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BROMLEY CIVIC CENTRE, STOCKWELL CLOSE, BROMLEY BRI 3UH

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To: Members of the
PLANS SUB-COMMITTEE NO. 2

Councillor Kieran Terry (Chairman)
Councillor Michael Turner (Vice-Chairman)
Councillors Mark Brock, Peter Dean, Nicky Dykes, Colin Hitchins, Will Rowlands, Richard Scoates and Ryan Thomson

A meeting of the Plans Sub-Committee No. 2 will be held at Bromley Civic Centre on
THURSDAY 24 JUNE 2021 AT 7.00 PM

PLEASE NOTE: This meeting will be held in the Council Chamber at the Civic Centre, Stockwell Close, Bromley, BR1 3UH. Members of the public can attend the meeting to speak on a planning application (see the box on public speaking below).

There will be limited additional space for other members of the public to observe the meeting. If you wish to attend, please contact us before the day of the meeting if possible, using our web-form: <https://www.bromley.gov.uk/CouncilMeetingNoticeOfAttendanceForm>

Please be prepared to follow the identified social distancing guidance at the meeting, including wearing a face covering.

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 e-mail lisa.thornley@bromley.gov.uk (telephone 020 8461 7566) or committee.services@bromley.gov.uk

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 22 APRIL 2021
(Pages 1 - 6)

4 PLANNING APPLICATIONS

Report No.	Ward	Page No.	Application Number and Address
4.1	Bickley	7 - 20	(20/01665/FULL1) - St Hugh's Playing Fields, Bickley Road, Bickley, Bromley
4.2	Kelsey and Eden Park	21 - 30	(20/02238/FULL1) - Eden Park Service Station, Links Way, Beckenham BR3 3DG
4.3	Chislehurst	31 - 40	(21/00524/FULL6) - 29 Grove Vale, Chislehurst BR7 5DS
4.4	Petts Wood and Knoll	41 - 52	(21/01310/FULL6) - 39 Crossway, Petts Wood, Orpington BR5 1PE
4.5	Orpington	53 - 60	(21/01935/PLUD) - 62 Charterhouse Road, Orpington BR6 9EW

5 CONTRAVENTIONS AND OTHER ISSUES

Report No.	Ward	Page No.	Application Number and Address
5.1	Darwin	61 - 68	Land at the Back of Number 4 and Number 5 Leaves Green Crescent, Keston BR2 6DN
5.2	Biggin Hill	69 - 78	Direct Action to Achieve Compliance with Tree Replacement Notice at Woodland (West Of) Beech Road, Biggin Hill, Westerham, Kent

6 TREE PRESERVATION ORDERS

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

The Council's [Local Planning Protocol and Code of Conduct](#) sets out how planning applications are dealt with in Bromley.

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PLANS SUB-COMMITTEE NO. 2

Minutes of the meeting held at 6.00 pm on 22 April 2021

Present:

Councillor Peter Dean (Chairman)
Councillor Michael Turner (Vice-Chairman)
Councillors Mark Brock, Nicky Dykes, Simon Fawthrop,
Colin Hitchins, Josh King, Neil Reddin FCCA and Richard Scoates

5 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

There were no apologies for absence; all Members were present.

6 DECLARATIONS OF INTEREST

No declarations of interest were received.

7 CONFIRMATION OF MINUTES OF MEETING HELD ON 18 FEBRUARY 2021

RESOLVED that the Minutes of the meeting held on 18 February 2021 be confirmed and signed as a correct record.

8 PLANNING APPLICATIONS

8.1 HAYES AND CONEY HALL (18/03074/RECON) - 8 Speldhurst Close, Bromley, BR2 9DT

Description of application – Minor material amendment to planning permission 18/03074/FULL6 granted for ‘ground floor rear and side and first floor rear extension with elevational alterations’ to allow an increase in height. Part retrospective.

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

It was reported that further e-mails and photographs from the speaker in objection to the application (dated 16 April and 20 April 2021) had been received and circulated to Members.

It was also reported that the ongoing enforcement case would remain open until works were completed. A check would then be undertaken to ensure the development had been built in accordance with the plans following which the enforcement case would be closed.

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

**8.2
DARWIN**

**(20/03545/FULL1) - Land Adjacent Bramlyns,
Cudham Lane North, Cudham, Sevenoaks**

Description of application – Installation of crossover to provide vehicular access with access gate.

In response to a question from Councillor Scoates, the Legal Representative advised that it was acceptable for the Highways Department to act as an agent for the applicant and be involved in the consultation process.

Members queried the need for a second access gate when there was already an existing entrance.

It was reported that the application related to an engineering process and was not considered harmful to the area. Following the work, the hedgerow would be reinstated.

Members having considered the report and objections, **RESOLVED that the application BE DEFERRED** without prejudice to any future consideration, to clarify the need for additional access.

**8.3
BICKLEY**

**(20/04321/FULL6) - 1 Oldfield Close, Bromley,
BR1 2LL**

Description of application – Alterations to planning application reference: 19/03722/FULL6 to include obscure glazed windows to the first floor flank elevation, alterations to rear doors on rear façade, alterations to brick detailing and render. Addition of front porch and single storey rear extension. Velux Windows at roof level.

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

It was reported that a revised drawing of the rear elevation had been received on 21 April 2021. As a result, condition 5 in the recommendations was no longer required.

It was agreed that if the application was granted permission, additional conditions for the removal of Permitted Development rights relating to extensions, roofs and HMOs be added.

Members having considered the report, objections and representations, **RESOLVED that PERMISSION BE GRANTED** as recommended, subject to the conditions set out in the report of the Assistant Director, Planning with condition 5 deleted and the following conditions added to read:-

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order amending, revoking and re-enacting this Order) no building, structure or alteration permitted by Class A or B of Part 1 of Schedule 2 of the 2015 Order (as amended), shall be erected or made within the curtilage(s) of the dwelling(s) hereby permitted without the prior approval in writing of the Local Planning Authority.

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

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order amending, revoking and re-enacting this Order) no change of use of a building from a use falling within Class C3 (dwellinghouses) in the Use Classes Order, to a use falling within Class C4 (houses in multiple occupation) permitted by Class L of Part 3 of Schedule 2 of the 2015 Order (as amended) shall be provided within the curtilage of the dwelling(s) without the prior approval in writing of the Local Planning Authority.

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

**8.4
KELSEY AND EDEN PARK**

**(21/00271/FULL6) - 42 Bucknall Way, Beckenham,
BR3 3XN**

Description of application – Loft conversion incorporating dormers to the rear and front and rooflights to the sides, enlargement of the rear ground floor bay window and partial conversion of the garage.

THIS APPLICATION WAS WITHDRAWN BY THE ASSISTANT DIRECTOR, PLANNING.

**8.5
PETTS WOOD AND KNOLL**

(21/00372/FULL6) - 14 Silverdale Road, Petts Wood, BR5 1NJ

Description of application – Loft conversion with a half gable, rear dormer and front rooflights.

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

In response to a question from Councillor Fawthrop, the applicant stated that he would not be prepared to remove the front roof lights and wished to proceed with the full application. Without rooflights, he would consider building in accordance with the previously granted Certificate of Lawful Development.

Councillor Fawthrop stated that while the half-hip element was more in keeping with the ASRC than the Certificate of Lawful Development, a balanced approach was needed. The two proposed windows at the front detracted considerably from the symmetry of the semi-detached property and its neighbour. If built without the windows, plenty of light would still enter through the side windows. Removal of the roof lights was also preferred.

Members having considered the report and representations, **RESOLVED that PERMISSION BE REFUSED** as recommended, for the reason set out in the report of the Assistant Director, Planning.

**8.6
PETTS WOOD AND KNOLL**

(21/00910/PLUD) - 25 Woodland Way, Petts Wood, Orpington, BR5 1NB

Description of application – Conversion of existing roof space to a habitable room including formation of a gable end with enlarged side window and rear dormer **LAWFUL DEVELOPMENT CERTIFICATE (PROPOSED)**.

Councillor Fawthrop considered that the proposed development should be more in keeping with the area. In this regard, he moved that the application be deferred to invite the applicant to submit a full application for a half-hip to gable which would be more suitable. The Chairman agreed, adding that

while accepting that the work could be carried out under current legislation, there was no harm in giving the applicant the opportunity to work in line with the Council's perception of roof policy in Petts Wood.

Members having considered the report, **RESOLVED that the application BE DEFERRED** without prejudice to any future consideration, to invite a full application for a half hip extension.

The meeting ended at 6.37 pm

Chairman

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Agenda Item 4.1

Committee Date	24 th June 2021		Agenda Item:
Address	St Hugh's Playing Fields Bickley Road Bickley Bromley		
Application number	20/01665/FULL1	Officer Claire Brew	
Ward	Bickley		
Proposal (Summary)	Erection of substation (retrospective)		
Applicant		Agent	
Kier Construction (Southern) Ltd		Matthew Blythin DHA Planning	
Reason for referral to committee	Councillor and local interest	Councillor call in No	

RECOMMENDATION	PERMISSION
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Summary

<p>KEY DESIGNATIONS</p> <ul style="list-style-type: none"> • Urban Open Space • Blanket Tree Protection Order • Adjacent to Conservation Area • Smoke Control
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Representation summary	A total of 15 Neighbour letters were sent on 18.05.2020. Consultation is for a minimum of 21 days
Total number of responses	4
Number in support	0
Number of objections	3
Neutral	1

SUMMARY OF KEY REASONS FOR RECOMMENDATION

- **The development is of an appropriate mass, scale, form and design in keeping with its context, thus preserving the appearance of the site and surrounding area**
- **The development has not caused unacceptable harm to the amenities of neighbouring residential occupiers**

1. LOCATION

The sub-station is set-back by approximately 10m behind the site boundary with Chislehurst Road.

The wider site accommodates the recently opened new Bullers Wood Boys School. The site also forms the playing fields and partial sports provision for Bullers Wood Girls School to the north east of the site. The applicant has confirmed that all of the temporary modules (for the temporary school accommodation) have now been removed from site.

The site is designated as Urban Open Space and the boundary of the adjacent Conservation Area extends along Pines Road. All the trees on the site are covered by a Tree Preservation Order. The boundaries to the site are largely comprised of trees and hedgerow.

The site sits on a slope with the northern part of the site being 2-3m higher than the southern part. The site forms a triangular parcel of land with Bickley Road, Chislehurst Road and Pines Road bordering the site.

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

To the western boundary of the site is a commercial car dealership garage (BMW). To the south eastern corner are a number of large detached dwellings and their respective garden areas which back onto the site.

Bickley road is an A road (A222) and Pines Road is a one-way road access from the signalised junction on Bickley Road. The site is situated within PTAL Zone 2-3.



Fig. 1: Existing Site layout for Bullers Wood Boys school (as approved under application 17/04478/FULL1) (Source: Lloyd Bore)

2. PROPOSAL

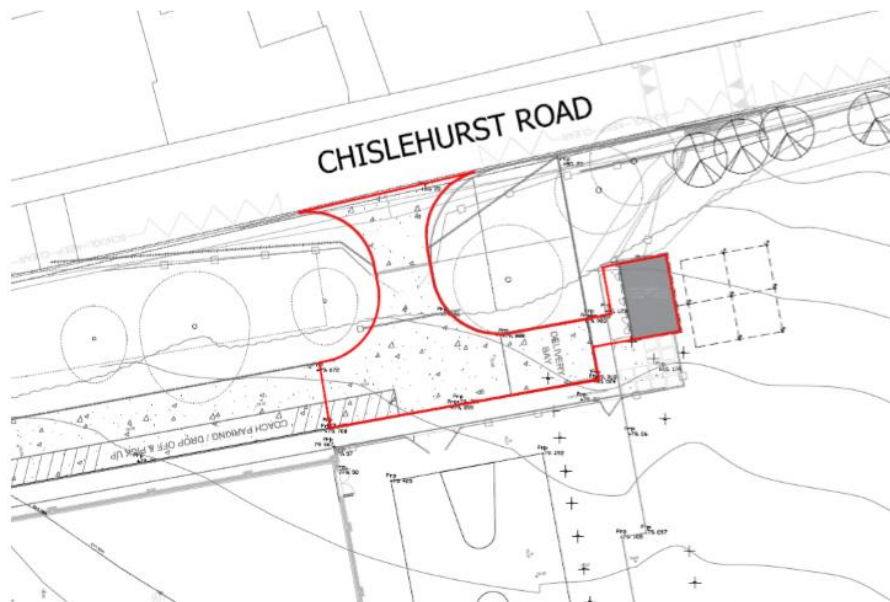


Fig 2: location of sub-station, as built (Source: DHA)

2.1 The plans which were approved at appeal for the main school (application ref.17/02468/FULL1) indicated the positioning of a substation next to the site entrance on Chislehurst Road. However, no

details of the scale, height or appearance of the sub-station were submitted as part of the original application (nor required by condition) and, consequently, planning permission was never granted for the detailed design of the sub-station.

- 2.2 Whilst the detailed design was never brought forward for planning consideration, the applicant states that the footprint of the sub-station as shown on the approved site plan was, at that time, the size which UKPN required in order to service the development.
- 2.3 The sub-station which has now been constructed involves a larger footprint than that which was indicated at application stage. The applicant states that this is a result of the school's supply needs having increased from those which were originally anticipated, triggering a requirement for additional metering. According to UKPN the additional metering needs to be enclosed and sited within 20 metres of the substation. Subsequently an additional intake/electrical switch room aside the substation to accommodate this metering has been constructed.
- 2.4 The total size of the enclosure for the sub-station and electrical switch room measures 7.035m in length x 4.34m in width x 2.55m in height. The Planning Statement confirms that "*The structure is the minimum required to meet the servicing requirements of the approved school, as confirmed by UKPN*" (Para 1.5.2).

3. RELEVANT PLANNING HISTORY

- 3.1 **16/03315/FULL1**: Proposed erection of a 6FE Secondary Boys School comprising a part 2 storey, part 3 storey school building of 8,443m² including a sports hall (also for wider community use) together with hard and soft landscaping, creation of a new vehicular access on Chislehurst Road, 68 parking spaces, drop off/pick up area and associated works. Erection of a temporary 2 storey classroom block on site for 12 months to accommodate 5 classrooms, a laboratory, offices and toilets -

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

- 3.2 **17/02468/FULL1**: Proposed erection of a 6FE Secondary Boys School comprising a part 2 storey, part 3 storey school building of 8,443m² including a sports hall (also for wider community use) together with hard and soft landscaping, creation of a new vehicular access on Chislehurst Road, 69 parking spaces, drop off/pick up area and associated works. Erection of a temporary 2 storey classroom block on site for 12 months to accommodate 5 classrooms, a laboratory, offices and toilets (amended submission of application DC/16/03315/FULL1) –

Refused and Allowed at Appeal on 19th December 2018.

