish that planning condition 4 can be discharged. The proposal would likely result in a harmful loss of public visual amenity due to the loss of the continued presence of the horse chestnut tree.

RECOMMENDATION: REFUSAL


Reason for refusal:

The plans and information that has been submitted is insufficient to establish that the removal of the horse chestnut tree (TPO Ref: 1763) is necessary as part of the landscaping works and is the only solution possible to adequately establish that planning condition 4 can be discharged. The proposal would likely result in a harmful loss of public visual amenity due to the loss of the continued presence of the horse chestnut tree. The details submitted do not therefore comply with the provisions of the Town and Country Planning Act 1990 Part III Section 72 (as amended).

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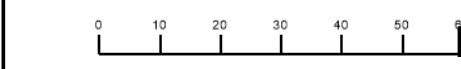
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 16/01330/CONDT1



28 July 2020

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Agenda Item 4.6

Committee Date	06/08/2020	
Address	North Lodge 2 Rochester Avenue Bromley BR1 3DD	
Application Number	20/01789/FULL2	Officer - Susanna Stevenson
Ward	Bromley Town	
Proposal	Change of use of North Lodge from residential dwelling to Class D1/B1 use for the provision of services for young people	
Applicant	Agent	
Mrs Catherine Pimm	Mr Michael Jarman	
Bromley Civic Centre Stockwell Close Bromley BR1 3UH	Civic Centre 1st Floor, North Block Rochester Avenue Bromley BR1 3UH	
Reason for referral to committee	LBB Application	Councillor call in No

RECOMMENDATION	Permission
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<p>KEY DESIGNATIONS</p> <p>Areas of Archaeological Significance Biggin Hill Safeguarding Area Bromley Town Centre Area London City Airport Safeguarding Open Space Deficiency Smoke Control SCA 13 Smoke Control SCA 12</p>

Land use Details		
	Use Class or Use description	Floor space (GIA SQM)
Existing	RESIDENTIAL (C3) (VACANT)	82SQM
Proposed	MIXED D1/B1	82SQM

Vehicle parking	Existing number of spaces	Total proposed including spaces retained	Difference in spaces (+ or -)
Standard car spaces	0	0	0
Disabled car spaces	0	0	0
Cycle	0	0	0

Representation summary	Letters sent to 9 nearest residential properties on 1 st June 2020. Site notice posted on 10 th July 2020 (expiry 31 st July 2020).
Total number of responses	0

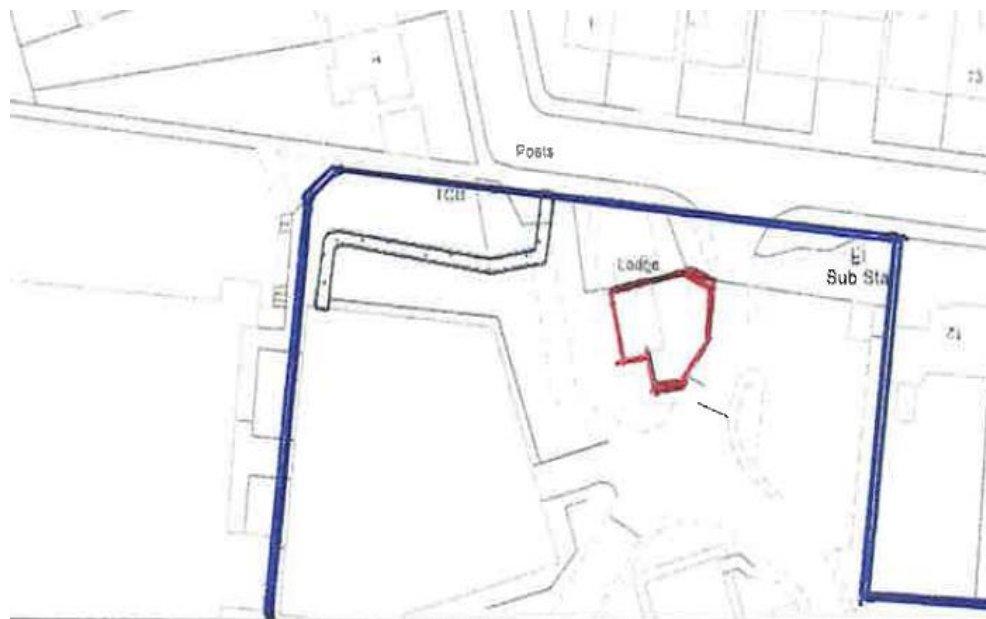
1 SUMMARY OF KEY REASONS FOR RECOMMENDATION

- The existing building has been vacant i.e. not in residential use for a considerable period of time
- The proposal would complement the use of the site as a whole as Civic Offices providing youth support services
- The proposal would not have a significant impact on neighbouring amenity
- Limited external alterations proposed
- The site lies within the Civic Centre site, benefits from parking/cycle parking associated with the site and as the Local Authority is the landowner there is

additional control over existing and future operations, outside of planning control.

2 LOCATION

2.1 The application site lies on the southern side of Rochester Avenue.



2.2 The red line application site encloses the two storey lodge building and the land to the side, up to the vehicular access into the Civic Centre from Rochester Avenue. The site and the land surrounding it (including the land providing access to the highway from the red line application site) are in the ownership of the London Borough of Bromley.

2.3 The site is occupied by a two storey former caretaker's dwelling associated with the wider blue line (Civic Centre) site. The site is separated from the vehicular access to the car park by a high horizontal boarded fence.



Southern and eastern (rear) elevation

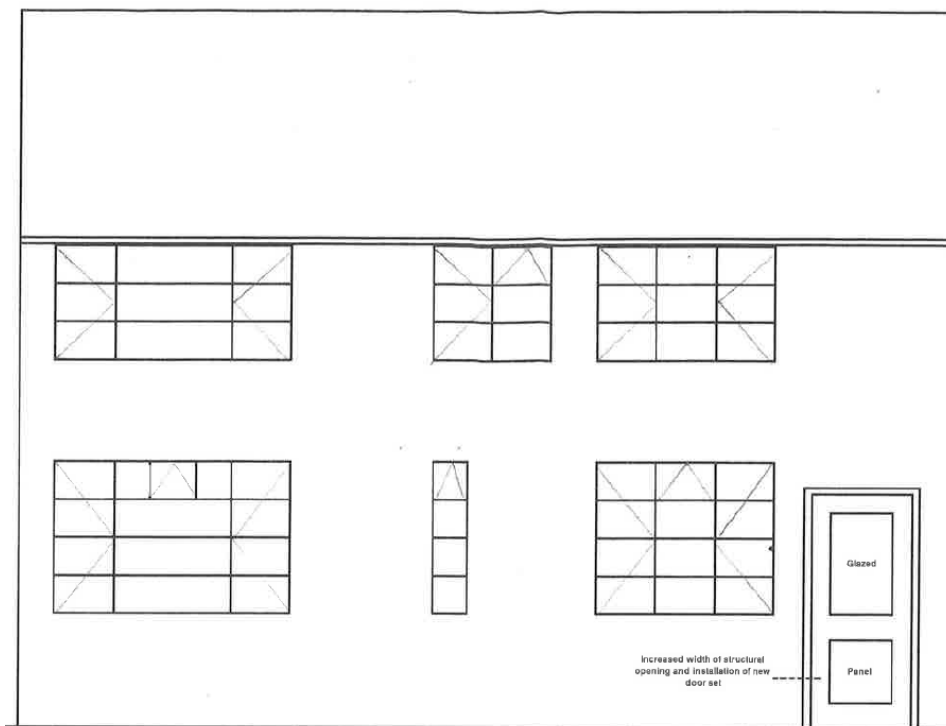
- 2.4 Pedestrian access to the building is from the pathway to the west of the building, which leads onto Rochester Avenue close to the pedestrian footpath linking with Kentish Way.



