



THE LONDON BOROUGH  
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DATE: 7 September 2021

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

Councillor Richard Scoates (Chairman)  
Councillor Colin Hitchins (Vice-Chairman)  
Councillors Gareth Allatt, Aisha Cuthbert, Ian Dunn, Kate Lymer, Neil Reddin FCCA,  
Kieran Terry and Michael Turner

A meeting of the Plans Sub-Committee No. 4 will be held at Bromley Civic Centre on  
**THURSDAY 16 SEPTEMBER 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.**

ADE ADETOSOYE OBE  
Chief Executive

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](mailto:lisa.thornley@bromley.gov.uk)  
(telephone: 020 8461 7694) or [committee.services@bromley.gov.uk](mailto: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](mailto: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 JULY 2021

(Pages 1 - 6)

### 4 PLANNING APPLICATIONS

Report No.	Ward	Page No.	Application Number and Address
4.1	Penge and Cator	7 - 32	(21/01717/FULL1) - Llewellyn Court, 28 Howard Road, Penge SE20 7AS
4.2	Petts Wood and Knoll	33 - 40	(21/01733/PLUD) - 38 Manor Way, Petts Wood, Orpington BR5 1NW
4.3	Petts Wood and Knoll	41 - 52	(21/02457/FULL6) - 37 Wood Ride, Petts Wood, Orpington BR5 1QA
4.4	Shortlands	53 - 66	(21/03141/FULL6) - 73 Wickham Way, Beckenham BR3 3AH
4.5	Farnborough and Crofton	67 - 74	(21/03396/PLUD) - 17 Drayton Avenue, Orpington BR6 8JN
4.6	Petts Wood and Knoll	75 - 82	(21/03564/PLUD) - 10 Derwent Drive, Petts Wood, Orpington BR5 1EW
4.7	Petts Wood and Knoll	83 - 90	(21/03719/HHPA) - 10 Derwent Drive, Petts Wood, Orpington BR5 1EW

### 5 CONTRAVENTIONS AND OTHER ISSUES

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

### 6 TREE PRESERVATION ORDERS

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

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

## PLANS SUB-COMMITTEE NO. 4

Minutes of the meeting held at 7.00 pm on 22 July 2021

### Present:

Councillor Richard Scoates (Chairman)  
Councillor Colin Hitchins (Vice-Chairman)  
Councillors Gareth Allatt, Kate Lymer, Keith Onslow,  
Neil Reddin FCCA and Kieran Terry

### 13 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

An apology for absence was received from Councillor Aisha Cuthbert; Councillor Keith Onslow attended as substitute.

An apology for absence was received from Councillor Ian Dunn; Councillor Kevin Brooks was due to attend as substitute but due to unforeseen circumstances he too sent an apology for absence.

An apology for absence was received from Councillor Michael Turner.

### 14 DECLARATIONS OF INTEREST

Councillor Lymer declared an interest in Item 4.2. As administrator for the Bromley Safer Neighbourhood Board, Councillor Lymer had submitted a successful bid to MOPAC for part of the money that funded the scheme. Councillor Lymer left the Chamber during the debate and vote on the Item.

Councillor Terry also declared an interest in Item 4.2 as he was a Member of the Environment and Community Services PDS Committee which had agreed the concept of the proposals. He remained in the Chamber and took part in the discussion and vote.

### 15 CONFIRMATION OF MINUTES OF MEETING HELD ON 27 MAY 2021

The Minutes of the meeting held on 27 May 2021 were confirmed and signed as a correct record.

### 16 PLANNING APPLICATIONS

#### 16.1 HAYES AND CONEY HALL (20/05027/FULL1) – 34 West Common Road, Hayes, Bromley BR2 7BX

Description of Application - Demolition of existing buildings and redevelopment with the construction of a new three storey building to provide a 50-bed residential care home (Use Class C2), including communal facilities, access, car parking and landscaping.

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

In regard to planning applications in general, the Development Management Team Leader – Major Developments reported that a new version of the National Planning Policy Framework was published on 20 July 2021. The new document did not change any of the assessments or recommendations set out in the reports under consideration on the current agenda.

Councillor Lymer advised that the RSPB had requested the provision of 15 swift nest bricks.

Members having considered the report, objections and representations, **RESOLVED that PERMISSION BE GRANTED SUBJECT TO A SECTION 106 AGREEMENT** as recommended and subject to the conditions and informatives set out in the report together with any other planning conditions and informatives considered necessary by the Assistant Director, Planning.

The condition relating to biodiversity was amended to read:-

‘Biodiversity enhancement recommendations outlined within the Preliminary Ecological Appraisal and Ecological impact assessment by Abbas Ecology (November 2020) hereby approved shall be implemented and completed prior to the occupation of the development and shall be retained thereafter. The measures should include, but not be limited to, provision of 15 swift nest bricks, bat and bird boxes; and gaps in fences and boundaries allowing hedgehogs to move freely across the site.

Reason: In order to encourage and promote the biodiversity value of the surrounding area and comply with Bromley Local Plan Policy 79 and Policy G6 of the London Plan (2021).’

**16.2  
CRAY VALLEY WEST**

**(20/02548/FULL1) - Hoblingwell Wood, Recreation Ground, Leasons Way, Orpington**

Description of application amended to read:-  
‘Construction of asphalt bicycle/skating track, including landscaped mounds/berms, a cycle teaching area, stationing of two shipping containers for



equipment storage and welfare facilities, new/relocated footpaths and hard surfaces, benches, refuse bins, bicycle racks and soft landscaping/planting/orchard and drainage system.

Oral representations in support of the application were received at the meeting. In response to a Member question, the speaker reported that certain schemes such as the one proposed, always led to the misconception that an increase in anti-social behaviour would occur; this was not the case. These type of schemes usually brought about a positive effect. This particular scheme would be professionally managed and supervised.

The Development Management Area Team Leader (East) reported that the description of the application had been amended to remove the word 'signage'. Additional documents showing the elevation and floorplans of the storage container had been submitted and circulated to Members. A letter of support from Ward Member Councillor Gary Stevens had also been received and circulated to Members. The Committee was recommended to remove conditions 12 (boundary treatments), 14 (signage details) and 19 (hours of use) from the report.

Members having considered the report, objections and representations, **RESOLVED that PERMISSION BE GRANTED** as recommended, subject to the conditions and informatives set out in the report of the Assistant Director, Planning with the removal of conditions 12, 14 and 19.

**16.3  
PETTS WOOD AND KNOLL**

**(20/04071/FULL6) - 10 Silverdale Road, Petts Wood, Orpington, Kent BR5 1NJ**

Description of application – Demolition of existing garage and construction of a single storey side/rear extension and part front garage extension with new pitched roof to form front porch canopy. Alterations to existing patio with new access steps and retaining wall.

A motion to refuse the application fell following a casting vote by the Chairman who advised that other properties within the ASRC had erected the same type of large extension and it was unlikely the Council would win should the application go to appeal.

Members having considered the report, **RESOLVED that PERMISSION BE GRANTED** as recommended, subject to the conditions set out in the report together with any other planning conditions considered necessary by the Assistant Director, Planning.

The following conditions were added:-

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

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

7 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order amending, revoking and re-enacting this Order) no change of use of any kind permitted by Class L (Houses of Multiple Occupation) of Part 3 of Schedule 2 of the 2015 Order (as amended), shall be undertaken within the curtilage of the dwelling without the prior approval in writing of the Local Planning Authority.

Reason: To enable the Council to consider future development at the site in the interest of local amenity, in accordance with Policies 9 and 37 of the Council's Local Plan (2019).

**16.4  
PLAISTOW AND  
SUNDRIDGE**

**(21/01089/TPO) - Sundridge Park Golf Club,  
Garden Road, Bromley BR1 3NE**

Description of application – Fell and treat (deciduous) x3 Oak trees (T3, T4 and T5) at Sundridge Park Golf Club. SUBJECT TO TPO 690 (26.10.1990).

The Principal Tree officer reported that the first sentence of the reason for refusal set out on page 102 of the report had been amended to read:- ‘The application has failed to acknowledge the adequacy of

the *front porch and bay window* foundations and the construction design.’

Members agreed there was not sufficient evidence to warrant felling of the trees which pre-dated the building. TPOs were in place for a reason.

Members having considered the report, **RESOLVED that the application to fell and treat (deciduous) x 3 Oak trees BE REFUSED** as recommended, for the reason and informatives set out in the report of the Assistant Director, Planning. The reason was amended to read:-

1. The application has failed to acknowledge the adequacy of the **front porch and bay windows** foundations and the construction design. The tree felling would be harmful to the character of the area. The proposals would negate the objectives of the TPO and therefore conflict with Policies 73 and 74 of the Bromley Local Plan (adopted January 2019) and Policy G7 of The London Plan (adopted March 2021).

**16.5  
CHISLEHURST  
CONSERVATION AREA**

**(21/02147/FULL6) - 7 Manor Place, Chislehurst  
BR7 5QH**

Description of application – Demolition of conservatory. Part one/two storey front/side/rear extensions, loft conversion incorporating rooflights and elevational alterations.

It was reported that comments from the Advisory Panel for Conservation Areas in objection to the application had been received and circulated to Members.

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

**17 CONTRAVENTIONS AND OTHER ISSUES**

**17.1  
BIGGIN HILL**

**Direct Action to Achieve Compliance with Tree Replacement Notice at Land Adjacent to 47 Sunningvale Avenue, Biggin Hill**

It was reported that further documentation had been received prior to the meeting.

Members **RESOLVED** that the report be **DEFERRED** for Legal Officers to consider the further evidence submitted.

## 18 TREE PRESERVATION ORDERS

### 18.1 FARNBOROUGH AND CROFTON

#### **Confirmation of TPO 2696, 372 Crofton Road, Orpington BR6 8NR**

The Committee agreed that this was a good tree, part of the community and situated in a prominent part of the road.

Members having considered the report and objections, **RESOLVED** that **Tree Preservation Order No 2696** relating to one Oak tree **BE CONFIRMED WITHOUT MODIFICATION** as recommended in the report of the Assistant Director, Planning.

### 18.2 FARNBOROUGH AND CROFTON

#### **Confirmation of TPO 2705, Dalton Close, Orpington**

Oral representations against confirmation of the TPO were received at the meeting.

Members agreed that the criteria for a TPO had been met.

Members having considered the report, objections and representations, **RESOLVED** that **Tree Preservation Order No 2705** relating to two Birch trees **BE CONFIRMED WITHOUT MODIFICATION**, as recommended in the report of the Assistant Director, Planning.

The meeting ended at 7.35 pm

Chairman

# Agenda Item 4.1

<b>Committee Date</b>	02.09.2021	
<b>Address</b>	Llewelyn Court 28 Howard Road Penge London SE20 7AS	
<b>Application Number</b>	21/01717/FULL1	<b>Officer</b> - Russell Penn
<b>Ward</b>	Penge And Cator	
<b>Proposal</b>	Erection of a three storey building comprising 6no affordable residential flats with part external/undercroft car parking, associated cycle storage and refuse storage. Insertion of windows on existing apartment block.	
<b>Applicant</b>	<b>Agent</b>	
Radcliffe Housing Society	Neal Thompson	
Radcliffe House Homefield Road Riverhead TN13 2DU	Downe House 303 High Street Orpington BR6 0NN	
<b>Reason for referral to committee</b>	Call-In	<b>Councillor call in</b> Yes

<b>RECOMMENDATION</b>	Permission Subject to Legal Agreement
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<p>KEY DESIGNATIONS</p> <p>Biggin Hill Safeguarding Area London City Airport Safeguarding Open Space Deficiency Smoke Control SCA 32</p>
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<b>Land use Details</b>		
	Use Class or Use description	Floor space (GIA SQM)
Existing	Car park Area to Llewelyn Court	0

<b>Residential Use</b>					
	Number of bedrooms per unit				
	1	2	3	4 Plus	Total / Payment in lieu
Market					0
Affordable (shared ownership)					0
Affordable (social rent)	4	2			6
<b>Total</b>	<b>4</b>	<b>2</b>			<b>6</b>

<b>Vehicle parking</b>	Existing number of spaces	Total proposed including spaces retained	Difference in spaces (+ or -)
Standard car spaces	17	14	-3
Disabled car spaces	0	1	+1
Cycle	0	8	+8

<b>Electric car charging points</b>	3 Active spaces provided.
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<b>Representation summary</b>	Neighbour letters were sent on 06/05/2021. An Article 13 site notice was displayed on the site on 07/05/2021
Total number of responses	16
Number in support	0
Number of objections	16

<b>Section 106 Heads of Term</b>	<b>Amount</b>	<b>Agreed in Principle</b>
Affordable Housing	6 units of London Affordable Rented Housing	Yes
<b>Total</b>	<b>6</b>	

## 1 SUMMARY OF KEY REASONS FOR RECOMMENDATION

- The site optimisation of the proposed scheme is acceptable, and the development would not be detrimental to the character and appearance of the area and locality.
- The affordable housing tenure and unit type would contribute towards inclusive communities through the proposed tenure and would, in part, meet the regeneration aims and objectives in the Crystal Palace, Penge and Anerley Renewal Area.
- The proposed development would have a high quality design and would not have an unacceptable impact on the amenity of neighbouring occupiers.
- The standard of the accommodation that will be created will be good.
- The proposal would not have an adverse impact on the local road network or local parking conditions.
- The proposal would be constructed in a sustainable manner and would achieve good levels of energy efficiency.

## 2 LOCATION

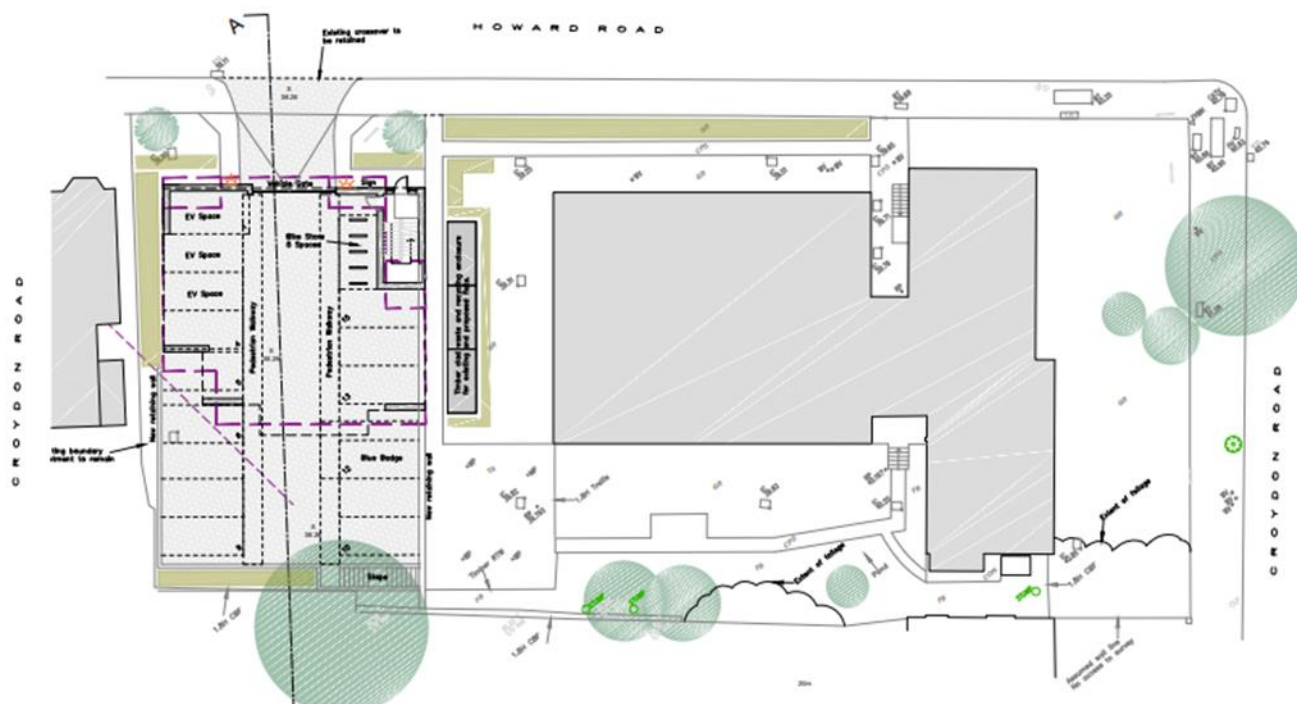
- 2.1 The application site is located on the west side at the corner of Croydon Road and Howard Road and currently comprises a large three storey flatted building containing 2no. three bedroom, 16no. one bedroom and 10no. bedsit units. A car parking area provides 16 spaces for existing resident's use. There is a small amenity area to the rear of the block as well as refuse storage within the car park.
- 2.2 The site measures approximately 66m in length and has a maximum depth of approximately 32m, and has an area of 0.2 ha. The site slopes up from the street to the rear boundary by approximately 1m. Effectively, the application site area is the area of the existing car park area which is approximately 0.05ha.
- 2.3 The immediate surrounding area comprises an eclectic mix of property typology. On Howard Road there is a mixture of Victorian semi-detached villas with flats built in different periods. No26 is the closest semi-detached villa to the site with a side separation of approximately 1m to the site boundary. The wider context includes a greater diversity of property on Croydon Road, a more recent flatted block to the rear of the site at 34 Padua Road and a three storey flatted block at Howard House (No.7-12).
- 2.4 The site lies within Flood Zone 1 and is at low risk from fluvial flooding. The site is within an Air Quality Management Area. The Public Transport Accessibility Level (PTAL) rating of the site is 3 (on a scale of 1-6b where 6b is the highest).



Site location.

### 3 PROPOSAL

- 3.1 Planning permission is sought for the erection of a three storey building comprising 6no affordable residential flats with part external/undercroft car parking, associated cycle storage and refuse storage. Insertion of windows on existing apartment block.
- 3.2 The proposed building would have a principle elevation facing to Howard Road and comprise an undercroft parking area at ground floor with a first and second floor comprising the residential accommodation. The main entrance to the flats is provided via a staircore located to the north east corner of the building with access directly from the front elevation adjacent to the undercroft parking area.
- 3.3 The building footprint would align approximately with the front elevation of No26 Howard Road and behind the level of its bay window feature and would have a width of approximately 16.5m at ground level and depth of 15.3m at its maximum extents. The building has a crown style roof with pitched roofs to all elevations and central flat roof area with ridge height of approximately 10.4m.
- 3.4 The design is traditional in form with a gable front feature. The elevations comprise yellow London stock brickwork (Wienerberger Smeed Dean), with brick soldiers and quins in a red brick (Wienerberger Renaissance). Roof tile are blue/black roof slates. Traditionally proportioned window apertures are shown to the elevations.
- 3.5 The proposal will provide 15 car parking spaces (including one disabled space) accessed via a dual width vehicular access as existing from Howard Road and 8 cycle spaces.
- 3.6 In relation to the existing residential block, additional windows to the front and rear elevation of flats closest to the new building are indicated.
- 3.7 The affordable housing product is stated as 'London Affordable Rent' with Radcliffe Housing Society being the registered provider (RP).