- 3.3 **17/02468/RECON:** Application under section 73 of the Town and Country Planning Act 1990 to vary condition 17 of permission 17/02468/FULL1 (allowed on appeal) for proposed erection of a 6 form entry secondary boys school comprising a part 2 storey part 3 storey school building of 8,443 m² including a sports hall (also for wider community use) together with hard and soft landscaping, creation of a new vehicular access off Chislehurst Road, 69 parking spaces, drop off/ pick up area and associated works. Amendments are sought to the approved operating times of the external lighting at the site – Pending Consideration
- 3.4 **20/03904/FULL1:** Provision of Multi Use Games Area (MUGA), internal pathway, fencing and secondary pedestrian access onto Bickley Road – Pending Consideration
- 3.5 **20/04830/FULL1:** Temporary installation of cycle parking facilities (part retrospective) – Pending Consideration
- 3.6 **21/00442/ADV:** 7 x free standing post mounted signs (6 non-illuminated and 1 externally illuminated), 1 x gate mounted non-illuminated sign and 3 x wall mounted non-illuminated signs – Pending Consideration

4. CONSULTATION SUMMARY

a) Statutory

4.1 Highways – No Objection

b) Adjoining Occupiers

4.2 OBJECTIONS

- The substation already provides a constant hum which is clearly audible from our house/garden, and other local houses
- The substation should be moved to somewhere on the site where the noise is not audible to residents
- More tree screening should be provided
- Object to the scale of the substation so close to Chislehurst Road
- Larger than the building indicated on the plan which was approved by the Appeal Inspector
- A copy of the initial risk assessment carried out for the new substation in accordance with the UKPN Standard should be submitted
- Formal written confirmation should be provided that the increase in the size of the substation is only needed to meet the servicing requirements of the school and not for any other purpose

4.3 NEUTRAL

- The current noise issue has been resolved with the site. Providing there is no noise nuisance generated by the substation, then I have no objection

5. POLICIES AND GUIDANCE

5.1 National Policy Framework 2019

5.2 NPPG

5.3 The London Plan relevant policies:

Policy D4	Delivering good design
Policy D8	Public realm
Policy D11	Safety, security and resilience to emergency
Policy D14	Noise
Policy S3	Education and childcare facilities
Policy G4	Open space
Policy G6	Biodiversity and access to nature
Policy G7	Trees and woodlands
Policy SI13	Sustainable drainage

5.4 Mayor Supplementary Guidance

- *Sustainable Design and Construction (2014)*

5.5 Bromley Local Plan 2019 relevant policies:

- 27 Education
- 28 Educational Facilities
- 29 Education Site Allocations
- 37 General Design of Development
- 42 Development adjacent to a Conservation Area
- 55 Urban Open Space
- 73 Development and Trees
- 77 Landscape quality and character
- 79 Biodiversity and Access to Nature
- 116 Sustainable Urban Drainage Systems
- 119 Noise Pollution
- 123 Sustainable Design and Construction

5.6 Bromley Supplementary Guidance

- SPG1 – General Design Principles

6. Assessment

6.1 Design – Layout, scale height and massing

Acceptable

- 6.1.1 The external materials used for the sub-station enclosure are Vauxhall Stock Grey bricks, concrete roof coloured slate grey and slate grey coloured metal louvre doors. The use of grey bricks complements the colours of the materials used for the main school building approved under planning condition 6 of planning permission DC/17/02468/FULL1. Following a request from neighbouring residents the sub-station roof has been finished with a dark grey, as opposed to a white finish, to minimise glare when viewed from the upper windows of neighbouring properties opposite the site on Chislehurst Road.



Fig 3: Sub-station, as built, viewed from within the site

- 6.1.2 The height of the sub—station enclosure, at 2.55m, remains as per UKPN’s standard design and requirements, and combined with its the flat roof, would not unduly impact on the visual amenities of the street scene or the wider area.
- 6.1.3 Notwithstanding the larger footprint, the substation is located approximately 10m behind the Chislehurst Road site boundary with the increase in footprint from the original application being primarily accommodated within the site rather than towards the boundary. The construction of the proposed vehicle and pedestrian accesses for the new school, along with the required visibility splays involves the loss of some established screening along the Chislehurst Road site boundary.

However, the approved landscaping details propose additional planting around the new accesses on Chislehurst Road, increased planting heights, evergreen hedge planting and 3m high planting directly in front of the new sub-station building to help mitigate its visual impact.



Fig 4: Front of sub-station with new planting in front

6.1.4 Although the substation is larger than indicated on the originally approved plans, in the context of the wider site and main development, and taking into account the approved landscaping for the site, the sub-station is not considered unduly harmful to the visual amenities of the adjacent street scene or the wider area.



Fig 5: View from Chislehurst Road with location of sub-station circled in red

6.2 Neighbourhood Amenity

Acceptable

- 6.2.1 The location and positioning meets all of UKPN's guidance and standards and the applicant confirms that the substation has been designed and located in consultation with UKPN. At the neighbouring residents' request the applicant has also provided UKPN's Hazard Elimination & Management List document (03.06.2019) prepared in connection with this development.
- 6.2.2 The objections from local resident's regarding noise are noted. However, it appears that these concerns relate to a generator which was previously being operated on the site. The Council's Public Health and Nuisance team were contacted about this by residents at the end of 2019 and this issue has now been resolved.
- 6.2.3 In terms of how the sub-station impacts on the outlook from neighbouring residential dwellings, its nearest façade is 34 metres from the nearest dwelling on Chislehurst Road to the north. In addition, the building remains side-on to Chislehurst Road, presenting the shortest façade to public view. The finish of the roof has been changed in response to feedback from residents, to a more recessive dark grey, in order to minimise glare from the roof to upper windows of the neighbouring properties.
- 6.2.4 The landscaping approved under condition 7 of the main development has been carefully developed in consultation with neighbouring

residents to ensure a good level of screening is delivered from initial planting, including a row of 3 metre high hollies directly adjacent to the building, offering year-round cover.

6.2.5 Having regard to the separation distances to adjacent residential dwellings, the overall scale and height of the sub-station and the provision of a comprehensive landscaping scheme in front of the sub-station and along site boundaries; it is concluded that the sub-station, as built, does not significantly harm the outlook or amenities of neighbouring residents.

6.2.6 Additional noise commentary is provided below.

6.3 Environmental Health – Noise / Contamination **Acceptable**

6.3.1 The original application as granted at appeal does not contain any sub-station specific conditions however, condition 22 requires:

The noise from fixed installations and mechanical plant shall be at least 10 dB(A) below the background noise level measured at any nearby residential property. Assessment shall be carried out in accordance with the requirements of BS 4142:2014 – Methods for rating and assessing industrial and commercial sound.

6.3.2 The applicant has submitted a noise impact assessment with regards to the potential for the sub-station to effect properties on Chislehurst Road. This concludes that the distance from the unit to the nearest houses on Chislehurst Road gives attenuation such that the emission is expected to be below the threshold of human hearing. Predicted noise emission is expected to be inaudible and is not expected to result in any recognisable form of noise impact.

6.3.3 The Environmental Health Officer has reviewed the noise impact assessment and have raised no objections to the application from a noise perspective.

6.3.4 Furthermore, the location where the sub-station is (to be) sited does not appear to coincide with any previous historical contaminative land uses.

6.4 Trees, landscaping and Ecology **Acceptable**

6.4.1 The substation was indicated on the approved landscape plan submission. The substation has not put any trees at risk and may be retained and proposed planting surrounding the building is intended to offer a degree of screening.

- 6.4.2 The approved application for the school was accompanied by a Preliminary Ecological Appraisal and Bat Report to determine the ecological value of the site and a condition was imposed on permission 17/04478/FULL1 requiring the development to be carried out in accordance with the ecological enhancement measures set out in the report. Given the sub-station was shown in its current location in the original application, it is not considered that this retrospective application has given rise to any additional ecological concerns.
- 6.4.2 Overall, the proposal is acceptable from a tree and ecology perspective. No specific tree or ecology conditions for the sub-station are required.

6.5 Highways **Acceptable**

- 6.5.1 The provision of the sub-station does not alter any of the access arrangements or car parking which were approved under the original grant of permission

6.6 Drainage **Acceptable**

- 6.6.1 The Council's Drainage Officer (lead local flood authority) was consulted on the application and did not raise any issues with the application or provide any specific comments.

7. Conclusion

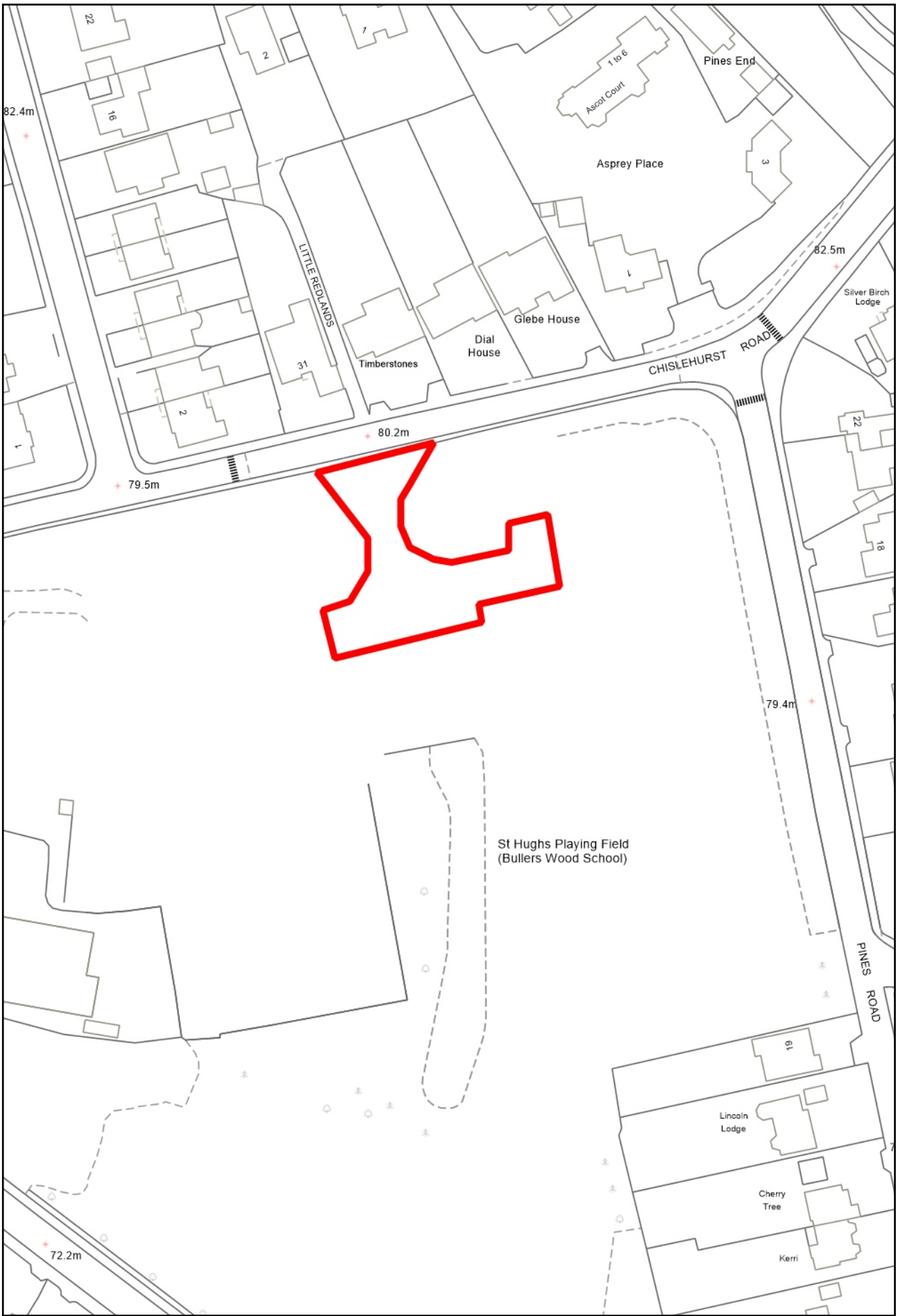
- 7.1 The sub-station is located adjacent to part of the site which was approved for development with hardstanding for pedestrian paths and the vehicular access road and a sub-station was indicatively shown in its current location on the approved plans. As such there is no further encroachment into previously undeveloped parts of the site and no further loss of open space.
- 7.2 The new substation has been designed in accordance with the UK Power Networks guidance and recommendations and is the minimum size structure required for the school.
- 7.3 The design of the building, its set-back from site boundaries and approved landscaping all help to reduce the visual impact of the structure on the wider area and from neighbouring residential sites. Furthermore, no adverse noise impacts resulting from the sub-station have been identified.
- 7.4 The application is recommended for permission, subject to a condition to ensure the sub-station is used solely in connection with the approved school and for no other purposes.

RECOMMENDATION PERMISSION


SUMMARY OF CONDITIONS

1. Restriction on use of sub-station for purposes connected to the use of the school.

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



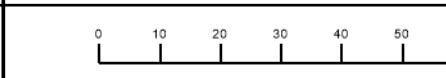
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 20/01665/FULL1



15 June 2021

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Agenda Item 4.2

Committee Date	24.06.2021	
Address	Eden Park Service Station Links Way Beckenham BR3 3DG	
Application Number	20/02238/FULL1	Officer - Suzanne Lyon
Ward	Kelsey and Eden Park	
Proposal	Installation of 1no. jet wash bay involving installation of silt trap and associated drainage, erection of 2.6m high glass screens and installation of 1no. new 5m high pole mounted floodlight	
Applicant	Agent	
Motor Fuel Group LTD	MBH Design Studio Ltd	
Gladstone Place 36-38 Upper Marlborough Road St Albans Hertfordshire AL1 3UU	Rosemount House Rosemount Avenue West Byfleet KT14 6LB	
Reason for referral to committee	Councillor call in	
Call-In	Yes	

RECOMMENDATION	Application Permitted
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<p>KEY DESIGNATIONS</p> <ul style="list-style-type: none"> • Biggin Hill Safeguarding Area • London City Airport Safeguarding • Smoke Control SCA 18 • TPO

Vehicle parking	Existing number of spaces	Total proposed including spaces retained	Difference in spaces (+ or -)
Standard car spaces	6	3	-3
Disabled car spaces	0	0	0
Cycle	0	0	0

Representation summary	Neighbour letters were sent 09.07.2020 and again on 27.05.2021
Total number of responses	4
Number in support	0
Number of objections	4

1 SUMMARY OF KEY REASONS FOR RECOMMENDATION

- No unacceptable impact on the character of the area would arise;
- No unacceptable impact would arise to neighbouring occupiers; and
- No unacceptable highways or drainage impacts would arise

2 LOCATION

2.1 The application site is Eden Park Service Station, an existing petrol filling station located at the junction of Links Way and Upper Elmers End Road. The site is located in an urban area which includes commercial and residential development, it is not located in a Conservation Area or an Area of Special Residential Character and the building is not listed.