Western (front) elevation

3 PROPOSAL

- 3.1 It is proposed to change the use of the building from residential (Class C3) to a mixed use for the provision of youth services associated with the Council's function (Class B1/D1).
- 3.2 Services provided from the building would include:
- group work for children/youths not in education, employment or training
 - 1:1 sessions
 - Group sessions for young people/mothers leaving care
 - Drop-in sessions for education/training workers and nurses
 - Change for Care Leavers Forum
- 3.3 There would be 5 no. proposed employees and the hours of operation would be 8am – 5pm with the exception of Thursdays, where the use would operate to 8.30pm.
- 3.4 Internal alterations are proposed to include the provision of a kitchen and lounge area at ground floor level and a workroom and office at first floor level.
- 3.5 It is proposed to enlarge an existing structural opening on the rear elevation to provide an increased width access door.



PROPOSED REAR ELEVATION

Proposed rear elevation

4 RELEVANT PLANNING HISTORY

- 4.1 The relevant planning history relating to the application site is summarised as follows:
- 4.2 Under ref. 96/01792/LBB planning permission was granted for the change of use of North Lodge from residential to an office and public information centre. The permission was subject to a condition which required that the use permitted be discontinued and the land reinstated to its former condition on or before 31.01.2002.
- 4.3 While the use as an office/public information centre appears to have ceased in 2002, the building was not reinstated internally to a residential dwelling and appears most recently to have been used for storage (although it is unclear how long this has continued).

5 CONSULTATION SUMMARY

A) Statutory

Highways – No objection

B) Local Groups

None

C) Adjoining Occupiers

Neighbouring owners/occupiers were notified of the application and a site notice displayed close to the application building. No representations were received.

6 POLICIES AND GUIDANCE

- 6.1 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.
- 6.2 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.

- 6.3 The development plan for Bromley comprises the London Plan (March 2016) and the Bromley Local Plan (2019). The NPPF does not change the legal status of the development plan.
- 6.4 The 'Intend to Publish' version of draft London Plan (December 2019) is a material consideration in the determination of this planning application.
- 6.5 The draft new London Plan was submitted to the Secretary of State (SoS) on 9 December 2019, following the Examination in Public which took place in 2019. This is the version of the London Plan which the Mayor intends to publish, having considered the report and recommendations of the panel of Inspectors. Where recommendations have not been accepted, the Mayor has set out a statement of reasons to explain why this is.
- 6.6 The London Assembly considered the draft new London Plan at a plenary meeting on 6 February 2020 and did not exercise their power to veto the plan
- 6.7 Ahead of publication of the final plan, the SoS can direct the Mayor to make changes to the plan. This affects the weight given to the draft plan. At this stage, the Council's up-to-date Local Plan is generally considered to have primacy over the draft London Plan in planning determinations.
- 6.8 The application falls to be determined in accordance with the following policies:

6.9 National Policy Framework 2019

6.10 The London Plan

- 6.13 Parking
- 7.4 Local character
- 7.6 Architecture

6.11 Draft London Plan

- D1 London's form and characteristics
- D4 Delivering good design
- D5 Inclusive design

6.12 Bromley Local Plan 2019

- 20 Community Facilities
- 30 Parking
- 37 General Design of Development

6.13 Bromley Supplementary Guidance

- Supplementary Planning Guidance 1 - General Design Principles

7 ASSESSMENT

7.1 Principle of development - Acceptable

- 7.1.1 Policy 20 of the Bromley Local Plan states that development which meets an identified need for community services will be encouraged to locate to maximise accessibility and will normally be permitted subject to accessibility.
- 7.1.2 Policy 27 relates to Education and states that the Council is committed to ensuring an appropriate range of educational facilities, including specialist provision.
- 7.1.3 The proposal would provide support services for young people living within the Borough, including social help and assistance and education facilities for small groups. It will also provide a training and drop-in/workshop facility for those working in the field, to enhance the provision of youth services, education and social well-being.
- 7.1.4 While the proposal would lead to the 'loss' of a residential dwelling, it is noted that the building has not been used as residential accommodation for some time. It is also noted that planning permission was granted in 1996 for the change of use from a dwelling to offices and a public information centre.
- 7.1.5 The proposal is therefore considered acceptable in principle, subject to consideration of highways impacts and the impact of the proposal on residential and visual amenity.

7.2 Design – Layout, scale – Acceptable

- 7.2.1 The proposal would have very limited visual impact in view of the small scale external alterations to the building and the screening provided by the horizontal slatted fencing and the surrounding shrubs/planting.

7.3 Residential Amenity – Acceptable

- 7.3.1 The nearest residential dwelling on St. Blaise's Avenue (No. 4 St. Blaise's Avenue) is located approx. 40m to the north west, separated from the Lodge building by the Civic Centre frontage trees and landscaping.
- 7.3.2 The building is similarly screened from the dwellings approx. 30m away and opposite the site at Nos. 1-5 Rochester Avenue by the frontage trees and landscaping and further separated by the width of the carriageway. The dwelling to the east (No. 12 Rochester Avenue) is set approx. 36m from the building and the land in between comprises the main vehicular access to the Civic Centre, as well as the northern section of the Civic Centre staff car park.
- 7.3.3 Taking into account the separation to the nearest dwellings, along with the hours of operation which are consistent with the usual Civic Centre office hours, it is not considered that the proposal would have a significant impact on neighbouring amenity

7.4 Highways – Acceptable

7.4.1 No objections are raised to the proposal from a technical highways perspective and in view of the site's location within the Civic Centre complex and in proximity to the town centre it is not considered that the proposal would have a detrimental impact on on-street parking demand or conditions of safety within the highway.

8 CONCLUSION

8.1 It is considered that the proposed change of use would be acceptable in that it would allow the re-use of an existing vacant building, which has formerly been used as an office/public information centre and for storage of equipment associated with the Council's operations.

8.2 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. Standard time limit of 3 years**
- 2. Standard compliance with approved plans**
- 3. Matching materials**
- 4. Use as described – no other purpose**

Any other planning condition(s) considered necessary by the Assistant Director of Planning

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 20/01789/FULL2
the council's planning department
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28 July 2020

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Agenda Item 4.7

Committee Date	06.08.2020		
Address	26 Manor Road Beckenham BR3 5LE		
Application Number	20/02011/FULL1	Officer - Susanna Stevenson	
Ward	Kelsey And Eden Park		
Proposal	Elevational alterations. Part one/two storey rear extension incorporating 1st floor balcony, raising of flank walls and roof ridge line by 3.69M, conversion of resulting building into Class D1 use on ground floor (speculative Doctor's) for rent and 3 two bed flats with 2 parking spaces at the front _ 10 at the rear, along with refuse and cycle storage.		
Applicant	Agent		
Richard Percy	Mr Keith Chandler		
20 Barnfield Wood Rd Beckenham BR3 6SR	37 Glenthorne Ave Croydon CR0 7ET United Kingdom		
Reason for referral to committee	Councillor call in		
	Call-In	Yes	

RECOMMENDATION	REFUSE PLANNING PERMISSION
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<p>KEY DESIGNATIONS</p> <p>Areas of Archaeological Significance Biggin Hill Safeguarding Area London City Airport Safeguarding Smoke Control SCA 12</p>

Land use Details		
	Use Class or Use description	Floor space (GIA SQM)
Existing	C3 (residential flats)	2 x 3 bedroom
Proposed	C3 (residential flats) D1 (Doctor's Surgery)	3 x 2 bedroom 129sqm

Vehicle parking	Existing number of spaces	Total proposed including spaces retained	Difference in spaces (+ or -)
Standard car spaces	4	12	+8
Disabled car spaces	0	0	
Cycle	0	c. 10 (block plan, not specified on application forms)	+ c. 10

Electric car charging points	3 spaces at rear
-------------------------------------	------------------

Representation summary	38 letters sent to neighbouring residents on 17 th June 2020.	
Total number of responses	3	
Number in support	0	
Number of objections	3	

1. SUMMARY OF KEY REASONS FOR RECOMMENDATION

- The built development replicates the scale, bulk, massing and design of the development refused planning permission under reference 19/03229/FULL1 – the application does not overcome the grounds for refusal of 19/03229/FULL1.
- The proposal would result in significant noise and disturbance to neighbouring residents associated with the vehicular use of the narrow side

accessway and the provision of a large car park at the rear (enlarged relative to that considered unacceptable under reference 19/03229/FULL1).