Proposed Front Elevation



Proposed Rear Elevation



Proposed Side Elevation (No. 26)



Proposed Side Elevation (Llewellyn Court)



Windows (indicated yellow) to be added to existing Llewellyn Court block.

#### 4 RELEVANT PLANNING HISTORY

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

4.2 20/00328/FULL1: Erection of a three storey building comprising 4 one bedroom and 2 two bedroom affordable residential flats with undercroft car parking and associated cycle storage refuse storage. Refused 20.04.2020

Refusal reasons:

- The proposed development by reason of its prominent siting, height, scale, bulk, massing, design, substandard spatial relationship to adjacent property in the locality, represents a dominant and incongruous building and inappropriate overdevelopment of the site which would erode the existing qualities of the immediate local development pattern and urban grain to a degree that would detract from the existing street scene and be harmful to visual amenity and the character and appearance of the area contrary to Policies 4, 37, of the Bromley Local Plan and Policies 3.5, 7.4 and 7.6 of the London Plan.
- The proposed development would fail to provide a satisfactory standard of good quality accommodation due to the poorly designed, unsafe and insecure undercroft pedestrian main entrance and approach for future occupiers contrary to Policies 4 and 37 of the Bromley Local Plan, Policy 3.5 of the London Plan, Supplementary Planning Guidance: Housing of the London Plan Implementation Framework.
- The proposed development by reason of overlooking, loss of outlook, the overbearing nature, siting, enclosure and proximity to neighbouring buildings and property boundaries would have a serious and adverse effect on the privacy and

amenity enjoyed by the occupants of neighbouring property at No26 Howard Road and Llewelyn Court contrary to Policies 4, 8 and 37 of the Bromley Local Plan and Policies 7.4 and 7.6 of the London Plan.

- The proposed development would not provide an adequate quantum and car parking arrangement on site. As such the proposal would increase the demand for the limited available on-street parking on the local roads to the detriment of the amenities of the area and would also be liable to prejudice the free flow of traffic and conditions of general safety along the adjacent highway contrary to Policies 30 and 32 of the Bromley Local Plan and Policies 6.12 and 6.13 of the London Plan.

4.3 The application was subsequently appealed and dismissed on 19/11/2020.

4.4 The planning Inspectorates Appeal Decision is a relevant material consideration and is discussed further below in the assessment of the current application.

## **5 CONSULTATION SUMMARY**

### **A) Statutory**

#### Environmental Health Pollution Officer – No objection

- I have no objections subject to the recommended conditions and informatives.

#### Drainage Officer – No objection

- No objections raised. Further details of a sustainable surface water drainage strategy to be sought by planning condition.

#### Highway Officer – No objection

- The site is located in an area with PTAL rate of 3 on a scale of 0 – 6b, where 6b is the most accessible. The proposals comprise of six additional ‘Social Rent’ flats on the site providing four one-bedroom and two two-bedroom units. It is proposed that the existing car park is redeveloped to provide 15 parking spaces (inclusive of one blue badge bay and three bays with active charging facilities for electric vehicles). In addition, 8 long-stay (secure and covered) cycle storage spaces will be provided.
- The number of car parking is not satisfactory, the existing dwellings comprise of two three-bedroom, 16 one-bedroom, and 10 bedsit units with 15 car parking spaces. Nonetheless the shortfall of spaces and the displacement of a small number of resident’s vehicles or visitors onto Howard Road or surrounding roads is unlikely to lead to parking stress or unduly affect highway safety.
- Cycle parking – 10 cycle parking spaces should be provided. Bin store is indicated.
- Planning conditions are recommended with regard to ensuring parking layout is implemented; Details of refuse storage, details of cycle parking; and a construction management plan.

## Design Out Crime Officer - Metropolitan Police (DOCO) – No objection

- As the development is less than ten residential units / less than 1000m of commercial space the MPS Designing Out Crime Group will not comment, as the size of the development is not within our current policy. However, I have reviewed the submitted documents, and see no reason why this development could not achieve Secured by Design, I would therefore, encourage as a minimum the use of the following measures for this application towards reducing crime and criminal opportunity:
- All Primary entrance doors into the dwelling should be and 3rd party tested and accredited and meet a minimum of PAS24 2016 or alternative Secured by Design Standard.
- Any other external doors leading into the dwelling should meet PAS24 2016 or alternative Secured by Design Standard.
- The entrance into the core should incorporate a secure air lock lobby. This can then securely house the mailboxes, and will reduce possibilities of identity theft, fraud, and tail gating further into the building. This entrance should be secured with access control and visitor call points at the entrance to prevent unauthorised access into the interior of the site and to restrict access into these areas.
- All ground floor or other accessible windows (including roof lights) to be PAS24 2016 or alternative Secured by Design Standard with a minimum glazing standard of BS EN 356:2000 P1A in secluded areas.
- Utility meters should be located outside of the dwelling at a point where they can be overlooked or intelligent smart meters with automatic signalling are an acceptable alternative.
- Ensure there is no public accessible undercroft areas that could be used for non-residents to loiter. These areas often result in persistent anti-social behaviour and have a detrimental effect on the quality of life for residents. The undercroft should be fully gated with access control and the gates at the forward building line.
- The undercroft areas should be lit to a minimum of BS5489:2013.
- Boundary treatments between public and rear private space recommended to be 1.8m close board fencing topped with 300mm trellis, and a maximum 1m in height of front gardens.

### **B) Local Groups**

No comments.

## **C) Adjoining Occupiers**

### Character (addressed in para 7.3)

- Three storey building is out of character and not in keeping with the appearance of Howard Road.
- Front gable alien to Howard Road. Eave and ridge height different to properties on Howard Road.
- Lack of information submitted relating to materials.

### Neighbouring amenity (addressed in para 7.6)

- Will affect privacy and sunlight to adjacent gardens.
- Concerns regarding outlook aspect change of exist residents in Llewellyn Court.
- Concerns with extra windows apertures and glazing type altering existing flat internal layouts.
- Concerns with loss of view from existing flats.
- Loss of quality of life due cramming.
- Overbearing development.

### Highways and parking (addressed in para 7.5)

- Concerns regarding residents parking spaces being displaced onto local roads and increase in congestion on local roads and security risks to vehicles.
- Comments the parking provision on site is deficient in quantity.
- Disable space is not accessible.

### Noise and disturbance (addressed in para 7.6)

- Concerns regarding an increase in noise and disturbance due to the location of the building in the current car park area.
- Concerns regarding loss of right to enjoy existing properties due to the development.

### Other comments (addressed in section 7)

- Plans not sufficiently detailed.
- Concerns regarding the impacts of the construction process in terms of parking, noise and disturbance.
- Concerns regarding the location of the refuse store area in close proximity to existing flats.
- Concerns with smells from refuse store.
- Need for ELV questioned.
- Concerns regarding the security of the undercroft parking area.
- Create more pollution in overpopulated area.
- Comments existing residents have not agreed to alterations in their flats at Llewellyn Court.

## 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 National Planning Policy Framework was published on 20th July 2021. The development plan for Bromley comprises the London Plan (March 2021) 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 2021

### 6.6 London Plan 2021

SD1	Opportunity Areas
D1	London's form and characteristics
D3	Optimising site capacity through the design-led approach
D4	Delivering good design
D5	Inclusive design
D6	Housing quality and standards
D7	Accessible housing
D11	Safety, security and resilience to emergency
D12	Fire safety
D13	Agent of change
D14	Noise
H1	Increasing Housing Supply
H2	Small sites
H5	Threshold Approach to application
H4	Delivering affordable housing
H5	Threshold approach to applications
H6	Affordable housing tenure
H7	Monitoring of affordable housing
H8	Loss of existing housing and estate redevelopment
H10	Housing Size Mix
S4	Play and informal recreation
G5	Urban greening
G6	Biodiversity and access to nature
G7	Trees and woodlands
SI1	Improving air quality
SI4	Managing heat risk

- SI5 Water infrastructure
- SI7 Reducing waste and supporting the circular economy
- SI12 Flood risk management
- SI13 Sustainable drainage
- T2 Healthy Streets
- T3 Transport capacity, connectivity and safeguarding
- T4 Assessing and mitigating transport impacts
- T5 Cycling
- T6 Car parking
- T6.1 Residential Parking
- T7 Deliveries, servicing and construction

## 6.7 Bromley Local Plan 2019

- 1 Housing Supply
- 2 Provision of Affordable Housing
- 4 Housing Design
- 13 Renewal Areas
- 14 Development Affecting Renewal Areas
- 15 Crystal Palace, Penge and Anerley Renewal Area
- 30 Parking
- 32 Road Safety
- 33 Access for all
- 37 General Design of Development
- 70 Wildlife Features
- 72 Protected Species
- 73 Development and Trees
- 74 Conservation and Management of Trees and Woodlands
- 77 Landscape Quality and Character
- 78 Green Corridors
- 79 Biodiversity and Access to Nature
- 113 Waste Management in New Development
- 115 Reducing Flood Risk
- 116 Sustainable Urban Drainage Systems
- 117 Water and Wastewater Infrastructure Capacity
- 118 Contaminated Land
- 119 Noise Pollution
- 120 Air Quality
- 122 Light Pollution
- 123 Sustainable Design and Construction
- 124 Carbon reduction, decentralised energy networks and renewable energy
- 125 Delivery and Implementation of the Local Plan

## 6.8 Bromley Supplementary Guidance

- Housing: Supplementary Planning Guidance. (March 2016)
- Technical housing standards - Nationally Described Space Standard (March 2015)
- National Design Guide – (September 2019)
- Planning Obligations (2010) and subsequent addendums
- SPG1 General Design Principles
- SPG 2 Residential Design Guidance

## 7 ASSESSMENT

### 7.1 Resubmission

7.1.1 The application is resubmission of a previously refused scheme. The main changes have been stated in the Design and Access Statement as:

- Front building line moved back from the highway and is now in line with No.26 Howard Road and behind its bay window.
- Removal of flat roof and redesign of apartment building to traditional appearance with pitched roof.
- Alteration of fenestration and proportions.
- Incorporation of central core on front elevation creating legible entrance from public highway.
- Inclusion of covered and secure cycle storage. New refuse storage for proposed building and Llewellyn Court.
- Proposal to insert new windows on front and rear elevation of Llewellyn Court.

### 7.2 Principle of development – Acceptable

- Housing Supply and Affordable Housing Provision.

7.2.1 The current position in respect of Bromley's Five Year Housing Land Supply (FYHLS) was agreed at Development Control Committee on 24th September 2020. The current position is that the FYHLS (covering the period 2020/21 to 2024/25) is 2,690 units, or 3.31 years supply. This is acknowledged as a significant undersupply and for the purposes of assessing relevant planning applications means that the presumption in favour of sustainable development will apply.

7.2.2 The NPPF (2019) sets out in paragraph 11 a presumption in favour of sustainable development. In terms of decision-making, the document states that where a development accords with an up to date local plan, applications should be approved without delay. Where a plan is out of date, permission should be granted unless the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

7.2.3 According to paragraph 11(d) of the NPPF in the absence of a 5 year Housing Land Supply the Council should regard the Development Plan Policies for the supply of housing including Policy 1 Housing Supply of the Bromley Local Plan as being 'out of date'. In accordance with paragraph 11(d), for decision taking this means where there are no relevant development plan policies or the policies which are most important for determining the application are out-of-date, granting permission unless:

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



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

7.2.4 London Plan Policy H1 sets Bromley's housing target at 774 homes per annum. In order to deliver this target, boroughs are encouraged to optimise the potential for housing delivery on all suitable and available brownfield sites. This approach is consistent with Policy 1 of the Bromley Local Plan, particularly with regard to the types of locations where new housing delivery should be focused.

7.2.5 Policy H2 requires Boroughs to pro-actively support well-designed new homes on small sites (below 0.25 hectares in size). Policy D3 requires all development to make the best use of land by following a design led approach.

7.2.6 The NPPF makes reference to affordable housing not being sought on non-major developments as in this case. The London Plan requires affordable housing on major developments but also sets out that "Boroughs may also require affordable housing contributions from minor housing development in accordance with Policy H2 Small sites". At this point in time Bromley is not requiring affordable housing on non-major sites but would not resist a scheme for 100% affordable housing where mixed and balanced communities can still be achieved. There is evidence of a significant need for genuinely affordable housing in Bromley and London.

7.2.7 Policy 2 of the Bromley Local Plan makes reference to the level of need for affordable in the supporting text as follows:

"2.1.29 The South-East London sub region commissioned a Strategic Housing Market Assessment (SHMA) that was carried out in 2014. The study demonstrates a high level of need across the sub-region and highlights a number of key challenges and issues, including a total housing requirement of 7188 units per annum across the sub region and an estimate of net annual affordable housing need of 5,000 units per annum in South East London. In Bromley there is a net annual need for affordable housing of about 1400 units per annum."

7.2.8 The London Plan also highlights the significant need for affordable housing. In light of the need for affordable housing, the proposal for 6 affordable rent units would not be resisted in policy terms and would represent a minor contribution to the supply of housing within the Borough. This will be considered in the overall planning balance set out in the conclusion of this report, having regard to the presumption in favour of sustainable development.

- Optimising Sites:

7.2.9 Policy H1 Increasing Housing Supply of the London Plan states that to ensure housing targets are achieved boroughs should optimise the potential for housing delivery on all suitable and available brownfield sites through their Development Plans and planning decisions. Policy 1 of the Local Plan and Policy H1 of the London Plan set the context in the use of sustainable brownfield sites for new housing delivery.

7.2.10 Policy H2 Small Sites of the London Plan states that Boroughs should pro-actively support well-designed new homes on small sites (below 0.25 hectares in size) through both planning decisions and plan-making in order to significantly increase the contribution of small sites to meeting London's housing needs.

7.2.11 The London Plan does not include a prescriptive density matrix and promotes a design-led approach in Policy D3 to optimise the capacity of sites. The design-led approach requires consideration of design options to determine the most appropriate form of development that responds to a site's context and capacity for growth, and existing and planned supporting infrastructure capacity. Policies D2 and D4 are also relevant to any assessment of development proposals, including whether the necessary infrastructure is in place to accommodate development at the density proposed.

7.2.12 Local Plan Policies 4 and 37 accord with paragraph 127 of the National Planning Policy Framework, which requires development to be sympathetic to local character whilst optimising the potential of sites.

7.2.13 The site is located within a broader Renewal Area designation, in the Bromley Local Plan, covering Crystal Palace, Penge and Anerley areas. Bromley Local Plan Policy 15 relates to Crystal Palace, Penge and Anerley Renewal Area. Policy 14 requires development in, or close, to Renewal Areas to demonstrate that they maximise their contribution to economic, social and environmental improvements.

7.2.14 In this location, the Council will consider a residential infill development provided that it is designed to complement the character of surrounding developments, the design and layout make suitable residential accommodation, and it provides for garden and amenity space. Any adverse impact on neighbouring amenity, conservation and historic issues, biodiversity or open space will need to be addressed.

- Housing unit mix

7.2.15 Policy H10 Housing size mix of the London Plan states that schemes should generally consist of a range of unit sizes and regard should be had to local evidence of need.

7.2.16 Local Plan Policy 1 Supporting Text (paras 2.1.17 and 2.1.18) highlight findings from the 2014 Strategic Housing Market Assessment (SHMA) that the highest level of need across tenures within the Borough up to 2031 is for one bedroom units (53%) followed by 2 bedroom (21%) and 3 bedroom (20%) units. Larger development proposals (i.e. of 5+ units) should provide for a mix of unit sizes and be considered on a case by case basis.

7.2.17 The application proposes 2 two bedroom and 4 one bedroom residential units which is considered an acceptable mix at this location.

### 7.3 Design – Acceptable

- 7.3.1 Design is a key consideration in the planning process. Good design is an important aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.
- 7.3.2 Paragraph 124 of the NPPF (2019) states that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.
- 7.3.3 Paragraph 127 of the NPPF (2019) requires Local Planning Authorities to ensure that developments will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development; are visually attractive as a result of good architecture, layout and appropriate and effective landscaping and are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities). New development shall also establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit; optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.
- 7.3.4 London Plan and Bromley Local Plan policies further reinforce the principles of the NPPF setting out a clear rationale for high quality design.
- 7.3.5 Policy D3 of the London Plan relates to ‘Optimising site capacity through the design-led approach’ and states that all development must make the best use of land by following a design-led approach that optimises the capacity of sites. Form and layout should enhance local context by delivering buildings and spaces that positively respond to local distinctiveness through their layout, orientation, scale, appearance and shape. The quality and character shall respond to the existing character of a place by identifying the special and valued features and characteristics that are unique to the locality and respect, enhance and utilise the heritage assets and architectural features that contribute towards the local character.
- 7.3.6 Policy D4 of the London Plan outlines the various methods of scrutiny that assessments of design should be based on depending on the level/amount of the development proposed for a site.
- 7.3.7 Policy D5 of the London Plan relates to ‘Inclusive Design’ and states that development proposal should achieve the highest standards of accessible and inclusive design.