3 PROPOSAL

- 3.1 Permission is sought for the installation of a jet wash bay in the eastern corner of the site. It will incorporate a silt trap, associated drainage, erection of 2.6m high glass screens (open roofed) and installation of a 5m high pole mounted floodlight
- 3.2 The application is supported by the following documents:
- Application form,
 - Application drawings,
 - Light Design and Assessment,
 - Noise Impact Assessment.
- 3.3 This application has been 'called-in' by ward Councillors.

4 RELEVANT PLANNING HISTORY

- 4.1 The relevant planning history relating to the application site is summarised as follows:
- 83/03177/FUL - Siting of 3000 gallon above ground diesel storage tank – Refused 19.04.1984
 - 91/00018/FUL – Installation of manual jet car wash – Permitted 14.03.1991
 - 94/02519/FUL – Underground storage tanks and associated pipework RETROSPECTIVE - Permitted 15.02.1995
 - 05/00834/FULL1 - Alterations to and extension of hardstanding to provide car parking spaces, replacement fuel pumps, elevational alterations to forecourt shop and steel palisade fencing /gates adjacent to shop to provide compound for refuse etc. with steel storage container and condensers - Permitted 29.09.2005
 - 19/00138/FULL1 - Single storey extension to side and rear of sales building with new glazing to front and side of extension. Installation of external chillers to side of sales building - Refused 08.04.2019

5 CONSULTATION SUMMARY

Adjoining Occupiers (summary)

- Impact on neighbouring amenity - points addressed in paragraph 7.2
 - Light spillage from 5m floodlight
 - Additional noise and disturbance, compounded by change in ground levels

- Overlooking and loss of privacy
 - Overshadowing
 - Visual impact, loss of outlook and views
 - No security details regarding space behind development, giving opportunity for crime to occur
- Design and impact on character of the area - points addressed in paragraph 7.1
 - Links Way consists of dwellings in a straight line of semi-detached and spacious settings
 - The size and siting represents an overbearing and un-neighbourly form of development
 - Out of character with existing development in the area
 - Increase in vermin
 - Inaccurate plans
 - More than four car wash facilities in less than 3 miles. Another is not needed.
 - Pollution and overcrowding

Please note the above is a summary of the material planning considerations and the full text is available on the council's website.

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 Bromley Local Plan (Jan 2019) and the London Plan (March 2021). The NPPF does not change the legal status of the development plan.

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

6.5 London Plan Policies

D1 London's form character and capacity for growth

D4 Delivering good design

D5 Inclusive design

D11 Safety, security and resilience to emergency

D13 Agents of change

D14 Noise
T4 Assessing and mitigating transport impacts
T6 Car Parking

6.6 Bromley Local Plan

30 Parking
32 Road Safety
37 General Design of Development
119 Noise Pollution
122 Light Pollution

6.7 Bromley Supplementary Guidance

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

7 ASSESSMENT

7.1 Design – Layout, scale – Acceptable

7.1.1 The site lies within an urban area where there is no objection in principle to new development subject to an assessment of the impact of the proposal on the appearance/character of the building, the surrounding area, the residential amenity of adjoining and future residential occupiers of the scheme, and traffic/highway implications.

7.1.2 The proposal would be positioned in the eastern corner of the site, to the side of the main building; comprising the petrol station shop and canopy. It will incorporate a silt trap, associated drainage, erection of 2.6m high glass screens (open roofed) and installation of a 5m high pole mounted floodlight.

7.1.3 Given the triangular nature of the site, the proposal would be adjacent to boundary with Upper Elmers End Road therefore would be visible from the road. However, the size and scale of the car wash booth/bay structure would be subservient to the site and the existing building and its overall character and design is typical of such development at such a site.

7.2 Residential Amenity – Acceptable

7.2.1 The application site is an existing petrol filling station located at the junction of Links Way and Upper Elmers End Road. The proposal would be positioned in the eastern corner of the site. The site is bordered by 7 Links Way to the south-east. The proposed development will be located close to the rear garden of No.7 Links Way, set 5.1m from the shared boundary. The application includes 2.6m high glass screens to three sides and installation of a 5m high pole mounted floodlight

- 7.2.2 There are residential properties located to the west which have views of the existing petrol station, however given the siting of the proposal within the site; located in the eastern corner and to the far side of the main building, the proposal would not be highly visible from these properties. The properties to the east are separated by Upper Elmers End Road and the railway line.
- 7.2.3 Concerns have been raised regarding the impact on neighbouring amenities, particularly by reason of light, air pollution, noise and general disturbance. The application is supported by a Noise Impact Assessment (received 9th November 2020) and Light Design Assessment (received 28th January 2021).
- 7.2.4 The proposal has demonstrated that it has adequately identified and assessed the impacts of this particular development on the neighbouring properties in the surrounding area. The submitted Noise Impact Assessment has taken into account the proposed screening, site topography and distance to neighbouring properties. It identifies that during a cleaning cycle, the jet wash noise is expected to be largely masked by existing ambient noise levels on site and is considered to have a very low impact on the nearest and most affected residents given the relative magnitude of the noise and the context of the site which is set on a relatively busy road. The Light Design Assessment demonstrates that the light spillage from the 5m high pole mounted light onto the two neighbouring gardens (7 and 9 Links Way) is below 1 lux which is considered acceptable. No objection has been raised from the Councils Environmental Health Officer. As such, the proposal is not considered to impact significantly on the amenities of these surrounding properties.
- 7.2.5 It is considered appropriate to include a condition with any permission to restrict the operating hours of the jet wash to 8am-6pm Monday-Saturday, 10am-4pm Sunday and bank holidays, to protect neighbouring amenity.

7.3 Highways – Acceptable

- 7.3.1 A jet car wash at a service station is not an uncommon feature. The proposals would result in the loss of 3 car parking spaces, retaining 4 parking spaces on the frontage of the site. The existing access arrangements would not change and are considered acceptable. No highways objections are raised to the proposal.

7.4 Drainage, flooding and pollution – Acceptable

- 7.4.1 Thames Water recommend that petrol / oil interceptors be fitted in all car parking/washing/repair facilities. With regard to water network and water treatment infrastructure capacity, surface water drainage, waste water network and sewage treatment works infrastructure capacity, no objection is raised from Thames Water.
- 7.4.2 The applicant is advised to contact Thames Water regarding connection to the sewer.

7.5 Trees

7.5.1 There is a blanket Tree Preservation Order (TPO) which covers the land either side of the railway line and borders the application site to the east. The risk to the nearest protected trees is considered minimal as such no objection was raised from the Councils Tree Officer

8 **CONCLUSION**

8.1 Having regard to the above, the development in the manner proposed is acceptable in that it would not result in a significant impact on the character and appearance of the surrounding area or not harm the amenities of neighbouring residential properties.

RECOMMENDATION: Application Permitted

As amended by documents received on 9th November 2020 and 28th January 2021.

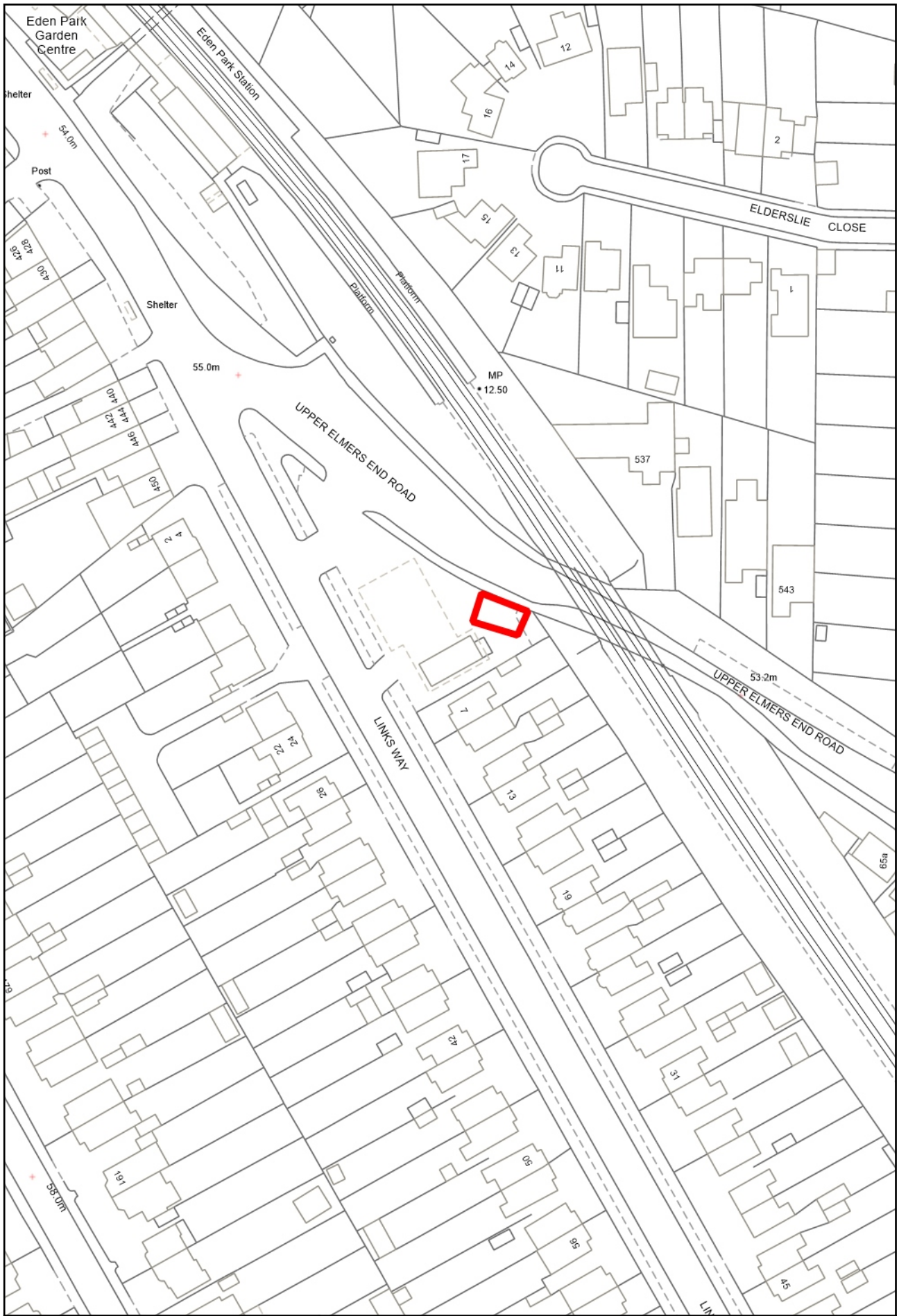
Subject to the following conditions:

1. **Standard time limit of 3 years**
2. **Standard compliance with approved plans**
3. **Matching materials**
4. **Operating hours**
5. **Noise restriction**


Informative

- 1 **Contact Thames Water - connection to sewer.**
- 2 **Water pressure consideration**
- 3 **Contact Thames water - management of surface water**
- 4 **Contact Thames water - Trade Effluent Consent**

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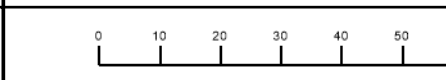
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15 June 2021

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Agenda Item 4.3

Committee Date	24.06.2021	
Address	29 Grove Vale Chislehurst BR7 5DS	
Application Number	21/00524/FULL6	Officer - Suzanne Lyon
Ward	Chislehurst	
Proposal	Single storey front/side and part one/two storey rear extensions, new vehicular access and hard standing	
Applicant Adam Cook	Agent Mr O Newell	
29 Grove Vale Chislehurst BR7 5DS	Summit Architecture 3 Blackborough House 23 Beatrice Court Buckhurst Hill IG9 6EA	
Reason for referral to committee	Call-in	Councillor call in Yes

RECOMMENDATION	Application Permitted
-----------------------	-----------------------

<p>KEY DESIGNATIONS</p> <ul style="list-style-type: none"> • Biggin Hill Safeguarding Area • London City Airport Safeguarding • Smoke Control SCA 16 • TPO

Vehicle parking	Existing number of spaces	Total proposed including spaces retained	Difference in spaces (+ or -)
Standard car spaces	2	2	0
Disabled car spaces	0	0	0
Cycle	0	0	0

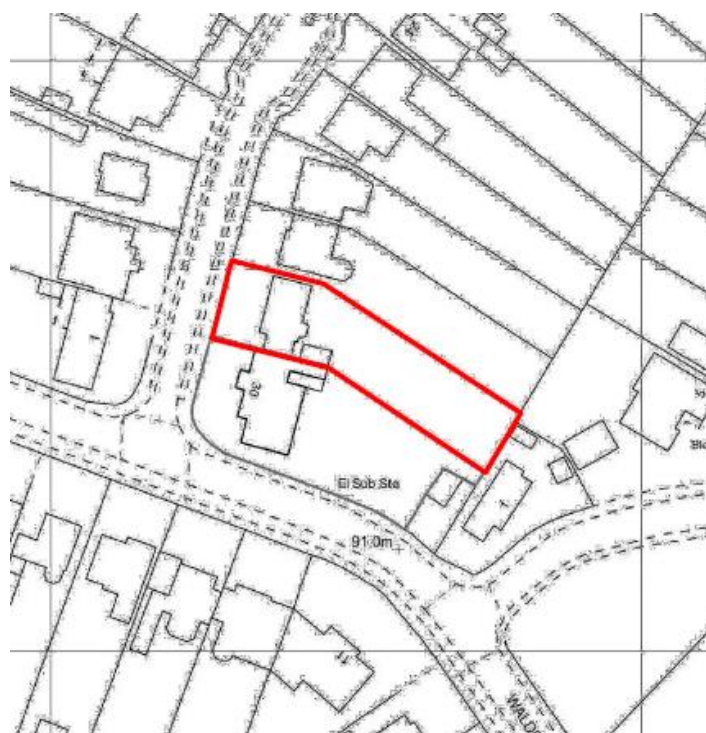
Representation summary	Neighbour letters were sent 16.02.21
Total number of responses	13
Number in support	3
Number of objections	10

1 SUMMARY OF KEY REASONS FOR RECOMMENDATION

- No unacceptable impact would arise to neighbouring occupiers; and
- No unacceptable Highways impacts would arise

2 LOCATION

2.1 The application site is a two storey detached property located on the eastern side of Grove Vale, close to the junction with Walden Road. Grove Vale is a cul-de-sac of 30 properties.



3 PROPOSAL

- 3.1 Permission is sought for a single storey front/side and part one/two storey rear extensions, new vehicular access and hard standing.
- 3.2 The proposed single storey front extension will project 1m forward to replace the existing porch and will be 8.7m wide. The side extension will project 2.5m from the flank elevation and will have a total depth of 13.6m, projecting 6m beyond the rear. It will then wrap around the property at the rear and will be 10.3m wide. At first floor level, the extension will project 4.95m from the rear elevation and will be 9.3m wide, projecting 1.5m beyond the existing flank elevation.
- 3.3 This application has been 'called-in' by ward Councillors.