- There is no justification for the need/suitability of the site for a doctor's surgery that would support the application in the face of concerns relating to the impact of the proposal on residential and visual amenity.

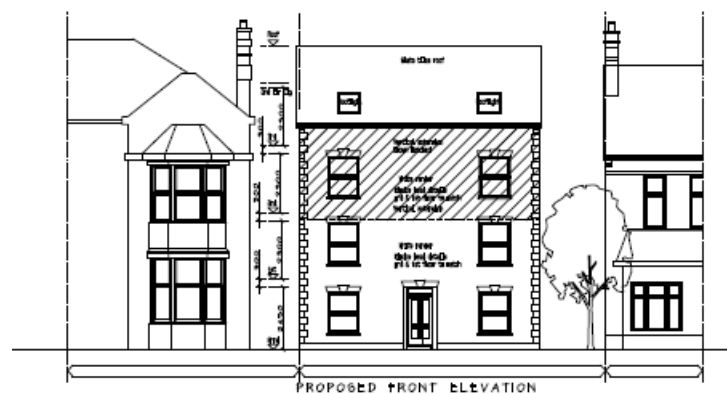
2. LOCATION

- 2.1 The application site lies on the southern side of Manor Road. The street is residential and is characterised by substantial period properties, many of which have been converted into flats. The host dwelling is more modern in appearance, and is a post-war detached building which comprises 2 three bedroom flats. The host building has a large single storey rear extension.
- 2.2 The application site includes just less than a half of the rear garden associated with the flats at No. 24 (which lies to the west of the application building), reducing that site's depth by approx. 9.22m leaving an area approx. 10.12m deep.
- 2.3 The main site as existing has a reasonably generous rear garden of a depth commensurate with the neighbouring period dwellings, although it has been divided along its length to provide separate gardens for the ground and first floor flats.
- 2.4 To the west of the application site lies No. 24 Manor Road and to the east lies No. 28. No 24 occupies a footprint that projects rearwards of the application building, although this footprint includes a substantial single storey rear extension. The main first floor rear elevation of the dwelling broadly aligns with the host building. The boundary of the application site immediately abuts the flank elevation of No. 24.
- 2.5 To the rear, the application site adjoins the rearmost sections of the rear gardens of No. 1 Bevington Road and No. 2 Manor Grove.

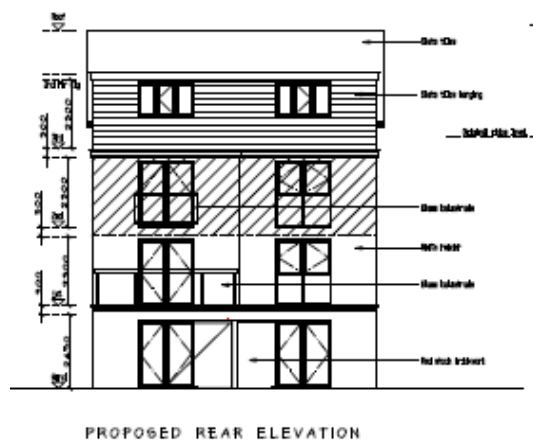


3. PROPOSAL

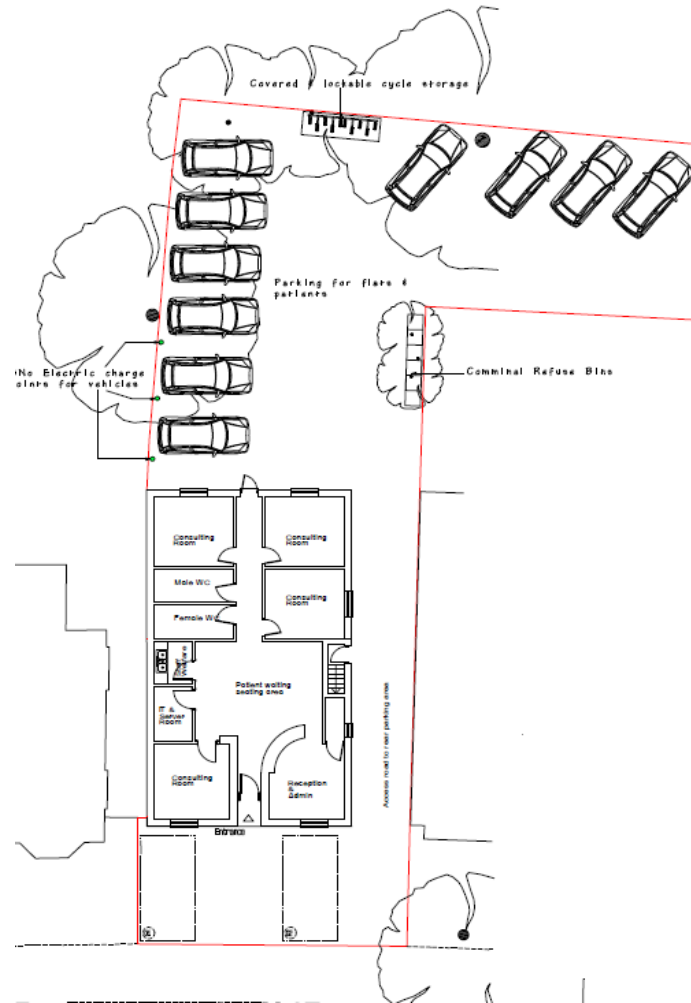
- 3.1 Planning permission is sought for elevational alterations, rear extensions, the increase in height of the roof and a rear dormer extension to the host two storey building and the conversion of the resultant building from 2 x three bedroom flats to 3 x two bedroom flats arranged over the upper floors and a doctor's surgery on the ground floor.
- 3.2 The proposals would increase the height to eaves of the front elevation of the building by approx. 3.69m, from 5m to 8.69m. The ridge height of the building would be 11.9m.



- 3.3 At the rear, the proposal would provide a 2nd floor extension which would be 3m deep and approx. 2.5m higher than a previously approved scheme. This element would align with the main flank elevation adjacent to the boundary with No. 28. A rear dormer is proposed to be provided.



- 3.4 On the ground floor the proposal would provide a doctor's surgery with 4 no. consulting rooms, a small reception/admin area and a patient waiting area. 2 WCs would be provided along with a small kitchenette and IT room. The surgery would be accessed from the front with the approach being between two off-street parking spaces. A rear access door to the large hardstanding at the back of the property would be provided, with the opening being 0.75m wide (standard door width).
- 3.5 The pedestrian access to the residential flats on the upper levels of the building would be from the side track which also leads to the surface car parking area at the rear of the host and neighbouring properties.
- 3.6 The first floor flat would comprise a 2 bed/4 person flat with dual aspect, encompassing the entirety of the extended first floor. Each bedroom would have an en-suite bathroom. The GIA of the proposed flat would be 89.7sqm. It would include a first floor terrace as private amenity space.
- 3.7 At second floor level a 2 bed/4 person flat would be provided, which would replicate the floor plan of the first floor flat but would not provide external private amenity space.
- 3.8 The third floor flat would comprise a 2 bed/3 person unit and would have a GIA quoted on the submitted drawings as being 80sqm, which would include the lower head height space within the 2 bedrooms at the front of the flat. These bedrooms would have rooflights to provide light and ventilation with no wall windows provided. No amenity space would be provided.
- 3.9 At the rear the garden and that part of the site severed from the neighbouring property would be laid out as parking for the flats and patients. A lockable cycle store and communal refuse store would be provided. It does not appear that the proposed doctor's surgery would have a separate refuse storage area. The refuse store would be sited adjacent to the boundary with the rear garden of the neighbouring conversion flats.



