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DATE: 30 November 2021

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

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

A meeting of the Plans Sub-Committee No. 2 will be held at Bromley Civic Centre on  
**THURSDAY 9 DECEMBER 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.

TASNIM SHAWKAT  
Director of Corporate Services & Governance

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 [joanne.partridge@bromley.gov.uk](mailto:joanne.partridge@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*

## A G E N D A

- 1 **APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS**
- 2 **DECLARATIONS OF INTEREST**
- 3 **CONFIRMATION OF MINUTES OF MEETING HELD ON 14 OCTOBER 2021**  
(Pages 1 - 18)
- 4 **PLANNING APPLICATIONS**

Report No.	Ward	Page No.	Application Number and Address
4.1	Chislehurst	19 - 28	(20/00310/RECON) - Chislehurst Sports and Country Club, Elmstead Lane, Chislehurst BR7 5EL
4.2	Bromley Town	To Follow	(20/04654/FULL1) - 25 Elmfield Road, Bromley, BR1 1LT
4.3	Chelsfield & Pratts Bottom	29 - 40	(20/04742/FULL6) - 4 Daleside, Orpington BR6 6EQ
4.4	Kelsey & Eden Park	41 - 48	(21/03841/FULL6) - 59 Manor Way, Beckenham, BR3 3LN
4.5	Petts Wood & Knoll	49 - 62	(21/03881/FULL6) - 69 Broomhill Road, Orpington, BR6 0EN
4.6	Petts Wood & Knoll	63 - 70	(21/03959/PLUD) - 10 West Way, Petts Wood, Orpington BR5 1LW

## 5 **CONTRAVENTIONS AND OTHER ISSUES**

**NO REPORTS**

## 6 **TREE PRESERVATION ORDERS**

**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. 2

Minutes of the meeting held at 7.00 pm on 14 October 2021

### Present:

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

### Also Present:

Councillor Michael Tickner

## 19 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

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

## 20 DECLARATIONS OF INTEREST

Councillor Dykes declared a non-pecuniary interest in Item 4.6 as she was acquainted with the applicant's partner.

## 21 CONFIRMATION OF MINUTES OF MEETING HELD ON 19 AUGUST 2021

**RESOLVED** that the Minutes of the meeting held on 19 August 2021 be confirmed and signed as a correct record.

## 22 PLANNING APPLICATIONS

### 22.1 KELSEY AND EDEN PARK (21/00548/FULL1) 26 Manor Road, Beckenham BR3 5LE

Description of application - Elevational alterations and second/third floor upward extension to existing building incorporating mansard roof and front and rear dormers, excavation of basement and lightwells and construction of four storey rear extension. Conversion of resultant building into 5 no. residential flats (3 no. two bedroom and 2 no. 1 bedroom) with balconies/terraces at first, second and third floor. Formation of surface car parking spaces at rear, provision of rear cycle and refuse storage and 2 no. electric car charging points at front.

The Development Management Team Leader – Major Developments reported late objections had been

received and circulated to Members. These late objections raised no further concerns.

Councillor Dean considered the applicant had overcome Members' previous reasons for refusal and moved that permission be granted.

Councillor Scoates moved to refuse the application based on the fact that the development was still too bulky. He would prefer to see a two storey development with dormer window. There was also insufficient parking provision.

The Development Management Team Leader – Major Developments advised that due to time constraints, it was recommended that Members' reach a decision at this meeting.

Members having considered the report and objections **RESOLVED that PERMISSION BE GRANTED** subject to the following conditions and informatives:-

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

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

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

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

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

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

hierarchy contained within the London Plan Policy SI13 and the advice contained within the National SuDS Standards.

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

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

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

Reason: Details are required prior to the commencement of any new operational development in order to ensure that a satisfactory means of surface water drainage, to reduce the risk of flooding can be achieved before development intensifies on site and to comply with the Policy SI13 of the London Plan and Policies 115, 116 and 117 of the Bromley Local Plan.

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

(a) Dust mitigation and management measures.

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

(c) Measure to reduce demolition and construction noise

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

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

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

(iii) Measures to deal with safe pedestrian movement.

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

(v) Parking for operatives during construction period

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

(e) Hours of operation

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

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

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

5. Prior to commencement of development (excluding demolition) details of the proposed slab levels of the building(s) and the existing site levels shall be submitted to and approved in writing by the Local Planning Authority . The development shall be completed strictly in accordance with the approved levels.

Reason: Required prior to commencement in order to ensure that a satisfactory form of development can be undertaken on the site in the interest of visual amenity and to comply with Policy 37 of the Bromley Local Plan.

6(a) Details of arrangements for storage of refuse and recyclable materials (including means of enclosure for the area concerned where necessary) shall be submitted to and approved in writing by the Local Planning Authority prior to construction of any above ground works

(b) The arrangements as approved under part (a) shall be completed before any part of the development hereby permitted is first occupied, and permanently retained thereafter.

Reason: In order to comply with Policy 37 of the Bromley Local Plan and in order to provide adequate refuse storage facilities in a location which is acceptable from the residential and visual amenity aspects.

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

(b) The arrangements as approved under part (a) shall be completed before any part of the development hereby permitted is first occupied, and permanently retained thereafter.

Reason: In order to comply with Policy T5 of the London Plan and in order to provide adequate bicycle parking facilities at the site in the interest of reducing reliance on private car transport.

8(a) Details of a scheme to light the access drive and car parking areas hereby permitted shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of above ground works.

(b) The approved scheme shall be self-certified to accord with BS 5489 - 1:2003

(c) The lighting scheme as shall be implemented in full accordance with details submitted under Part (a) before the development is first occupied and the lighting shall be permanently retained thereafter.

Reason: In order to comply with Policies 30 and 37 of the Bromley Plan in the interest of visual amenity and the safety of occupiers of and visitors to the development.

9. Details of the means of privacy screening for all balconies shall be submitted to and approved in writing by the Local Planning Authority before any above ground construction is commenced. The development shall be carried out in accordance with the approved details prior to the balcony being brought into use and permanently retained as such.

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

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

1. A scaled plan showing all existing vegetation to be retained and trees and plants to be planted which shall include use of a minimum of 30% native plant species of home grown stock (where possible) and no invasive species
2. Proposed hardstanding and boundary treatment
3. A schedule detailing sizes and numbers of all proposed trees/plants
4. Sufficient specification to endure successful establishment and survival of new planting.

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

(iii) Any new tree(s) that die(s), are/is removed or become(s) severely damaged or diseased shall be replaced and any new planting (other than trees)



which dies, is removed, becomes severely damaged or diseased within five years of planting shall be replaced. Unless further specific permission has been given by the Local Planning Authority, replacement planting shall be in accordance with the approved details

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

11(a) Prior to commencement of above ground works, details (including samples) of the materials to be used for the external surfaces of the building which shall include roof cladding, wall facing materials and cladding, window glass, door and window frames, decorative features, rainwater goods and paving where appropriate shall be submitted to and approved in writing by the Local Planning Authority.

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

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

12. Before commencement of the use of the land or building hereby permitted parking spaces (including electric car charging points as shown on the submitted drawings) and turning space shall be completed in accordance with the details as set out in this planning permission and thereafter shall be kept available for such use and no permitted development whether permitted by the Town and Country Planning (General Permitted Development) Order (England) 2015 (or any Order amending, revoking and re-enacting this Order) or not shall be carried out on the land or garages indicated or in such a position as to preclude vehicular access to the said land or garages.

Reason: In order to comply with Policy 30 of the Bromley Local Plan and to avoid development without adequate parking or garage provision, which is likely to lead to parking inconvenient to other road users and would be detrimental to amenities and prejudicial to road safety.

13. Before any part of the development hereby permitted is first occupied boundary enclosures of a height and type to be approved in writing by the Local Planning Authority shall be erected in such positions along the boundaries of the site(s) as shall be approved and shall be permanently retained thereafter.

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

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

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

15. No windows or doors additional to those shown on the permitted drawing(s) shall at any time be inserted in the flank elevation of the development hereby permitted, without the prior approval in writing of the Local Planning Authority.

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

#### INFORMATIVES

CIL  
Street naming and numbering

#### 22.2 BROMLEY TOWN

**(21/01294/FULL1) - Billingsford, Elstree Hill,  
Bromley BR1 4JE**

Description of application - Demolition of existing dwelling and erection of 3 no. three bedroom dwellings with 6 car parking spaces, cycle and refuse storage and associated landscaping. REVISED PLANS RECEIVED 12/7/21 - REDUCING FROM 4 TO 3 HOUSES.

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

The Development Management Team Leader – Major Developments reported that a letter from Ravensbourne Valley Residents had been received and circulated to Members.

Committee Member and Ward Member Councillor Dykes requested more softscaping greenery.

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 and subject to any other planning condition(s) considered necessary by the Assistant Director, Planning.

The following two conditions were added:-

23(a) Prior to commencement of above ground works, details (including samples) of the materials to be used for the external surfaces of the building which shall include roof cladding, wall facing materials and cladding, window glass, door and window frames, decorative features, rainwater goods and paving where appropriate shall be submitted to and approved in writing by the Local Planning Authority.

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

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

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

1. A scaled plan showing all existing vegetation to be retained and trees and plants to be planted which shall include use of a minimum of 30% native plant species of home grown stock (where possible) and no invasive species

2. Proposed hardstanding and boundary treatment.

3. A schedule detailing sizes and numbers of all proposed trees/plants

4. Sufficient specification to endure successful establishment and survival of new planting.

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

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

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

**22.3**  
**PETTS WOOD AND KNOLL**

**(21/02457/FULL6) - 37 Wood Ride, Petts Wood, Orpington BR5 1QA**

Description of application - Part one/part two storey wraparound extension, enclosure of existing open porch, loft extension including gabled dormers to side elevations and rooflights. (Amended drawings and description).