4 RELEVANT PLANNING HISTORY

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

5 CONSULTATION SUMMARY

A) Statutory - N/A

B) Local Groups - N/A

C) Adjoining Occupiers (summary)

- **Objections**

- **Design - points addressed in paragraph 7.2**

- Not in keeping with area and will detract from the present character of Grove Vale
- Unsightly
- The depth of the new double storey rear extension appears to be about six metres, which is similar to No28 next door, whose single storey application was refused on 19th February; so the precedent has been set.

- **Impact on neighbouring amenity - points addressed in paragraph 7.3**

- Loss of privacy
- Should provide screening
- Loss of daylight and sunlight
- Angle of gardens increase impact
- The excessive height, width, depth and roof height will have a detrimental impact by way of over shadowing, loss of day and sunlight, outlook, privacy, enjoyment, health and wellbeing
- Unclear if it complies with 45 degree rule
- Loss of outlook
- Impact on natural drainage
- Increase risk of flooding and subsidence

- The covenant to our deeds says we have the right to light. The excessive planned extension for no 29 takes away our light from our home.
- o Trees - **points addressed in paragraph 7.4**
 - Trees at rear have been removed
 - Front hedge has been removed
- o Other
 - Works have already started
 - No site notice
 - Damage to grass verges, and road and pavements have been blocked
 - Impact property value
- Support
 - o In character with the street
 - o Heights could be achievable by permitted development
 - o Significant distance from proposal and the rear of the houses on Selby Road so no privacy issues
 - o Most houses have been extended by way of a two storey extension and maintained very good distance from the houses on Selby Road as gardens are all of a similar generous length
 - o South easterly facing gardens, therefore loss of daylight, sunlight and overshadowing is not an issue
 - o Damaged grass verges are not a planning matter
 - o No.28 is not a corner plot or on an angled position, the garden projects in a different direction to that of its house, which is not uncommon.
 - o The 45 degree line has been respected
 - o No proposal to remove protected trees in order to fulfil the proposal
 - o The loss of value of ones home is not a planning matter
 - o Sympathetic of surrounding area, with materials to match the existing house
 - o First floor has been set back and set in, allowing at least 1m between boundaries
 - o Roof is flat and set lower than the existing roof, so claims of overshadowing, loss of sunlight, daylight and privacy would appear unsubstantiated
 - o Windows appear either obscure or facing away from neighbours

Please note the above is a summary of the material planning considerations and the full text is available on the council's website.

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 Bromley Local Plan (Jan 2019) and the London Plan (March 2021). The NPPF does not change the legal status of the development plan.

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

6.5 The London Plan

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

6.6 Bromley Local Plan 2019

6 Residential Extensions
30 Parking
32 Road Safety
37 General Design of Development

6.7 Bromley Supplementary Guidance

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

7 ASSESSMENT

7.1 Design – Layout, scale – Acceptable

7.1.1 The proposed single storey front extension will project 1m forward to replace the existing porch and will be 8.7m wide. The proposed side extension will project 2.5m from the flank elevation and will have a total depth of 13.6m, projecting 6m beyond the rear. It will then wrap around the property at the rear and will be 10.3m wide. At first floor level, the extension will project 4.95m from the rear elevation and will be 9.3m wide, projecting 1.5m beyond the existing flank elevation. The existing garage will be removed to accommodate the proposal.

7.1.2 The single storey front/side extension will incorporate a continuous pitched roof at the front which is considered sympathetic to the host property. Given the modest forward projection, it is considered that this element would not result in

a significant impact on the character of the surrounding area or street scene in generally.

- 7.1.3 The proposed two storey rear extension projects 1.5m beyond the flank elevation therefore will be visible from Grove Vale, however it is set back approximately 6.3m from the front elevation. The proposal incorporates a hipped roof that is set down from the main ridge which is considered subservient to the main house. The introduction of a hipped roof to the rear of the house is considered to suit the architecture of the dwelling and the surrounding properties. The bulk and scale of the extension would not appear excessive due to the modest roof design and set back, despite the large footprint. Furthermore, the finishing materials are indicated to match the existing property.
- 7.1.4 Policy 8 requires a minimum of 1m space from the side boundary of the site be retained for the full height and length of the flank wall of the building to prevent extensions which would be harmful to the spatial standards of its residential areas and an unrelated terracing effect. This is expected for the full height and length of the flank wall including any existing ground floor aspect. In order to prevent a cramped appearance which can lead to unrelated terracing and to safeguard the amenities of the neighbouring property. The policy also states that where higher standards of separation already exist within residential areas, proposals will be expected to provide a more generous side space. The proposed ground floor extension would extend up to the flank boundary and the proposed first floor extension would be set in 1m from the flank boundary. Whilst it is acknowledged that the proposed extension would not be offset from the boundary for the full height and length of the development, the first floor flank wall would provide 1m side space to the flank boundary and is set back 6.3m from the front elevation. On balance, the proposal is considered compliant with Policy 8 as it maintains 1m separation at first floor level and would not lead to unrelated terracing.
- 7.1.5 Having regard to the form, scale, siting and proposed materials it is considered that the proposed extension(s) would complement the host property and would not appear out of character with surrounding development or the area generally.

7.2 Residential Amenity – Acceptable

- 7.2.1 The proposed single storey side extension will be located along the southern flank boundary. It will replace the existing garage located within the rear garden and will project an additional 1m beyond the front elevation. It is noted that the neighbouring property to the south, No.30, has an existing side garage extension. This single storey front element will be set in approximately 4.5m from the northern flank boundary with No.28. Given the scale and separation, the single storey extensions are not considered to adversely impact on the amenities of either neighbouring property with regards to loss of light, outlook or privacy.
- 7.2.2 At the rear, the proposed extension will project 6m beyond the rear elevation at ground floor level, and 4.95m at first floor level. It will project 1.5m beyond the

existing flank elevation, providing 1m separation to the southern flank boundary. It is noted that No.30 has been subject to a two storey side/rear extension under planning ref. 14/02728/FUL6, which is 3.5m deep. It is set in approximately 2.5m from the shared flank boundary. The orientation of the site is such that this neighbouring property is located to the south of the site. The 45 degree line was established and 0.5m of the first floor extension was within 45 degrees of closest habitable room window of No.30. However given the separation and orientation, this is not considered to result in a significant impact on the amenities of this habitable room with regards to loss of light, outlook or visual amenity, to warrant refusal on this basis. One first floor flank window is proposed which will serve an en-suite, it is indicated to be obscure glazed therefore it is not considered to impact significantly on the current privacy levels.

7.2.3 With regards to the neighbouring property to the north, No.28, the proposed extension will be 6m deep at ground floor level and 4.95m at first floor level. Concerns have been raised regarding the impact on this neighbouring property, including loss of light, outlook and privacy. No.28 is situated directly to the north of the application site. The shared flank boundary line tapers in to the application site towards the rear. As such the proposal will provide 1.5m - 3m separation to the shared boundary and approximately 4m between properties. It is noted that the original two storey rear elevation of this neighbouring property projects approximately 1m further to the rear and has an existing rear conservatory that is approximately 5m deep. Given the shape and siting of this neighbouring property within its plot the proposed ground floor extension will result in a similar depth to the neighbouring conservatory. It is also noted that this neighbouring property has been subject to a recent permission for a single storey rear extension under planning ref. 20/04214/FULL6, with a maximum depth of 5.6m when viewed from No.29, however the works have not yet commenced. With regards to the first floor level, the proposal will project 4.95m to the rear. The 45 degree line was established and no part of the first floor extension was within 45 degrees of the rear habitable windows of No.28. As such, the proposal is not considered to result in a significant impact on the amenities of this neighbouring property with regards to loss of light, outlook or visual amenities.

7.2.4 Concerns have been raised regarding the impact on the properties at the rear of the site, on Selby Close. The site benefits from a large rear garden that is approximately 38m deep. Therefore the proposed two storey rear extension is not considered to result in a loss of privacy over and above what would normally be expected in a residential setting such as this.

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

7.3 Highways – Acceptable

7.3.1 The proposal results in the loss of the garage, currently located within the rear garden. The proposal includes a replacement side garage, however it is only 2.3m wide and 4.15m deep. The proposed ground floor plan indicates space

for one car parking space in front of this garage utilising the existing crossover. An additional crossover is proposed to provide vehicular access to a second parking space within the frontage. The proposed ground floor plan indicates that the hardstanding will be constructed with permeable block paving. And the front wall and landscaping will be no higher than 0.6m. As such no objection is raised from a highways perspective.

7.4 Trees

- 7.4.1 Concerns have been raised regarding the impact on protected trees. The rear of the garden is subject to a blanket Tree Preservation Order (TPO), which protects any oak tree in the designated area. The TPO area is over 15m from the rear of the property and the proposed development will not go beyond the rear of the existing garage.

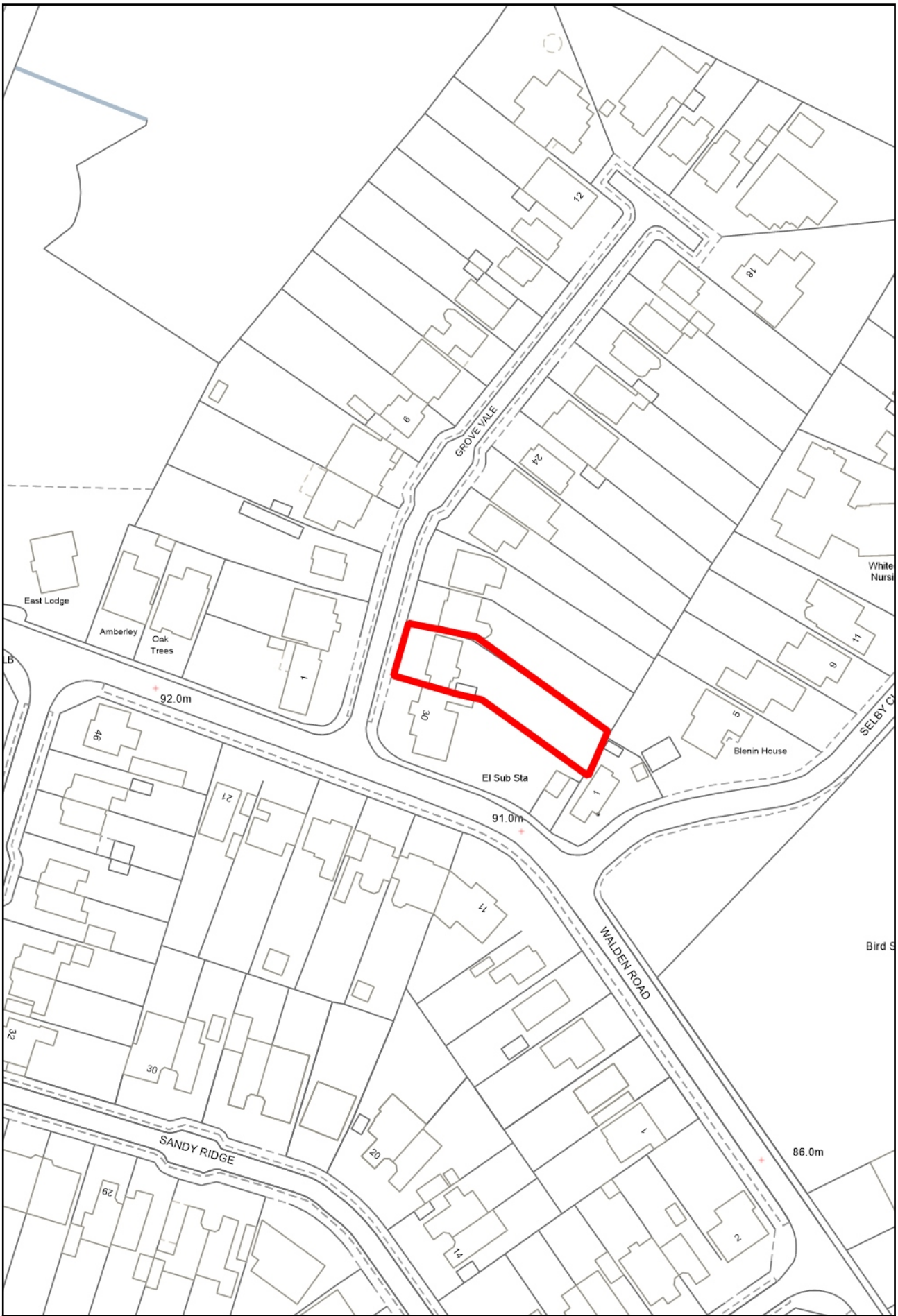
8 CONCLUSION

- 8.1 Having regard to the above, the development in the manner proposed is acceptable in that it would not result in a significant impact on the character and appearance of the surrounding area or harm the amenities of neighbouring residential properties.


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. Car parking details to be implemented**
- 5. Obscure glaze and fix shut first floor flank windows**



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 21/00524/FULL6



15 June 2021

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Agenda Item 4.4

Committee Date	24.06.2021	
Address	39 Crossway Petts Wood Orpington BR5 1PE	
Application Number	21/01310/FULL6	Officer - Jennie Harrison
Ward	Petts Wood and Knoll	
Proposal	Two storey front/side extension, a first floor rear extension and a replacement front porch/canopy	
Applicant	Agent	
Mr & Mrs S Moon	Mr Joe Alderman	
39 Crossway Petts Wood Orpington BR5 1PE	Robinson Escott Planning LLP 303 Downe House High Street Orpington BR6 0NN	
Reason for referral to committee	Councillor call in	
	Call-in	Yes

RECOMMENDATION	Application permitted
-----------------------	-----------------------

<p>KEY DESIGNATIONS</p> <p>Area of Special Residential Character Biggin Hill Safeguarding Area London City Airport Safeguarding Smoke Control SCA 4</p>

Land use Details		
	Use Class or Use description	Floor space (GIA SQM)
Existing	C3	170.11

Proposed	C3 (no change proposed)	212.99
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Vehicle parking	Existing number of spaces	Total proposed including spaces retained	Difference in spaces (+ or -)
Standard car spaces	2	2	0
Disabled car spaces	0	0	0
Cycle	0	0	0

Electric car charging points	0
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Representation summary	Neighbour letters issued –13.04.2021	
Total number of responses	0	
Number in support	0	
Number of objections	0	

UPDATE

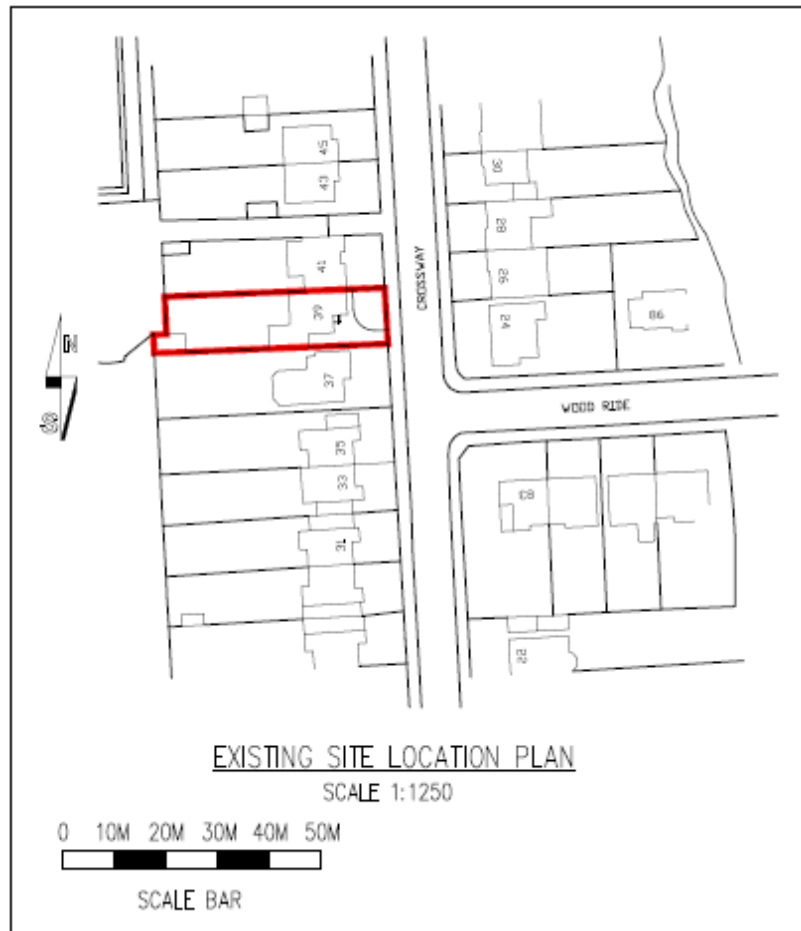
This application was presented to Plans Sub Committee 4 on 27th May 2021 where Members resolved to defer the application, without prejudice, to seek a reduction of the side extension at the front. The applicant has been approached and have confirmed that they do not wish to change their proposal and would like Members to determine this proposal in its current form. The original report is repeated below.