4. RELEVANT PLANNING HISTORY

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

02/00737/FULL1

Under reference 02/00737 planning permission was refused for the formation of a third floor to form a three bedroom flat, along with a single storey rear extension.

14/04420/FULL1

Planning permission was refused under reference 14/04420 for a three storey rear extension, two front dormer windows and the conversion of the building to form 5 flats.

15/03084/FULL1

Under reference 15/03084 planning permission was refused for elevational alterations and a part one/two storey rear extension with balconies, a rear dormer extension and the conversion of the building from 2 three bedroom flats to 2 one bedroom and 2 two bedroom flats (4 no. flats in total).

The grounds for refusal of planning permission were:

1. The proposal, by reason of its height, design and excessive depth, would appear as an overly bulky addition which would fail to respect the scale and appearance of the host building which would be detrimental to the character and appearance of the locality, thereby contrary to Policy BE1 of the Unitary Development Plan.
2. The proposal, by reason of its height, scale, proximity to the boundary and excessive depth of rearward projection would be detrimental to the amenities of the occupiers of adjacent dwellings, resulting in loss of outlook and visual impact, thereby contrary to Policies H7 and BE1 of the Unitary Development Plan.

A subsequent appeal against the Council's refusal of planning permission was dismissed. The Inspector identified the main issues as being the impact of the scheme on the character and appearance of the host building and the locality and the effect of the scheme on the living conditions of the occupiers of neighbouring dwellings with particular regard to visual impact and privacy.

The Inspector considered that the existing building and the site as a whole has a negative impact on the character and appearance of the locality. The introduction of roof slates was welcomed, but the use of render was considered on balance to result in the frontage of the altered dwelling having a neutral rather than positive impact on the character and appearance of the street scene. At the rear, the depth, materials and curved lines of the proposed upper floor element of the extension was considered to result in development that would be unduly bulky and which would have failed to respect the character and appearance of the host dwelling and the surrounding area. The depth, height and appearance were considered prominent within the rear garden environment and would have appeared as a discordant feature in longer views from Manor Grove and Bevington Road.

The Inspector concluded on this point that the identity of the resultant building would be confused and visually incongruous, materially detracting from the character and appearance of the existing building, the street scene and the rear garden environment. The harm was considered to outweigh the contribution that the two additional flats would make in providing housing to meet housing targets.

With regards to living conditions, the Inspector stated that the first floor element of the rear extension together with the vertical louvres which were intended to screen the balconies would have resulted in a dominant visual impact when viewed from the adjacent windows at No. 28 which serve a kitchen and dining room. The rear extension was considered to appear visually hard and incongruous, resulting in a strong sense of enclosure in the outlook from these rooms and it was also considered that there would be an associated loss of daylight and sunlight caused by the extension.

Despite the vertical louvres it was considered that the close proximity of the balcony serving the unit closest to No. 28, that the use of the balcony would have resulted in some loss of privacy. This in itself was not considered materially harmful to the living conditions of the occupier of No. 28, but added to the visually overbearing impact of the development.

The Inspector concluded on this point that the proposed scheme would unacceptably harm the living conditions of the occupier of No. 28 due to its overbearing visual impact.

16/04056/FULL1

Under reference 16/04056 planning permission was granted for a reduced development.

18/00998/FULL1

Under reference 18/00998 planning permission was granted for elevational alterations, part one/two storey rear extension incorporating first floor balcony. Raising of flank walls and roof by 1m. Rear dormer extension and conversion of resultant building into 2 one bedroom and 2 two bedroom flats with 4 car parking spaces at the front.

19/03229/FULL1

Under reference 19/03229 planning permission was refused for a scheme identical to that currently proposed in respect of external dimensions, bulk and scale. The previous scheme provided 2 flats on the ground floor in place of the currently proposed surgery and the site did not include the land to the rear of No. 24, with parking limited to three parking spaces at the rear of the site. Amenity space was proposed to be provided for the ground floor flats at the rear. With regards to the accommodation provided at first, second and third floors, this is replicated in the current proposal.

Planning permission was refused on the grounds:

1. The proposal by reason of its design, scale and height would appear as a bulky and disproportionate addition which would fail to respect the scale and the distinctive quality of the street scene, and which would be detrimental to the character and appearance of the locality and the visual amenities of the street scene and the area in general, thereby contrary to Policies 37, 4, 9 and 6 of the Bromley Local Plan and Policies 7.4 and 7.6 of the London Plan.
2. The proposal by reason of its height, scale and proximity to the boundary and the formation of vehicular parking and manoeuvring space at the rear of the property would be detrimental to the amenities of the occupiers of adjacent properties, resulting in an overdominant and intrusive visual impact and noise associated with the use of the side access and the parking area at the rear and by reason of the lack of adequate external amenity space would result in accommodation of an unsatisfactory standard of amenity for prospective occupiers, thereby contrary to Policies 4, 37 and 9 of the Bromley Local Plan and Policy 3.5 of the London Plan.
3. Insufficient information has been provided to demonstrate that the site layout including the parking area at the rear would be practicable, with adequate access to the rear parking facility and the capacity to provide adequate space for cycle and refuse storage facilities within the application site, in the absence of which the proposal would be contrary to Policies 4, 30 and 113 of the Bromley Local Plan.

5. CONSULTATION SUMMARY

A) Statutory

- Highways - Objection
- Drainage – No comment

B) Local Groups

- No comments received

C) Adjoining Occupiers

Impact on amenity associated with car park (addressed at paragraphs 7.3.15, 7.4.5 and 7.4.6)

- Will increase pollution
- Additional noise associated with 10 cars starting engines at all times of the day

Concern regarding D1 proposal (addressed at paragraphs 7.2.11 and 8.1.5)

- Would there be a way of preventing the potential sub-standard conversion of the ground floor to residential flats?
- D1 use could include other uses including day nurseries
- There are already 2 doctor's surgeries in Manor Road

Transport and highways (addressed at paragraph 7.6.5)

- The site is close to the junction of Manor Road, Bromley Road and Wickham Road and there are issues of road safety and congestions associated with vehicles entering and leaving the premises
- The access and parking seems tight for 10 spaces which means that people may choose to park in adjoining roads without residents' parking

Impact on visual amenity (addressed at paragraph 7.3.15)

- The extension of the building and hardsurfacing of the parking area will remove green space and increased water run-off (environmental impact)
- Proposed extensions unchanged in relation to previous application

6. POLICIES AND GUIDANCE

National Policy Framework 2019

NPPG

The London Plan

- 3.17 Health and social care facilities
- 3.5 Quality and Design of Housing Developments
- 7.14 Improving Air Quality
- 7.15 Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes
- 7.4 Local Character
- 7.6 Architecture

Draft London Plan

The 'Intend to Publish' version of draft London Plan (December 2019) is a material consideration in the determination of this planning application. Paragraph 48 of the NPPF states that decision makers may give weight to relevant policies in emerging plans according to: (1) the stage of preparation of the emerging plan; (2) the extent to which there are unresolved objections to relevant policies in the emerging plan; and (3) the degree of consistency of relevant policies to the policies in the Framework.

The draft New London Plan was submitted to the Secretary of State (SoS) on 9 December 2019, following the Examination in Public which took place in 2019. This was the version of the London Plan which the Mayor intended to publish, having considered the report and recommendations of the panel of Inspectors.

The London Assembly considered the draft new London Plan at a plenary meeting on 6 February 2020 and did not exercise their power to veto the plan.

After considering the 'Intend to Publish' Plan, on 13 March 2020 the Secretary of State for Housing, Communities and Local Government wrote to the Mayor identifying directed changes to a number of policies in the draft plan. The SoS considered these changes were necessary to address concerns regarding inconsistencies with national policy. The Mayor cannot publish the New London Plan until the directed changes have been incorporated, or until alternative changes to address identified concerns have been agreed with the SoS. This could affect the weight given to the draft plan with regard to the directed policies.