- 7.3.8 Policy H2 of the London Plan states that Boroughs should also recognise in their Development Plans that local character evolves over time and will need to change in appropriate locations to accommodate additional housing on small sites.
- 7.3.9 The general aims of the Council's design policies state that housing development should be designed to the highest level both internally and externally. In addition, the Council seeks that developments should have regard for the wider context and environment and should seek to enhance the residential environment and attractiveness as a place to live.
- 7.3.10 Policy 4 of the Local Plan details that all new housing developments will need to achieve a high standard of design and layout whilst enhancing the quality of local places respecting local character, spatial standards, physical context and density. To summarise the Council will expect all of the following requirements to be demonstrated: The site layout, buildings and space around buildings be designed to a high quality, recognising as well as complimenting the qualities of the surrounding areas; compliance to minimum internal space standards for dwellings; provision of sufficient external, private amenity space; provision of play space, provision of parking integrated within the overall design of the development; density that has regard to the London Plan density matrix whilst respecting local character; layout giving priority to pedestrians and cyclists over vehicles; safety and security measures included in the design and layout of buildings; be accessible and adaptable dwellings.
- 7.3.11 Policy 8 of the Local Plan details that when considering applications for new residential development, including extensions, the Council will normally require for a proposal of two or more storeys in height, a minimum 1 metre space from the side boundary of the site should be retained for the full height and length of the building or where higher standards of separation already exist within residential areas, proposals will be expected to provide a more generous side space.
- 7.3.12 Policy 37 of the Local Plan details that all development proposals, including extensions to existing buildings, will be expected to be of a high standard of design and layout. To summarise developments will be expected to meet all of the following criteria where they are relevant; be imaginative and attractive to look at, of a good architectural quality and should complement the scale, proportion, form, layout and materials of adjacent buildings and areas; positively contribute to the existing street scene and/or landscape and respect important views, heritage assets, skylines, landmarks or landscape features; create attractive settings; allow for adequate daylight and sunlight to penetrate in and between buildings; respect the amenity of occupiers of neighbouring buildings and those of future occupants; be of a sustainable design and construction; accessible to all; secure; include; suitable waste and refuse facilities and respect non designated heritage assets.
- 7.3.13 The existing area of the application site where the building is to be located is currently occupied as a car parking area for use by residents at the existing Llewelyn Court. The site as a result remains open in aspect providing a clear visual gap in the street and a transitional definition from the three storey block of Llewelyn Court to the characterful period Victorian semi-detached villas from No26 onwards. This open transitional arrangement positively contributes to local character adding to the spacious character of the site itself and the wider street scene.

7.3.14 It is noted that the Appeal Inspector commented in the previous application “The proposed development would erode the sense of openness that currently exists. However, I find that this would not unduly harm the character and appearance of the area given its tighter urban grain and as gaps would be retained between the proposed development and neighbouring properties.” The Inspector further opined however that the proposed building as designed “would appear overly prominent and dominant within the street scene” and that this was “compounded by the form and detailed design of the proposed development which offers no relationship to neighbouring buildings.”

7.3.15 The current revised scheme has sought to address these conclusions. The footprint has been set back and the design has been amended to take on a traditional form. The building would still have a greater prominence than its immediate neighbours to the north-west within the streetscene and the gable feature and higher eave height would emphasise this to a degree. However, on balance given the more contextual traditional design of the building to be more in keeping with the character of the houses to the north-west and the level of spatial separation maintained to each flank elevation, the development is considered to provide an acceptable transitional building between the two storey houses and the existing Llewellyn Court block.

7.3.16 The addition of windows within the existing block to the north east side closest to the new building are not considered to harm the character of the existing building on site.

#### 7.4 Standard of residential accommodation – Acceptable

7.4.1 In March 2015 the Government published The National Technical Housing Standards. This document prescribes internal space within new dwellings and is suitable for application across all tenures. It sets out requirements for the Gross Internal (floor) Area of new dwellings at a defined level of occupancy as well as floor areas and dimensions for key parts of the home, notably bedrooms, storage and floor to ceiling height. The Gross Internal Areas in this standard will not be adequate for wheelchair housing (Category 3 homes in Part M of the Building Regulations) where additional internal area is required to accommodate increased circulation and functionality to meet the needs of wheelchair households.

7.4.2 Policy D6 of the London Plan relates to ‘Housing quality and standards’ states that housing development should be of high quality design and provide adequately sized rooms with comfortable and functional layouts which are fit for purpose and meet the needs of Londoners. The policy also prescribes internal space within new dwellings and external spaces standards that are in line with the National Technical Housing Standards.

7.4.3 Policy D7 of the London Plan - Accessible Housing, states that to provide suitable housing and genuine choice for London’s diverse population, including disabled people, older people and families with young children, residential development must ensure that at least 10 per cent of dwellings (which are created via works to which Part M volume 1 of the Building Regulations applies) meet Building Regulation requirement M4(3) ‘wheelchair user dwellings’ and; all other dwellings (which are created via works to which Part M volume 1 of the Building Regulations

applies) meet Building Regulation requirement M4(2) 'accessible and adaptable dwellings'.

- 7.4.4 A Part M accessibility compliance statement has been submitted that details compliance with the relevant sections of Part M. A compliance condition is recommended with a permission in this regard.
- 7.4.5 Policy 4 of the Local Plan sets out the requirements for new residential development to ensure a good standard of amenity for future occupiers. The Mayor's Housing SPG sets out guidance in respect of the standard required for all new residential accommodation to supplement London Plan policies. The standards apply to new build, conversion and change of use proposals. Part 2 of the Housing SPG deals with the quality of residential accommodation setting out standards for dwelling size, room layouts and circulation space, storage facilities, floor to ceiling heights, outlook, daylight and sunlight, external amenity space (including refuse and cycle storage facilities) as well as core and access arrangements to reflect the Government's National Technical Housing Standards.
- 7.4.6 The floor space size of the units is stated as 50m<sup>2</sup> and 52m<sup>2</sup> for the one bedroom units and 62m<sup>2</sup> for the two bedroom units respectively. The nationally described space standards require various GIA in relation to the number of persons, floors and bedrooms mix. The indicated provisions have been reviewed on this basis and the floorspace size for all of the units is compliant with the required standards for the units.
- 7.4.7 The shape and room size in the proposed units is generally considered satisfactory for the units where none of the rooms would have a particularly convoluted shape which would limit their specific use.
- 7.4.8 The design of all new dwellings should also take account of factors relating to 'arrival' at the building. Entrance lobbies should be visible, clearly identifiable, and directly accessible from the public realm. In this resubmission the main pedestrian access to the development has been relocated to the front elevation with a dedicated entrance directly facing to the streetscene and separate from the car parking area to the remainder of the ground floor. This is now considered an acceptable design solution for pedestrian access to the flats overcoming previous refusal reasons.
- 7.4.9 In terms of amenity space private balcony areas are provided for each of the flats with suitably sized areas compliant with required standards. On balance the provision is considered acceptable in this case.

## 7.5 Highways – Acceptable

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

- 7.5.2 The NPPF states that all developments that will generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed.
- 7.5.3 London Plan and Bromley Local Plan Policies encourage sustainable transport modes whilst recognising the need for appropriate parking provision. Car parking standards within the London Plan and Bromley Local Plan should be used as a basis for assessment.
- Car parking.
- 7.5.4 Policy T6 Car Parking in the London Plan advocates that car-free development should be the starting point for all development proposals in places that are (or are planned to be) well-connected by public transport, with developments elsewhere designed to provide the minimum necessary parking.
- 7.5.5 The application site has a PTAL rating of 3. The applicant has proposed redeveloping the existing car park to provide 15 parking spaces. Taking into account the existing dwellings (10 bedsits, 16x1, and 2x3 bed flats) and the additional 6 dwellings (4x1 and 2x2 bed flats), a maximum of 26 residential parking spaces would be deemed acceptable. The re-provision of 15 residential parking spaces is in compliance with the London Plan and is acceptable.
- 7.5.6 It also noted that in the previous Appeal that the Inspector concluded thus, "Notwithstanding the shortfall of spaces, the displacement of a small number of resident's vehicles or visitors onto Howard Road or surrounding roads is unlikely to lead to parking stress or unduly affect highway safety. The site is located within an area accessible by different means of transport including by foot and public transport in the form of bus services and nearby railway stations. It would therefore be perfectly feasible for occupants to live in the proposed development without the need for a car and who would be able to travel for work, services or leisure by public transport, bicycle or on foot. Whilst the proposed undercroft car park would not allow delivery or service vehicles to pull in off the road, this is the situation for many properties along the street. Given the short nature of these visits and the availability of spaces along the road I am satisfied this would not affect highway safety or vehicle movements."
- 7.5.7 Electrical car charging points should be provided as per the requirements of the London Plan. The plans indicate three spaces in this regard. A condition for further details and requiring installation prior to occupation is recommended in this regard.
- 7.5.8 A vehicular gate is indicated to the car parking entrance which will maintain a level of security to the car parking area for current residents of Llewelyn Court and future occupiers of the building. A condition is recommended for further details of the gated installation and for it to be installed prior to occupation.

- Cycle Parking

7.5.9 For long-term stay (residents), London Plan Policy T5 Cycle Parking states that one cycle space should be provided for one bedroom dwellings and two cycle spaces provided for dwellings with more than one bedroom. Therefore, a minimum of eight cycle parking spaces should be provided in line with policy. For short-term stay (visitors), if the development is between 5-40 dwellings, 2 spaces should be provided. A planning condition is recommended for further details of a secure and lockable containment structure for the car park area provision.

- Refuse Storage

7.5.10 All new developments shall have adequate facilities for refuse and recycling. A refuse storage area for the development in proximity to provide collection access to Howard Road is indicated along the flank of the building in the gap between the building and the existing Lewellyn Court block. The area is indicated to be contained in a structure and screened with planting. A planning condition is recommended in this regard for further details of the containment structure. The planting details will also form part of a recommended landscaping condition.

## 7.6 Neighbouring amenity – Acceptable

7.6.1 Policy 37 of the Bromley Local Plan seeks to respect the amenity of occupiers of neighbouring buildings and those of future occupants, providing healthy environments and ensuring they are not harmed by noise and disturbance, inadequate daylight, sunlight, privacy or by overshadowing.

7.6.2 Policy 4 of the Bromley Local Plan also seeks to protect existing residential occupiers from inappropriate development. Issues to consider are the impact of a development proposal upon neighbouring properties by way of overshadowing, loss of light, overbearing impact, overlooking, loss of privacy and general noise and disturbance.

7.6.3 In terms of outlook, the fenestration arrangement will provide predominantly front and rear outlook. Secondary flank windows to living/kitchen/dining rooms are indicated as obscure glazed. Balconies to the front elevation are recessed within the building making them less obtrusive. These balconies overlook the streetscene and are not considered to be source of detrimental overlooking. To the rear elevation the balconies overlook the external area of car parking and the balconies in closest proximity to No26 are indicated with privacy screening. To the rear of the site there is also substantial tree cover within the neighbouring property affording an additional level of privacy in this direction.

7.6.4 It also noted that in the previous Appeal that the Inspector concluded, “Whilst the proposed development would be visible from No 26 it would be set a reasonable distance off the boundary and the stepped design would not result in a sense of enclosure or diminish the outlook experienced to a degree that it would be overbearing for its occupants. Due to the orientation of the proposal any impediment of sunlight would be minimal and would not substantially reduce the amount of natural sunlight reaching No 26 and its garden.”



- 7.6.5 The revised footprint of the building has been set back further to the south west corner, further in improving the relationship with No26.
- 7.6.6 In respect of the south east flank facing Llewellyn Court the previous Appeal Inspector concluded “I acknowledge that residents in Llewellyn Court currently have views over the car park and this would undoubtedly change. In my view the proposed development would be sited a sufficient distance from existing windows and would not unduly diminish the outlook experienced or lead to a loss of privacy for the occupants. The grassed area would be maintained providing an adequate gap between properties which would not lead to a sense of enclosure.”
- 7.6.7 The revised building footprint maintains this accepted distance. Furthermore, additional windows are proposed to the front and rear in the flats closest to the building to improve outlook and light ingress to these flats in Llewellyn Court.
- 7.6.8 On balance, no direct overlooking, loss of privacy or overbearing massing of the proposed building will take place that would warrant refusal of the application on this basis within this revised scheme.
- 7.6.9 Consideration is also made in respect of the level of occupation of the site in that noise and disturbance will increase from a previously unoccupied open site. On balance there will be an increased impact of this nature, however, in an urban environment the increase in terms of potential occupier noise is not considered unduly unacceptable at this location.

## 7.7 Sustainability - Acceptable

- 7.7.1 The NPPF requires Local Planning Authorities to adopt proactive strategies to mitigate and adapt to climate change. London Plan and Local Plan Policies advocate the need for sustainable development. All new development should address climate change and reduce carbon emissions.
- 7.7.2 Paragraph 9.2.3 of the London Plan states that Boroughs should ensure that all developments maximise opportunities for on-site electricity and heat production from solar technologies (photovoltaic and thermal) and use innovative building materials and smart technologies. This approach will reduce carbon emissions, reduce energy costs to occupants, improve London’s energy resilience and support the growth of green jobs.
- 7.7.3 Local Plan Policy 123 states that all applications for development should demonstrate how the principles of sustainable design and construction have been taken into account.
- 7.7.4 An informative is recommended with any approval to ensure that the development strives to achieve these objectives.

## 7.8 Sustainable drainage – Acceptable

- 7.8.1 Policy SI 13 Sustainable Drainage of the London Plan states that development proposals should aim to achieve greenfield run-off rates and ensure that surface water run-off is managed as close to its source as possible.

7.8.2 Policy 116 of the Local Plan details that all developments should seek to incorporate sustainable Urban Drainage Systems (SUDS) or demonstrate alternative sustainable approaches to the management of surface water as far as possible.

7.8.3 The Council's Drainage Officer has reviewed the submitted details in respect of surface water drainage. It is recommended that further detail is sought by planning condition with any permission.

#### 7.9 Air quality - Acceptable

7.9.1 Policy SI 1 Improving air Quality states in summary that development proposals should not lead to further deterioration of existing poor air quality and shall minimise increased exposure to existing air pollution and make provision to address local problems of air quality in preference to post-design or retro-

7.9.2 Policy 120 of the Local Plan states that developments which are likely to have an impact on air quality or which are located in an area which will expose future occupiers to pollutant concentrations above air quality objective levels will be required to submit an Air Quality Assessment.

7.9.3 The site is located within the Bromley AQMA. In this case, given the location it is considered prudent for the development to incorporate Ultra Low NOx boilers for the flats. A condition is recommended in this regard.

#### 7.10 Trees and landscaping - Acceptable

7.10.1 Policy 73 of the Bromley Local Plan states that proposals for new development will be required to take particular account of existing trees on the site and on adjoining land, which in the interests of visual amenity and/or wildlife habitat, are considered desirable to be retained.

7.10.2 Policy 77 of the Bromley Local Plan states that development proposals will seek to safeguard the quality and character of the local landscape and seek the appropriate restoration and enhancement of the local landscape through the use of planning obligations and conditions.

7.10.3 An indicative landscaping layout has been submitted for the limited soft landscaping included as part of the proposals as shown on the proposed site layout drawing. Full details of hard and soft landscaping and boundary treatment is recommended to be sought by condition.

#### 7.11 CIL - Acceptable

7.11.1 The Mayor of London's CIL and the Borough CIL (adopted 15/6/21) is a material consideration. CIL is liable on this application. The applicant has completed the relevant form.

## 7.12 Section 106

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

7.12.2 The applicant has identified the following Heads of Term for this application:

- Six Affordable Housing Dwellings (London Affordable Rented Housing)

7.12.3 Officers consider that these obligations meet the statutory tests set out in Government guidance, i.e. they are necessary, directly related to the development and are fairly and reasonably related in scale and kind to the development. The applicant has agreed, in principle, to enter into a S106 legal agreement to secure the above Heads of Term, should planning permission be granted.

## **8 CONCLUSION**

8.1 Taking into account the above, the provision of 6 affordable houses, to be secured by planning obligation, must be given significant weight in the planning balance. The proposed development would also make an efficient use of land and would contribute towards inclusive communities through the proposed tenure and would, in part, meet the regeneration aims and objectives in the Crystal Palace, Penge and Anerley Renewal Area.

8.2 The development would not be detrimental to the character and appearance of the area and locality. The proposed development would have a high quality design and would not have an unacceptable impact on the amenity of neighbouring occupiers. The standard of the accommodation that will be created will be good. The proposal would not have an adverse impact on the local road network or local parking conditions. The proposal would be constructed in a sustainable manner and would achieve good levels of energy efficiency.

8.3 On balance the positive impacts of the development are considered of sufficient weight to approve the application with regard to the presumption in favour of sustainable development to increase housing supply. It is therefore recommended that planning permission is granted subject to the imposition of suitable conditions.