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

The Chairman requested removal of Permitted Development Rights Classes A, B and C.

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 and subject to any other planning condition(s) considered necessary by the Assistant Director, Planning.

The following condition was added:-

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 building, structure, extension, enlargement or alteration permitted by Class A, B and C 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.

**22.4  
COPERS COPE  
CONSERVATION AREA**

**(21/02578/FULL6) - Telephone Kiosk Fronting  
75 High Street, Beckenham**

Description of application - Removal of existing BT phone box and installation of a proposed replacement BT street hub and associated display of advertisement on both sides of the unit.

This application was considered jointly with Item 4.5.

Oral representations from Ward Member Councillor Michael Tickner in objection to the application were received at the meeting. Councillor Tickner considered that the telephone hub was unnecessary and amounted to street clutter; it was only included in order to gain free advertising. By permitting this application, the Council would be giving the applicant leeway to earn money free of charge.

The Head of Development Management gave the following update which had been circulated to Members prior to the meeting:-

Paragraph 3.1 on page 89 of the report (second sentence) was amended as follows: "The new structure would measure 1.2m wide, 3m high and 0.35m deep."

The following paragraph was added to page 94 of the report:-

'7.2.7 The development would therefore fail to preserve or enhance the character and appearance of the Conservation area. It is considered that the proposed BT Street Hub would result in less than substantial harm to this designated heritage asset, and whilst it is acknowledged that the proposal would result in public benefit in the form of 5G enablement, free phone calls and access to emergency services etc. this would not outweigh the harm identified in this case.'

Paragraph 8.1 on page 94 of the report was replaced as follows:-

8.1 Having regard to the above, the development would fail to preserve or enhance the character and appearance of the Conservation Area and would result in less than substantial harm to the designated heritage asset. The proposal would incorporate additional communications infrastructure including wi-fi connectivity and expanded network coverage with 5G mobile enablement. These would constitute public benefits which should be afforded significant weight in the overall planning balance, however in this instance it is not considered that the benefits would outweigh the harm that has been identified.

The recommendation remained as set out in the report.

Members having considered the report, **RESOLVED that the application be REFUSED** as recommended, for the reason set out in the report of the Assistant Director, Planning.

**22.5  
COPERS COPE  
CONSERVATION AREA**

**(21/02651/ADV) - Telephone Kiosk Fronting  
75 High Street, Beckenham**

Description of application – Two digital 75 inch LCD display screens, one on each site of the proposed BT Hub unit.

This application was considered jointly with item 4.4.

Oral representations from Ward Member Councillor Michael Tickner in objection to the application were received at the meeting. Councillor Tickner considered that the telephone hub was unnecessary and amounted to street clutter; it was only included in

order to gain free advertising. By permitting this application, the Council would be giving the applicant leeway to earn money free of charge.

The Head of Development Management gave the following update which had been circulated to Members prior to the meeting:-

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8.1 Having regard to the above, the development would fail to preserve or enhance the character and appearance of the Conservation Area and would result in less than substantial harm to the designated heritage asset. The proposal would incorporate additional communications infrastructure including wi-fi connectivity and expanded network coverage with 5G mobile enablement. These would constitute public benefits which should be afforded significant weight in the overall planning balance, however in this instance it is not considered that the benefits would outweigh the harm that has been identified.

The recommendation remained as set out in the report.

Members having considered the report, **RESOLVED that the application be REFUSED** as recommended, for the reason set out in the report of the Assistant Director, Planning.

**22.6  
FARNBOROUGH AND  
CROFTON CONSERVATION  
AREA**

**(21/02692/FULL6) - Marchurst, Hazel Grove,  
Orpington BR6 8LU**

Description of application – Part one/two storey side and rear extension and elevational alterations.

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

**22.7  
CRYSTAL PALACE  
CONSERVATION AREA**

**(21/03684/PLUD) - Light Trail, Crystal Palace Park,  
Thicket Road, Anerley SE20 8DT**

Description of application – Temporary light installation trail/exhibition within Crystal Palace Park between November 2021 and January 2022.

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

Members having considered the report **RESOLVED that a CERTIFICATE OF LAWFUL DEVELOPMENT be GRANTED** as recommended, for the reason set out in the report of the Assistant Director, Planning.

**22.8  
KELSEY AND EDEN PARK**

**20/04446/ELUD - Land at Junction with South  
Eden Park Road and Bucknall Way, Beckenham**

Description of application – Use of the land circled in red on drawing 15124 S101B for the storage of cars or for the parking of cars or as a car park in association with car dealerships (LAWFUL DEVELOPMENT CERTIFICATE – EXISTING).

The Head of Development Management reported that this was identical to a previous application determined in February 2020 but for the inclusion of legal advice obtained by the applicant which argued that the Council did not properly apply the law to the facts on that application. The Council did grant the previous Lawful Development Certificate with modifications which meant the Council did not agree that all of the land that the applicant had sought the Certificate for could be certified, so a smaller area of the site was granted. The applicant was now asking the Council to reconsider its previous decision and argued that the Certificate should be granted for the entire site as



submitted. The application is now the subject of an appeal against non-determination and having considered the application and taken legal advice, the officer view is that the previous assessment remained sound and were the Council able to determine the application, the recommendation would again be to grant the Certificate with modification for a reduced portion of the site. However, as there was an appeal, the officer recommendation was that Members resolve to contest on the basis that the use was not considered to have taken place across the entirety of the site.

Committee Member and Ward Member Councillor Dean, advised that cars had been parking on the grassed area for more than 10 years and enforcement action had never been taken. As a result, the Council would probably lose if the appeal was contested. The applicant already had permission to build over 140 properties on the site and although work had started, the development had been held up due to negotiations on one of the conditions. The Council had lost every appeal submitted by this particular developer at huge cost to the Authority. It was likely that the Council would lose this appeal and the site would be fully developed in the future. Councillor Dean moved not to contest the appeal.

The Head of Development Management confirmed that Counsel opinion had been sought on the previous decision and how to approach this particular scenario. That advice was reflected in the report.

The Legal Officer reported that advice from a QC had also been sought. The QC had seen the report in its draft stage and had supported the conclusion.

The Chairman moved to contest the appeal.  
Councillor Dykes seconded the motion.

Members having considered the report and objections, **RESOLVED TO CONTEST THE APPEAL** as recommended, for the reason set out in the report of the Assistant Director, Planning.

## 24 TREE PRESERVATION ORDERS

### 24.1 BROMLEY COMMON AND KESTON

#### **Confirmation of TPO 2718, 101 Gravel Road, Bromley BR2 8PW**

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

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

The Principal Tree Officer advised that a third party could apply for works to be carried out on the tree. If granted, that third party would be able to prune the tree back to the boundary line.

Members having considered the report, objections and representations,  
**RESOLVED that TPO 2718 relating to one Oak tree be CONFIRMED WITHOUT MODIFICATION** as recommended in the report of the Assistant Director of Planning.

### 24.2 FARNBOROUGH AND CROFTON

#### **Confirmation of TPO 2720, 21 and 25 Poplar Avenue, Orpington BR6 8LA**

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

The Principal Tree Officer advised that a statement from loss adjusters relating to subsidence issues of a neighbouring property had been received and circulated to Members. If it was proved that the tree caused subsidence, the owners of the neighbouring property could submit an application for removal.

Following a motion for deferral, the Principal Tree Officer advised that due to time restraints, a decision should be made at this meeting.

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

Members having considered the report, objections and representations, **RESOLVED that TPO 2720 relating to two Oak trees be CONFIRMED WITHOUT MODIFICATION** as recommended in the report of the Assistant Director of Planning.

**24.3  
PETTS WOOD AND KNOLL**

**Confirmation of TPO 2721 Dale Wood Road,  
Orpington**

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

Members having considered the report, objections and representations, **RESOLVED that TPO 2721 relating to various trees be CONFIRMED WITHOUT MODIFICATION** as recommended in the report of the Assistant Director of Planning.

**24.4  
PLAISTOW AND  
SUNDRIDGE**

**Confirmation of TPO 2722, Land adjacent to  
58 London Road, Bromley BR1 3QZ**

The Principal Tree Officer advised that the planning history on the site adjacent to the Old Hop and Rye (formerly known as the Beech Tree Pub), had recently received planning permission for a Class C3 and E use for 8 residency units on the upper levels with a mini-market on the lower level and car parking to the front. While this was a significant consideration as to why the TPO was made, it had been omitted from the officers report.

Committee Member and Ward Member Councillor Turner stated that although the tree did not form part of any green space and was not dominant in the area, it should be retained.

Members agreed that criteria for a TPO had been met.

Members having considered the report and objections, **RESOLVED that TPO 2722 relating to several trees be CONFIRMED WITHOUT MODIFICATION** as recommended in the report of the Assistant Director of Planning.

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Any Other Business

Councillor Scoates reported that this was the final meeting to be clerked by the Democratic Services Officer, Mrs Lisa Thornley before her retirement. He expressed his gratitude to Lisa for her long service to the Council. The Chairman and Members echoed Councillor Scoates' words of appreciation.