At this stage, the Council's up-to-date Local Plan is generally considered to have primacy over the draft London Plan in planning determinations. However, where no modifications have been directed the draft London Plan policies are capable of having significant weight (as seen in a recent SoS call-in decision in the Royal Borough of Kensington and Chelsea). Where specific draft London Plan policies have been given particular weight in the determination of this application, this is discussed in this report.

- GG2 Making the best use of land
- GG4 Delivering the homes Londoners need
- D4 Delivering good design
- D6 Housing quality and standards
- D7 Accessible housing
- D14 Noise
- H1 Increasing housing supply

H2 Small sites
S2 Health and social care facilities
SI13 Sustainable drainage
T5 Cycling
T6 Car parking
T6.1 Residential parking
T6.5 Non-residential disabled persons parking

Mayor Supplementary Guidance

Housing SPG

Bromley Local Plan 2019

4 Housing Design
6 Residential Extensions
8 Side space
9 Residential Conversions
26 Health and Wellbeing
30 Parking
32 Road Safety
33 Access for All
37 General Design of Development
113 Waste Management in New Development
116 Sustainable Urban Drainage Systems
119 Noise Pollution
121 Ventilation and Odour Control
122 Light Pollution

Bromley Supplementary Guidance

SPG1 – General Design Principles

7. ASSESSMENT

- **Resubmission**
- **Principle of development**
- **Design – Layout, scale height and massing**
- **Neighbourhood Amenity**
- **Standard of outlook and amenity for future occupiers**
- **Amenity space**
- **Highways**
- **Environmental Health/ contamination/ noise /air quality**
- **Trees**
- **Drainage and flooding**
- **Energy**
- **Other Issues not listed above**
- **CIL**
- **Other matters**

7.1 Resubmission

7.1.1 The site has a lengthy planning history which is summarised in Section 4 above.

7.1.2 Most recently, under reference 19/03229/FULL1, planning permission was refused for development identical to this current proposal in terms of the scale, bulk, massing and external design of the development.

7.1.3 The main differences between the current proposal and the previous scheme are summarised:

- The ground floor would provide a doctor's surgery rather than the 2 flats previously approved under reference 18/00998/FULL1 and then proposed again under 19/03229/FULL1
- The size of the site has increased through the use of land to the rear of No. 24
- The number of car parking spaces provided at the rear of the property has increased from 3 to 10, including 3 no. electric car charging points
- The number of car parking spaces at the front of the site has decreased from 4 to 2
- No amenity space provided to the rear of the site
- Refuse storage and cycle storage is indicated in the current proposal

7.2 Principle of development – Unacceptable

7.2.1 The NPPF (2019) sets out in paragraph 11 a presumption in favour of sustainable development.

7.2.2 A planning appeal decision was issued on 26th June 2019 that has implications for the assessment of planning applications involving the provision of housing. The appeal at Land to the rear of the former Dylon International Premises, Station Approach Lower Sydenham SE26 5BQ was allowed. The Inspector concluded that the Local Planning Authority cannot support the submission that it can demonstrate a five year housing land supply having given his view on the deliverability of some Local Plan allocations and large outline planning permissions. According to paragraph 11d) of the NPPF in the absence of a 5 year Housing Land Supply the Council should regard the Development Plan Policies for the supply of housing including Policy 1 Housing Supply of the Bromley Local Plan as being 'out of date'.

7.2.3 In accordance with paragraph 11(d), for decision taking this means where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or

ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

- 7.2.4 Housing is a priority use for all London Boroughs. Policy 3.3 Increasing housing supply, Policy 3.4 Optimising housing potential and Policy 3.8 Housing choice in the London Plan generally encourage the provision of redevelopment in previously developed residential areas provided that it is designed to complement the character of surrounding developments, the design and layout make suitable residential accommodation, and it provides for garden and amenity space.
- 7.2.5 Policies including 3.3 of The London Plan 2016 and Policy 1 of the Bromley Local Plan have the same objectives. The London Plan's minimum target for Bromley is to deliver 641 new homes per year until 2025.
- 7.2.6 The site is located in a residential location where the Council will consider further residential 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.
- 7.2.7 This application includes the provision of 1 additional flat over and above the existing housing provision at the site, which would represent a minor contribution to the supply of housing within the Borough. This aspect of the proposal will be considered in the overall planning balance set out in the conclusion of the report having regard to the presumption in favour of sustainable development.
- 7.2.8 Policy 26 of the Bromley Local Plan relates to health and well-being and states that the Council will work to meet the physical and mental health needs of communities by allowing new health facilities provided that they are easily accessible by public transport or are located within existing shopping centres or local parades and unless there are demonstrable negative local impacts which substantially outweigh the need which cannot be addressed through planning conditions or obligations.
- 7.2.9 No information has been provided regarding this part of the proposal in terms of need for the surgery. Paragraph 3.2.13 of the text supporting the policy relates to General Practices (it is noted that no information has been submitted to identify the type of D1 surgery provision which would be provided) highlighting that while GP surgeries can sometimes be accommodated within residential properties, many existing premises are unsuitable for the expanded function of modern GP surgeries and that town centres and local shopping parades are likely to provide the most sustainable opportunities for new facilities, where the impact on residential amenity is minimised.
- 7.2.10 The principle of residential extensions to the host building and an increased intensity of residential use has been established through the granting of planning permission under references 16/04056/FULL1 and 18/00998/FULL1. In the assessment of this proposal it falls to consider the specific scope of this particular proposal in the context of the planning history of the site, including the most recent refusal under reference 19/03229/FULL1, where planning permission was refused not on the principle of development, but on grounds relating to the impact of the proposals on visual and residential amenity as well as on there being

insufficient information to demonstrate the practicability of the rear parking area the provision of adequate cycle and refuse storage areas.

7.2.11 However, in view of the lack of information relating to the co-existence of the proposed D1 surgery and the residential surrounding buildings, or of the proposal meeting an identified need, and taking into account the significant rear parking provision to serve the mixed use of the site, it is not considered that the principle of the surgery provision on the ground floor has been fully or satisfactorily established.

7.3 Design, Layout and Scale – Unacceptable

7.3.1 Design is a key consideration in the planning process. Good design is an important aspect of sustainable development, is indivisible from good planning, and development should contribute positively to making places better for people.

7.3.2 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.

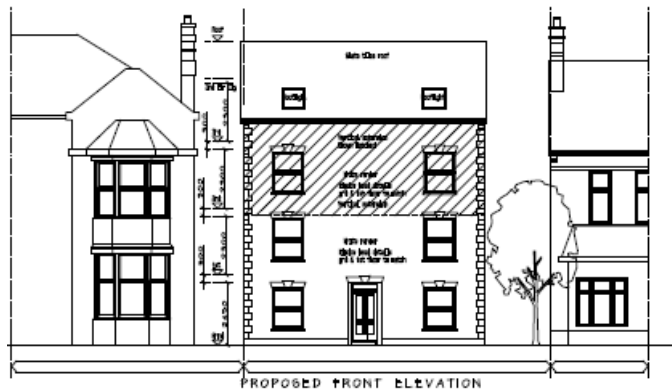
7.3.3 Paragraph 124 of the NPPF (2018) states that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

7.3.4 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.

7.3.5 London Plan and Bromley Local Plan (BLP) policies further reinforce the principles of the NPPF setting out a clear rationale for high quality design. Policy 37 of the BLP relates to the design of development and requires that development should be attractive to look at, of good architectural quality and should complement the scale, form, layout, proportion and materials of adjacent buildings and areas. Policy 4 relates to new housing development and amongst other things requires that the site

layout, buildings and space around buildings is designed to a high quality, recognising and complimenting the qualities of surrounding areas. Policy 6 relates to residential extensions and states inter alia that the scale, form and materials of construction should respect or complement those of the host dwelling and be compatible with development in the surrounding area.