8.4 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:**

**Standard condition**

**1. Standard time limit of 3 years**

## **2. Standard compliance with approved plans**

### **Pre-commencement**

- 3. Details of sustainable surface water drainage.**
- 4. Details of a Construction Management Plan.**

### **Prior to above ground works**

- 5. Details of landscaping for hard and soft areas.**
- 6. Details of materials.**
- 7. Details of refuse storage**
- 8. Details of lighting scheme.**
- 9. Details of cycle storage**
- 10. Details of car park management scheme.**
- 11. Details of balcony screening**

### **Prior to occupation/use**

- 12. Parking arrangements to be installed as approved.**
- 13. Details of vehicle gate**
- 14. Details of electric car charging points.**
- 15. Flank windows to be obscure glazed.**
- 16. Installation of windows on Llewellyn Court prior to occupation of new flats**

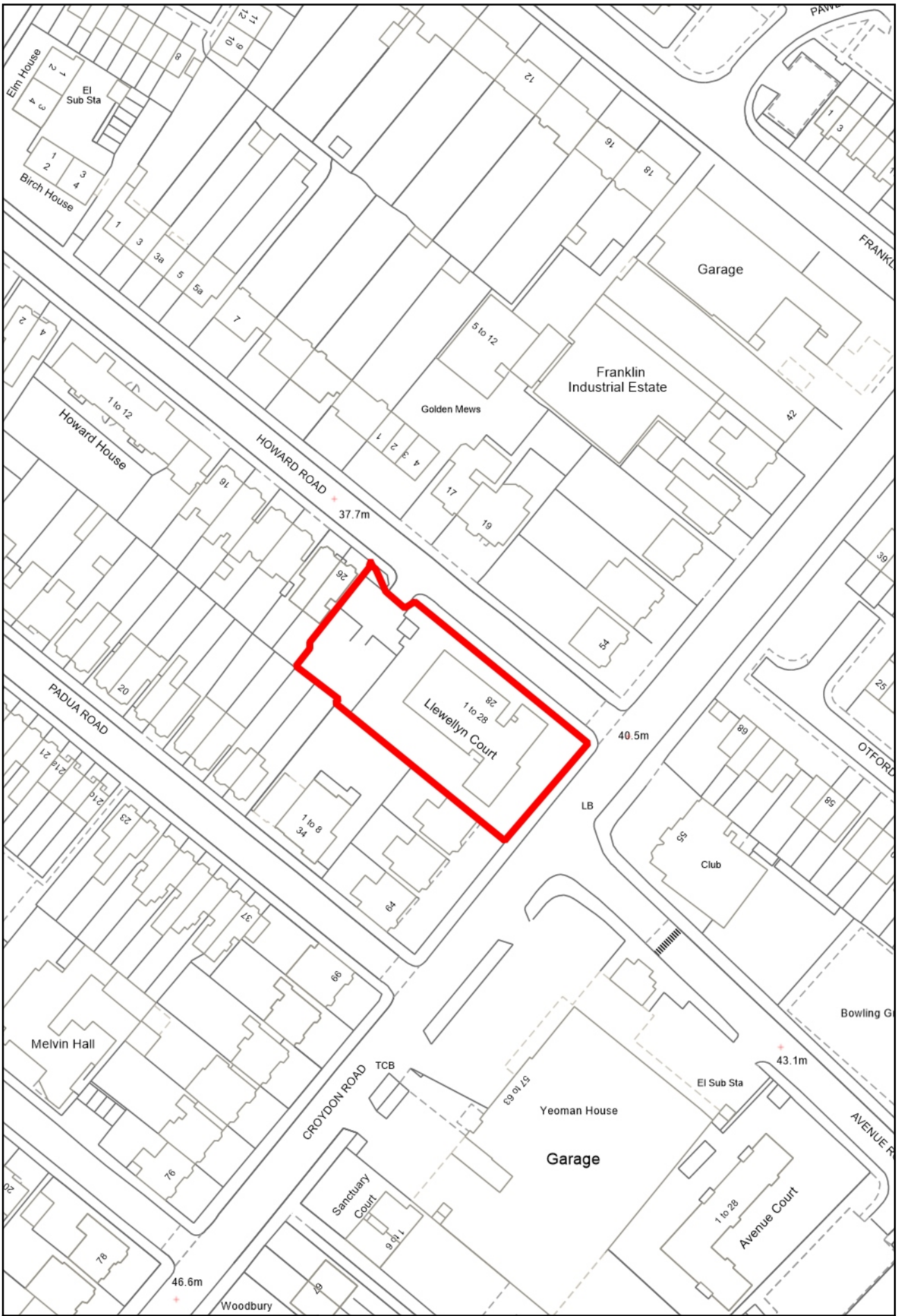
### **Compliance conditions.**

- 17. No additional pipes or plumbing to be installed on outside of buildings.**
- 18. Slab levels compliance.**
- 19. Compliance with Part M of the Building Regulations.**
- 20. Installation of ultra-low NOx boilers.**

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

### **Informatives**

- 1. Reminder regarding submission of pre commencement conditions.**
- 2. Contact naming and numbering Officer at the Council.**
- 3. Reminder of CIL payments.**
- 4. Reminder regarding Part M compliance.**
- 5. Construction machinery emission**
- 6. Any street works are at applicants' costs.**
- 7. Compliance with the Control of Pollution and Noise from Demolition and Construction Sites Code of Practice 2017**
- 8. Contact Environmental Health re contamination.**
- 9. Thames Water - water pressure standard.**
- 10. Thames Water – working near our pipes**
- 11. Secure by Design measures.**
- 12. Energy efficiency measures.**



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# Agenda Item 4.2

<b>Committee Date</b>	16/09/2021	
<b>Address</b>	38 Manor Way Petts Wood Orpington BR5 1NW	
<b>Application Number</b>	21/01733/PLUD	<b>Officer</b> - Suzanne Lyon
<b>Ward</b>	Petts Wood and Knoll	
<b>Proposal</b>	Loft conversion with partial hip to gable extension, rear dormer and front rooflights LAWFUL DEVELOPMENT CERTIFICATE (PROPOSED)	
<b>Applicant</b>	<b>Agent</b>	
Mr & Mrs Fonseca	Mr Jon Bale	
38 Manor Way Petts Wood Orpington BR5 1NW	Crofton Design Services Ltd. 3 Rice Parade Fairway Petts Wood BR5 1EQ	
<b>Reason for referral to committee</b>	Call in	<b>Councillor call in</b> Yes

<b>RECOMMENDATION</b>	Certificate Be Granted
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<b>KEY DESIGNATIONS</b>
<ul style="list-style-type: none"> <li>• Biggin Hill Safeguarding Area</li> <li>• London City Airport Safeguarding</li> <li>• Smoke Control SCA 4</li> <li>• Petts Wood Area of Special Residential Character</li> </ul>

<b>Representation summary</b>	Neighbour letters were sent 17.05.21
Total number of responses	0
Number in support	0
Number of objections	0

## 1 SUMMARY OF KEY REASONS FOR RECOMMENDATION

- 1.1 The proposal as submitted would constitute permitted development under Class B of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015.
- 1.2 The proposed development would not constitute an alteration or addition to the front roof slope that would be prohibited by the Article 4 Direction in place for the Petts Wood Area of Special Residential Character.

## 2 LOCATION

- 2.1 The application site is two storey semi-detached property located on the south-eastern side of Manor Way.
- 2.2 The property, which is not listed, is subject to two Article 4 Directions and lies within the Petts Wood Area of Special Residential Character (ASRC).
- 2.3 There are restrictions upon 'permitted development' rights at the property due to the adopted Article 4 Direction that covers the Petts Wood Area of Special Residential Character. The Article 4 Direction specifically relates to alterations and additions to the front elevation and states in effect that any alteration or addition to any front roof slope (that facing the public highway) that is currently permitted by Class B or Class C of Schedule 2, Part 1 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) would require planning permission.



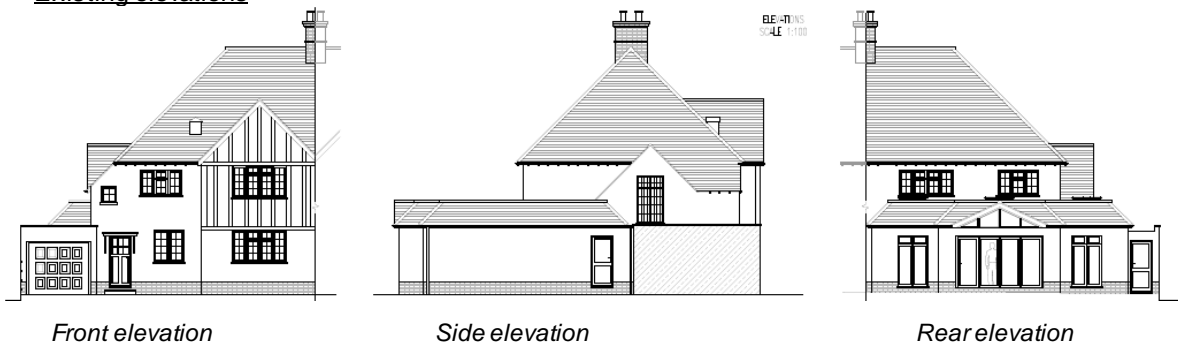


### 3 PROPOSAL

3.1 The proposal is for a loft conversion with a set back partial hip to gable and rear dormers, to provide habitable accommodation within the roof space. The secondary front roof slope will be removed prior to the construction of the loft extension.

3.2 This application has been 'called-in' by ward Councillors.

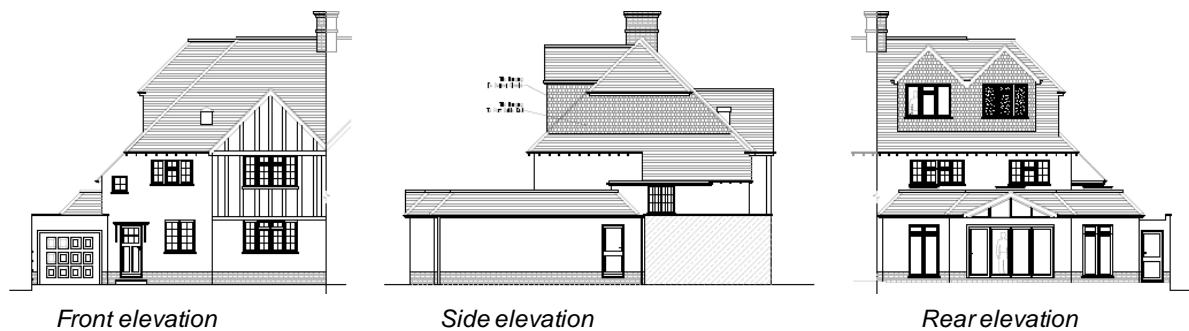
#### Existing elevations



#### Pre-commencement elevations



#### Proposed elevations



## **4 RELEVANT PLANNING HISTORY**

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

- 98/01823/FUL - Single storey side and rear extension. - Permitted 21.08.1998
- 16/02270/PLUD - Loft conversion incorporating a partial hip to gable extension, rear dormers and front rooflights LAWFUL DEVELOPMENT CERTIFICATE (PROPOSED) – Proposed Development Is Lawful 07.07.2016
- 16/02274/FULL6 - Single storey side/rear extension - Permitted 23.06.2016
- 21/01878/FULL6 - Part garage conversion with porch extension – Permitted 30.07.2021

## **5 CONSULTATION SUMMARY**

### **A) Statutory**

- No requirement to consult any statutory consultees due to the nature of this application.

### **B) Local Groups**

- N/A

### **C) Adjoining Occupiers**

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

## **6 POLICIES AND GUIDANCE**

6.1 When determining a Lawful Development Certificate, the application requires the Council to consider whether the proposal falls within the parameters of permitted development under Class B 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.

6.2 Of relevance to the application is a recent appeal decision in relation to 40 Manor Way, Petts Wood (ref. APP/G5180/X/18/3212541) which proposed a similar roof enlargement with a setback gable roof enlargement, and had been refused by the Council as being in contravention with the Article 4 Direction in force in the area. The Appeal was allowed, with the Inspector finding that the appeal proposal would not constitute an "addition" to the front roofslope even though it enlarged the volume of the roof overall. Likewise the Inspector did not consider that the

proposal would constitute an "alteration" to the front roofslope as it makes no changes to it even though the front elevation of the property would appear differently.

## **7 ASSESSMENT**

7.1 The application requires the Council to consider whether the proposal falls within the parameters of permitted development under Class B 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. Class B permits the enlargement of a dwellinghouse consisting of an addition or alteration to its roof. In this instance, the proposed partial hip to gable and rear dormers would fall within the scope of Class B and is considered to be permitted development for the following reasons:

- The property is a single dwellinghouse and has not benefitted from any change of use under class M, N, P or Q.
- The extension will not exceed the height of the highest part of the existing roof.
- The extension would not extend beyond the plane of the existing roof slope which forms the principal elevation and fronts a highway.
- The resulting extensions volume falls within 50 cubic metres allowed in the case of a semi-detached dwelling (47.6m<sup>3</sup> actual)
- The proposal does not consist of or include a veranda, balcony or raised platform.
- The proposal does not consist of or include the installation, alteration or replacement of a chimney, flue or soil and vent pipe.
- The proposal does not consist of or include the installation, alteration or replacement of a microwave antenna.
- The house is not sited within a conservation area.
- The materials proposed for the exterior will be similar in appearance to those used in the construction of the exterior of the existing dwellinghouse.
- The dormers provide more than a minimum 0.2m separation from the eaves of the dwelling.
- No flank windows are proposed.

7.2 It is noted that the property has an existing small side gable which forms a secondary front roof slope. Revised plans were received (10<sup>th</sup> August) which indicates that this secondary front roof slope will be removed prior to the construction of the loft extension. As such, the proposed roof enlargement will not project forward of any principal roof slope at the commencement of the loft extension.

7.3 The property is located within the Petts Wood Area of Special Residential Character, so the Article 4 Direction for the area does need to be considered. However it is not considered that the proposed hip to gable enlargement would constitute an alteration or addition to the front roofslope that would be prohibited by the Direction and this is consistent with the Inspectors decision in respect of 40 Manor Way. The proposed development is to the side roofslope and set back

from the front roofslope, therefore this is outside of the permitted development rights which have been removed.

7.4 It is therefore considered that the certificate be granted.

## **8 CONCLUSION**

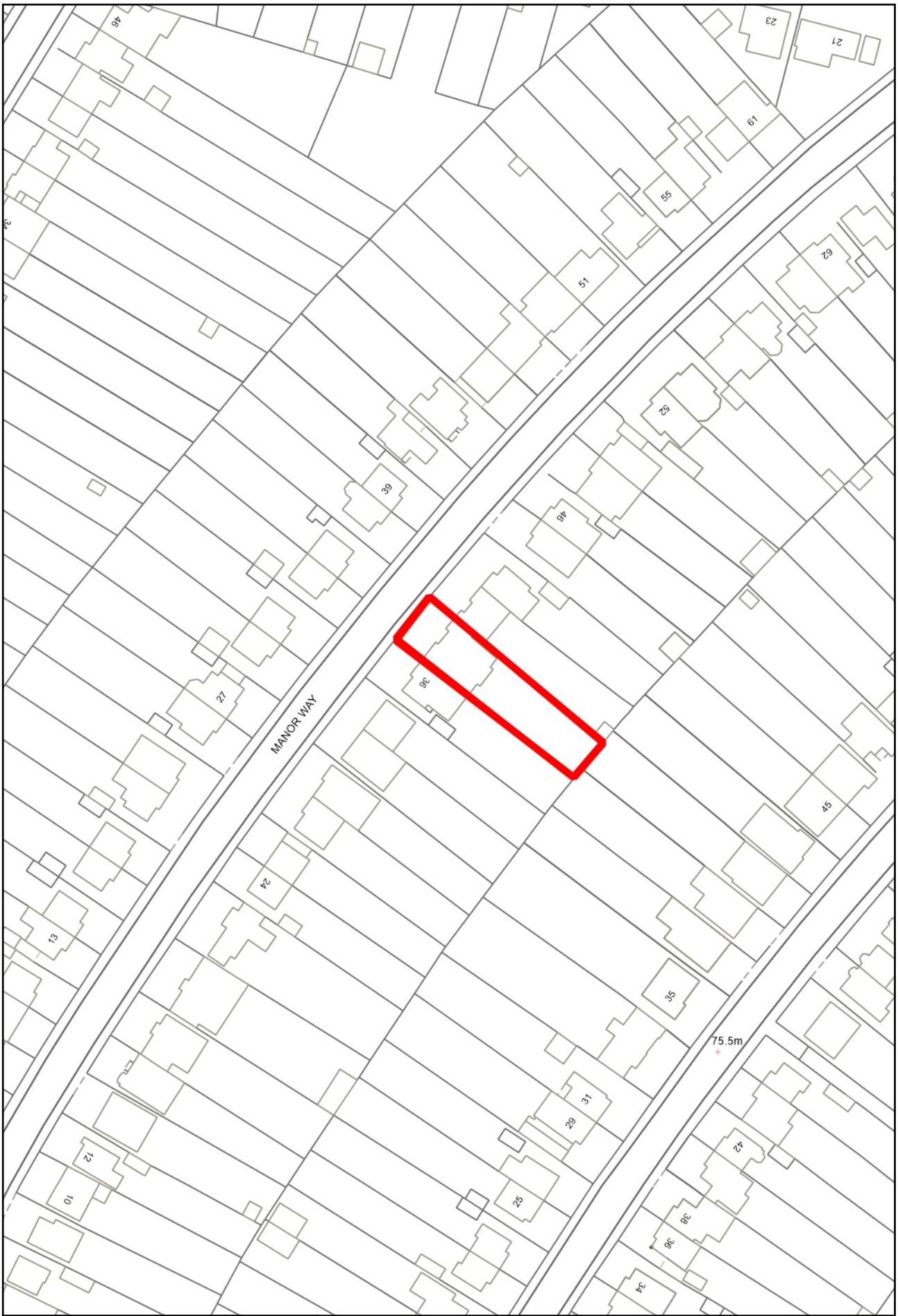
8.1 Having regard to the above, the proposal as submitted would constitute permitted development under Class B of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015.

8.2 The proposed development would not constitute an alteration or addition to the front roofslope that would be prohibited by the Article 4 Direction in place for the Petts Wood Area of Special Residential Character.

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 Class B of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015. The Article 4 Direction, made 5th January 2017, did not have the effect of restricting these permitted development rights.**



MANOR WAY

75.5m

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21/01733/PLUD



07 September 2021

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# Agenda Item 4.3

<b>Committee Date</b>	16.09.2021	
<b>Address</b>	37 Wood Ride Petts Wood Orpington Bromley BR5 1QA	
<b>Application Number</b>	21/02457/FULL6	<b>Officer</b> - Robin Evans
<b>Ward</b>	Petts Wood and Knoll	
<b>Proposal</b>	Part one/two storey wraparound extension with loft extension including gabled dormers to side elevations and rooflights. (Amended drawings).	
<b>Applicant</b>	<b>Agent</b>	
Mr and Mrs Colyer	Mr Frank Knight	
37 Wood Ride Petts Wood Orpington BR5 1QA	1 Forde Avenue Bromley BR1 3EU	
<b>Reason for referral to committee</b>	Call-In	<b>Councillor call in</b> Yes

<b>RECOMMENDATION</b>	Application Permitted
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<p><b>KEY DESIGNATIONS</b></p> <p>Area of Special Residential Character Biggin Hill Safeguarding Area Biggin Hill Safeguarding Area London City Airport Safeguarding London City Airport Safeguarding Smoke Control SCA 4</p>
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<b>Representation summary</b>	Neighbour letters sent 25 May 2021	
Total number of responses		1
Number in support		0
Number of objections		1

## 1. SUMMARY OF KEY REASONS FOR RECOMMENDATION

- The development would not impact detrimentally on the character of the area including the Petts Wood ASRC,
- The development would not have a significantly harmful impact on the amenities of neighbouring residents
- The development would not have harmful highway impacts.