The meeting ended at 8.10 pm

Chairman

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# Agenda Item 4.1

<b>Committee Date</b>	09.12.2021	
<b>Address</b>	Chislehurst Sports And Country Club Elmstead Lane Chislehurst BR7 5EL	
<b>Application Number</b>	20/00310/RECON	<b>Officer</b> - Gill Lambert
<b>Ward</b>	Chislehurst	
<b>Proposal</b>	Variation of condition 4 (limit on hours of operation and numbers and ages of children) of permission ref.20/00310/FULL1 granted for proposed additional use of clubhouse as a day nursery from Mondays to Fridays between 07.30 hours and 18.30 hours, in order to allow an increase in the number of children from 40 to 64	
<b>Applicant</b>	<b>Agent</b>	
Pink Elephants Nursery Ltd Love	Jonathan Love	
Chislehurst Sports And Country Club Elmstead Lane Chislehurst BR7 5EL	15 Serviden Drive Bromley BR1 2UB	
<b>Reason for referral to committee</b>	<b>Councillor call in</b>	
Call-In	Yes	

<b>RECOMMENDATION</b>	Approve Details or Condition
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<p>KEY DESIGNATIONS</p> <p>Biggin Hill Safeguarding Area Green Chain London City Airport Safeguarding Metropolitan Open Land Sites of Interest for Nat. Conservation Smoke Control SCA 10</p>
---

<b>Vehicle parking</b>	Existing number of spaces	Total proposed including spaces retained	Difference in spaces (+ or -)
Standard car spaces			No change
Disabled car spaces			
Cycle			

<b>Representation summary</b>	Neighbour letters were sent 03.06.2021	
Total number of responses	6	
Number neutral	1	
Number of objections	5	

## **SUMMARY OF KEY REASONS FOR RECOMMENDATION**

- The proposals are not considered to result in inappropriate development in the MOL, and would preserve the openness of MOL and would not conflict with the purposes of including land within it
- The development would not adversely affect the amenities of neighbouring residential properties
- The proposals would not have adverse impacts on parking or highway safety

### **1 LOCATION**

1.1 The site lies on the western side of Elmstead Lane and is situated within Metropolitan Open Land. It also forms part of the Green Chain.

1.2 The clubhouse and the vehicular access to the site lie opposite residential dwellings in Elmstead Lane.

### **2 PROPOSAL**

2.1 Permission was granted in June 2020 (ref.20/00310/FULL1) for the proposed additional use of the clubhouse at Chislehurst Sports Club as a day nursery from Mondays to Fridays between the hours of 07.30 and 18.30. Condition 4 limited the number of children to 40, and the current application has been submitted in order to increase the number of children to 64.

- 2.2 The applicant states as follows: “We put in the approval for 40 children when we submitted the approval as this was what had been granted previously in an expired permission which had been granted. We did not envisage the demand from the local community for spaces for children within the nursery and are now at full capacity having only opened in September 2020. We have the space within the existing floor space for another 8 children in pre-school and the owners have granted us permission to use other rooms within the building for another 18. We have had an overwhelming demand from local residents for spaces and the immediate concerns of causing extra traffic on the busy road have not caused issues since we opened. Over 60% of our families walk to the setting instead of driving. If we are unable to expand our numbers then we cannot fulfil the need for spaces in our pre-school room once children reach 3 and can access free funding. The storage rooms that we would take over are filled with stock at present by the owner so are not used on a regular basis so we can make better use of the space. We will need to knock through 2 internal walls for which we will need to contact building regulations if this permission is granted. If we vacate the building then we will be responsible for putting back internal walls. We will also need to create a partition so that the toilets can be accessed for those using the field (currently Babbington house for sports). In the current rooms that we have we have space for 8 more pre-school children according to OFSTED rules on space needed per child. We would also like to use the storage rooms as well. We are requesting a further 24 spaces in total.”
- 2.3 Further information was submitted on 15<sup>th</sup> November 2021 regarding the management of noise levels from children playing outside and parents dropping off and picking up the children.
- 2.4 The application was supported by the following documents:
- Road Safety Assessment

### **3 RELEVANT PLANNING HISTORY**

- 3.1 The relevant planning history relating to the application site is summarised as follows:
- 3.2 Permission was granted in 2014 (14/03846) for the proposed additional use of the clubhouse as a day nursery from Monday to Friday. This permission expired.
- 3.3 Permission was refused in 2015 (ref.15/01150) for the re-surfacing of the existing tennis courts and the use of one court as a nursery playground with a canopy, and the use of the other court for multi sports use with replacement 2.4m high mesh fencing on the following grounds:

“The proposed soft play area and canopy structure would not serve a purpose essential for outdoor sport and recreation at the site, would constitute inappropriate development in the Metropolitan Open Land, and would undermine the visual amenity and openness of the MOL, contrary to Policy G2 of the Unitary Development Plan.”

- 3.4 Permission was granted in June 2020 (ref.20/00310/FULL1) for the proposed additional use of the clubhouse at Chislehurst Sports Club as a day nursery from Mondays to Fridays between the hours of 07.30 and 18.30.
- 3.5 Retrospective permissions were granted in January 2021 for a replacement 2m high vehicular access gate (ref.20/04131/FULL1) and a lamppost at the entrance to the car park (ref.20/04268/FULL1).

## **4 CONSULTATION SUMMARY**

### **A) Statutory/Non-Statutory**

#### Highways – No objection

- The increased numbers of children would result in an increase of 2 or 3 staff who would drive and 8 children being dropped off by car. It would be difficult to sustain a ground of refusal on those numbers. The road safety report does not raise any serious issues, and therefore no highways objections are raised to the proposals
- With regard to the vehicular access, Condition 3 of the original application should have been discharged before the nursery opened. The gates have already been widened under ref.20/04131. Looking at the crossover, it is already 6m wide at the kerb but tapers in quite sharply so it needs squaring off to match the gates. The works will need to be carried out by the Council and paid for by the applicant. A condition requiring these works should be re-imposed.

#### Environmental Health Pollution – No objection

- No noise assessment appears to have been carried out at the site previously, and although there does not appear to have been any issues with noise disturbance to date, the accommodation of an extra 24 children could have an impact on noise disturbance in the area. However, additional information was submitted on 15<sup>th</sup> November 2021 regarding the management of noise from children playing outside, and no environmental health objections are now raised to the proposals.

#### Sport England – No objection

- No objections are raised to the proposed variation allowing an increase in the number of children at this site.

#### Early Years – No objection

- The application allows sufficient space to be able to increase the numbers of children on-site at any one time, by using the additional spaces being made available to them. They will increase the pre-school room by 8 children which is downstairs. They will have an additional 8 babies and 8 toddlers by removing some internal walls to increase the space for the younger children. They have given some consideration as to how more children will be evacuated safely from the upstairs room in an emergency.



- Early Years fully support this application, the nursery has a waiting list of children wanting to join them.

## **B) Adjoining Occupiers**

### Traffic and parking (addressed in paras. 6.3.4 and 4 – Highways)

- Increased traffic on the road detrimental to pedestrian safety
- Increased pressure on parking in surrounding roads
- Hazardous entry/exit

### Metropolitan Open Land (addressed in para.6.2.2)

- The building is on Metropolitan Open Land and should only be used for sports, social and leisure uses, and should not be used commercially

### General (addressed in para.4 – Early Years)

- The building and designated play area are too small for the amount of children proposed
- Likely future proposal to extend the building in order to accommodate the increased number of children

## **C) Local Groups (The Chislehurst Society)**

- No objections are raised to this upgrading, subject to adequate provision being made for the increased parking and access requirements which will follow this increased use, and which may have a detrimental impact on the amenities enjoyed by neighbouring properties.

## **5 POLICIES AND GUIDANCE**

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

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

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

5.3 The National Planning Policy Framework was published on 20<sup>th</sup> July 2021, and is a material consideration.

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

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

#### 5.6 The London Plan

- D1 London's form and characteristics
- D3 Optimising site capacity through the design-led approach
- D4 Delivering good design
- T6 Car parking

#### 5.7 Bromley Local Plan 2019

- 20 Community Facilities
- 27 Education
- 30 Parking
- 32 Road Safety
- 37 General Design of Development
- 50 Metropolitan Open Land
- 54 South East London Green Chain

## 6 ASSESSMENT

### 6.1 Resubmission – Acceptable

6.1.1 The current application differs from the scheme permitted under ref.20/00310/FULL1 in that the number of children using the nursery would increase from 40 to 64.

### 6.2 Principle - Acceptable

6.2.1 Policy 50 of the BLP advises that Metropolitan Open Land (MOL) will be given the same level of protection as Green Belt. The re-use of buildings in MOL are not considered to be inappropriate development provided they are of permanent and substantial construction, and the proposals would preserve the openness of the MOL and would not conflict with the purposes of including land in MOL.

6.2.2 As with the previously permitted scheme, the proposed use of the clubhouse as a day nursery between Mondays and Fridays for up to 64 children is not considered to result in inappropriate development in MOL, and would preserve the openness of MOL and would not conflict with the purposes of including land within it.

### 6.3 Highways – Acceptable

6.3.1 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.

6.3.2 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.

6.3.3 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 Bromley Local Plan should be used as a basis for assessment.

6.3.4 No highways objections are raised to the proposed increase in the numbers of children from 40 to 64, subject to a condition requiring works to be carried out to widen the crossover and extend the yellow line markings along this side of Elmstead Lane.

#### 6.4 Neighbouring amenity - Acceptable

6.4.1 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.

6.4.2 Given the overall separation between the clubhouse and neighbouring properties and the information submitted regarding nursery noise management, it is not considered that neighbouring amenity will be adversely affected by the proposed increase in the numbers of children attending the nursery, subject to conditions restricting the hours of use and the number of children attending the premises.

## 7 CONCLUSION

7.1 The revised proposals would not have a detrimental impact on MOL, neighbouring amenity or traffic congestion and road safety, subject to safeguarding conditions, and are therefore considered acceptable on this site.

7.2 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.