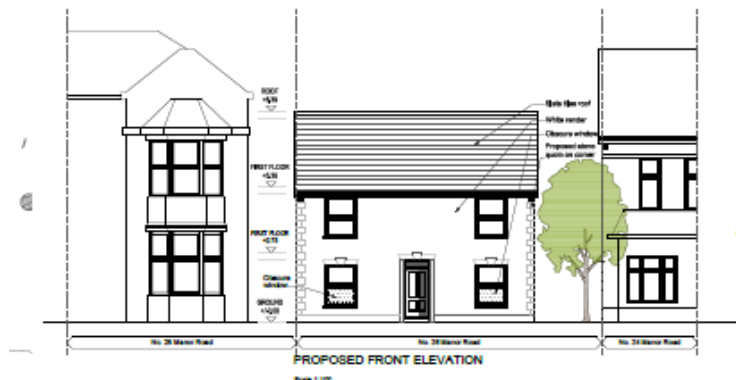
20/02011 Proposed front elevation (identical to refused scheme ref. 19/03229)



7.3.6 The proposed development would significantly enlarge the host building. In upwardly extending the property while maintaining its width when viewed from front and rear the proposal would result in a somewhat disproportionate and visually unsatisfactory appearance, with the height of the building appearing disproportionate in the context of the property and the roof appearing squat in relation to the height/width of the building. The proposal would result in an expanse of unrelieved elevation above the ground floor centrally sited front door, and the proportions and positions of the windows would result in a visibly three storey appearance from the front which would contrast unfavourably with the neighbouring Victorian buildings which share a recognisable two storey appearance incorporating design detailing that contributes positively to the visual amenities of the street scene.

7.3.7 Under reference 15/03084 planning permission was refused and dismissed on appeal for a less visually dominant development (when viewed from the front):

Dismissed at appeal under reference 15/03084

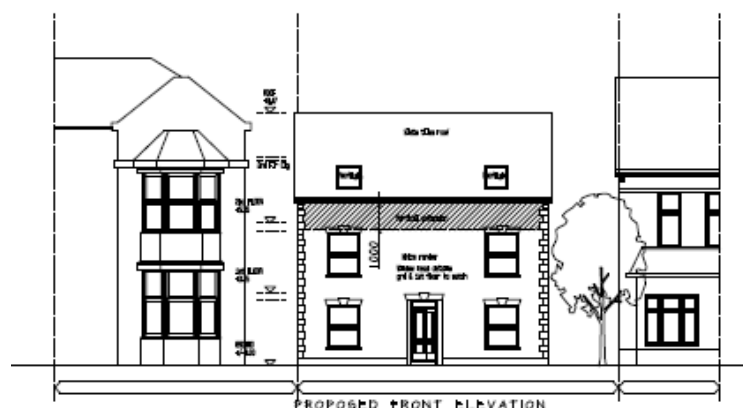


7.3.8 In dismissing the appeal, the Inspector noted with regards to the front elevation that:

“With the proposal the front elevation of the building would be white painted rendered which would increase the prominence of the building within the street scene. The proposed replacement windows and large expanse of render above the central door would result in the front elevation being plain, with strong and uncharacteristic horizontal lines. In addition, due to their size, proportions and detailing the proposed windows would fail to respect the proportions, size and detailing of the proposed central door.”

7.3.9 Under reference 18/00998 planning permission was granted for an amended scheme that while increasing the height of the building, did not extend upwards to the height currently proposed, with only front rooflights indicating the second (roof) storey of accommodation from the front.

Granted planning permission under 18/00998



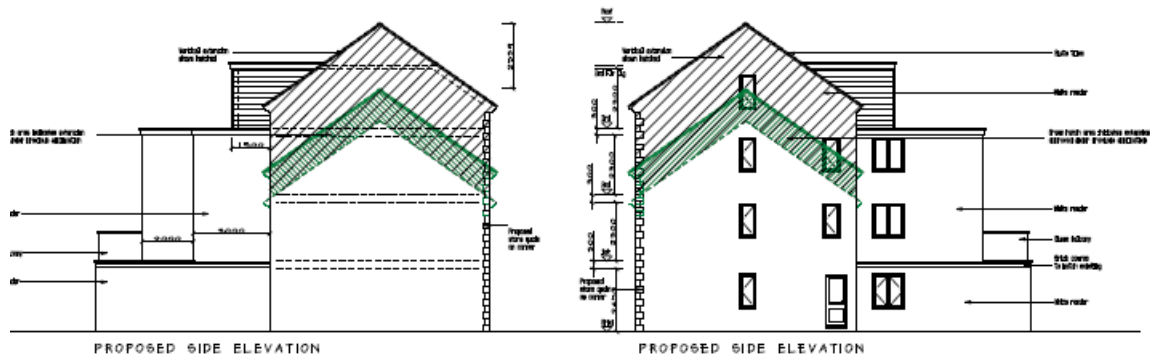
7.3.10 It is considered that the proposed development would appear bulky and obtrusive from the street scene and that the current proposal does not in terms of the external design of the development address the grounds for refusal of the most recent application under reference 19/03229 which had an identical appearance, bulk and massing to that currently proposed.

7.3.11 From the side and rear the proposed extensions would appear disproportionate in the context of the host building, leading to an unattractive and excessively high appearance to the side elevations with the scale of the development emphasised by the fenestration which would signal the four storey development which is uncharacteristic of the scale of development in the locality.

7.3.12 The design of the development would include flat roofed rear extensions and a boxy dormer which were considered acceptable at a lower height than currently proposed (18/00998), but in the context of the increased height and scale of

the currently proposed extension would emphasise the disproportionate appearance of the extensions in relation to the host and neighbouring buildings.

Proposed flank elevations



7.3.13 It is acknowledged that the measured height of the building would not exceed the ridge height of the dwelling at No. 28. However, that property's height is commensurate with the width of the building and the building includes design detailing and a hipped roof and is attractive to look at. The height of the resultant building would exceed appreciably at eaves and ridge height the neighbouring dwelling at No. 24. Taking into account the boxy design and the clearly evident three storey appearance of the building it is considered that the height and form of the resultant building would be out of character with the street scene and would represent a jarring feature detrimental to the visual amenities of the area.

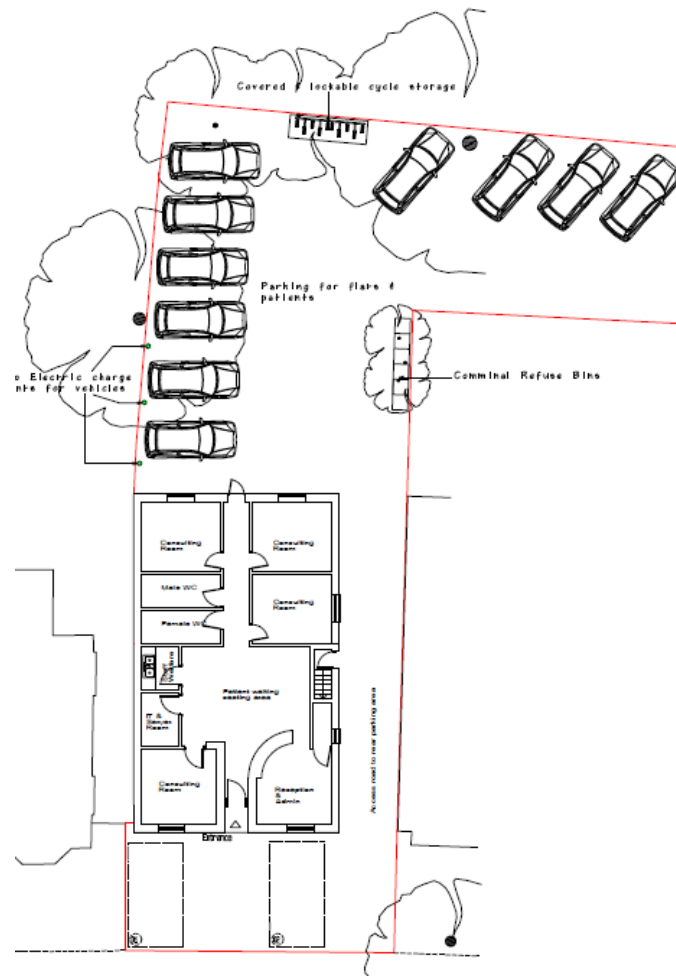
7.3.14 The space to the side boundaries of the site in the context of the significant height of the building and the gable ended roof design would result in a cramped appearance particularly in relation to the eastern boundary with No. 28 which runs along the side elevation of the host building. While 2m and 2.6m space would be retained to the neighbouring buildings to the east and west respectively, the overall height and design of the building in the context of the width of the site would result in a cramped appearance.