## 2. LOCATION

- 2.1 The application site is No. 37 Wood Ride, Petts Wood, a detached two storey dwelling located on the southern side of the highway. The land is predominantly level and the boundaries are marked by a mixture of close boarded fencing, trees and vegetation. The dwelling has a gable ended pitched roof and forward and rearward projecting gable ended features. There is a detached garage alongside/rear of the dwelling at the eastern boundary, accessed via a single lane driveway, and a subsequent detached shed/greenhouse beyond it.
- 2.2 The area is residential in nature with a generally consistent form of detached and semidetached inter-war dwellings set in relatively spacious plots. They have a traditional/conventional design and materials including distinctive mock Tudor and Arts and Crafts features. The area is relatively sylvan in nature with some prominent and attractive street trees opposite and to the west and other trees within residential curtilages which are visible over and through gaps between dwellings. The dwelling is not listed, and it does not lie within a Conservation Area, however it lies within the Petts Wood Area of Special Residential Character.
- 2.3 According to the Bromley Local Plan the Petts Wood ASRC area includes circa 1500 dwellings within detached and semi-detached properties on circa 112 ha of land. It is bounded by the railway to the north, Chislehurst Road Conservation Area to the north east, tree preservation orders and the railway to the north west and the west (excluding Urban Open Space, properties within Petts Wood Station Square Conservation area and other areas which include retail and car parking uses), part of St John's Road to the south west, the Chenies Conservation Area and residential areas considered to be of distinct character and/or standard to the south and west of Crofton Lane and east of Grosvenor Road.
- 2.4 The original plans for Petts Wood date from the late 1920s and the early 1930s. Whilst there have been some changes post war the prevailing design of the buildings is from the 1930s and remains largely intact. Some of the properties have been built by the distinguished designer Noel Rees who designed all of the building within the neighbouring Chenies Conservation area. Whilst houses were built over a number of years, in a number of similar though varied styles, the road layout and plot sizes were established in an overall pattern, following the garden suburb principle which largely remains intact today. The large plots which are spaciouly placed were originally designed following the garden suburb principle by developer Basil Scruby. The regularity of front building and rear building lines, the consistency in the front roof lines largely untouched by roof extensions or conversions and the symmetry between pairs and neighbouring pairs of houses are of importance in



defining the character of the area. The Petts Wood ASRC has an open, suburban and semi-rural feel, predicated by low boundaries and visible front gardens set back from the road as well as the width of the separation between the houses which is of a particularly high standard. This allows many of the trees and greenery which prevail throughout the area to be seen from the street. Large rear gardens also provide the area with a high level of amenity. The plot sizes, the alignment of the houses to the Garden Suburb principle underline the character, rhythm, symmetry and spatial standards of the ASRC.

- 2.5 The separation between building and the rhythm and pattern of the houses adds to the special character. In many cases there is a much wider separation between houses than in other parts of the Borough which demands a higher degree of separation between buildings to maintain the special character, the openness and feel of the area. Where there are pairs of houses that complement the rhythm of the street scene there is also a prevailing symmetry between the houses. This symmetry can also be seen between neighbouring pairs. The plots are set out in such a way that the spacious character is one of a clear detached and semi-detached nature. The front roof lines also enhance the character of the area being largely untouched by roof extensions and conversions at the front.
- 2.6 This allows many of the trees and greenery which prevail throughout the area to be seen from the street scene. Large rear gardens often in excess of 120ft are a feature of the ASRC and provide the area with a high level of amenity and contribute to nature conservation.
- 2.7 Some of the dwellings have been altered and extended in various ways.



Fig 1. Site location plan.



Photo 1. No. 37 Wood Ride (centre).



Photo 2. No. 37 Wood Ride (rear).



Photo 3. View towards rear of No. 39 Wood Ride.



Photo 4. View towards rear of No. 35 wood Ride.

### 3. PROPOSAL

- 3.1 Planning permission is sought for demolition of existing detached garage and erection of part two storey rear extension, part single storey side/rear extension and side dormer windows and roof light windows.



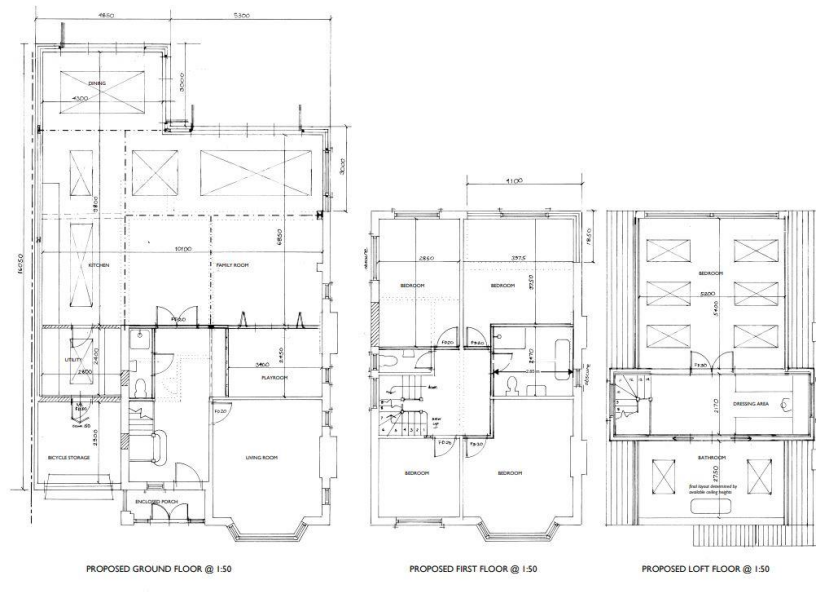


Fig 2. Proposed floor plans.



Fig 3. Existing and proposed elevations.

#### 4. RELEVANT PLANNING HISTORY

4.1 No relevant site history.

#### 5. CONSULTATION SUMMARY

##### A) Statutory

5.1 Highways: Although the proposal would remove the existing garage there would remain 2 parking spaces within the property in accordance with the Council's standards and there is no objection on highway grounds.

##### B) Local Groups

n/a

##### C) Adjoining Occupiers

5.2 General

- The submitted block plan is incorrect: showing the building positioned further forward than it is and therefore with different effects on neighbouring buildings/occupants than indicated in the drawings.

- 5.3 Neighbouring amenity
- The depth and height of the extension(s) would form a tunnelling effect to neighbouring properties, harmful to their outlook and causing overshadowing,
  - The position, proximity and height of the proposed side flank windows would harm neighbouring privacy and should be fitted with obscure glazing,

## **6. POLICIES AND GUIDANCE**

### **6.1 National Policy Framework 2019**

### **6.2 NPPG**

### **6.3 The London Plan 2021**

D4 Delivering Good Design

### **6.4 Bromley Local Plan 2019**

6 Residential Extensions

8 Side Space

30 Parking

37 General Design of Development

44 Areas of Special Residential Character

73 Development and Trees

### **6.5 Bromley Supplementary Guidance**

SPG1 – General Design Principles

SPG2 – Residential Design Guidance

## **7. ASSESSMENT**

### **7.1 Design and landscaping – Acceptable**

- 7.1.1 Design is a key consideration in the planning process. Good design is an important aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. The NPPF states that it is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes.
- 7.1.2 London Plan and BLP policies further reinforce the principles of the NPPF setting out a clear rationale for high quality design.
- 7.1.3 Policies 6, 37 and 73 of the Bromley Local Plan (BLP) and the Council's Supplementary design guidance seek to ensure that new development, including residential extensions, are of a high quality design that respect the scale and form of the host dwelling and are compatible with surrounding development including trees and landscaping that contribute towards the character and appearance of the area.

- 7.1.4 As mentioned above the Petts Wood ASRC is characterised by detached two storey inter-war dwellings; set within relatively spacious plots. Some dwellings are positioned closer to one side boundary than the other, and those also dwellings also tend to have a side accessed garage as in this case, with greater space on the opposite site thereby maintaining separation and overall spatial standards in the area. There is variation in design as dwellings were built over a number of years and by different architects/house builders, although they share general characteristics.
- 7.1.5 The existing dwelling has a relatively narrow width with gable ended roof formation; a prominent gable ended bay window feature, and a modest single garage positioned to the side and rear of the dwellinghouse. The main two storey element measures approximately 7.5m wide and 11m deep; with a 0.5m forward gable bay window and a 1.8m deep single storey/two storey projection.
- 7.1.6 The current proposal would mostly consist of a two-storey rear extension positioned behind the existing dwelling measuring approximately 3m deep at single storey level and 1.9m deep at first floor level, with a single storey side extension measuring approximately 3.2m wide (projecting to the side boundary) and 16m deep. The side extension would infill the existing space along the side of the dwelling and its rearward projecting element would effectively replace the built form currently occupied by the existing detached garage. Overall, the proposal would not be disproportionate to the dimensions of the existing dwelling. The rearward projection of the two storey element would be positioned directly behind the existing dwelling, it would not appear to encroach upon the existing separation from the side flank boundaries (approximately 3.1m to the east side and 1.3m to the west side) and would therefore maintain the existing spacing as it would be apparent from fairly oblique views along the side of the dwelling; mostly from the eastern side, it would not appear unduly prominent or overbearing within the street scene. The proposed side dormer windows would be modest in size; set away from the ridge and eaves of the roof slopes, i.e. well within the roof slopes, and consequently they would not dominate or overpower the roof formation or appear cramped or overcrowded. Although the single storey side extension would project up to the east side boundary with No. 35 it would be single storey in height and this would maintain space around the dwelling at the upper floor level and thereby maintaining the spacious characteristics of the site and its setting in this part of Wood Ride.
- 7.1.7 The proposed design would retain and maintain the existing main gable ended roof formation and the prominent front bay window and gable ended roof detail. The single storey side element would have a pitched and gable ended roof at the front, respecting the pitched and gable ended roofs of the main dwelling and obscuring the mainly flat roofed section behind which, as mentioned would be less visible within the street scene. The design style, external materials and fenestration would complement those of the existing Arts and Crafts design of the existing dwelling and its neighbours, and this could be managed by planning condition. Overall, the proposed addition to the eastern side would maintain space to the side of the dwelling, and taking into account other extended properties in the local area, in this context the proposal would not appear to overdevelop the plot or result in a cramped appearance and it would not detract significantly from the spatial standards in this part of the ASRC.

7.1.8 The proposal would not appear to directly remove existing prominent trees or vegetation and the retention of more of the space along the sides of the dwelling would all greater views of the trees and vegetation beyond. The existing garage would be removed, although there would remain some forecourt space in the frontage to provide the necessary parking; discussed further below, and this would not diminish or detract significantly from the existing landscaping and the Garden Village principle characteristic of the ASRC.

## **7.2 Neighbouring amenity – Acceptable**

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

7.2.2 As mentioned, the proposed rear extension would be approximately 3m deep at single storey and 1.8m deep at first floor level, compared with the existing single storey and two storey rear extension(s). It would project beyond the rear of the neighbouring properties although not excessively so and it would be separated from No. 35 by approximately 6.5m, with its own garage in between, and from No. 39 by approximately 2.8m. Although it would be visible from those neighbouring properties it would be a relatively oblique angle and the proximity, depth and height would not have a significantly more harmful impact on neighbouring outlook than the existing building, and furthermore this is not an uncommon relationship between dwellings in a suburban residential area. Taking into account the relationship between the properties, the plot orientation and path of the sun it would not have a significantly more harmful impact on overshadowing than the existing building.

7.2.3 The main outlook would continue to be to the front and rear where there would be no significantly more harmful additional overlooking over and above that which already exists; including the proposed rear roof/loft window which is not an uncommon feature in general in residential areas and/or within this specific residential area. Ground floor side flank windows would not be significantly more harmful than any existing. The upper floor side flank and rooflight windows would either serve circulation spaces, or non-habitable rooms such as bathrooms, or they would be secondary windows to habitable rooms and in either case could fitted with obscure glazing and restricted opening casements as necessary in order to preserve neighbouring amenities whilst not creating an unsatisfactory living environment for the future occupants.

## **7.3 Highways – Acceptable**

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

- 7.3.2 The NPPF states that all developments that will generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed.
- 7.3.3 London Plan and BLP Policies encourage sustainable transport modes whilst recognising the need for appropriate parking provision. Car parking standards within the London Plan and BLP should be used as a basis for assessment.
- 7.3.4 Although the proposal would involve the removal of the existing garage and some parking space(s) along the side of the dwelling there would remain forecourt space available for parking without necessarily directly leading to additional on-street parking and furthermore there is no objection from the Council's Highway Department.

## **8. CONCLUSION**

- 8.1 Having had regard to the above it is considered that the development in the manner proposed would not impact detrimentally on the character of the area including the Petts Wood ASRC, it would not have a significantly harmful impact on the amenities of neighbouring residents and would not have harmful highway impacts. For these reasons and subject to recommended conditions it is recommended that planning permission is granted.
- 8.2 Background papers referred to during production of this report comprise all correspondence on the files set out in the Planning History section above, excluding exempt information.

### **RECOMMENDATION: PERMISSION BE GRANTED**

Subject to the recommended conditions:

**Standard Time Limit**  
**Standard Compliance with Plans**  
**Matching Materials**  
**Side Space**  
**Obscure glazed windows**

Informatives


**Party Wall Act**  
**Side Space**


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





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21/02457/FULL6



07 September 2021

1:1250



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# Agenda Item 4.4

<b>Committee Date</b>	16/09/21	
<b>Address</b>	73 Wickham Way Beckenham BR3 3AH	
<b>Application Number</b>	21/03141/FULL6	<b>Officer</b> - Catherine Lockton
<b>Ward</b>	Shortlands	
<b>Proposal</b>	Extension of existing garage to the side of the property including new roof profile and front porch roof to provide home office and storage accommodation.	
<b>Applicant</b> Mrs. Julia Radecki	<b>Agent</b> Mr Jim Hutcheson JHArchitecture	
73 Wickham Way Beckenham BR3 3AH	Studio 30 Hideaway Workspace 1 Empire Mews Streatham SW16 2BF	
<b>Reason for referral to committee</b>	Side Space	<b>Councillor call in</b>  NO

<b>RECOMMENDATION</b>	PERMISSION BE GRANTED
-----------------------	-----------------------

<p><b>KEY DESIGNATIONS</b></p> <p>Adjacent to Site Interest Nature Conservation          Area of Special Residential Character          Biggin Hill Safeguarding Area          London City Airport Safeguarding Area          Open Space Deficiency          Flood Zones 2 and 3          Smoke Control SCA 9          Smoke Control SCA 22</p>
---

<b>Representation summary</b>	<i>Adjoining neighbours were consulted by letter on 29.07.21.</i>	
Total number of responses	0	
Number in support	0	
Number of objections	0	

## 1 SUMMARY OF KEY REASONS FOR RECOMMENDATION

- The development would respect the scale and form of the host dwelling and character, appearance and visual amenities of the Area of Special Residential Character within which it lies.
- The development would not result in any significant loss of amenity to neighbouring properties.
- The development would not result in any adverse harm to trees within or nearby the site.
- The development would not result in any harmful impact to levels of on-street parking within the area.
- The development would be constructed to minimise any increased risk of flooding.
- The development would therefore accord with the aims and objectives of Policies 6, 8, 30, 37, 44, 73 and 115 of the Bromley Local Plan.

## 2 LOCATION

2.1 The application site hosts a two storey detached dwellinghouse located on the eastern side of Wickham Way, Beckenham.



2.2 The application property is set back from the highway and includes a front garden with front driveway area and low front boundary wall. The property benefits from a long rear garden that includes a number of trees.



2.3 This section of Wickham Way lies within the Park Langley Area of Special Residential Character (ASRC) which is characterised by properties built between 1920's and 1950's and has the character of a garden estate given by the quality and appearance of the hedges, walls, fences, and front gardens.



### 3 PROPOSAL

- 3.1 Planning permission is sought for the extension of existing garage to the side of the property including new roof profile and front porch roof to provide home office and storage accommodation.

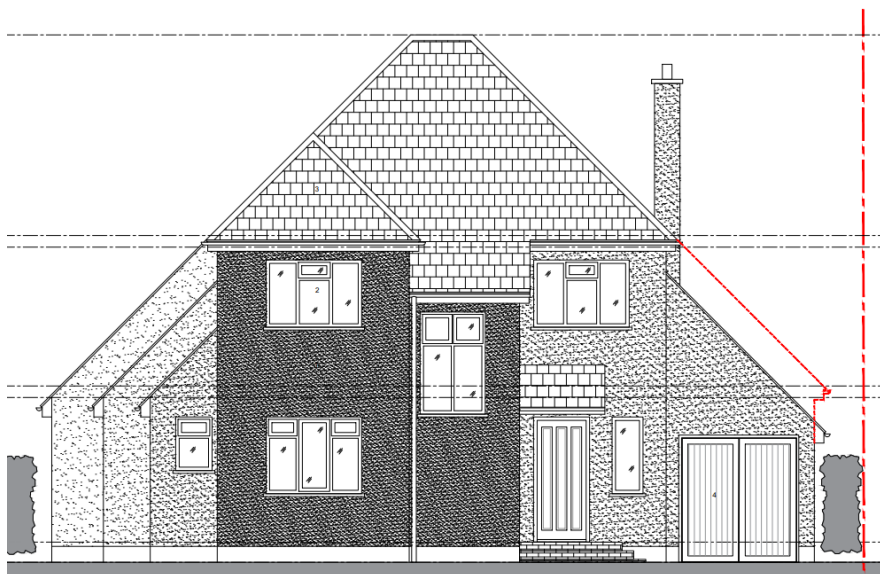


EXISTING FRONT ELEVATION



PROPOSED FRONT ELEVATION

- 3.2 The proposed extension to the existing garage would result in the front elevation of the garage extending a further 2.4m forward for a width of approximately 2.9m. The southern flank wall of the extension would align with the southern flank wall of the existing garage. The extension would include a pitched roof which would wrap around the front elevation above the existing open front porch.
- 3.3 The first floor cat slide roof above the existing garage is also proposed to be extended by approximately 1.2m forward to bring the front wall in line with the existing first floor of the property to which it is adjoined. The roof would also be extended in height to match the angle the main hipped roof of the dwelling. This would also result in an increase in the eaves height of the cat slide roof by approximately 0.8m (from approximately 2.4m to 3.2m). A set of conservation style obscure glazed rooflights are proposed across the flank roof slope of the first floor extension.
- 3.4 An additional drawing was submitted by the applicant on 27.08.21 to illustrate the proposed change in the height of the side roof slope (proposed indicated in red).



- 3.5 The first floor roof extension would create additional accommodation for bedroom's 1 and 3.
- 3.6 The existing garage is also proposed to be converted into a study and store room. A new window is proposed at the rear of the existing garage and a replacement window within the southern side elevation to serve the study. The store would be served by the existing set of black painted timber garage doors which are shown to be re-used.

#### 4 RELEVANT PLANNING HISTORY

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

- 4.2 Under ref: 09/01486/FULL6, planning permission was granted for a part one/two storey side/rear extension.
- 4.3 Under ref: 09/01486/AMD, a non-material amendment to application ref: 09/01486/FULL6 for the reduction in the height of the pitched roof to the rear was refused as the amendment was determined to be materially different.

## **5 CONSULTATION SUMMARY**

### **A) Statutory**

Trees: There does not appear to be a risk to any significant trees from this proposal so no objection.

Highways: No objection.

### **B) Local Groups**

No comments received.