**As amended by documents received 06.07.21, 28.09.21 & 15.11.21**

### **RECOMMENDATION: APPROVED**

**The following conditions are recommended:**

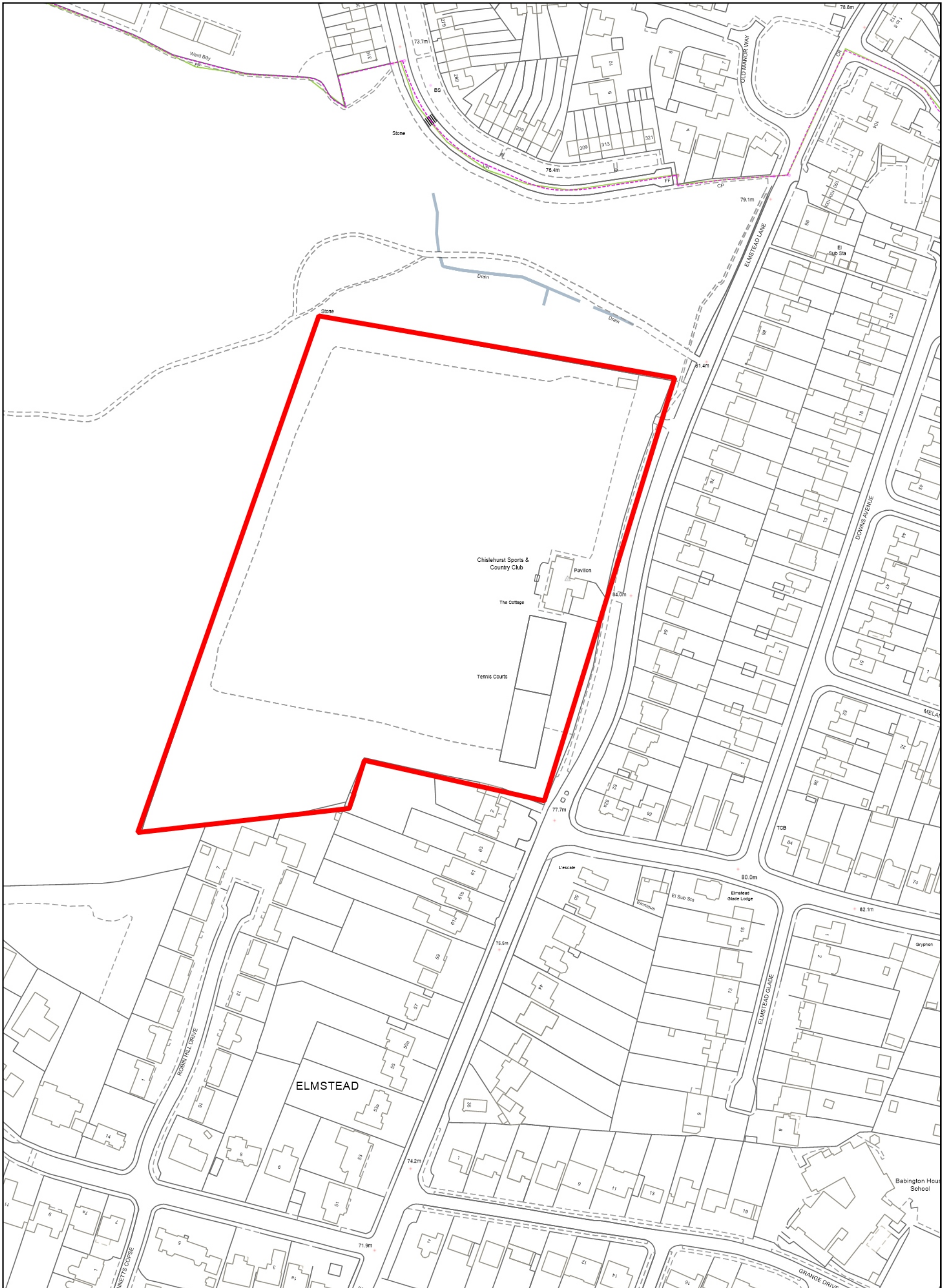
#### **Standard Conditions:**

- 1. The day nursery use has commenced**
- 2. Standard compliance with approved plans**

**Compliance conditions:**

- 3. Nursery Noise Management Statement**
- 4. Works to crossover and yellow lines**
- 5. Limit hours and number of children**

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



20/00310/RECON

30 November 2021

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# Agenda Item 4.3

<b>Committee Date</b>	09.12.2021	
<b>Address</b>	4 Daleside Orpington BR6 6EQ	
<b>Application Number</b>	20/04742/FULL6	<b>Officer</b> - Gill Lambert
<b>Ward</b>	Chelsfield And Pratts Bottom	
<b>Proposal</b>	Detached outbuilding at rear (retrospective application)	
<b>Applicant</b>	<b>Agent</b>	
Tushar Vekaria	Mr Tony Oyenuga	
4 Daleside Orpington BR6 6EQ	59 Edward Tyler Road Grove Park London SE12 9QE	
<b>Reason for referral to committee</b>	<b>Councillor call in</b>	
Call-In	Yes	

<b>RECOMMENDATION</b>	Application Permitted
-----------------------	-----------------------

<b>KEY DESIGNATIONS</b>	
Biggin Hill Safeguarding Area London City Airport Safeguarding Smoke Control SCA 28	
<b>Representation summary</b>	Neighbour letters were sent 06/01/21, 29/04/21 & 12/11/21
Total number of responses	8
Number in support	0

## SUMMARY OF KEY REASONS FOR RECOMMENDATION

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

## 1 LOCATION

- 1.1 This semi-detached dwelling is located on the north-eastern side of Daleside, and backs onto No.1 Woodside. Its south-eastern flank boundary lies adjacent to the rear boundaries of properties fronting Windsor Drive.
- 1.2 The surrounding area is largely characterised by semi-detached dwellings set within generous plots.



## 2 PROPOSAL

- 2.1 Retrospective permission is sought for a detached outbuilding which is located at the far end of the rear garden of this property. It measures 6.3m in width, 6m in depth and 2.7m in height to the top of the flat roof. It has been rendered and painted to match the existing dwelling.

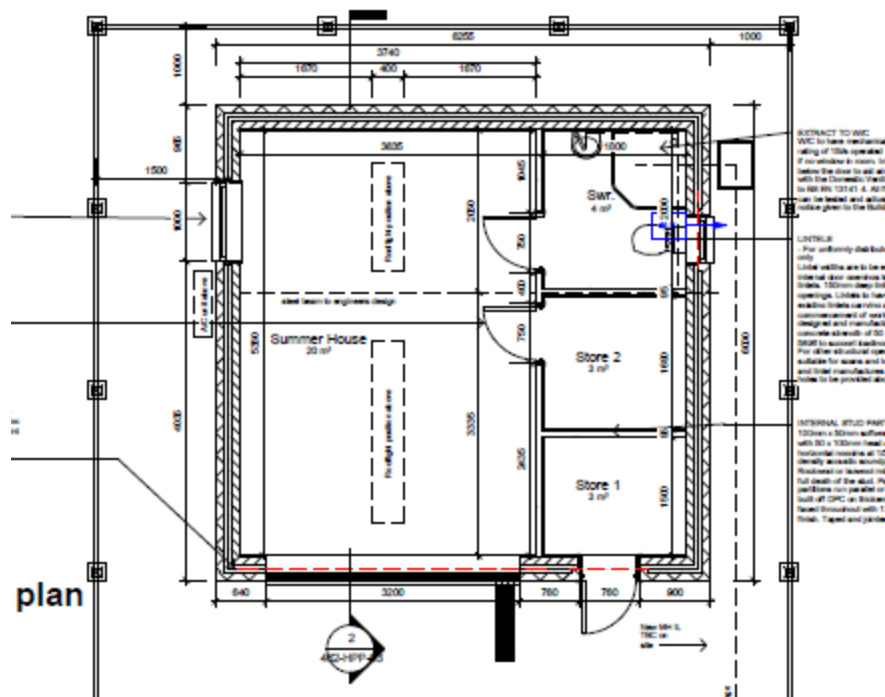


2.2 The building contains a living area, a shower room and two storage rooms, one of which is accessed only via an external door. The internal floor area measures 30sq.m.

2.3 The outbuilding is located 20m from the back of the host dwelling, and is set back 1m from the rear boundary, 1m from the south-eastern flank boundary, and 1.5m from the north-western flank boundary. It contains bi-fold doors to the living area and a door to a separate storage room in the front elevation facing the back of the host dwelling, whilst the rear elevation facing the back garden of No.1 Woodside has no windows or doors. An obscure glazed window to the shower room is located in the south-eastern flank elevation, whilst a clear glazed window to the living area and an air-conditioning unit are located on the north-western flank elevation, set back 1.5m from the boundary.

2.4 Revised plans were submitted on 11<sup>th</sup> November 2021 to reflect what has been built on site. An acoustic report on the air conditioning unit was also submitted.

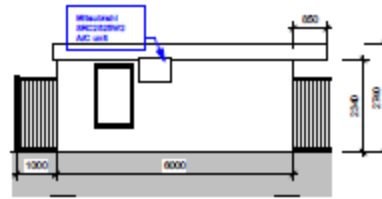
2.5 Floor plan:



## 2.6 Elevations:



**Elevation 1 - Front**  
1 : 100



**Elevation 2 - Left**  
1 : 100



**Elevation 3 - Rear**  
1 : 100



**Elevation 4 - Right**  
1 : 100

## 3 RELEVANT PLANNING HISTORY

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

3.2 Under ref.20/00181/HHPA, it was determined in March 2020 that prior approval was not required for a single storey rear extension which extended beyond the rear wall of the original house by 4.4m, for which the maximum height would be 2.84m, and for which the height of the eaves would be 2.54m.

3.3 A Lawful Development Certificate for the existing single storey rear extension to the dwelling was submitted in April 2021 under ref.21/02057/ELUD, and the decision is pending.