7.3.15 The proposal would result in a large area hardstanding to the rear of the site which would be at odds with the prevailing pattern of development in the locality, which is characterised by frontage buildings enclosing amenity enclaves and open space at the rear, leading to a level of quiet and greenness at the back of the road-fronting buildings. Commercial car parking associated with the surgery and residential parking would be introduced into the rear area. The proposal would result in a disproportionate and uncharacteristic amount of the site being covered by buildings and hard surfaces, with the overall impression from the sides/rear of the development being of uncharacteristically intensive development in the context of the site's size and location.

7.4 Neighbourhood Amenity - Unacceptable

- 7.4.1 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.
- 7.4.2 The application has been accompanied by a daylight/sunlight study which concludes that from technical assessment the proposal will not result in a noticeable reduction in the level of skylight or present an issue in relation to the level of sunlight. The report concludes that the proposal will have a low impact on light receivable by neighbouring properties.
- 7.4.3 Assessment of the impact of the proposal on residential amenity is not limited to the technical calculation of the impact of the development in relation to daylight and sunlight but also takes into account the impact of proposals in relation to outlook, visual impact and noise and disturbance.
- 7.4.4 It does not appear that the existing flats have any vehicular access via the side passage to the rear amenity space which is laid out in gardens perpendicular to the rear elevation of the host building. The application refused under reference 14/04420 did not show any existing parking at the rear of the property and that application was refused on grounds including the hardstanding at the rear of the garden area being detrimental to adjacent amenities, as was the application under reference 19/03229/FULL1.
- 7.4.5 This current proposal would have an increased impact on neighbouring amenity not only in relation to the previously approved schemes, but also in relation to the refused schemes. The proposal would introduce a significantly larger car park at the rear of the premises than that under 19/03229, with 10 spaces to serve not only the residential flats (of which there would be 2 fewer) but also a speculative doctor's surgery. It is considered likely that such a use of the ground floor would result in considerably more comings and goings associated with the ground floor use of the site than the existing flat or the approved 2 no. flats granted planning permission under reference 18/00998.
- 7.4.6 The proposal would introduce an intensive use of the side access and the newly formed and extensive rear car park. This would result in an unacceptable increase in noise and disturbance in close proximity to neighbouring residential gardens, in particular in view of the enlargement of the application site to effectively enclose approx. one half of the rear garden of the neighbouring conversion flats.

Proposed site layout



7.4.7 It is considered that the intensive use of the side access would be detrimental to the amenities of neighbouring properties as a consequence of the comings and goings of vehicles and noise generally relating to car doors slamming and the manoeuvring of vehicles. No evidence has been provided to show that the existing passage has or is used for vehicular access to the rear of the site and in any case the proposal would comprise an intensification of the use of the site which would lead to an increased use of the side access, with this undermining the quiet enjoyment of the neighbouring rear gardens.

7.4.8 With regards to the visual impact of the development, it is considered that the increased height of the rear extensions on the boundary with the neighbouring property at No. 28 would result in an overdominant impact, with the height and bulk of the extensions appearing unduly dominant and visually intrusive when viewed from the rear of the neighbouring properties. While it is acknowledged that the neighbouring buildings are set to the rear of the application building at present, the proposed rear extension would project to the rear at three storey height rather than the two storey height found to be acceptable under reference 18/00998. As a result of the increased scale and height of the development it is considered that the

extended (upwards and rearwards) flank elevations would be overdominant and visually intrusive when viewed from the neighbouring properties.

7.5 Standard of outlook and amenity for future occupiers - Unacceptable

- 7.5.1 The application granted planning permission under reference 18/00998/FULL1 included provision within the rear garden of 2 private amenity areas for the ground floor flats (deleted in this current scheme) along with access from the side door to the rear retained communal garden for the flats on the first and second floors. The first floor flat also had a private terrace (as is currently proposed) and the second floor flat would have had access (albeit indirect) to and use of the communal garden. The current proposal in contrast dedicates the rear garden space in its entirety to parking associated with the flats as well as the 4 surgery consulting rooms on the ground floor. As a consequence, the flats at second and third floors would have no access to private amenity space, and the first floor terrace would overlook the 10 no. car parking spaces at the rear which would be used by patients and other residents, having very little privacy or amenity value as a result.
- 7.5.2 In refusing the previously proposed scheme under reference 19/03229/FULL1 refusal ground 2 referred to there being a lack of adequate external amenity space, with this resulting in accommodation of an unsatisfactory standard. This current proposal would have a worsened amenity space provision in view of the intensification of the use of the site through the introduction of non-residential use on the ground floor and the significant increase in the intensity of the car parking provision at the rear.

7.6 Highways - Unacceptable

- 7.6.1 The NPPF recognises that transport policies have an important role to play in facilitating sustainable development but also in contributing to wider sustainability and health objectives. The NPPF clearly states that transport issues should be considered from the earliest stage of both plan making and when formulating development proposals and development should only be prevented or refused on transport grounds where the cumulative impacts of development are severe.
- 7.6.2 The NPPF states that all developments that will generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed.
- 7.6.3 London Plan and Bromley Local Plan Policies encourage sustainable transport modes whilst recognising the need for appropriate parking provision. Car parking standards within the London Plan and the Bromley Local Plan should be used as a basis for assessment.
- 7.6.4 The current proposal includes the provision of 10 no. parking spaces to the rear of the building. These spaces would be accessed via a side passageway which measures (scaled from the submitted drawing) 2.25m wide at the front and 3.1m

wide at the rear of the alley between the buildings. The parking layout shows the provision of 2 spaces at the front of the property.



7.6.5 Limited information has been provided to demonstrate that the rear parking area is readily accessible by car or that the manoeuvring space at the rear would be sufficient to enable access to all the spaces as laid out on the drawings. The proposed entrance to the upper flats would open directly on to this side passageway and in view of the limited width of the alley it is considered that this could result in a conflict between the pedestrian and vehicular comings and goings associated with the upper flats. This was similarly the case in the most recent refused scheme, although in that case the only parking at the rear served the residential flats proposed within the building, as there was no proposed mixed residential/non-residential use of the site.



7.6.7 The access to the side is very narrow and vehicles entering the rear car park and existing the facility would have no meaningful space for waiting before making the manoeuvre, leading to potential conflict between exiting and entering cars, in tandem with the residential access to the upper floors. The access door at the rear is of standard width and is not specifically annotated as comprising a public access point to the surgery, which is indicated on the submitted ground floor plan as being at the front of the building. No detailed information has been provided regarding how the parking spaces would be allocated nor regarding provision for disabled car parking, which in view of the ground floor layout and the width of pedestrian access to the building would appear likely to need to be at the front of the site.

8. CONCLUSION

8.1.1 It is considered that the design, scale and appearance of the proposed development would be detrimental to visual amenity and the quality of the street scene, appearing as a bulky and disproportionate addition and resulting in a jarring appearance in the context of the neighbouring buildings. While it is noted that the existing building is itself not representative of the prevailing character of the buildings within the immediate locality of the application site, this is not considered to justify the scale and bulk of the proposals, in particular the readily appreciable third storey of development and the height of the building to eaves and ridge in relation to the overall resultant height of the property.