1 SUMMARY OF KEY REASONS FOR RECOMMENDATION

- The extensions would compliment the character and appearance of the host dwelling, street scene and Area of Special Residential Character
- Side space of 1.5m would be sufficient to comply with Policy 8 and would prevent a cramped overdevelopment of the site
- Previous Appeal Inspector concerns have been overcome by the revisions to the scheme.

2 LOCATION

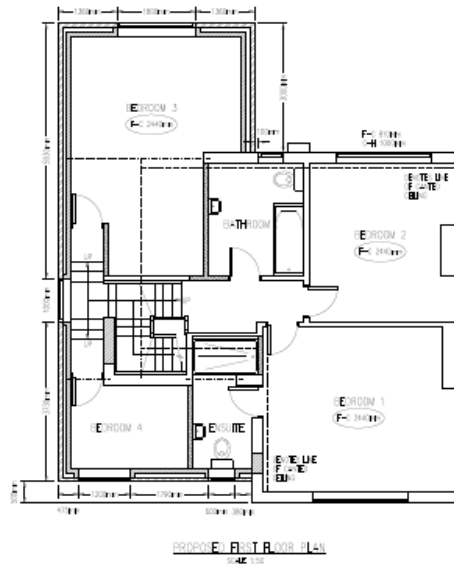
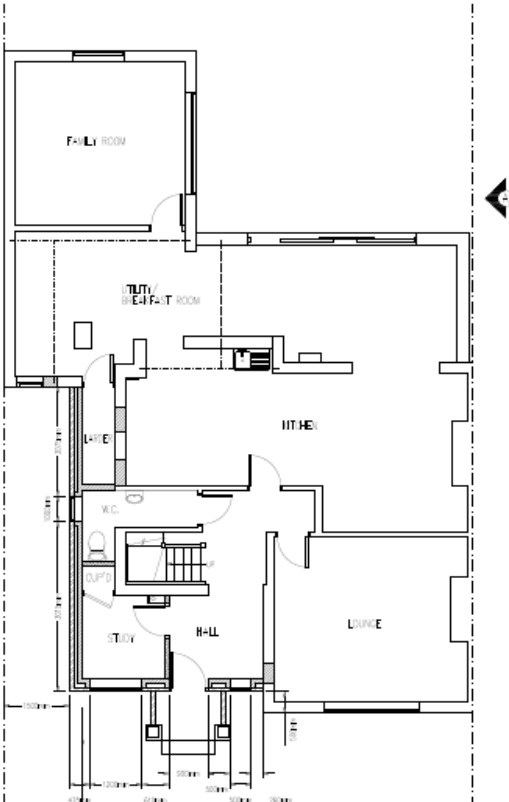
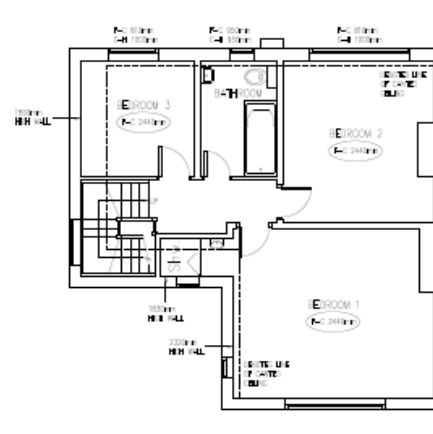
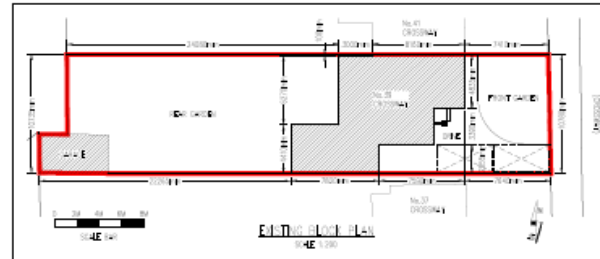
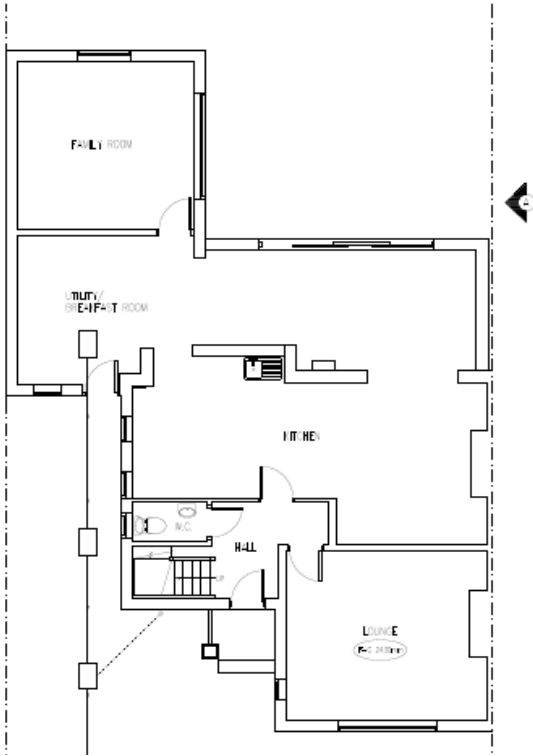
- 2.1 The site is a semi-detached two storey dwelling located to the west side of Crossway, within a residential location, with park to the rear, and within an Area of Special Residential Character (ASRC). The site is also within an area subject to an Article 4 Direction.

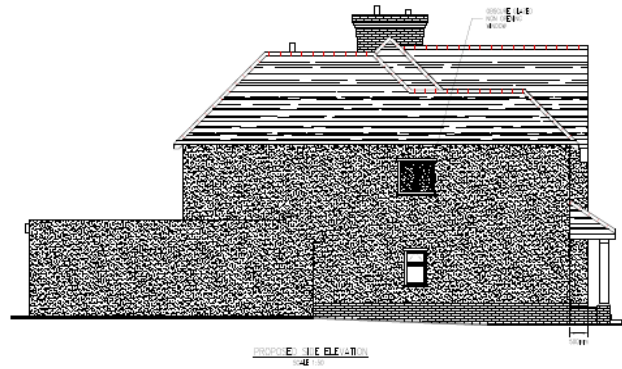
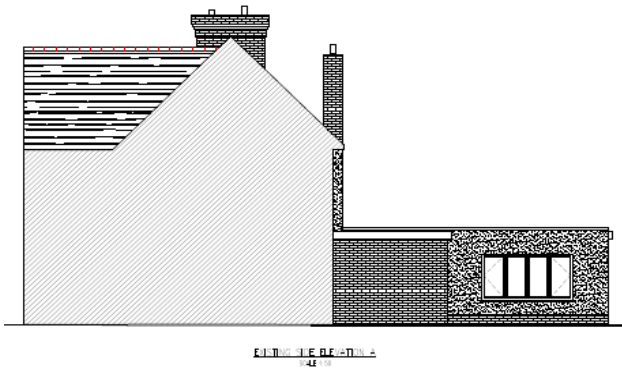
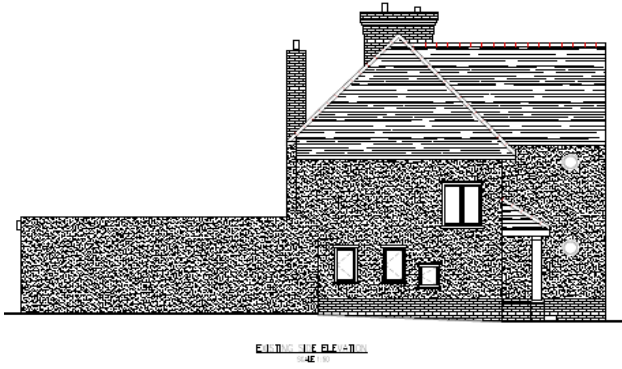


3 PROPOSAL

- 3.1 Permission is sought for a two storey front and side and first floor rear extension and front porch. Plans indicate a 1.5m space to the boundary and the first floor rear element set in by 1.5m above an existing single storey extension.

3.2 Existing and proposed plans





4 RELEVANT PLANNING HISTORY

- 4.1 The relevant planning history relating to the application site is summarised as follows:
- 4.2 Under ref 20/00128/FULL6 permission was refused for a two storey front and side and first floor rear extension; front porch.
- 4.2.1 The subsequent appeal was dismissed
- 4.3 Under ref 20/01642/FULL6 permission was refused for a two storey front and side and first floor rear extension; front porch

5 CONSULTATION SUMMARY

A) Statutory

None

B) Adjoining Occupiers

- Adjoining owners/occupiers were notified of the application and no representations were forthcoming

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 application falls to be determined in accordance with the following policies:-
- 6.5 **National Policy Framework 2019**

6.6 The London Plan

D1 London's form, character and capacity for growth
D4 Delivering good design

6.7 Bromley Local Plan 2019

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

6.8 Bromley Supplementary Guidance

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

7 ASSESSMENT

- Resubmission
- Design – Layout, scale, ASRC
- Residential Amenity

7.1 Resubmission – Acceptable

7.1.1 The application is a second revision to previously refused applications under reference 20/00128/FULL6 & 20/01642/FULL6. The application with reference 20/00128/FULL6 was refused for the following reason; "The proposal by reason of its width, prominence and lack of side space creates an overly dominant addition which fails to respect the site which is located within the Area of Special Residential Character and would constitute a cramped form of development, harmful to the visual amenities of the street scene, conducive to a retrograde lowering of the spatial standards to which the area is at present developed and harmful to the character and appearance of the Area of Special Residential Character, thereby contrary to Policies 6, 37, 8 and 44 of the Bromley Local Plan and Policy 7.4 of the London Plan."

7.1.2 Following this refusal an appeal Inspector stated that, "the proposal would noticeably add to the scale and mass of the host building. When seen from the road, the completed dwelling would appear more substantial in built form than the existing building with its front extension causing it to gain prominence in the street scene. Secondly, with a largely flat 2-storey front façade (save for the new open porch) extending across much of the plot's width the proposal would alter the balance of space around the main house. In particular, the sense of openness around the front corner and side of the main building

would be significantly diminished, which would be evident from the road. Thirdly, the extended front roof slope facing the road would diminish the prominence and thereby significance of the distinctive front gable."

7.1.3 The Inspector also stated that the dwelling would appear cramped and would further exacerbate the unbalancing of the pair of semi-detached dwellings, thereby causing significant harm to the character and appearance of the ASRC.

7.1.4 Following this refusal and before the appeal was decided a further application was submitted with reference 20/01642/FULL6, this proposal maintained the 1m side space and ridge height but set the extension at the front of the dwelling back by 0.5m; this application was refused for the following reason; "The proposal by reason of its width and lack of side space creates an overly dominant addition which fails to respect the site which is located within the Area of Special Residential Character and would constitute a cramped form of development, harmful to the visual amenities of the street scene, conducive to a retrograde lowering of the spatial standards to which the area is at present developed and harmful to the character and appearance of the Area of Special Residential Character, thereby contrary to Policies 6, 37, 8 and 44 of the Bromley Local Plan and Policy 7.4 of the London Plan." This decision was not appealed.

7.1.5 The main alterations to this scheme are that the extensions provide a side space of 1.5m, the front extension is set back 0.5m from the front elevation and the roof line is set down from the main ridge by 1.2m.

7.2 Design – Layout, scale, ASRC – **Acceptable**

7.2.1 The extensions would incorporate a pitched roof at the front which is set 1.2m down from the main ridge and 0.5m back from the prominent gable frontage; this is considered to be acceptable in maintaining the character and appearance of the host dwelling, street scene and Area of Special Residential Character.

7.2.2 The scheme proposes a side space of 1.5m to prevent a cramped overdevelopment of the site and this is considered to be sufficient to maintain space around buildings and protect the character and appearance of the Area of Special Residential Character.

7.2.3 It is noted that the property at number 41 which number 39 is adjoined to has been significantly extended and provides no side space due to the access road to the Northern boundary of their site. It is considered that the scale of the two storey extensions would rebalance the symmetry of the pair of semi-detached dwellings.

7.2.4 The front porch would be minimal in its projection and would also incorporate a pitched roof and use matching materials to further maintain the character and appearance of the host dwelling, street scene and Area of Special Residential Character.

7.2.5 The extensions to the rear of the property would also be set down from the main side of the dwelling and would incorporate matching materials to maintain the character and appearance of the host dwelling.

7.2.6 Having regard to the form, scale, siting and proposed materials it is considered that the proposed gates and railing would complement the host property and would not appear out of character with surrounding development or the Conservation Area or street scene generally.

7.3 Residential Amenity – Acceptable

7.3.1 The main impact on the adjoining occupiers is in relation to the first floor rearward extension, nearest the southern boundary with number 37 the extension would be set 1.5m from the common boundary.

7.3.2 Number 37 benefits from a garage to this common boundary and as such the main dwelling is set significantly in from the boundary; it is considered therefore that there would be no significantly detrimental impact for this adjoining occupier at number 37.