## 4 CONSULTATION SUMMARY

### A) Adjoining Occupiers

Impact on visual amenities of the area (addressed in paras. 6.1.4, 6.1.5 & 6.1.7)

- The building is an eyesore
- The mass and bulk of the building is out of character with the area
- The use of white render is not in keeping with the surrounding area

Impact on residential amenity (addressed in paras. 6.1.8, 6.2.2, 6.2.3, 6.2.4 & 6.2.6)

- Loss of outlook and light to neighbouring properties

- The building could be used for separate self-contained residential accommodation or for business purposes
- The storage rooms could easily be converted into a kitchen
- Inconsistencies in the plans (revised plans have been submitted which rectify this)
- The air conditioning unit may have a detrimental impact on neighbouring properties
- Light pollution from rooflights
- The shower room window is not required as mechanical extraction is sufficient
- The flank window to the living area causes overlooking of adjacent gardens – it should be removed as this room already has large bi-fold doors and rooflights

#### Other

- No additional parking is provided for the separate dwelling unit (no separate residential unit is proposed)
- Adequate drainage should be provided (this is dealt with under Building Regulations).

### **B) Non-Statutory**

#### Environmental Health – No objection

- Considering the position of the air conditioning unit, which appears to be more than 25m away from any adjoining premises, and based on the product specification which details the sound power and sound pressure level, the level at the nearest residential window should be in the region of 20-25 dBA which would be sufficiently below the background noise level as to not present any particular issue.

## **5 POLICIES AND GUIDANCE**

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

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

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

5.3 The National Planning Policy Framework was published on 20<sup>th</sup> July 2021, and is a material consideration.

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

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

## 5.6 The London Plan

- D1 London's form and characteristics
- D3 Optimising site capacity through the design-led approach
- D4 Delivering good design
- D14 Noise

## 5.7 Bromley Local Plan 2019

- 6 Residential Extensions
- 37 General Design of Development

## 5.8 Supplementary Planning Guidance

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

## 6 ASSESSMENT

### 6.1 Design, layout and scale – Acceptable

- 6.1.1 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.
- 6.1.2 London Plan and BLP policies further reinforce the principles of the NPPF setting out a clear rationale for high quality design.
- 6.1.3 Policies 6 and 37 of the Bromley Local Plan (BLP) and the Council's Supplementary design guidance seek to ensure that new development, including residential extensions are of a high quality design that respect the scale and form of the host dwelling and are compatible with surrounding development.
- 6.1.4 The outbuilding is located at the far end of the garden, and backs onto the rear gardens of surrounding residential properties, therefore, it is not very visible from the public domain, and does not therefore impact on the street scene.
- 6.1.5 The size and design of the building is considered acceptable in this rear garden location and complements the design and materials of the host dwelling. There are a number of garden buildings which back onto the rear garden of the application property, and the building does not appear out of character with the area.

#### 6.1.6 Photo of outbuilding:



6.1.7 The outbuilding is not therefore considered to detract from the appearance of the host dwelling, nor have a significant detrimental impact on the character and appearance of the surrounding area.

6.1.8 With regard to the layout of the building, the use of it for a living/work area, a shower room and two storage rooms is considered to be incidental to the use of the main dwelling. The building could not be easily severed to form a separate self-contained residential unit, and a condition can be imposed to ensure that it is not used separately from the main dwelling.

#### 6.2 Neighbouring amenity - Acceptable

6.2.1 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.

6.2.2 The outbuilding is located at the far end of the rear garden of this property, at least 20m away from the rear elevation of the adjoining semi at No.6, and it does not therefore result in undue loss of light to or outlook from the adjoining property. The outbuilding is set back 1.5m from the flank boundary with No.6, and although there is a window in the facing flank elevation which serves the living area, there is good screening along this boundary, and no significant loss of privacy to the garden of No.6 would therefore occur. Additionally, the air conditioning unit located on the facing side wall of the outbuilding is not considered to be unduly noisy, and it does not therefore detrimentally affect the amenities of the adjoining property.

6.2.3 With regard to the impact on No.1 Woodside to the rear, this dwelling is located approximately 25m away from the outbuilding, and it does not therefore unduly affect light to or outlook from this property. No windows are located in the rear elevation facing No.1, therefore, no loss of privacy has occurred.

6.2.4 With regard to the dwellings in Windsor Drive which back onto the rear garden of the application property, they are located approximately 25-30m from the outbuilding, and a number of these properties already have rear outbuildings which back onto No.4. The impact of the outbuilding at No.4 Daleside on them is therefore considered to be minimal.

6.2.5 Photo showing outbuildings at Windsor Drive properties:



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

## 7 CONCLUSION

7.1 Having had regard to the above, it was considered that the development in the manner proposed is acceptable in that it would not result in a significant loss of amenity to local residents nor impact detrimentally on the character and appearance of the surrounding area.

7.2 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.

**As amended by documents received 12.11.2021**

**RECOMMENDATION: PERMISSION BE GRANTED**

**The following conditions are recommended:**

**Standard Conditions:**

**1. Retain in accordance with plans**

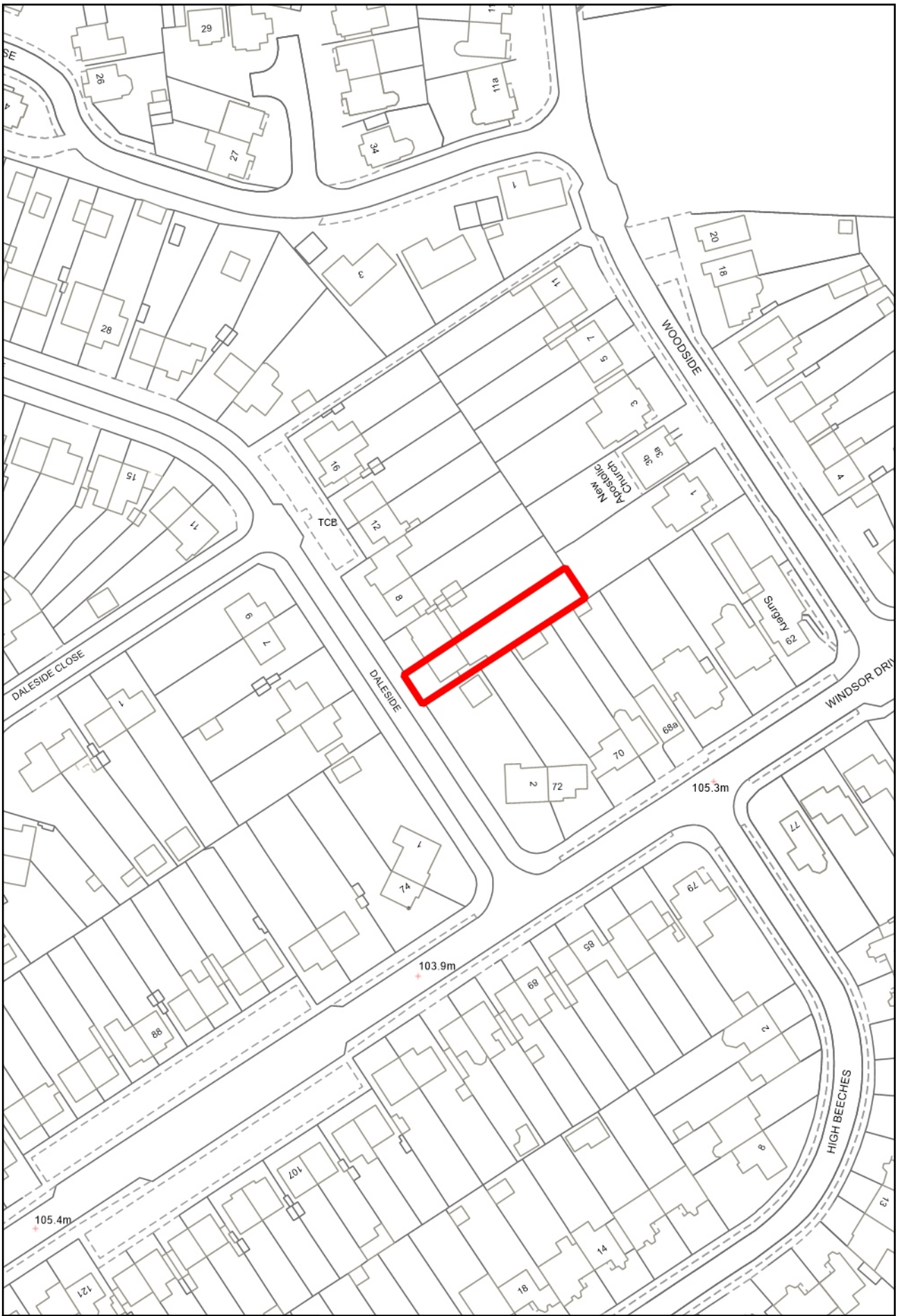
**Compliance conditions:**

**2. Restrict use of outbuilding**


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

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 20/04742/FULL6



30 November 2021

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# Agenda Item 4.4

<b>Committee Date</b>	09.12.2021		
<b>Address</b>	59 Manor Way Beckenham BR3 3LN		
<b>Application Number</b>	21/03841/FULL6	<b>Officer</b> - Emily Harris	
<b>Ward</b>	Kelsey And Eden Park		
<b>Proposal</b>	Alterations to roof to incorporate 3 x rear dormers and 2 x front dormers.		
<b>Applicant</b>	<b>Agent</b>		
Mr Jonathan McCarthy			
59 Manor Way Beckenham BR3 3LN			
<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>KEY DESIGNATIONS</p> <p>Conservation Area: Manor Way Beckenham Smoke Control SCA 18</p>
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<b>Representation summary</b>			
Total number of responses		1	
Number in support			