### **C) Adjoining Occupiers**

No comments received. If any late representations are received they will be reported verbally at the committee meeting.

## **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 National Planning Policy Framework was revised on 20<sup>th</sup> July 2021.
- 6.4 The development plan for Bromley comprises the London Plan (March 2021) and the Bromley Local Plan (2019). The NPPF does not change the legal status of the development plan.
- 6.5 The application falls to be determined in accordance with the following policies:-



## 6.6 National Policy Framework (2019)

## 6.7 The London Plan (2021)

- D3 Optimising site capacity through the design-led approach
- D4 Delivering good design
- G7 Trees and woodlands
- T6 Car parking
- T6.1 Residential Parking
- SI 12 Flood risk management

## 6.8 Bromley Local Plan (2019)

- 6 Residential Extensions
- 8 Side Space
- 30 Parking
- 37 General Design of Development
- 44 Areas of Special Residential Character
- 73 Development and Trees
- 115 Reducing Flood Risk

## 6.9 Bromley Supplementary Guidance

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

# 7 ASSESSMENT

## 7.1 Design, Scale and Layout – Acceptable

7.1.1 Design is a key consideration in the planning process.

7.1.2 Paragraph 126 of the NPPF (2021) states that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

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

7.1.4 Policy D3 of the London Plan relates to 'Optimising site capacity through the design-led approach' and states that all development must make the best use of land by following a design-led approach that optimises the capacity of sites. Form and layout should enhance local context by delivering buildings and spaces that positively respond to local distinctiveness through their layout, orientation, scale, appearance and shape. The quality and character shall respond to the existing character of a place by identifying the special and valued features and characteristics that are unique to the locality and respect, enhance

and utilise the heritage assets and architectural features that contribute towards the local character.

- 7.1.5 Policy D4 of the London Plan outlines the various methods of scrutiny that assessments of design should be based on depending on the level/amount of the development proposed for a site.
- 7.1.6 Policies 6 and 37 of the Bromley Local Plan and the Council's Supplementary design guidance seek to ensure that new development, including residential extensions are of a high quality design that respect the scale and form of the host dwelling and are compatible with surrounding development.
- 7.1.7 Policy 8 of the Bromley Local Plan also relates specifically to Side Space and states that for a proposal of two or more storeys in height, a minimum 1 metre space from the side boundary of the site should be retained for the full height and length of the building; or where higher standards of separation already exist within residential areas, proposals will be expected to provide a more generous side space.
- 7.1.8 The aims and objectives of Policy 8 of the Bromley Local Plan are detailed within paragraph 2.1.68 which states that "the Council considers that the retention of space around residential buildings at first floor and above is essential to ensure adequate separation and to safeguard the privacy and amenity of adjoining residents. It is important to prevent a cramped appearance and unrelated terracing from occurring. It is also necessary to protect the high spatial standards and levels of visual amenity which characterise many of the Borough's residential areas".
- 7.1.9 In addition, Policy 44 of the Bromley Local Plan, which relates specifically to Areas of Special Residential Character, states that development proposed in areas designated as Areas of Special Residential Character (ASRCs) should respect, enhance and strengthen their special and distinctive qualities.
- 7.1.10 The proposed extension would represent a modest change to the overall appearance of the dwelling and its size and design would respect its existing character with the retention of the catslide roof element to the side. The use of matching materials would also help ensure the extension would appear in keeping.
- 7.1.11 The existing flank wall of the garage is sited 0.84m from the southern side boundary of the site. As the proposed extension would align with this existing flank wall, it too would only provide a 0.84m side space at ground floor. However, due to the retention of the catslide roof design which would slope up away from the boundary, the separation to the boundary would increase at first floor to approximately 3.1m at its highest point where it would meet the main roof of the existing dwelling.
- 7.1.12 Accordingly, whilst the proposed development would not meet with the technical requirements of Policy 8 of the Bromley Local Plan, in this instance due its design, it is considered to comply with the overarching aims and

objectives of this Policy in that adequate separation would still be maintained between the application dwelling and its neighbour at No. 75 and the high spatial standards and levels of visual amenity which characterise the area would be protected.

7.1.13 Having regard to the above, it is considered that the design and scale of the proposed extension would respect that of the host dwelling and would not be detrimental to the character, appearance or visual amenities of the ASRC within which it lies. In this regard, the application would comply with the aims and objectives of Policies 6, 8, 37 and 44 of the Bromley Local Plan.

## 7.2 Residential Amenity – Acceptable

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

7.2.2 The proposed extension would be located to the southern side of the dwelling adjacent to the southern side boundary shared with No. 75 Wickham Way. It would not extend further forward of this neighbouring dwelling and whilst it would result in a slight increase in the height of the first floor of the property adjacent to this dwelling, the overall height of the dwelling would remain unaltered.

7.2.3 There are a number of first floor rooflights proposed across the side roof slope of the new cat slide roof which would be additional windows serving the existing bedrooms within the dwelling. These rooflights would face towards the side of No. 75 Wickham Way. These rooflights are shown to be obscure glazed which would limit any overlooking. A condition could also be placed on any approval to require them to be non-opening to further prevent any loss of privacy from occurring.

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

## 7.3 Trees – Acceptable

7.3.1 Policy 73 (Development and Trees) states that proposals for new development will be required to take particular account of existing trees on the site and adjoining land, which in the interests of visual amenity and/or wildlife habitat, are considered desirable to be retained.

7.3.2 There are a number of trees located within and close to the site. However, the Council's Tree Officer has advised that there does not appear to be a risk to any significant trees from this proposal and as such there are no objections to the scheme and no conditions are recommended in the event planning permission is granted.

#### 7.4 Highways - Acceptable

- 7.4.1 The NPPF recognises that transport policies have an important role to play in facilitating sustainable development but also in contributing to wider sustainability and health objectives. The NPPF clearly states that transport issues should be considered from the earliest stage of both plan making and when formulating development proposals and development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.
- 7.4.2 London Plan and Bromley Local Plan Policies encourage sustainable transport modes whilst recognising the need for appropriate parking provision. Car parking standards within the London Plan and Bromley Local Plan should be used as a basis for assessment.
- 7.4.3 The application includes the conversion of the existing garage into a study and store room.
- 7.4.4 The Council's Highways Officer has raised no objection to the proposal due to the presence of existing off-street car parking at the site on the existing driveway to the front of the dwelling.

#### 7.5 Flood Risk – Acceptable

- 7.5.1 Policy SI 12 of the London Plan and Policy 115 of the Bromley Local Plan relate to flood risk.
- 7.5.2 Part of the application site lies within Flood Zones 2 and 3.
- 7.5.3 The applicant has submitted a Householder and Other Minor Extensions in Flood Zone 2 & 3 declaration stating that floor levels within the proposed development will be set no lower than existing levels AND, flood proofing of the proposed development has been incorporated where appropriate. Given the nature of the development, this is considered acceptable.

### **8 CONCLUSION**

- 8.1 Having had regard to the above, it is considered that the proposed development is acceptable.
- 8.2 The scale and design of the proposed extensions would respect and complement the scale and form of the host dwelling and that of surrounding development and would not be detrimental to the character, appearance or visual amenities of the Park Langley Area of Special Residential Character within which it lies.
- 8.3 The proposed development would not give rise to any significant loss of residential amenity to neighbouring occupiers.

- 8.4 The proposed development would not result in adverse harm to trees within and nearby the site.
- 8.5 The development would not result in any harmful impact to levels of on-street parking within the area.
- 8.6 The development would be constructed to minimise any increased risk of flooding.
- 8.7 The proposed development would therefore comply with the overarching aims and objectives of Policies 6, 8, 30, 37, 44, 73 and 115 of the Bromley Local Plan.
- 8.8 Background papers referred to during production of this report comprise all correspondence on the files set out in the Planning History section above, excluding exempt information.

**RECOMMENDATION: Application permitted**

**Subject to the following conditions:**

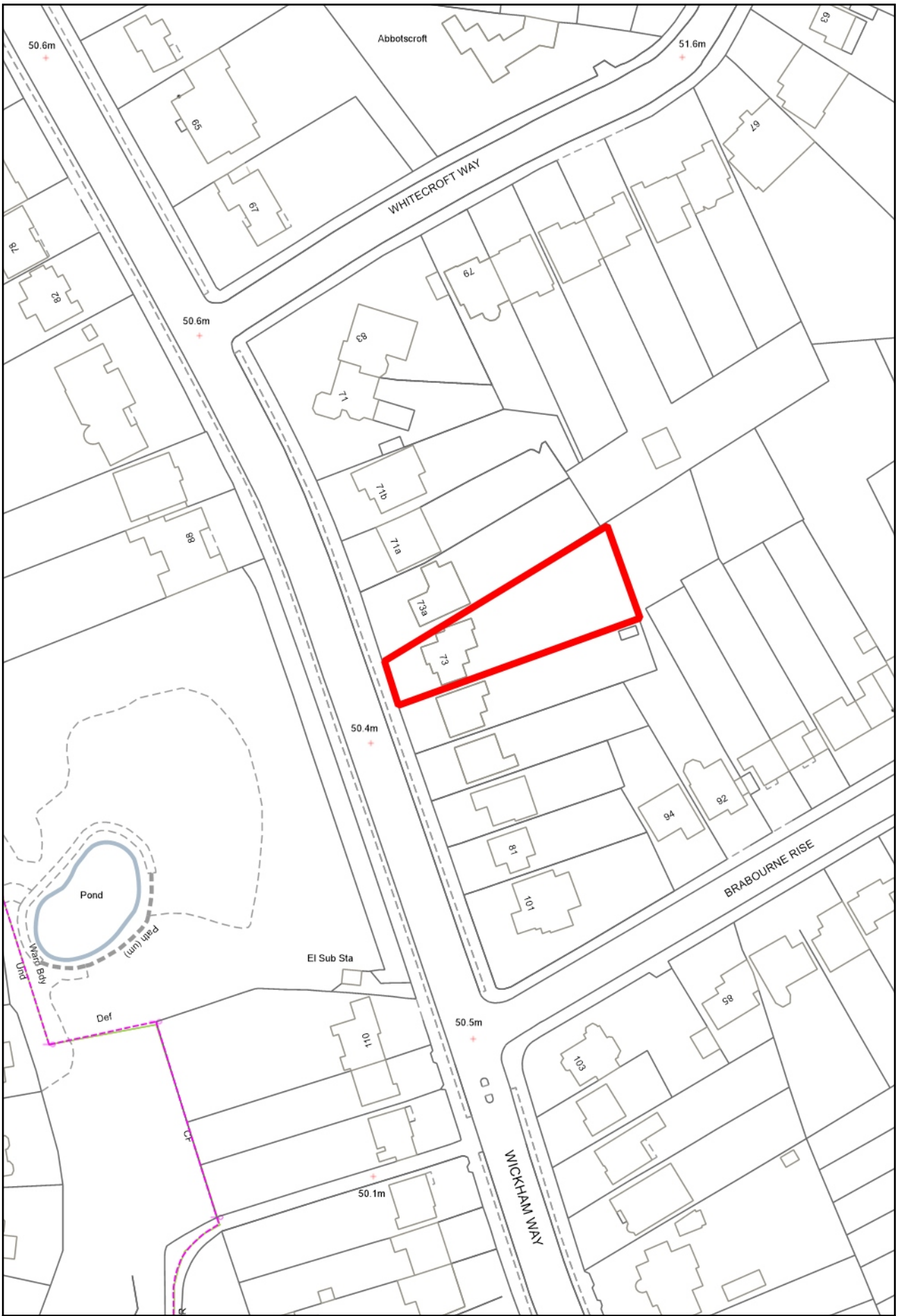
- 1. Standard time limit of 3 years.**
- 2. Standard compliance with approved plans.**
- 3. Materials to match existing dwelling.**
- 4. Obscure glazing and limited opening to flank rooflights.**

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


**Informatives**


*1. Control of Pollution Act 1974 and/or the Environmental Protection Act 1990 and Control of Pollution and Noise from Demolition and Construction Sites Code of Practice 2017.*

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21/03141/FULL6



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# Agenda Item 4.5

<b>Committee Date</b>	16/09/2021	
<b>Address</b>	17 Drayton Avenue Orpington BR6 8JN	
<b>Application Number</b>	21/03396/PLUD	<b>Officer</b> - Alexander De
<b>Ward</b>	Farnborough and Crofton	
<b>Proposal</b>	Single storey detached outbuilding	
<b>Applicant</b>	<b>Agent</b>	
Mrs Elaine Harrison	N/A	
17 Drayton Avenue Orpington BR6 8JN	N/A	
<b>Reason for referral to committee</b>	<b>Councillor call in</b>	
Related to Council employee	No	

<b>RECOMMENDATION</b>	Proposed Use/Development is Lawful
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<p><b>KEY DESIGNATIONS</b></p> <p>Biggin Hill Safeguarding Area London City Airport Safeguarding</p>
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<b>Representation summary</b>	Neighbouring properties were notified of the application by letter dated 06 August 2021
Total number of responses	0
Number in support	0
Number of objections	0

## 1. SUMMARY OF KEY REASONS FOR RECOMMENDATION

- 1.1 The proposed development falls within the scope of Class E of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015.

## 2. LOCATION

- 2.1. The application site is occupied by a detached bungalow facing north onto Drayton Avenue. The site is not situated within any designated land.

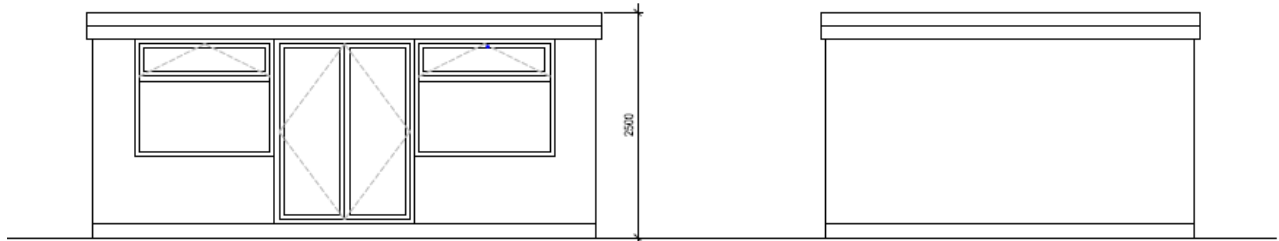
- 2.2. Site location plan



### 3. PROPOSAL

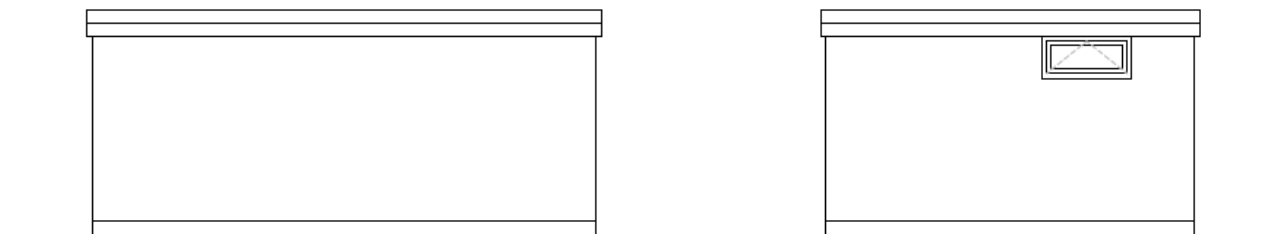
3.1. A Certificate of Lawfulness is sought for the erection of an outbuilding towards the foot of the rear garden. The outbuilding will measure 4.1 metres deep, 5.6 metres wide and have a height of 2.5 metres

3.2. Proposed drawings below;



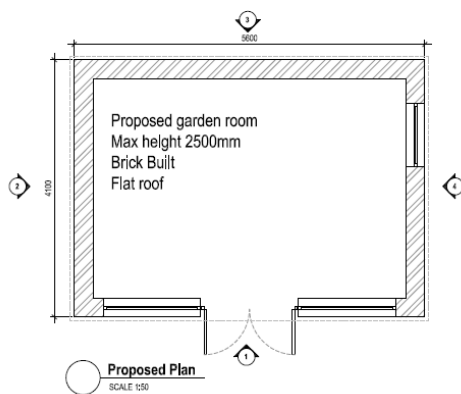
1 **Proposed Front Elevation**  
SCALE 1:50

2 **Proposed Side Elevation**  
SCALE 1:50

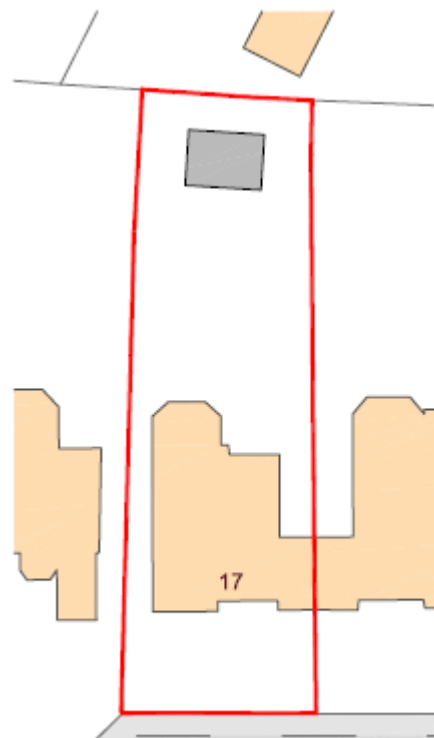


3 **Proposed Rear Elevation**  
SCALE 1:50

4 **Proposed Side Elevation**  
SCALE 1:50



Proposed Plan  
SCALE 1:50



Key Site Plan  
NTS

#### **4. RELEVANT PLANNING HISTORY**

- 4.1. 20/04636/PLUD - Erection of a garden room Lawful Development Certificate. Proposed use is lawful 09 March 2021.
- 4.2. 20/04638/FULL6 - Demolish conservatory and erect single storey rear extension . Pending decision. Application permitted 09 March 2021.

#### **5. CONSULTATION SUMMARY**

##### **A) Statutory**

No requirement to consult any statutory consultees due to the nature of this application.

##### **B) Local Groups**

None were received

##### **C) Adjoining Occupiers**

Nearby owners/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 **Class E** of Schedule 2, Part 1 of the Town and Country Planning (General Permitted Development) (England) Order 2015 and specifically whether any limitations/conditions of the Order are infringed.