7.3.3 The first floor rear extension would be set 4.7m from the common boundary with number 41 and this distance, together with the use of a pitched roof is considered to mitigate any potential harm to this adjoining occupier.

7.3.4 The side extensions would be set 1.5m from the boundary with number 37 and due to the large separation distance it is considered that there would be no significant impact on the adjoining occupiers at number 37 as a result of the side extensions.

7.3.5 It is noted that two flank windows are proposed nearest this common boundary to the South however at ground floor this serves a WC and as such would be obscure glazed and the other serves a landing and is not considered to create any significant potential overlooking.

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

8 CONCLUSION

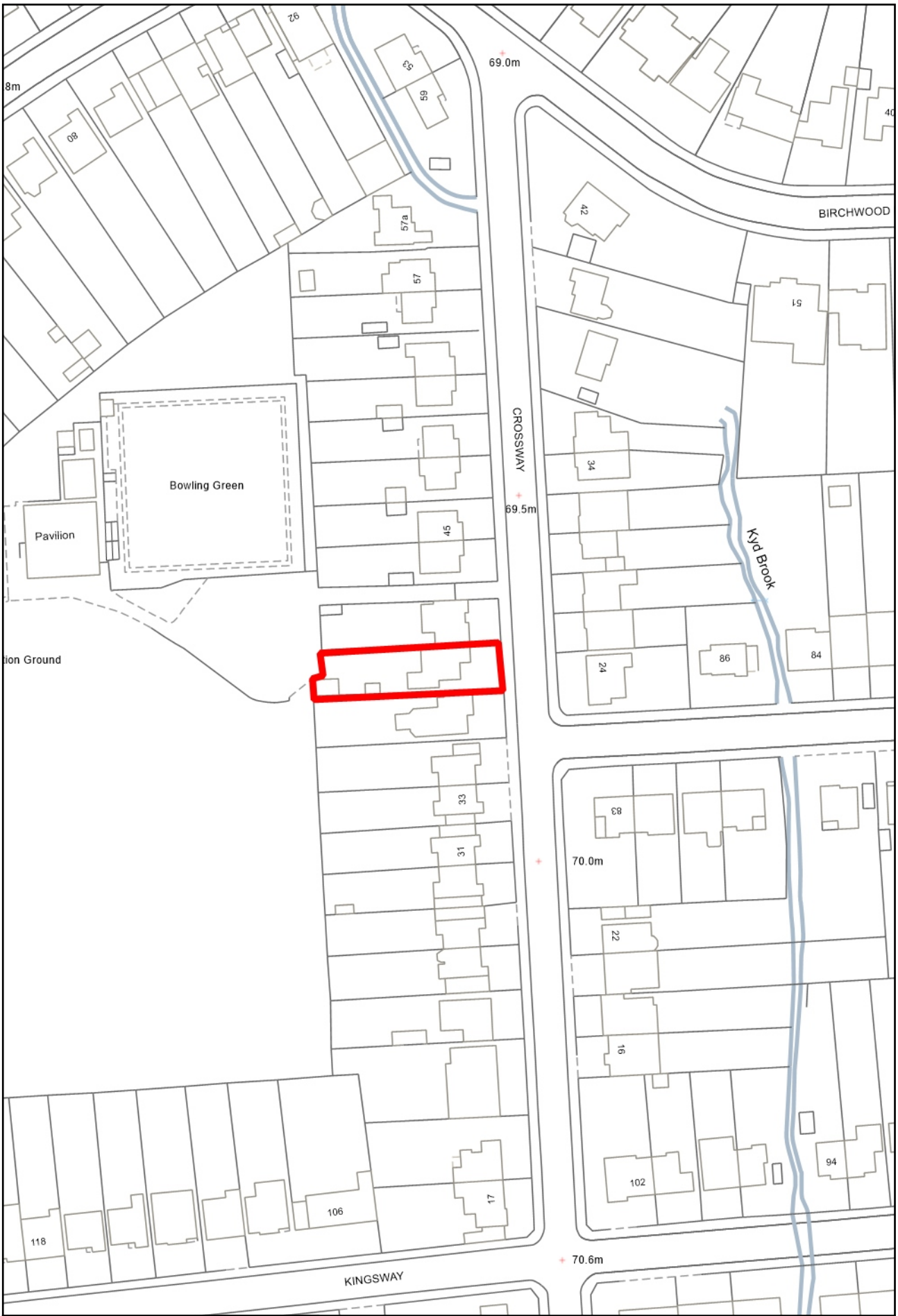
8.1 Having regard to the above, the development in the manner proposed is acceptable in that it would not result in a significant impact on the character and appearance of the surrounding area and not harm the amenities of neighbouring residential properties.

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: Application Permitted


Subject to the following conditions:

- 1. Standard Time Limit**
- 2. Standard Compliance with Plans**
- 3. Matching Materials**



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21/01310/FULL6



15 June 2021 1:1250



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Agenda Item 4.5

Committee Date	24.06.2021	
Address	62 Charterhouse Road Orpington BR6 9EW	
Application Number	21/01935/PLUD	Officer - Jennie Harrison
Ward	Orpington	
Proposal	Loft conversion with hip to gable, rear dormer and front rooflights LAWFUL DEVELOPMENT CERTIFICATE (PROPOSED)	
Applicant	Agent	
Ms Alicia Egan-Munday	Mr Keith Chandler	
62 Charterhouse Road Orpington BR6 9EW	37 Glenthorne Ave Croydon CR0 7ET	
Reason for referral to committee	Council employee	Councillor call in No

RECOMMENDATION	Proposed Use/Development is Lawful
-----------------------	------------------------------------

<p>KEY DESIGNATIONS</p> <p>Biggin Hill Safeguarding Area London City Airport Safeguarding Open Space Deficiency Smoke Control SCA 29</p>
--

Land use Details		
	Use Class or Use description	Floor space (GIA SQM)
Existing	C3	Not specified

Proposed	C3 (no change proposed)	44sqm (approximately) created in loftspace
----------	-------------------------	--

Vehicle parking	Existing number of spaces	Total proposed including spaces retained	Difference in spaces (+ or -)
Standard car spaces	2	2	0
Disabled car spaces	0	0	0
Cycle	0	0	0

Electric car charging points	0
-------------------------------------	---

Representation summary	Neighbour letters issued –18.05.2021	
Total number of responses	0	
Number in support	0	
Number of objections	0	

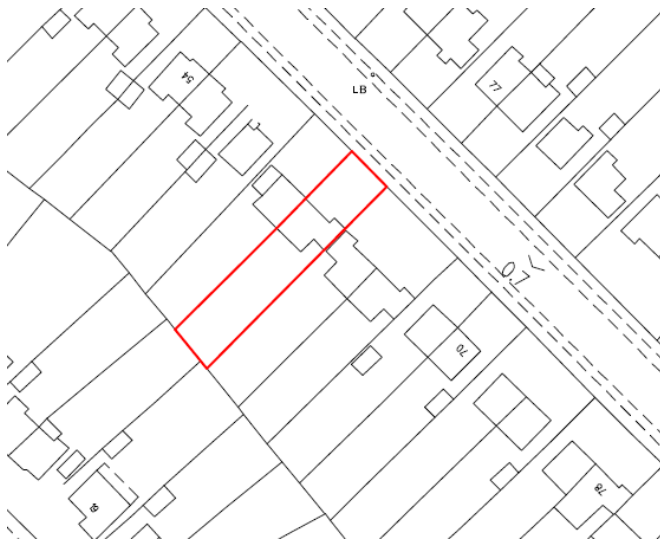
1. SUMMARY OF KEY REASONS FOR RECOMMENDATION

- The proposed development falls within the scope of Classes B and C of Schedule 2, Part 1 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

2. LOCATION

- 2.1 The application site hosts a two storey semi-detached dwelling on the Western side of Charterhouse Road, Orpington.

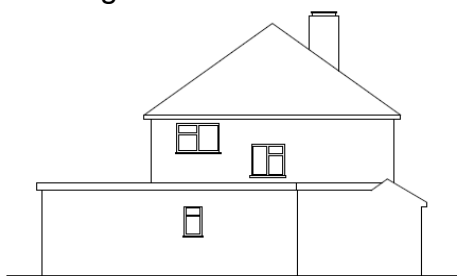
2.3 Site Location Plan:



3. PROPOSAL

3.1 The application seeks a Lawful Development Certificate for roof alterations to which would comprise of a part hip to gable extension to incorporate a rear dormer with a width of 6m and pitched roofs.

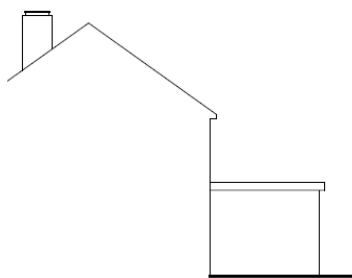
3.2 Existing elevations:



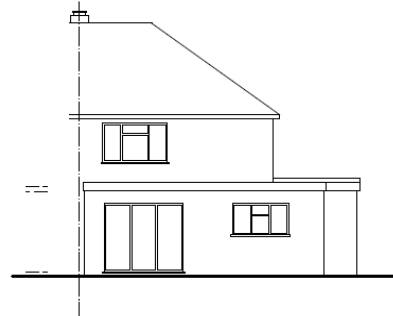
SIDE



FRONT



SIDE



REAR

3.3 Proposed elevations:



4. RELEVANT PLANNING HISTORY

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

- 4.2 03/02710/FULL6 - Single storey rear and side extension – Permitted
- 4.3 14/00586/FULL6 - Single storey side/rear extension and increased height of existing garage roof – Permitted
- 4.4 14/00586/AMD - NON MATERIAL AMENDMENT: Increase in permitted roof height and elevational alterations at rear – Approved
- 4.5 19/00146/PLUD - Proposed garage conversion PROPOSED LAWFUL DEVELOPMENT CERTIFICATE - Proposed use/development is lawful

5. CONSULTATION SUMMARY

- 5.1 There is no requirement to consult any statutory consultees due to the nature of this application. Neighbouring occupiers were notified of the application and no representations were received.

6. POLICIES AND GUIDANCE

- 6.1 The application requires the Council to consider whether the proposal falls within the parameters of permitted development under Classes B and C of Schedule 2, Part 1 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (GPDO) and specifically whether any limitations/conditions of the Order are infringed.

7. ASSESSMENT

- 7.1 The application requires the Council to consider whether the proposal falls within the parameters of permitted development under Classes B and C of Schedule 2, Part 1 of the Town and Country Planning (General Permitted Development) (England) Order 2015 and specifically whether any limitations/conditions of the Order are infringed.
- 7.2 In this instance, the proposed rear dormer and hip to gable extension would fall within the scope of Class B and is considered to be permitted development for the following reasons:
- 7.3 The extension will not exceed the height of the highest part of the existing roof.
- 7.4 The extension would not extend beyond the plane of the existing roof slope which forms the principal elevation and fronts a highway.
- 7.5 The resulting extensions volume is approximately 43.842 cubic metres as shown on drawing No. TP/BR/06 which falls within 50 cubic metres allowed in the case of a semi-detached dwelling.
- 7.6 The proposal does not consist of or include a veranda, balcony or raised platform.
- 7.7 The house is not sited within a conservation area.
- 7.8 The materials proposed for the exterior are shown to be similar in appearance to those used in the construction of the roof of the existing dwellinghouse.
- 7.9 The dormer provides a minimum 0.2m, separation from the eaves of the dwelling.
- 7.10 The window located within the flank wall of the proposed is shown to be obscure glazed and non-opening below 1.7m from the internal floor level.
- 7.11 The proposal does not include the installation, alteration or replacement of a chimney, flue or soil and vent pipe.
- 7.12 Class C covers other alterations such as the installation of roof lights. In this instance, the proposed front rooflights would fall within the scope of Class C, and is considered to be permitted development for the following reasons:

- 7.13 The proposed rooflights to the front elevation will not project more than 150mm from the roof slope.
- 7.14 The highest part of the alteration is not higher than the highest part of the original roof.

8. CONCLUSION

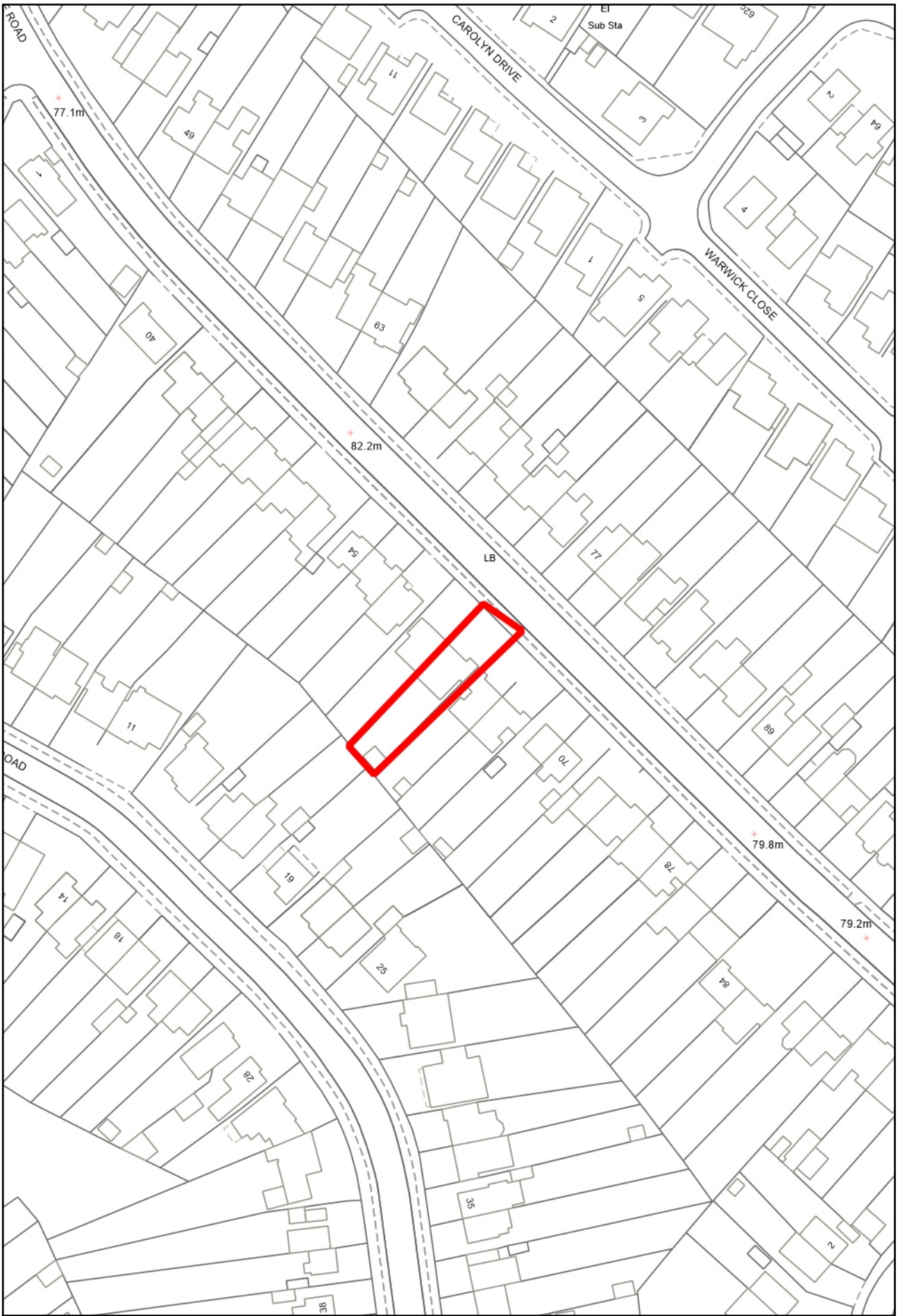
- 8.1 The proposed development falls within the scope of Classes B and C of Schedule 2, Part 1 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
- 8.3 It is therefore considered that the certificate be granted.