Number of objections	1
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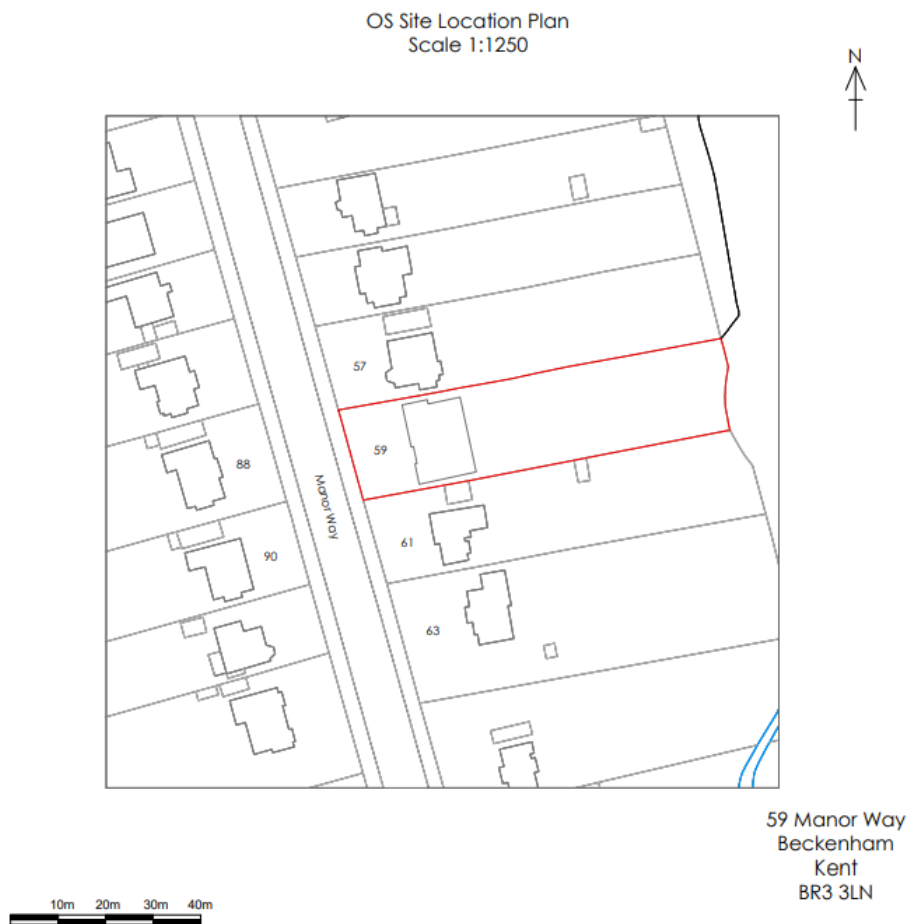
## 1. SUMMARY OF KEY REASONS FOR RECOMMENDATION

- The development would not result in a harmful impact on the character of the Conservation Area.
- The development would not result in a harmful impact on the appearance of the host dwelling.
- The development would not have a significantly harmful impact on the amenities of neighbouring residents.

## 2. LOCATION

The application site is located on the eastern side of Manor Way Beckenham. The property is not listed but lies within the Manor Way Conservation Area.

Figure 1: Site location plan



## 3. PROPOSAL

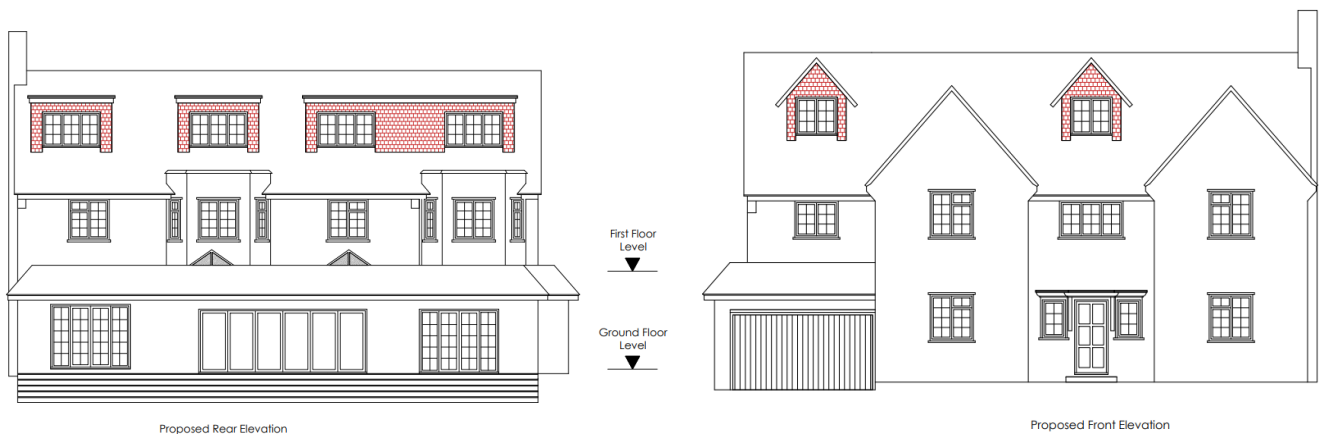
- The application seeks planning permission for the addition of two dormers to the front roofslope and three dormers to the rear roofslope.
- The rear dormers are proposed to have flat roofs and the front dormers are proposed to have gable ended roofs.

- The application form states that the materials for the walls, roof and windows of the dormers will match those used in the existing dwelling.

Figure 2: Existing elevations



Figure 4: Proposed elevations



#### 4. RELEVANT PLANNING HISTORY

20/02598/FULL6 - Construction of 2 summerhouses to rear garden and replacement fence – Refused but allowed at appeal

18/01004/CONDIT- Discharge of Conditions - in relation to planning application 18/01004/FULL6 Condition 4 - Privacy Screening Condition 5 - Landscaping Scheme - Approved

18/01004/FULL6 - The erection of an outdoor swimming pool & raised terrace – Permitted.

17/04303/FULL6 First floor side extension over existing garage, first floor bay window to rear elevation, Lantern lights to existing rear flat roof, alteration of doors to rear elevation. – Permitted.

## **5. CONSULTATION SUMMARY**

### **A) Statutory**

Conservation:

These proposed dormer windows are suitable design in the Conservation Area context and I would not therefore object.

### **B) Local Groups**

None.

### **C) Adjoining Occupiers**

- The proposed dormers would be out of character for the host dwelling and would detract from the unique character of the area as the roof would be altered and the dormers would be out of keeping with adjacent and nearby properties. There are other examples of dormers in the area however these are much smaller.
- Would resemble a three-story office building.
- Examples of refused applications at No.96 and No.59.

The full text on comments received are on file.

## **6. POLICIES AND GUIDANCE**

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

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

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

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

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

### **6.5 National Planning Policy Framework 2021**

### **6.6 The London Plan (2021)**

## **6.7 Bromley Local Plan 2019**

6 Residential Extensions  
37 General Design of Development  
41 Conservation Areas

## **7. ASSESSMENT**

### **7.1 Design, Layout, Scale and Heritage Impact - Acceptable**

- 7.1.1 The site is located within the Manor Way Conservation Area. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a requirement on a local planning authority in relation to development in a Conservation Area, to pay special attention to the desirability of preserving or enhancing the character or appearance of that area.
- 7.1.2 Manor Way consists of a series of highly individual detached properties, unified by their common age of construction (inter-war) and a common reference to neo vernacular design and materials. It represents a fine example of the way in which architects of the early twentieth century explored the house building traditions of many parts of Britain, in an attempt to synthesise a new architectural style. In comparison with Victorian or neo-classical design, the new neo-vernacular style was simple. It adopted the methods and materials traditionally used in the construction of cottages, barns and other such buildings, prior to the industrial revolution.
- 7.1.3 The proposed extension would result in an additional bulk at roof level, however this is not considered excessive given the size of the host dwelling. The resulting scale and design of the proposed roof alterations would appear similar to other large properties within Manor Way Conservation area and therefore it is not considered that the proposal would not result in a development that would be out of keeping within the street scene.
- 7.1.4 The Manor Way SPG states that where new dormers are to be constructed, they should be clad externally in a material that matches the existing roof slope. Where original dormers already exist nearby, these will provide a useful design reference. If no reference is available, dormers should be small and constructed with a hipped or a flat roof. Hipped roofed dormers should be covered in a roofing material matching that used on the host dwelling. Flat roofed dormers should be covered in lead. New roof lights should be set flush with the existing roof surface and preferably should be divided by one or more glazing bars.
- 7.1.5 The front dormers are shown to have gabled roofs and are to be of a modest size so as to not dominate the front roof slope. The Conservation Officer did not raise any

objection to the proposal and as such they are to be of a suitable design so as to respect the character of the Conservation Area.

- 7.1.6 With regards to the rear dormers, the proposal would be fairly minimal in terms of the impact on the character of the conservation area as it would be located to the rear of the host dwelling. It is therefore considered that the proposed development would preserve the character and appearance of the Manor Way Conservation Area.

## **7.2 Neighbourhood Amenity - Acceptable**

- 7.2.1 The proposed roof extension would be well separated from the party boundary and from residential development further along the street. Objections were received in regard to the overlooking from the four dormers proposed to the rear roofslope. Whilst the dormers would provide some opportunities for overlooking, this would not go over and above what would be expected in a residential setting such as this.