#### **7. ASSESSMENT**

- 7.1. Class E allows for the provision within the curtilage of the dwellinghouse of any building or enclosure required for a purpose incidental to the enjoyment of the dwellinghouse. In this instance, the proposed outbuilding (Garden Room) is considered to be for a purpose incidental to the enjoyment of 17 Drayton Avenue and would fall within the scope of Class E and is considered to be permitted development for the following reasons:
- 7.2. The total area of ground covered by buildings within the curtilage (other than the original dwellinghouse) would not exceed 50% of the total area of the curtilage;
- 7.3. No part of the building would be situated on land forward of a wall forming the principal elevation of the original dwellinghouse;
- 7.4. The building would not have more than one storey;
- 7.5. The height of the building would not exceed 2.5m. The maximum height would be 2.5m.

- 7.6. The outbuilding will be within 2m of the boundary and the height of the eaves of the building would not exceed 2.5m. The height of the eaves are 2.5m and the building is not within 2m from the boundary.
- 7.7. The building is not sited within the curtilage of a listed building;
- 7.8. It would not include the construction or provision of a veranda, balcony or raised platform.
- 7.9. It would not relate to a dwelling or a microwave antenna;
- 7.10. The land is not within –
- a World Heritage Site,
  - a National Park,
  - an area of outstanding natural beauty, or
  - the Broads
- 7.11. It is concluded that the development falls within permitted development under Class E and the certificate should therefore be granted.

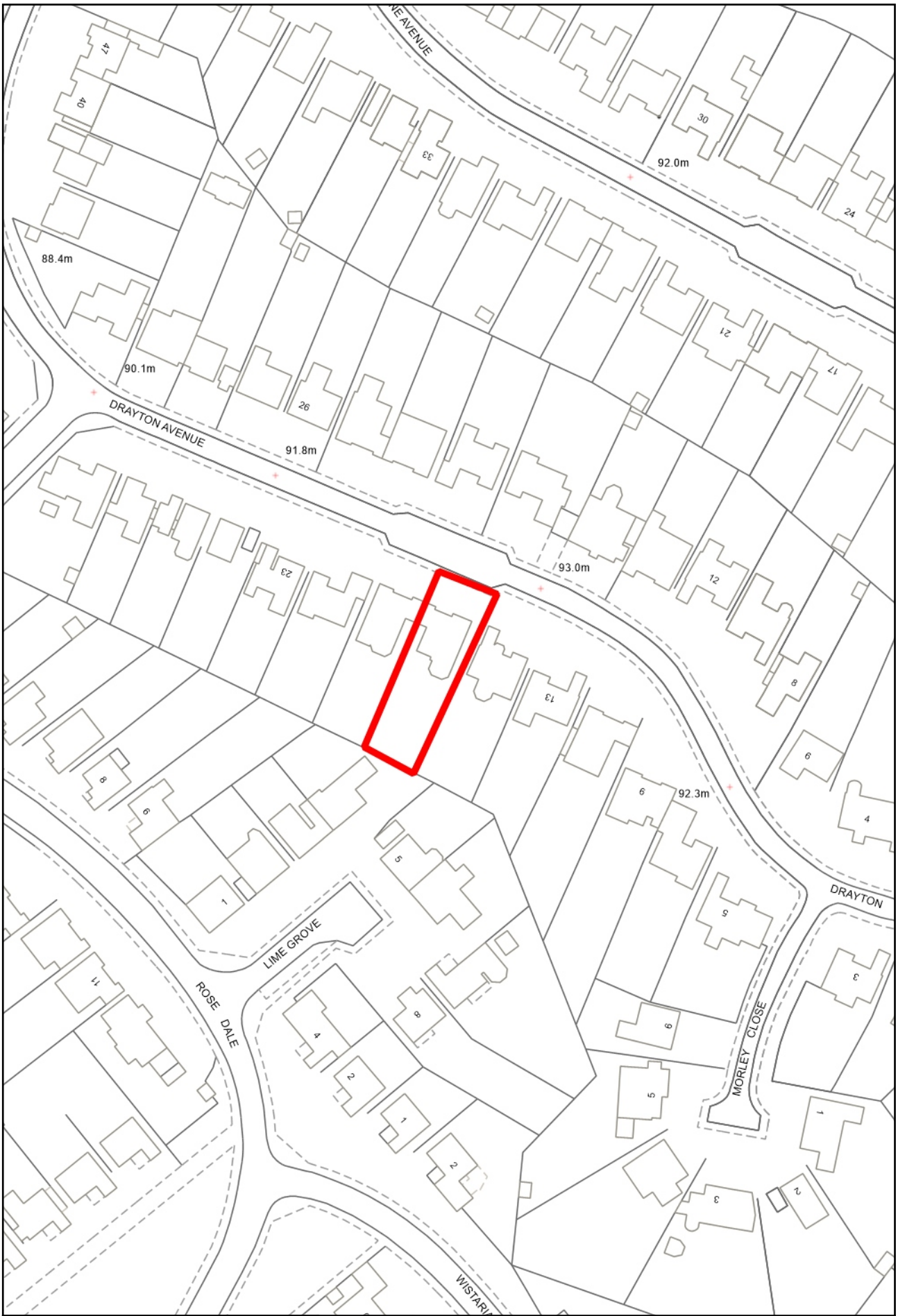
## **8. CONCLUSION**

- 8.1. On the basis of the information before the Council and subject to the development complying with the relevant Conditions as contained in the Order it may be considered that the development falls within the relevant criteria of the Order and the certificate should be granted.
- 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:** Proposed Use/Development is Lawful

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

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 21/03396/PLUD



07 September 2021

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# Agenda Item 4.6

<b>Committee Date</b>	16/09/2021		
<b>Address</b>	10 Derwent Drive Petts Wood Orpington BR5 1EW		
<b>Application Number</b>	21/03564/PLUD	<b>Officer</b> - Suzanne Lyon	
<b>Ward</b>	Petts Wood and Knoll		
<b>Proposal</b>	Proposed hip to gable loft conversion with rear dormers and front and rear rooflights LAWFUL DEVELOPMENT CERTIFICATE (PROPOSED)		
<b>Applicant</b>	Mr Basant Mertia		<b>Agent</b> Mr Alberto Ochoa
	10 Derwent Drive Petts Wood Orpington BR5 1EW		Resi International House Canterbury Crescent Brixton London SW9 7QD
<b>Reason for referral to committee</b>	Call-in		<b>Councillor call in</b> Yes

<b>RECOMMENDATION</b>	Application Approved
-----------------------	----------------------

<p><b>KEY DESIGNATIONS</b></p> <ul style="list-style-type: none"> <li>• Biggin Hill Safeguarding Area</li> <li>• London City Airport Safeguarding</li> <li>• Smoke Control SCA 8</li> </ul>
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<b>Representation summary</b>	Neighbour letters were sent 19.08.21
Total number of responses	0
Number in support	0
Number of objections	0

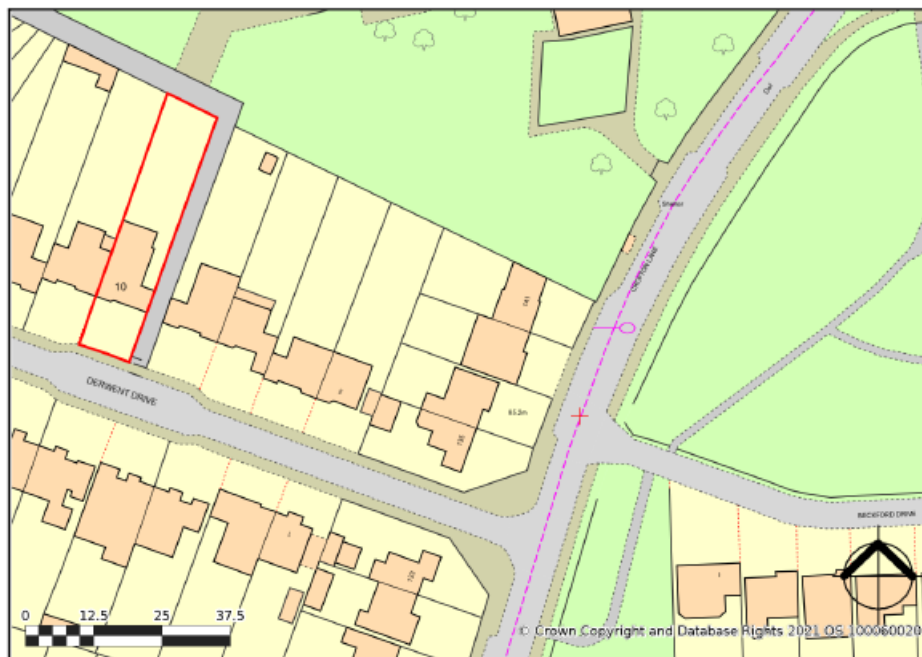
## 1 SUMMARY OF KEY REASONS FOR RECOMMENDATION

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

## 2 LOCATION

2.1 The application site is a semi-detached bungalow located on the northern side of Derwent Drive.

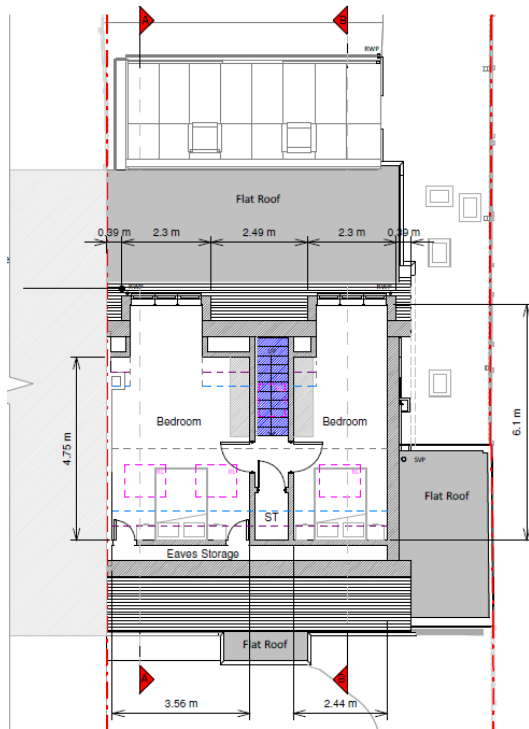
2.2 A public footpath borders the site along the eastern flank and rear boundaries. Crofton Infant School is located to the rear of the site.



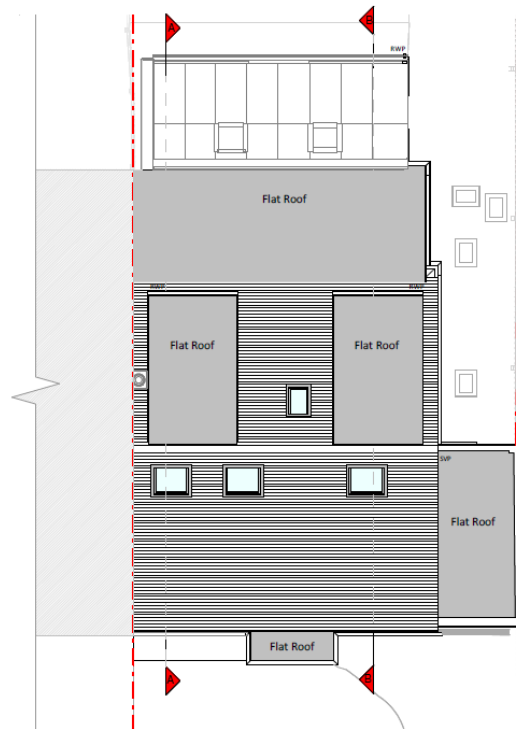
### 3 PROPOSAL

3.1 The proposal is for a loft conversion with a hip to gable extension, two rear dormers and three front rooflights, to provide habitable accommodation within the roof space.

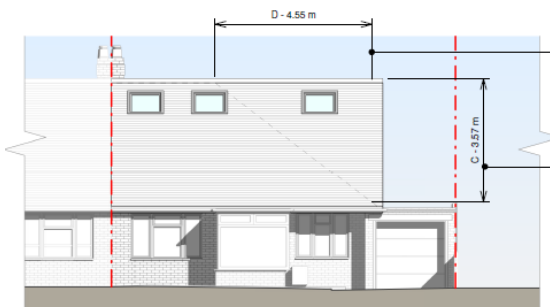
3.2 This application has been 'called-in' by ward Councillors.



Proposed Loft Floor Plan



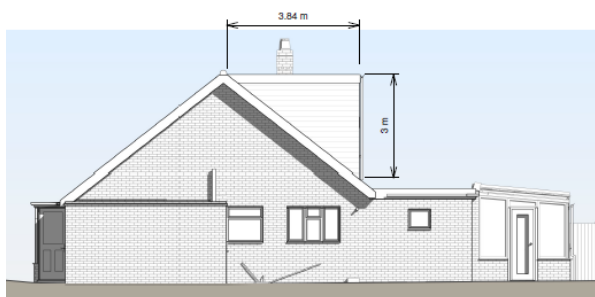
Proposed Roof Plan



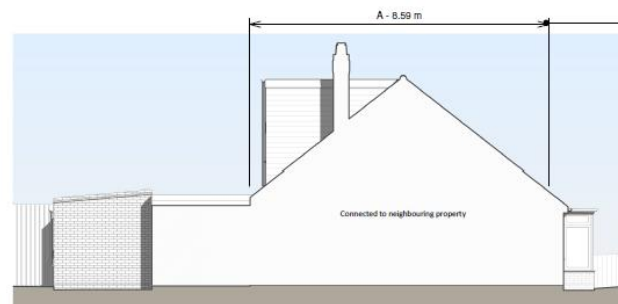
Front elevation



Rear elevation



Right side elevation



Left side elevation

## 4 RELEVANT PLANNING HISTORY

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

- 02/00148/FULL1 - Single storey rear extension for conservatory - Permitted 06.03.2002
- 86/02504/FUL - Single storey side and rear extensions - Permitted 23.10.1986
- 02/01698/FULL1 - Side and rear boundary fence RETROSPECTIVE APPLICATION - Permitted 03.07.2002
- 18/05592/FULL6 - Single storey side extensions incorporating garage conversion, enlargement of existing porch entrance, and enlargement of roof space incorporating extension to rear roof to provide first floor accommodation with rooflights to front and side and Juliet balcony to rear. - Refused 13.06.2019 (APPEAL DISMISSED - Ref: APP/G5180/D/19/3233737)
- 19/00185/PLUD - Loft conversion and roof alterations incorporating hip to gable end and 2 front rooflights PROPOSED LAWFUL DEVELOPMENT CERTIFICATE - Proposed Development Is Not Lawful 03.05.2019
- 19/04604/PLUD - Hip to gable loft conversion with rooflights to front LAWFUL DEVELOPMENT CERTIFICATE (PROPOSED) – Proposed Development Is Lawful 18.12.2019
- 20/00693/FULL6 - Single storey side/rear extensions, conversion of garage to habitable room, enlargement of existing porch entrance, and enlargement of roofspace incorporating hip to gable extension, rear dormer and front roof lights - Refused 27.08.2020 (APPEAL DISMISSED - APP/G5180/D/20/3263465)
- 20/01841/PLUD - Conversion of roof space with hip to gable, rear dormer and front rooflights (Proposed lawful development certificate) - Proposed Development Is Lawful 21.07.2020

4.2 There are also two pending applications on this site:

- 21/03566/FULL6 - Proposed ground floor front, side and rear extension, garage conversion, facade alterations and paved driveway
- 21/03719/HHPA - Single storey rear extension, extending beyond the rear wall of the original house by 6.00m, for which the maximum height would be 3.50m, and for which the height of the eaves would be 2.42m (42 Day Notification for Householder Permitted Development Prior Approval).

## **5 CONSULTATION SUMMARY**

### **A) Statutory**

- No requirement to consult any statutory consultees due to the nature of this application.

### **B) Local Groups**

- N/A

### **C) Adjoining Occupiers (summary)**

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

## **6 POLICIES AND GUIDANCE**

- 6.1 When determining a Lawful Development Certificate, 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 ASSESSMENT**

- 7.1 The application requires the Council to consider whether the proposal falls within the parameters of permitted development under Class B 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. Class B permits the enlargement of a dwellinghouse consisting of an addition or alteration to its roof. In this instance, the proposed hip to gable and rear dormers would fall within the scope of Class B and is considered to be permitted development for the following reasons:

- The property is a single dwellinghouse and has not benefitted from any change of use under class M, N, P or Q.
- The extension will not exceed the height of the highest part of the existing roof.
- The extension would not extend beyond the plane of the existing roof slope which forms the principal elevation and fronts a highway.
- The resulting extensions volume falls within 50 cubic metres allowed in the case of a semi-detached dwelling (49.75m<sup>3</sup>, as shown on the submitted Drawing no: B99825-02-3201 A)
- The proposal does not consist of or include a veranda, balcony or raised platform.
- The proposal does not consist of or include the installation, alteration or replacement of a chimney, flue or soil and vent pipe.
- The proposal does not consist of or include the installation, alteration or replacement of a microwave antenna.

- The house is not sited within a conservation area.
- The materials proposed for the exterior will be similar in appearance to those used in the construction of the exterior of the existing dwellinghouse.
- The dormers provide more than a minimum 0.2m separation from the eaves of the dwelling.
- No flank windows are proposed.

7.2 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:

- The proposed rooflight to the front will not project more than 150mm from the roof slope
- The highest part of the alteration is not higher than the highest part of the original roof
- The proposal does not consist of or include the installation, alteration or replacement of solar photovoltaics or solar thermal equipment.
- No flank windows are proposed

7.3 It is therefore considered that the certificate be granted.

## 8 CONCLUSION

8.1 Having regard to the above, the proposal as submitted would constitute permitted development under Classes B and C of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015.