RECOMMENDATION: Proposed Use/Development is Lawful


The proposal as submitted would constitute permitted development by virtue of Classes B and C of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015.


You are further informed that:

- 1 The certificate has been granted on the basis of the calculations and information submitted by the applicant on Drawing No. TP/BR/06
- 2 Any upper-floor window located in a wall or roof slope forming a side elevation of the dwellinghouse must be (i) obscure-glazed, and (ii) non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed.



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21/01935/PLUD



15 June 2021

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Report No.
CSD21068

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: Plans Sub- Committee No. 2

Date: 24 June 2021

Decision Type: Non-urgent Non-Executive Non-Key

Title: LAND AT THE BACK OF NUMBER 4 AND NUMBER 5 LEAVES GREEN CRESCENT, KESTON, BR2 6DN

Contact Officers: Angela Sheppard
Tel: 020 8461 7536 E-mail: angela.sheppard@bromley.gov.uk

Chief Officer: Assistant Director,
Planning & Building Control, Housing, Planning & Regeneration

Ward: Darwin

1. Reason for report

In 1994 Planning Permission was granted for change of use of the land from grazing land to residential garden with Condition 1 stating Permitted Development Rights were removed from this land.

In 1996 Planning Permission was granted for a detached double garage with Condition 3 which requires that the garage should be used for purposes ancillary to the residential use of 4 Leaves Green Crescent, and not for commercial or other purposes.

The current structure now has the appearance of a bungalow, with an attached garage, with a separate vehicle access path in the rear garden. In April 2020 it was reported that an extension had been added to the western end of an existing single storey detached double garage in the rear garden. In July 2020 it was also reported that a second building had been constructed to the east of the original double garage, but not attached to that building. The owner asserts these are both within Permitted Development Rights. This is not the view shared by Planning Investigation.

Members are requested to agree to whether all the necessary enforcement action should be pursued in order to remedy the current breaches of planning control.

2. RECOMMENDATION

Planning Enforcement Action be authorised to require the current owner to:

- 1) remove from the Land; the extension to the existing detached garage; in the approximate position marked A on the attached plan, and

- (2) remove from the Land; the single storey detached outbuilding adjacent to the double garage; in the approximate position marked B on the attached plan, and developments, and
- (3) reinstate the Land and restore the existing detached garage to its condition prior to the unauthorised developments, and
- (4) remove from the Land all materials and debris associated with paragraph 5(1), 5(2) and 5(3).

3. COMMENTARY

- 3.1 The site is a piece of former grazing Land which on 30th March 1987 was acquired by the occupier of No. 4 Leaves Green Crescent Keston, BR2 6DN. The Land was thereafter used in connection with No. 4 Leaves Green Crescent. Subsequently on 28th August 2019, No. 5 Leaves Green Crescent (the current owner) purchased that Land. The Land however, is still registered at the Land Registry as Land at the back of 4 Leaves Green Crescent, Keston.

The owner has constructed without planning permission an extension to a detached garage building, and has constructed a separate detached building, as a result of that; the owner has breached two planning conditions which are attached to the said Land.

Background

- 3.2 Under planning reference 94/00028/FULL6 planning permission was granted for the change of use of the land from grazing land to land within the residential curtilage of No.4 Leaves Green Crescent, subject to conditions, and in particular Condition 1, which reads as follows:

“Notwithstanding the provisions of the Town and Country General Development Order 1988 (or any Order amending revoking and re-enacting this Order) no buildings, structures, alterations, walls or fences of any kind, other than those hereby permitted, shall be erected or carried out on the land the subject of this permission without the prior written approval of the Local Planning Authority”.

- 3.3 Permitted Development rights were removed, in order to allow the Council to consider any additional development on the site which is located in an Area of Special Landscape Character within the Green Belt.

- 3.4 Under planning reference 96/00714/FUL permission was granted for a detached double garage, subject to conditions, in particular Condition 3, which reads as follows:

“The garage shall only be used for purposes ancillary to the residential use of 4 Leaves Green Crescent and shall not be used for any commercial or other purpose.”

- 3.5 Under planning reference 19/05262/FULL6 permission was refused for an extension to the eastern end of an existing single storey detached double garage to incorporate a study and playroom. The reasons for the refusal are as follows:

“The proposal would constitute inappropriate development in the Green Belt and would result in a detrimental impact on its openness and visual amenity with no very special circumstances demonstrated to outweigh the harm caused; thereby the proposal would be contrary to Policy 51 of the Bromley Local Plan.

The proposal, by reason of its size, layout, siting and detached position, is capable of being severed and used as a separate self-contained unit of accommodation and therefore does not represent an ancillary form of accommodation to the main dwelling, which would in turn result in a cramped form of development that would be out of character with the area and contrary to Policy 7 of the Bromley Local Plan.”

Breach of Planning Control

- 3.6 On 27th May 2020 the site was visited. It was observed that an extension had been added to the western flank elevation of the detached double garage (permitted in 1996) within the residential curtilage of No.5. The extension had a flat roof and had the appearance of a garage with an up and over garage door to the front. The former double garage had two sets of double patio doors with side panel windows where the previous garage entrances would have been.
- 3.7 The new extension joins onto the larger building and has a doorway between the two buildings. The flat roof extension is 2.5m in height. It was explained that as the extension forms part of the larger building because they are attached, they become one building. The height of the original double garage measures 4.16m in height, the extended garage is 0.7m from the boundary. Permitted Development only allows a structure of 2.5m in height within this proximity of the boundary.
- 3.8 The owner was emailed the relevant legislation, in relation to Permitted Development regarding outbuildings on his request, as follows:
- “The relevant guidance is found within The Town & Country Planning (General Permitted Development) (England) Order 2015, Class E, Sub Paragraph E which specifically refers to “any part” of the building being within 2M of the boundary, then the building cannot exceed 2.5M. in height.”*
- 3.9 The owner was given three options to resolve the matter, as follows:
1. *Submit a valid retrospective planning application within 14 days from the date of this Email for determination.*
 2. *Separate the new flat roof building from the larger structure.*
 3. *Do nothing and risk formal enforcement action being commenced against you by the Council to remove the unauthorised work.”*
- 3.10 In June 2020 a letter was received from the owner which refuted the assertion that the development was not Permitted Development. However, the owner agreed to separate the extension from the original double garage.
- 3.11 On 21 July 2020 the Council received photograph evidence from a complainant showing the extension remained joined to the original double garage. This contradicted the agreement from the owner to separate these buildings. Further, a second building had been constructed to the east of the original double garage, separated from that building by only approximately one metre.
- 3.12 On 14th August 2020 an email was sent to the owner explaining that Permitted Development rights were removed in 1994. Consequently, planning permission is needed for both new buildings.
- 3.14 No planning application has been received for any of the new buildings.

Planning Assessment

- 3.15 It appears to the Council that the above breach of planning control has occurred within the last four years. Planning permission reference no. 94/00028/FULL6 was granted on 7 March 1994 for the change of use of grazing land (Land Registry Title Number SGL483516) rear of No.4 Leaves Green Crescent, Keston, to residential garden, and retention of 2 pigeon lofts, storage shed and aviary (Retrospective Application) subject to conditions.
- 3.16 Planning permission reference no. 96/00714 was granted on 23 May 1996 for a detached double garage within the residential curtilage of No.4 Leaves Green Crescent which included Land Registry Title Number SGL483516. (No. 4 Leaves Green Crescent has a separate title number)
- 3.17 No planning permission has been sought for either the attached extension on western flank elevation of original double garage or the single storey detached outbuilding erected adjacent to the east side of the existing double garage.
- 3.18 It is considered that the extension to the original double garage and the single storey detached outbuilding constitutes inappropriate development in the Green Belt which has a detrimental impact on its openness and visual amenity, in which no very special circumstances are considered to outweigh the harm caused; thereby the development is contrary to The National Planning Policy Framework, paragraph 145, Policy 51 of the Bromley Local Plan and G2 of the London Plan.

Summary

- 3.19 In 1994 planning permission was granted for a change of use of the land from grazing land to residential garden, subject to conditions, in particular Condition 1, removing permitted development rights.
- 3.20 In 1996 planning permission was granted for a detached double garage, subject to conditions, in particular Condition 3, requiring the garage to be used for purposes ancillary to the residential use of No.4 Leaves Green Crescent and not for commercial or other purposes.
- 3.21 The current structure now has the appearance of a bungalow, with an attached garage, with a separate vehicle access path in the rear garden. In April 2020 it was reported that an extension had been added to the western end of an existing single storey detached double garage in the rear garden. In July 2020 it was also reported that a second building had been constructed to the east of the original double garage, but not attached to that building. The owner asserts these both fall within Permitted Development Rights. This is not the view shared by Planning Investigation for the reasons given above.

4. POLICY IMPLICATIONS

Existing Policy and is addressed in report

5. FINANCIAL IMPLICATIONS

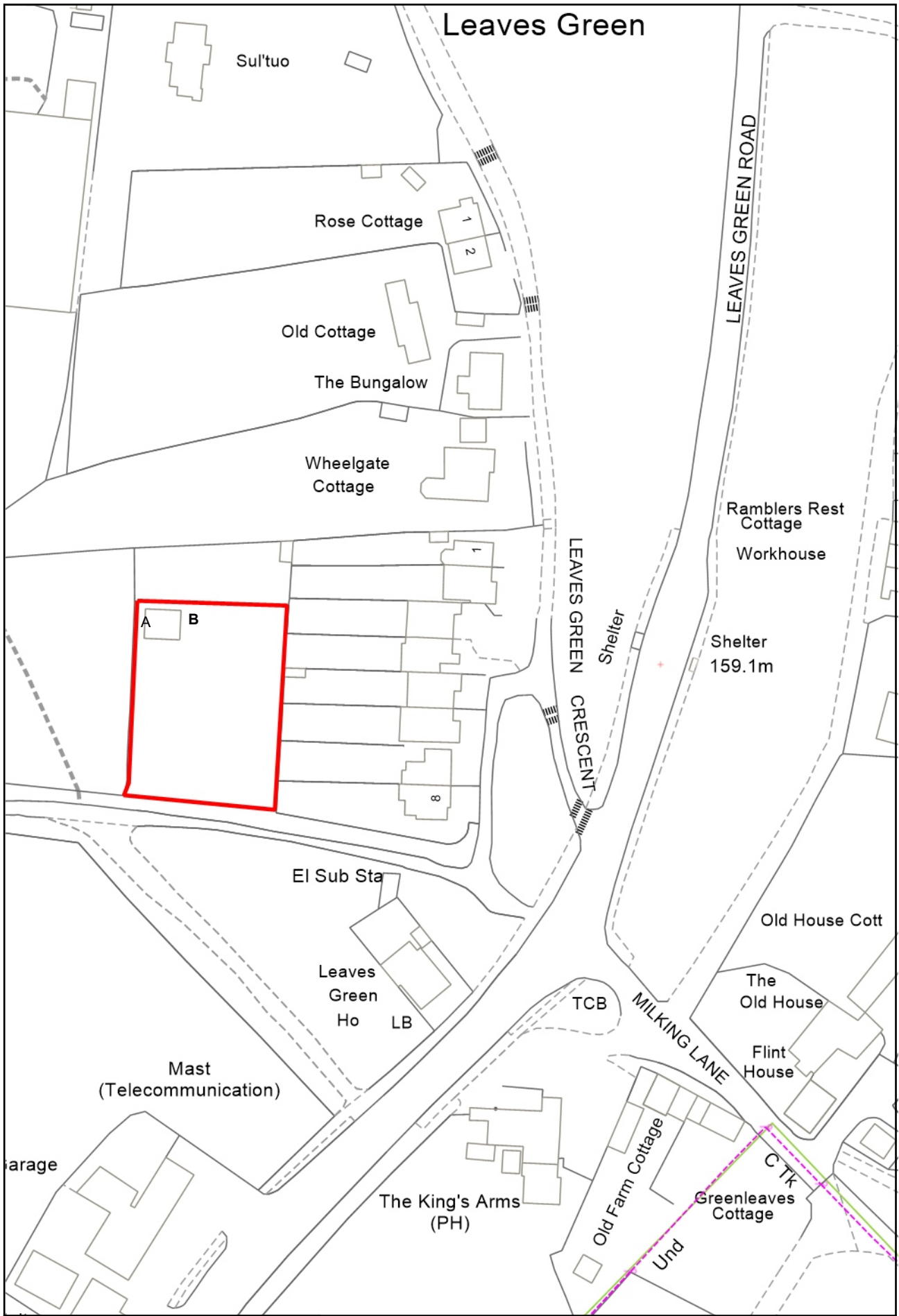
On-going costs - Matter will be dealt with within the financial budget

6. LEGAL IMPLICATIONS

Statutory requirement

Non-Applicable Sections:	Impact on Vulnerable Adults and Children; Procurement Implications, Personnel Implications
Background Documents: (Access via Contact Officer)	Not applicable

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Land at the back of number 4 and
number 5 Leaves Green Crescent,
Keston, BR2 6DN



07 June 2021

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HPR2021/038

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: Plans Sub-Committee No.2

Date: 24th June 2021

Decision Type: Non-Key

Title: **DIRECT ACTION TO ACHIEVE COMPLIANCE WITH TREE REPLACEMENT NOTICE AT WOODLAND (WEST OF) BEECH ROAD, BIGGIN HILL, WESTERHAM, KENT**

Contact Officer: John Stephenson, Head of Planning and Development Support Team
Tel: 0208 461 7887 E-mail: John.Stephenson@bromley.gov.uk

Chief Officer: Tim Horsman, Assistant Director (Planning)

Ward: Biggin Hill

1. Reason for report

Members must authorise the Council to take direct action to achieve compliance of a Tree Replacement Notice (TRN) served on the landowner of the subject address. A copy of the TRN is appended.

The costs range for such works are quoted between £7,116 and £14,520. Members must authorise sufficient budget allocation to address the breach of the TRN. A land charge may be placed on the land to ensure the costs are recovered upon a future sale.