8.1.2 On the basis of the application submission, which includes the provision of rear parking to serve the flatted conversion/extension in addition to a doctor's surgery, it is considered that insufficient information has been provided (taking into account the narrowness of the space to the side of the building and the number of spaces to the rear) to confirm that the rear parking would be readily and safely accessible and that there is sufficient manoeuvring space to the rear.

8.1.3 The proposal would result in a significant increase in the height of the building close to the boundary with the neighbouring residential properties and in view of the design and scale of the development it is considered that the extensions would appear as over-dominant and visually intrusive additions when viewed from neighbouring properties. The formation and use of a rear parking area access along the narrow side track would result in an unacceptable increase in the noise and disturbance to neighbouring residential gardens and this would be uncharacteristic of the layout of development in the locality and would impact detrimentally on the quiet enjoyment of the neighbouring properties. The parking provision would additionally reduce the amount of space available within the application site to provide accessible amenity space to serve prospective occupants of the residential flats on the upper storeys of the resultant building as well as reducing the privacy and utility of the approved first floor terrace.

8.1.4 It is acknowledged that the proposal would result in an increase in the number of units provided on site from 2 to 3. Planning permission was granted under 18/00988 for the extension and conversion of the property to provide a total of 4 residential flats. While the additional residential unit (1 no. flat) would contribute to local housing supply, it is not considered that this increase would outweigh the

material harms identified above in respect of the impact of the development on the visual and residential amenities of the area.

- 8.1.5 The application proposes to provide a 4 consulting room doctor's surgery on the ground floor. While Policy 26 of the Bromley Local Plan states that the Council will work to meet the physical and mental health needs of communities by allowing new health facilities, this is subject to the public transport accessibility of the site and the preferred location for such facilities will be within existing shopping centres or local parades and unless there are demonstrable negative local impacts which substantially outweigh the need which cannot be addressed through planning conditions or obligations.
- 8.1.6 No information has been provided regarding this part of the proposal in terms of need for the surgery. Paragraph 3.2.13 relates to General Practices (it is noted that no information has been submitted to identify the type of D1 surgery provision which would be provided) highlighting that while GP surgeries can sometimes be accommodated within residential properties, many existing premises are unsuitable for the expanded function of modern GP surgeries and that town centres and local shopping parades are likely to provide the most sustainable opportunities for new facilities, where the impact on residential amenity is minimised.
- 8.1.7 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.

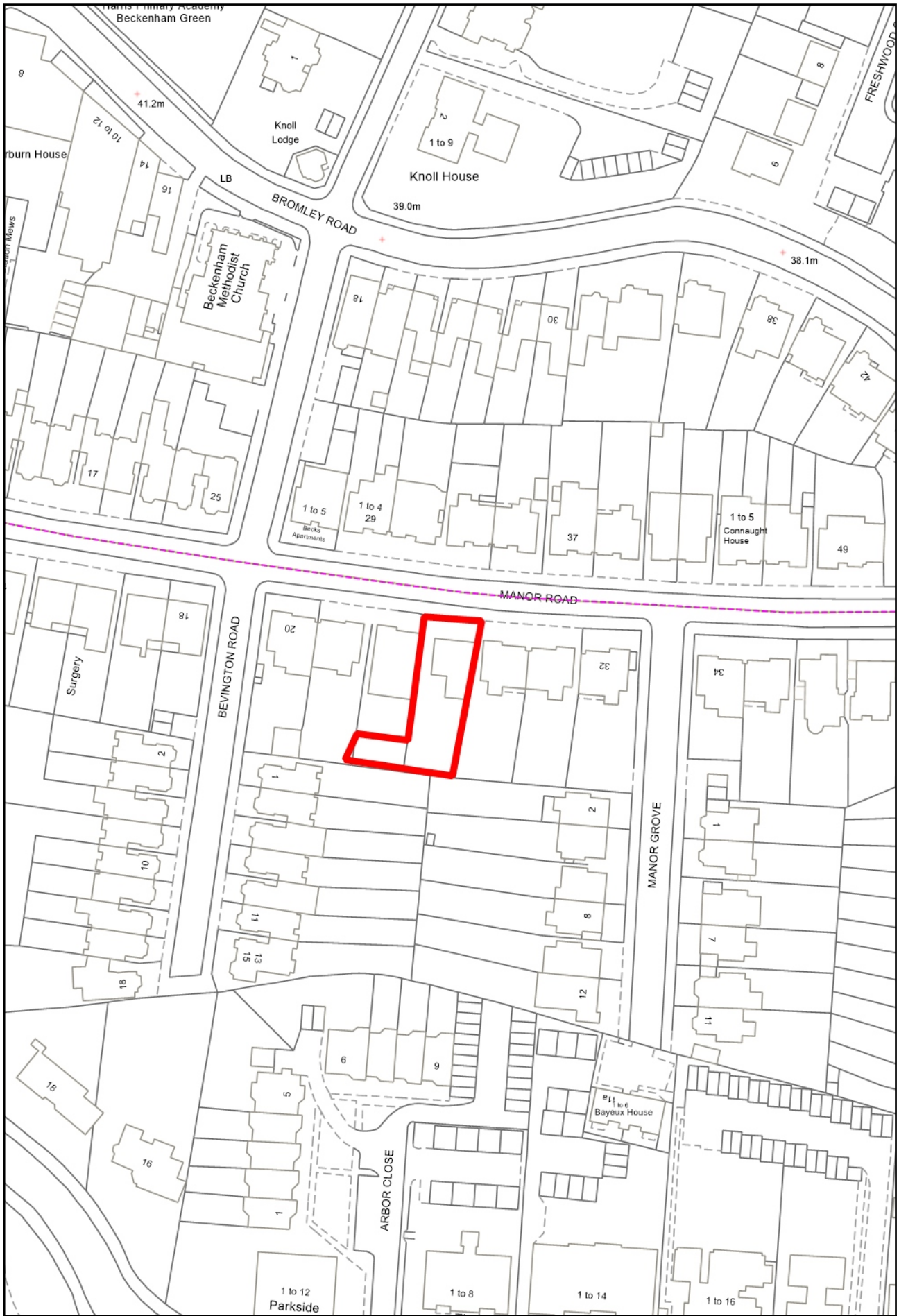
RECOMMENDATION: REFUSAL

Reasons for refusal:


1. The proposal by reason of its design and height and the extent of the site covered by buildings and hardsurfaces would appear as a bulky and disproportionate addition and excessive site coverage which would fail to respect the distinctive quality of the street scene and the pattern of development in the area, which would be detrimental to the character and appearance of the locality and the visual amenities of the street scene and the area in general, thereby contrary to Policies 37, 4, 9 and 6 of the Bromley Local Plan and Policies 7.4 and 7.6 of the London Plan.
2. The proposal by reason of its height, scale and proximity to the boundary and the formation of vehicular parking and manoeuvring space at the rear of the property to serve the proposed residential flats and speculative doctor's surgery would be detrimental to the amenities of the occupiers of adjacent properties, resulting in an overdominant and intrusive visual impact and noise and disturbance associated with the use of the side access and the parking area at the rear and by reason of the lack of adequate external amenity space would result in accommodation of an unsatisfactory standard of amenity for prospective occupiers, thereby contrary to Policies 4, 37 and 9 of the Bromley Local Plan and Policy 3.5 of the London Plan.

3. Insufficient information has been provided to demonstrate that the site layout including the parking area at the rear would be practicable, with adequate access to the rear parking facility, manoeuvring space within the car park, and consideration of pedestrian safety in the absence of which the proposal would be contrary to Policies 4, 30, 32 and 33 of the Bromley Local Plan.

4. Insufficient information has been provided to establish that the proposed doctor's surgery would be acceptable in principle, in terms of need for such provision and the suitability of the site for that purpose, thereby contrary to Policy 26 of the Bromley Local Plan.



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