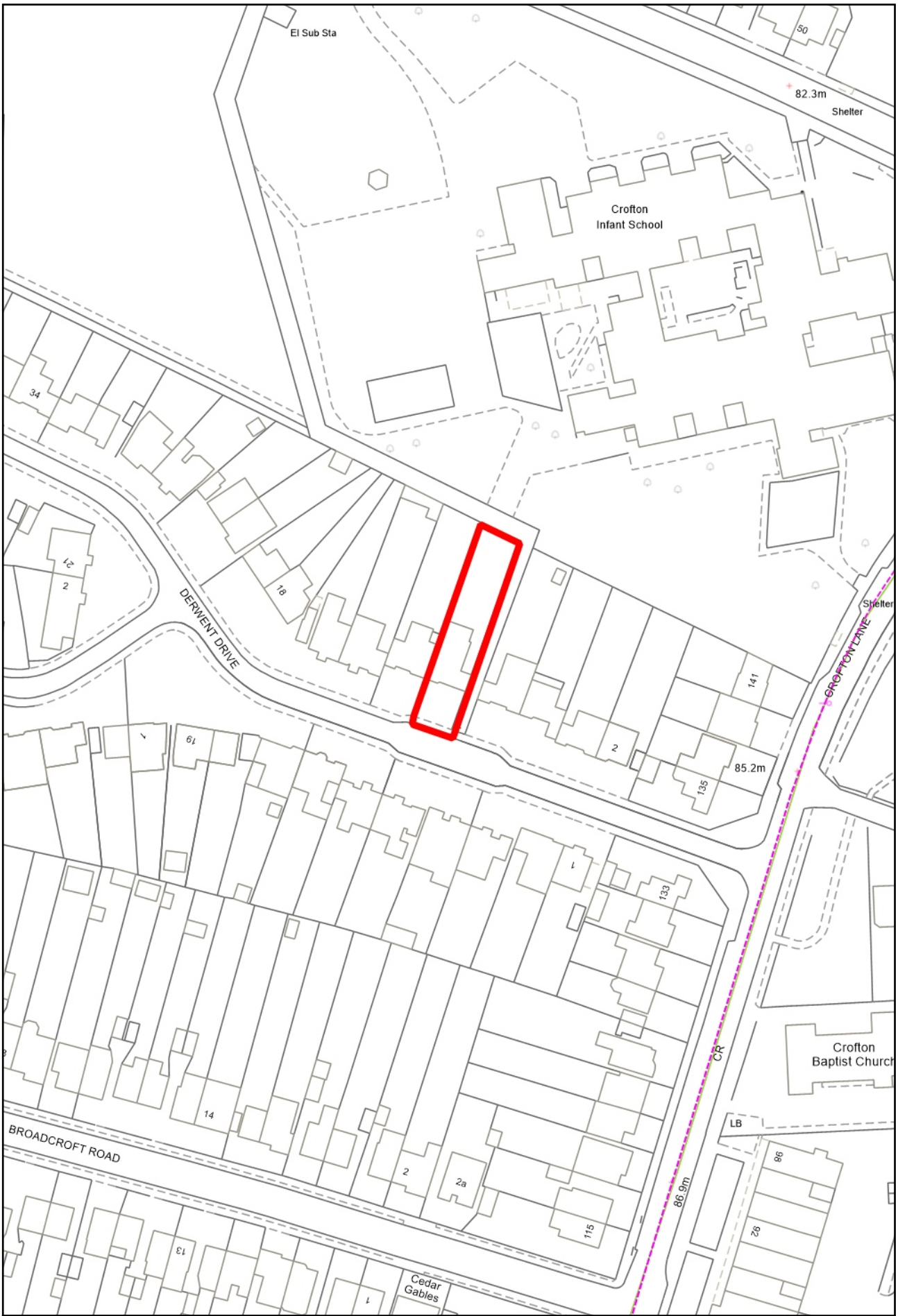
8.2 It is therefore considered that the certificate be granted.

**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.**

Informative:

The Applicant is advised that the assessment of this Lawful Development Certificate has been made in respect of the drawings as submitted. It is noted that other applications on this site are currently pending consideration. The implementation of other extensions at the property may result in these proposed works not constituting permitted development.



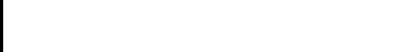
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 21/03564/PLUD



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# Agenda Item 4.7

<b>Committee Date</b>	16/09/2021		
<b>Address</b>	10 Derwent Drive Petts Wood Orpington BR5 1EW		
<b>Application Number</b>	21/03719/HHPA	<b>Officer</b> - Suzanne Lyon	
<b>Ward</b>	Petts Wood And Knoll		
<b>Proposal</b>	Single storey rear extension, extending beyond the rear wall of the original house by 6.00m, for which the maximum height would be 3.50m, and for which the height of the eaves would be 2.42m (42 Day Notification for Householder Permitted Development Prior Approval)		
<b>Applicant</b>	Mr Basant Mertia		<b>Agent</b> Mr Alberto Ochoa
10 Derwent Drive Petts Wood Orpington BR5 1EW		Resi International House Canterbury Crescent Brixton London SW9 7QD	
<b>Reason for referral to committee</b>	Call-in		<b>Councillor call in</b> Yes

<b>RECOMMENDATION</b>	Prior Approval is Not Required
-----------------------	--------------------------------

<p><b>KEY DESIGNATIONS</b></p> <ul style="list-style-type: none"> <li>• Biggin Hill Safeguarding Area</li> <li>• London City Airport Safeguarding</li> <li>• Smoke Control SCA 8</li> </ul>
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<b>Representation summary</b>	Neighbour letters were sent 20.08.2021
Total number of responses	0
Number in support	0
Number of objections	0

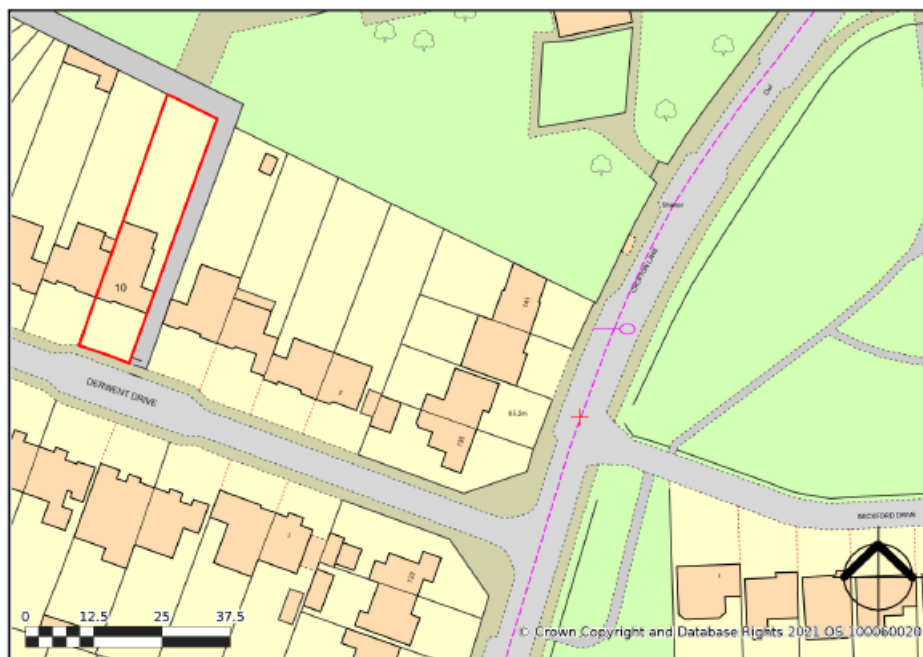
## 1 SUMMARY OF KEY REASONS FOR RECOMMENDATION

1.1 At the time of writing no objection has been received from an owner or occupier of an adjoining premises therefore Prior Approval is not required

## 2 LOCATION

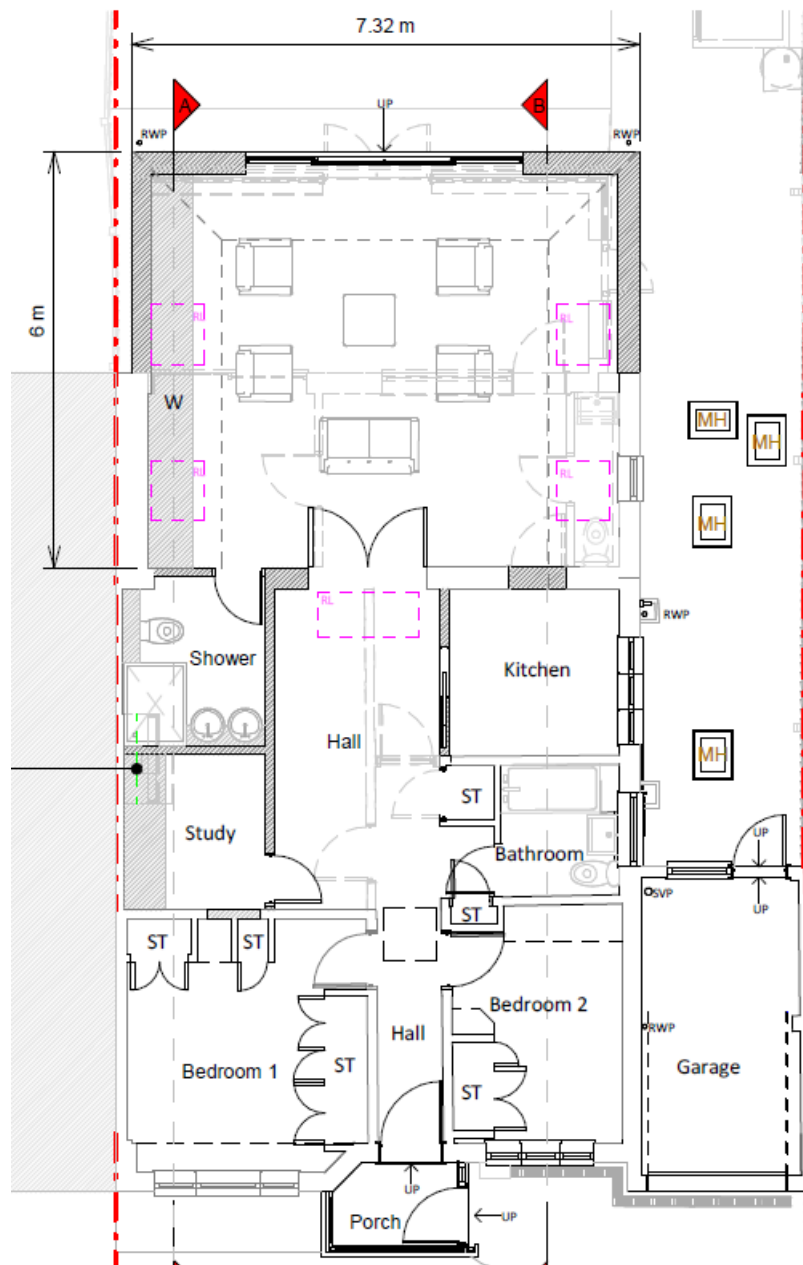
2.1 The application site is a semi-detached bungalow located on the northern side of Derwent Drive.

2.2 A public footpath borders the site along the eastern flank and rear boundaries. Crofton Infant School is located to the rear of the site.



### 3 PROPOSAL

- 3.1 This is a prior approval application for a single storey rear extension that is 6.00m deep, with a maximum height of 3.50m, and eaves height of 2.42m.
- 3.2 The existing rear extension and conservatory will be removed to accommodate the proposal.
- 3.3 This application has been 'called-in' by ward Councillors.



Proposed Floor Plan



Front elevation



Rear elevation



Right side elevation



Left side elevation

## 4 RELEVANT PLANNING HISTORY

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

- 02/00148/FULL1 - Single storey rear extension for conservatory - Permitted 06.03.2002
- 86/02504/FUL - Single storey side and rear extensions - Permitted 23.10.1986
- 02/01698/FULL1 - Side and rear boundary fence RETROSPECTIVE APPLICATION - Permitted 03.07.2002
- 18/05592/FULL6 - Single storey side extensions incorporating garage conversion, enlargement of existing porch entrance, and enlargement of roof space incorporating extension to rear roof to provide first floor accommodation with rooflights to front and side and Juliet balcony to rear. - Refused 13.06.2019 (APPEAL DISMISSED - Ref: APP/G5180/D/19/3233737)
- 19/00185/PLUD - Loft conversion and roof alterations incorporating hip to gable end and 2 front rooflights PROPOSED LAWFUL DEVELOPMENT CERTIFICATE - Proposed Development Is Not Lawful 03.05.2019

- 19/04604/PLUD - Hip to gable loft conversion with rooflights to front LAWFUL DEVELOPMENT CERTIFICATE (PROPOSED) – Proposed Development Is Lawful 18.12.2019
- 20/00693/FULL6 - Single storey side/rear extensions, conversion of garage to habitable room, enlargement of existing porch entrance, and enlargement of roofspace incorporating hip to gable extension, rear dormer and front roof lights - Refused 27.08.2020 (APPEAL DISMISSED - APP/G5180/D/20/3263465)
- 20/01841/PLUD - Conversion of roof space with hip to gable, rear dormer and front rooflights (Proposed lawful development certificate) - Proposed Development Is Lawful 21.07.2020

4.2 There are also two pending applications on this site:

- 21/03564/PLUD - Proposed hip to gable loft conversion with rear dormers and front and rear rooflights LAWFUL DEVELOPMENT CERTIFICATE (PROPOSED)
- 21/03566/FULL6 - Proposed ground floor front, side and rear extension, garage conversion, facade alterations and paved driveway

## 5 CONSULTATION SUMMARY

### A) Statutory

- No requirement to consult any statutory consultees due to the nature of this application.

### B) Local Groups

- N/A

### C) Adjoining Occupiers (summary)

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

## 6 POLICIES AND GUIDANCE

- 6.1 The application falls to be determined in accordance with Class A of Schedule 2, Part 1 of the Town and Country Planning (General Permitted Development) (England) Order 2015.
- 6.2 Class A (g)(i) states that the enlarged part of the dwelling must not extend beyond the rear wall of the original dwellinghouse by more than 8 metres in the case of a detached dwellinghouse or 6 metres in the case of any other dwellinghouse, subject to prior approval.
- 6.3 The following paragraphs are relevant to this application:

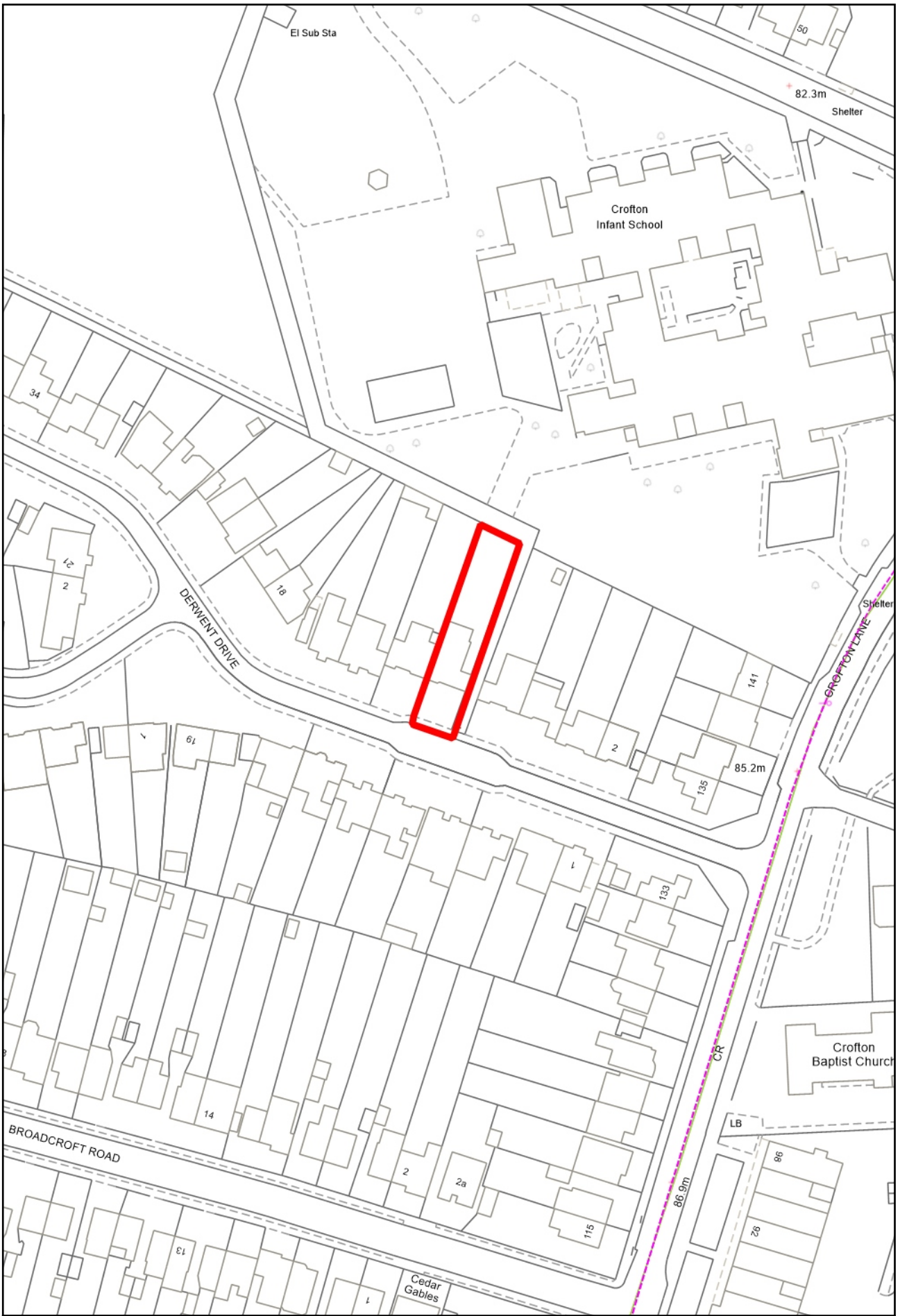
- 6.4 '(7) Where any owner or occupier of any adjoining premises objects to the proposed development, the prior approval of the local planning authority is required as to the impact of the proposed development on the amenity of any adjoining premises.
- 6.5 (8) The local planning authority may require the developer to submit such further information regarding the proposed development as the authority may reasonably require in order to determine the application.
- 6.6 Only when an objection is received from a neighbouring occupier sub paragraph (9) states that the local planning authority must, when considering the impact referred to in sub-paragraph (7)
- (a) take into account any representations made as a result of the notice given under subparagraph (5); and
  - (b) consider the amenity of all adjoining premises, not just adjoining premises which are the subject of representations.'

## **7 ASSESSMENT**


- 7.1 The application site currently benefits from a 2.8m deep single storey rear extension, with additional 2.9m deep conservatory extension (5.7m total) when scaled from the submitted plans. These extensions will be removed to accommodate the proposal. The proposal is for a single storey rear extension that is 6.00m deep, with a maximum height of 3.50m, and eaves height of 2.42m.
- 7.2 At the time of completing the report for this agenda no objections have been received from adjoining properties. As such, the impact on adjoining properties cannot be assessed as Paragraph (7), as set out above, has not been triggered.

## **8 CONCLUSION**

- 8.1 At the time of completing the report for this agenda no objections have been received from an owner or occupier of an adjoining premises therefore Prior Approval is not required.



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