2. **RECOMMENDATION(S)**

At the time of writing, the TRN has not been complied with. Members must direct as to whether enforcement action should be pursued, this would entail the Council engaging with private contractors to enter the land and plant the above described trees within the area denoted in the TRN. Recovery of the costs of such action would then be sought from the land owner.

Impact on Vulnerable Adults and Children

1. Summary of Impact: N/A
-

Corporate Policy

1. Policy Status: Enforcement Policy/Bromley Local Plan (adopted January 2019)
 2. BBB Priority: Quality Environment
-

Financial

1. Cost of proposal: Recoverable via land charge
 2. Ongoing costs: Non-Recurring Cost
 3. Budget head/performance centre: Planning – Tree Team
 4. Total current budget for this head: £135040.
 5. Source of funding: Existing budget
-

Personnel

1. Number of staff (current and additional): 3
 2. If from existing staff resources, number of staff hours: 111pw
-

Legal

1. Legal Requirement: Non-Statutory - Government Guidance
 2. Call-in: Not Applicable:
-

Procurement

1. Summary of Procurement Implications:
-

Customer Impact

1. Estimated number of users/beneficiaries (current and projected): Local residents
-

Ward Councillor Views

1. Have Ward Councillors been asked for comments? No
2. Summary of Ward Councillors comments: N/A

3. COMMENTARY

- 3.1 Woodland (west of) Beech Road is situated within the Green Belt. It comprises a woodland of approximately 1.4ha, continuous with other woodland that forms a 1.6km long band, all protected by Tree Preservation Order (TPO.) In 1988 Woodland (west of) Beech Road and Long Coppice West of Beech Road were protected as W2 and W1 respectively under TPO 217A. Public footpaths run through both sections of woodland.
- 3.2 On or around 8th June 2018, 4 Beech trees, 2 Hazel trees, 2 Hawthorn trees and 3 Sycamore trees protected by the above TPO were removed or destroyed without the consent of the London Borough of Bromley in contravention of TPO 217A. Under section 206 of the Town and Country Planning Act 1990 (the Act) the owner of the land is under a duty to plant replacement trees. Two letters addressed to the land owner dated 5th September 2018 required 10 specified trees to be planted within the confines of the property.
- 3.3 By 12th June 2019 it appeared to the Council the above duty had still not been complied with. An enforcement case was subsequently opened under case reference 18/00373/TREES. Therefore, a Tree Replacement Notice (TRN) was served on the land owner on 12th June 2019.
- 3.4 The TRN required the planting of the following:
- “Field Maple trees x 4 and Hazel trees x 6 of standard size, rootballed or container grown, within the area labelled G1 hatched in black shown in the attached Plan No. 1”
- The TRN stated that it would take effect from 29th July 2019 and that compliance was expected within 3 months of this date.
- 3.5 The Council must now act on the powers of entry under section 214B of the Town and Country Planning Act 1990 to plant trees required and supervise an aftercare package of a three year period.

Non-Applicable Sections:	Impact on vulnerable adults and children, Policy implications, financial implications, personnel implications, legal implications, procurement implications
Background Documents: (Access via Contact Officer)	Tree Replacement Notice (TRN) 24 th June 2019

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IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY

TOWN AND COUNTRY PLANNING ACT 1990 (as amended by the Planning and Compensation Act 1991)

TREE REPLACEMENT NOTICE

**Tree Preservation Order no. 217A
London Borough of Bromley**

1. THIS IS A FORMAL NOTICE which is served by the Council under section 207 of the Town and Country Planning Act 1990 (the Act) because it appears to them that you have not complied with a duty to plant trees under section 206 of the Act.

2. THE LAND AFFECTED

Woodland (west of) Beech Road, Biggin Hill, Westerham, Kent, outlined in red on the attached Title Plan No. SGL792727.

3. REASONS FOR SERVING NOTICE

On or around 8th June 2018, 4 Beech trees, 2 Hazel trees, 2 Hawthorn trees and 3 Sycamore trees protected by the above Tree Preservation Order (TPO) were removed or destroyed without the consent of the London Borough of Bromley in contravention of TPO 217A. Under section 206 of the Act the owner of the land is under a duty to plant replacement trees. It appears to the Council that this duty has not been complied with.

Two letters addressed to the land owner dated 5th September 2018 required 10 specified trees to be planted within the confines of the property. A site visit carried out on 30th April 2019 revealed that trees have not been planted in accordance with the terms of the letter.

Due to the absence of a response, the Council are hereby serving a Tree Replacement Notice to achieve compliance.

4. WHAT YOU ARE REQUIRED TO DO

You are required to plant the following:

a) Field Maple trees x 4 and Hazel trees x 6 of standard size, rootballed or container grown, within the area labelled G1 hatched in black shown in the attached Plan No. 1 and;

b) All trees mentioned in paragraph 4 (a) must be planted at approximately 2 metres distance, must have a girth of between 6 and 10 centimetres at breast height (1.5 metres) and must be planted in the approximate locations marked by circles in the attached Plan No. 1 and;

Time for compliance: 3 months from the date effective, stated in paragraph 5 below:

5. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on 29th July 2019, unless an appeal is made against it beforehand.

Dated: 24th June 2019

Signed:  (Chief Planner) on behalf of The London Borough of Bromley.

YOUR RIGHT OF APPEAL

You can appeal to the Secretary of State for the Environment, Transport and the Regions against this notice by submitting your case to:

The Environment Appeals Team
Room 3A Eagle Wing
Temple Quay House
2 The Square
Temple Quay
Bristol
BS1 6PN

Telephone: 0303 444 5584

Email: environment.appeals@planninginspectorate.gov.uk

Your appeal must be received, or posted in time for it to be received, before the timeframe specified in the enclosed guidance. You can appeal on any one or more of the following grounds:

- (1) that the provisions of the duty to replace trees or, as the case may be, the conditions of consent requiring the replacement of trees, are not applicable or have been complied with;
- (2) that in all the circumstances of the case the duty to replace trees should be dispensed with in relation to any tree;
- (3) that the requirements of the notice are unreasonable in respect of the period or the size or species of trees specified in it;
- (4) that the planting of a tree or trees in accordance with the notice is not required in the interests of amenity or would be contrary to the practice of good forestry;

(5) that the place on which the tree is or trees are required to be planted is unsuitable for that purpose.

You must also state the facts on which your appeal is based.

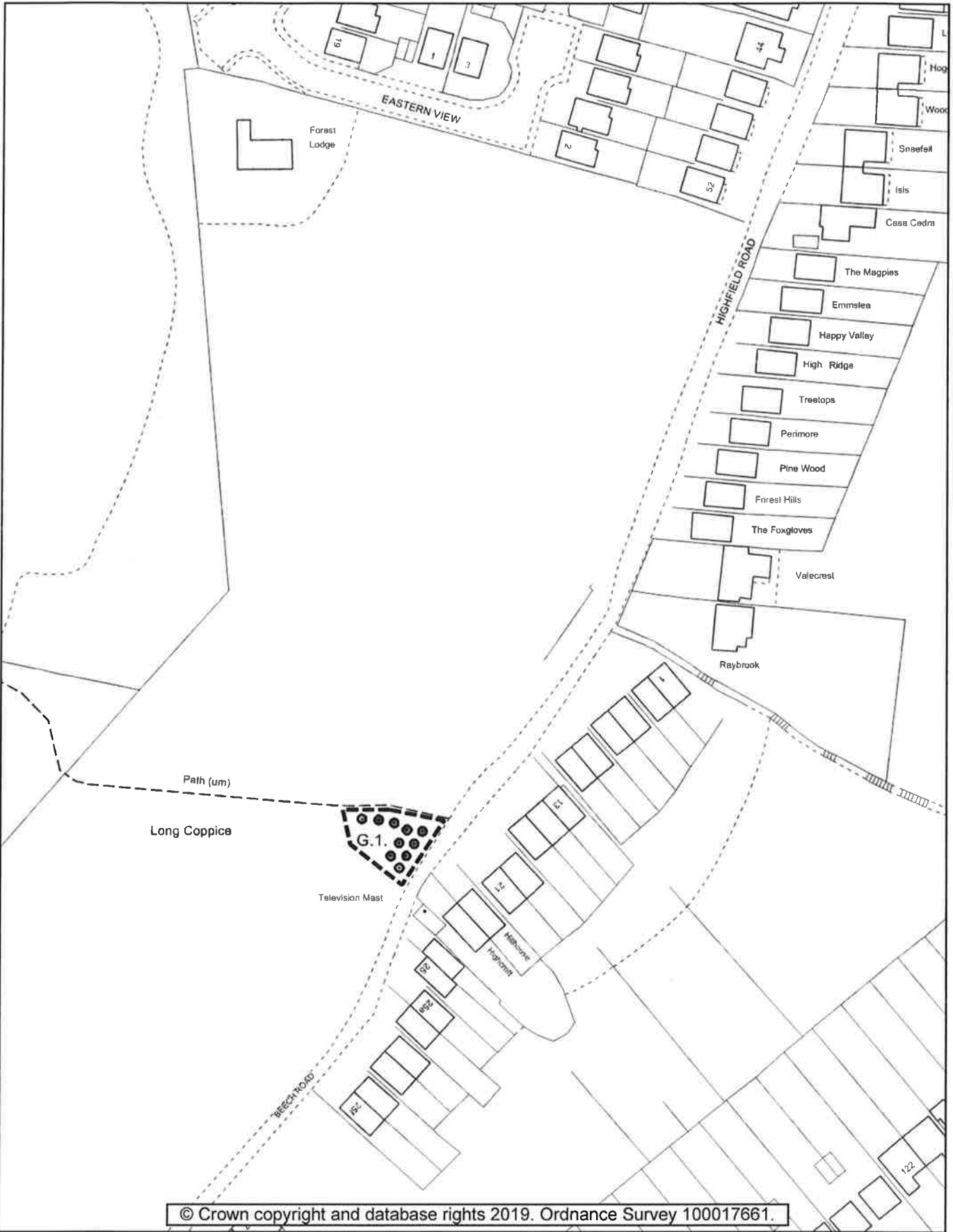
FAILURE TO COMPLY

If you do not comply with this notice, the Council may enter the land, plant the tree(s) and recover from you any reasonable expenses incurred.



ADVICE

If you have any questions about this notice or would like some advice on how to comply with it, please contact the Chris Ryder on 0208 313 4516 or email trees@bromley.gov.uk.

Trees should be planted in October to accord with the start of the planting season.

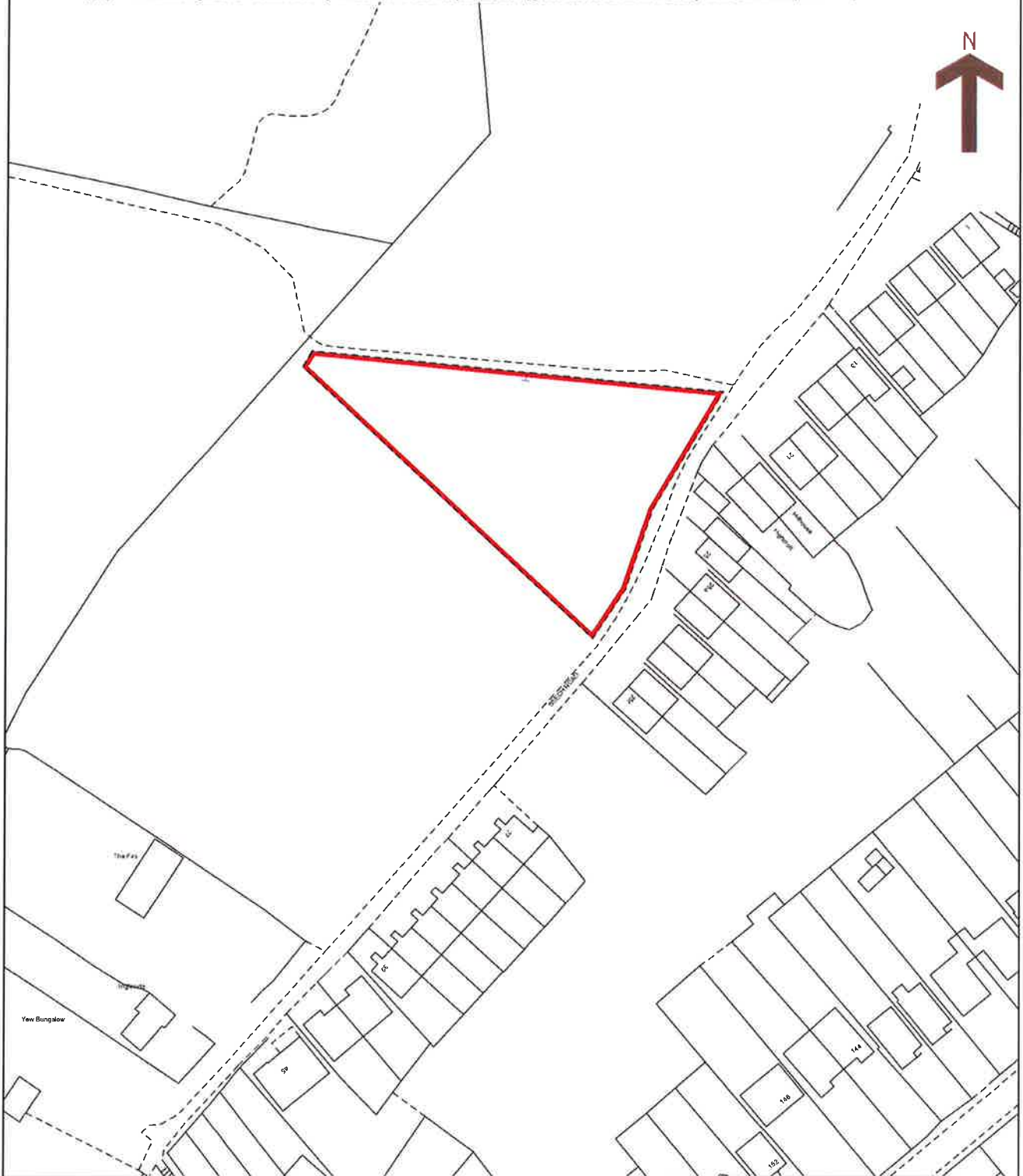


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<p>TOWN PLANNING</p>	<p align="center">Enforcement Notice Woodland (west of) Beech Road, Biggin Hill, Westerham, Kent</p>				
<p>JIM KEHOE CHIEF PLANNER CIVIC CENTRE, STOCKWELL CLOSE BROMLEY, KENT BR1 3UH Tel: 020 8464 3333</p> 	<p>Scale: 1:1250</p>		<p>ENF 18/00373</p>	<p>24.06.2019</p>	<p>Plan No: 1</p>



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This is a print of the view of the title plan obtained from HM Land Registry showing the state of the title plan on 05 September 2018 at 12:29:56. This title plan shows the general position, not the exact line, of the boundaries. It may be subject to distortions in scale. Measurements scaled from this plan may not match measurements between the same points on the ground.

This title is dealt with by HM Land Registry, Croydon Office.

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