## **8. CONCLUSION**

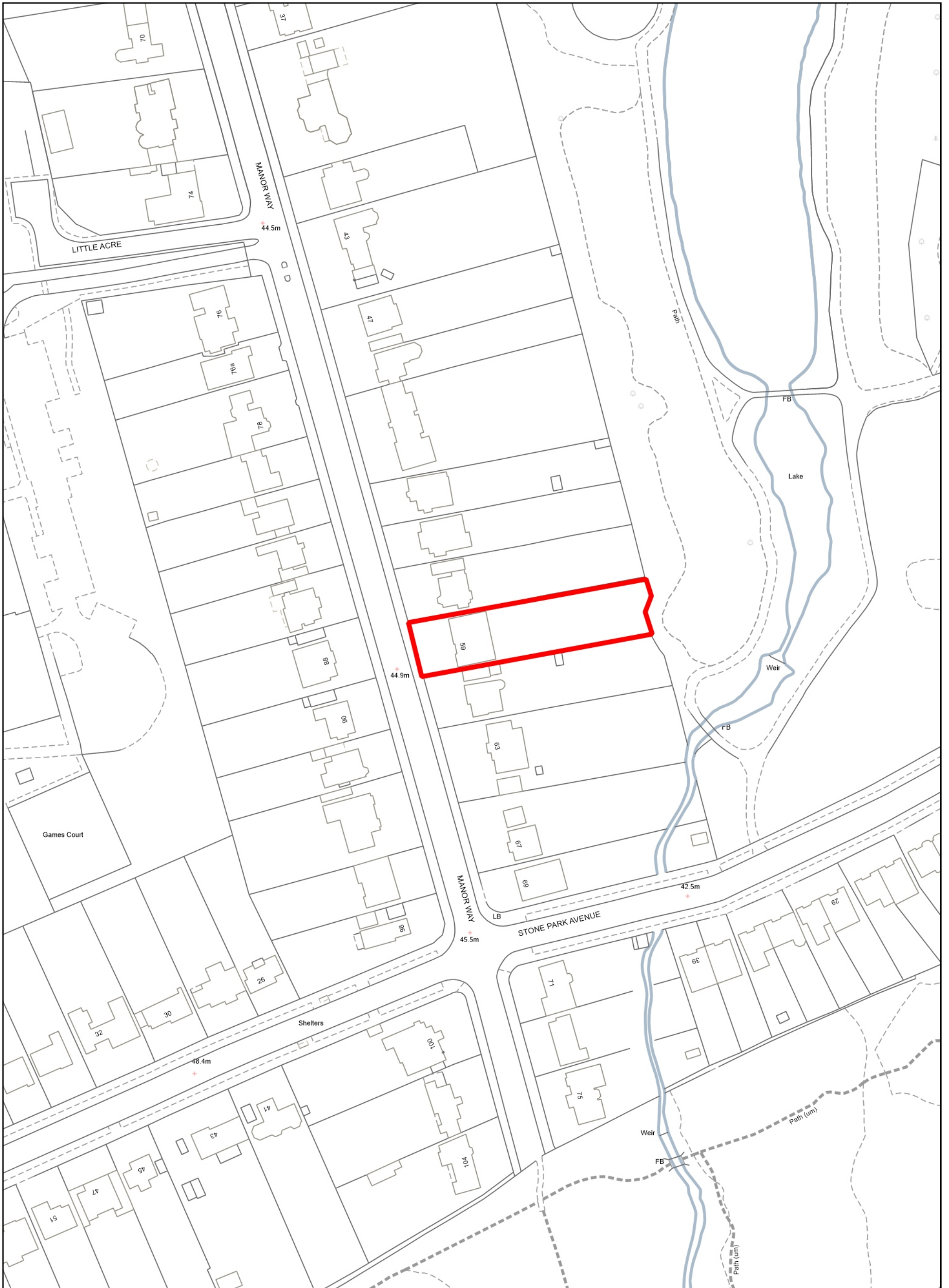
- 8.1 Having regard to the above, the development in the manner proposed is considered acceptable as it would not result in any unacceptable impact upon the amenities of neighbouring residents or the character and visual amenities of the Manor Way Conservation Area and would therefore preserve its character and appearance.
- 8.2 Background papers referred to during production of this report comprise all correspondence on the files set out in the Planning History section above, excluding exempt information.

**RECOMMENDATION:** Application Permitted

**Subject to the following conditions:**

1. Time Period
2. Matching Materials
3. Compliance with Approved plans





21/03841/FULL6

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# Agenda Item 4.5

<b>Committee Date</b>	09/12/21	
<b>Address</b>	69 Broomhill Road	
<b>Application Number</b>	21/03881/FULL6	<b>Officer</b> - Amy Jenner
<b>Ward</b>	Petts Wood and Knoll	
<b>Proposal</b>	Part one/two storey rear extension, porch extension and steps to side, raised decking with balustrade at front, elevational alterations and rooflights (PART RETROSPECTIVE)	
<b>Applicant</b> Bharat Agnihotri	<b>Agent</b> Miss Menekse Celik Studio20 Architects	
69 Broomhill Road Orpington BR6 0EN	Parkshot House 5 Kew Road Richmond London TW9 2PR	
<b>Reason for referral to committee</b>	Cllr Call-in	<b>Councillor call in</b>  Yes

<b>RECOMMENDATION</b>	PERMISSION
-----------------------	------------

<b>KEY DESIGNATIONS</b>  Adjacent - Conservation Area Biggin Hill Safeguarding Area London City Airport Safeguarding Smoke Control
---

<b>Representation summary</b>	<i>Neighbours were notified of the application by letter dated 15<sup>th</sup> October 2021.</i>
Total number of responses	0
Number in support	0
Number of objections	0

## SUMMARY OF KEY REASONS FOR RECOMMENDATION

- The development would not result in a harmful impact on the character of the area.
- The development would not result in a harmful impact on the appearance of the host dwelling.
- The development would not have a significantly harmful impact on the amenities of neighbouring residents.

## LOCATION

- 2.1 The application site hosts a two storey detached dwelling on the southern side of Broomhill Road, Orpington. The rear of the site can be accessed via Irene Road. There are no restrictive designations at the site. Permitted development rights have not been removed at the property.

The area is predominantly residential in nature. The surrounding properties comprise predominantly detached dwellings.

- 2.2 Site location plan:

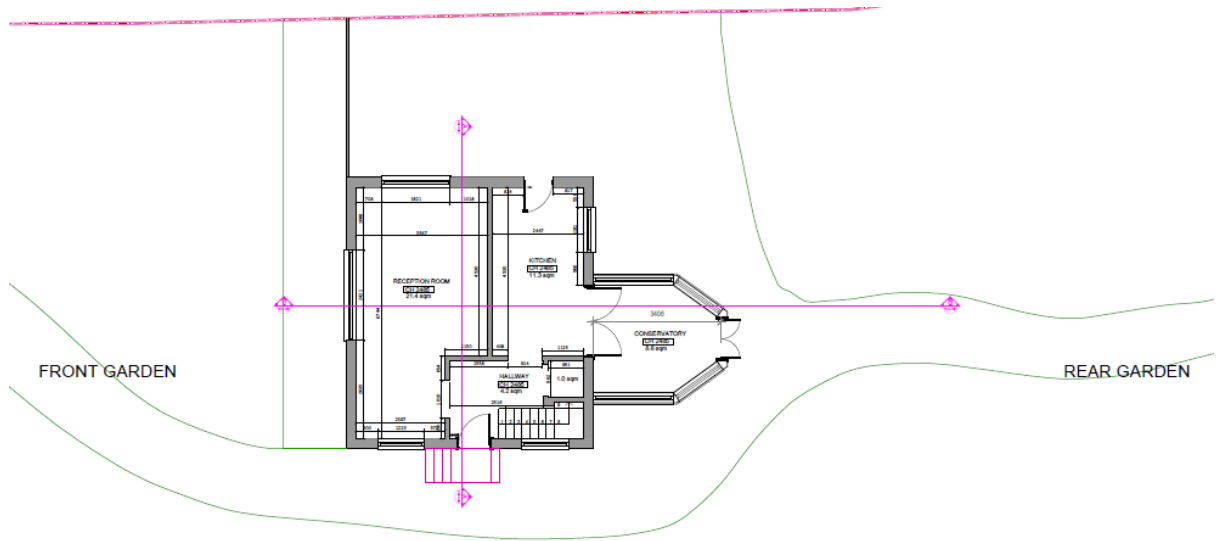


## PROPOSAL

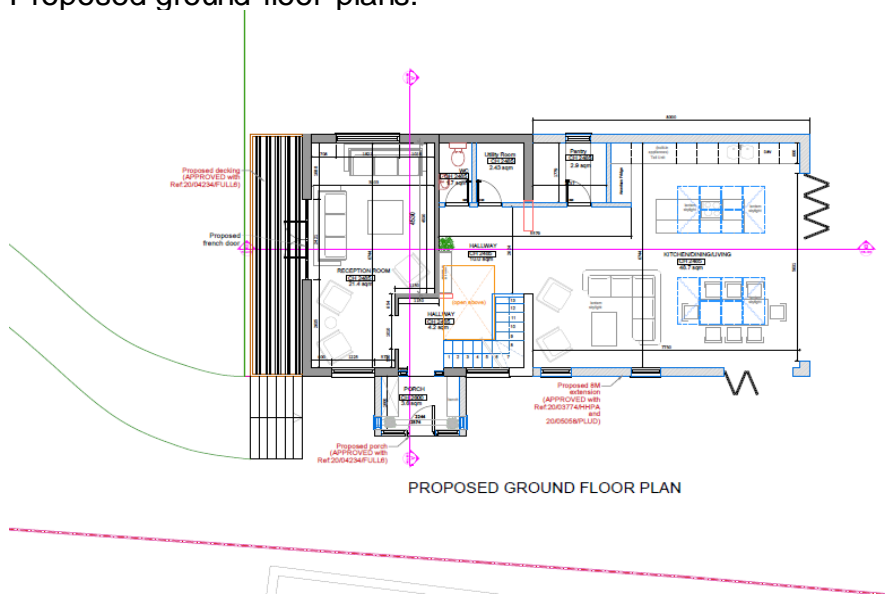
- 3.1 Planning permission is sought for a Part one/two storey rear extension, porch extension and steps to side, raised decking with balustrade at front, elevational alterations and rooflights. The proposed single storey element of the scheme would project 8m to the rear of the building, as established under refs. 20/03774/HHPA and 20/05058/PLUD. The proposed extension would span the width of the property and would have a flat roof measuring 3m to the eaves and a total height of approx. 3.5m to the top of the roof lanterns. To the first floor rear, a proposed extension of would project 4m at first floor level spanning the width of the property. The proposed two storey element would be in line with the existing roof and would not exceed the height of the existing eaves and would be rendered and tiled to match the existing, like that granted under ref. 20/04234/FULL6. Rooflights are also proposed similar to previously granted under ref. 20/04234/FULL6 which will provide a bedroom and storage on the second floor. A raised decked area is sought at the front of the property which would be accessible via patio door from the reception room. A porch is sought to the other side of the property which would have a flat roof. The proposed floor area dimensions of 1.8m by 2.64m are sought as permission granted under ref. 20/04234/FULL6.
- 3.2 The planning officer visited the site on 24<sup>th</sup> November 2021 and works had commenced on the single storey side extension (ref. 20/04201/PLUD) and the part one/two storey rear extension proposed in this current application (8m ground floor and 4m first floor rear).
- 3.3 Photograph of rear elevation:



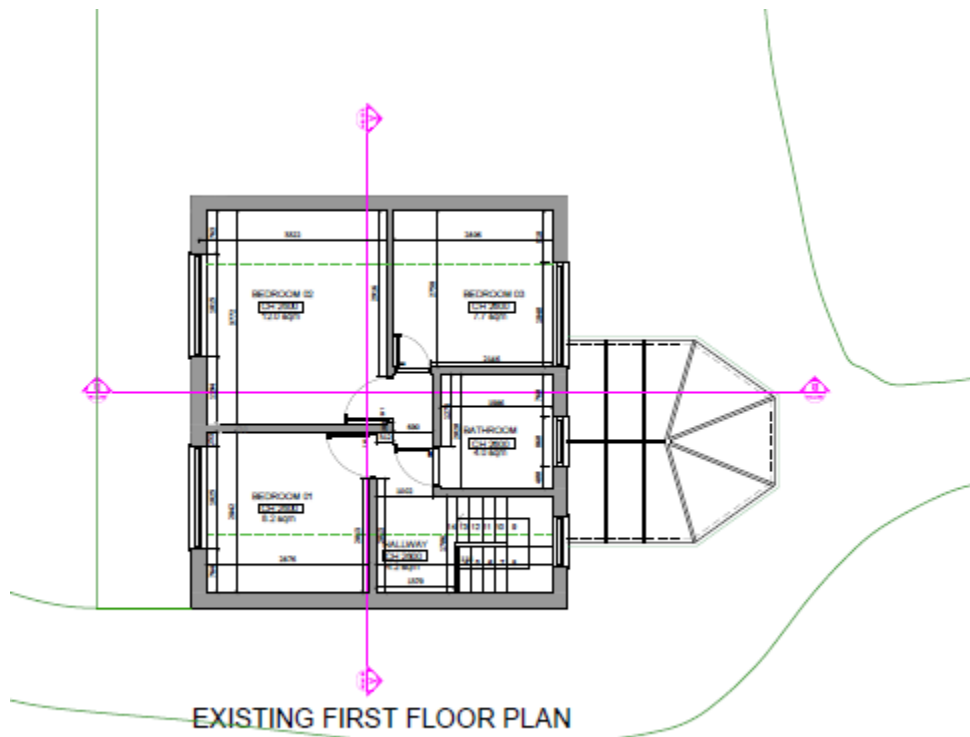
### 3.4 Existing ground floor plans:



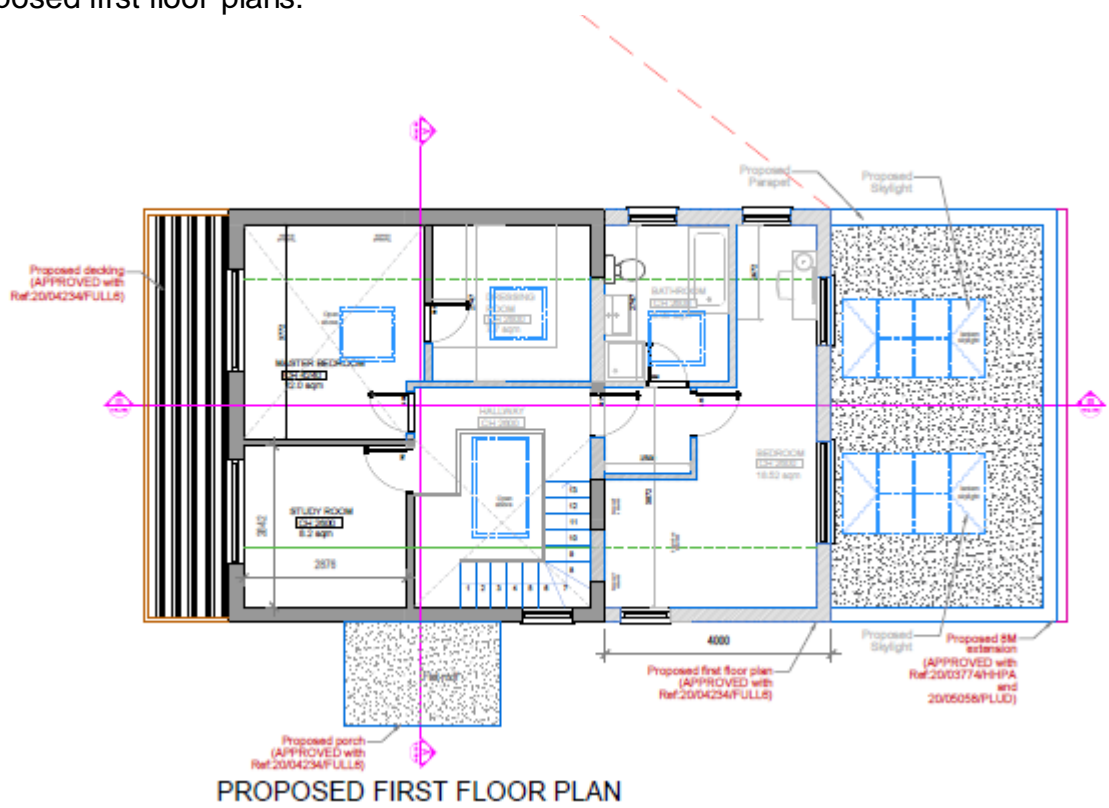
### 3.5 Proposed ground floor plans:



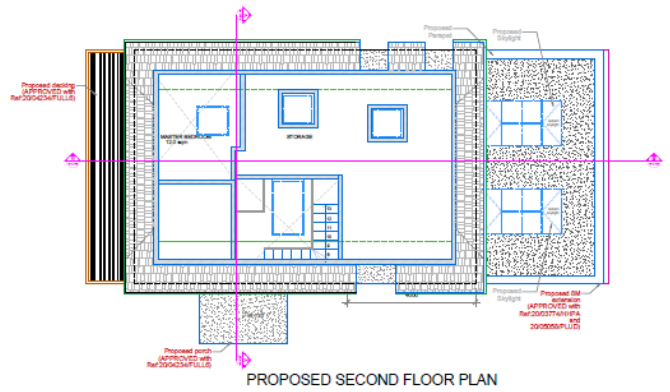
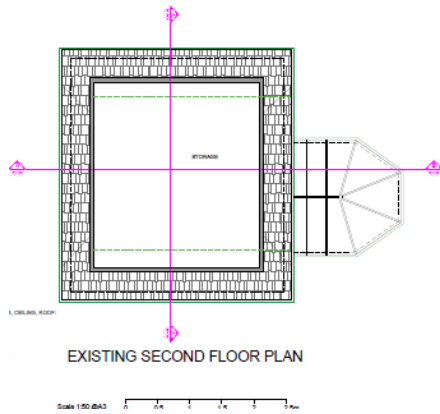
3.6 Existing first floor plans:



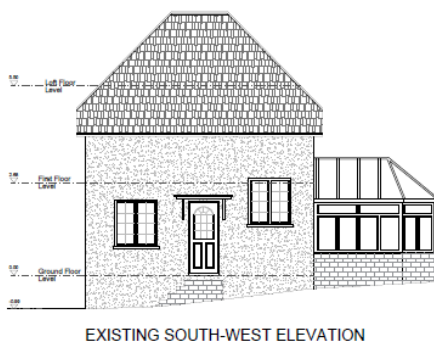
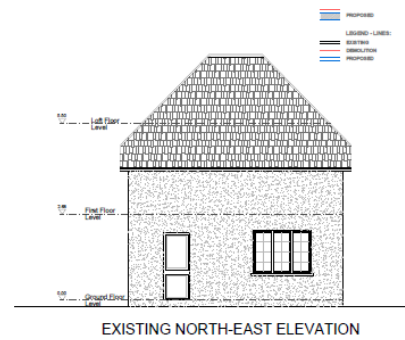
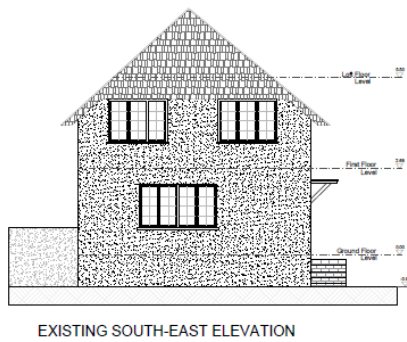
3.7 Proposed first floor plans:



### 3.8 Existing and Proposed loft plans:

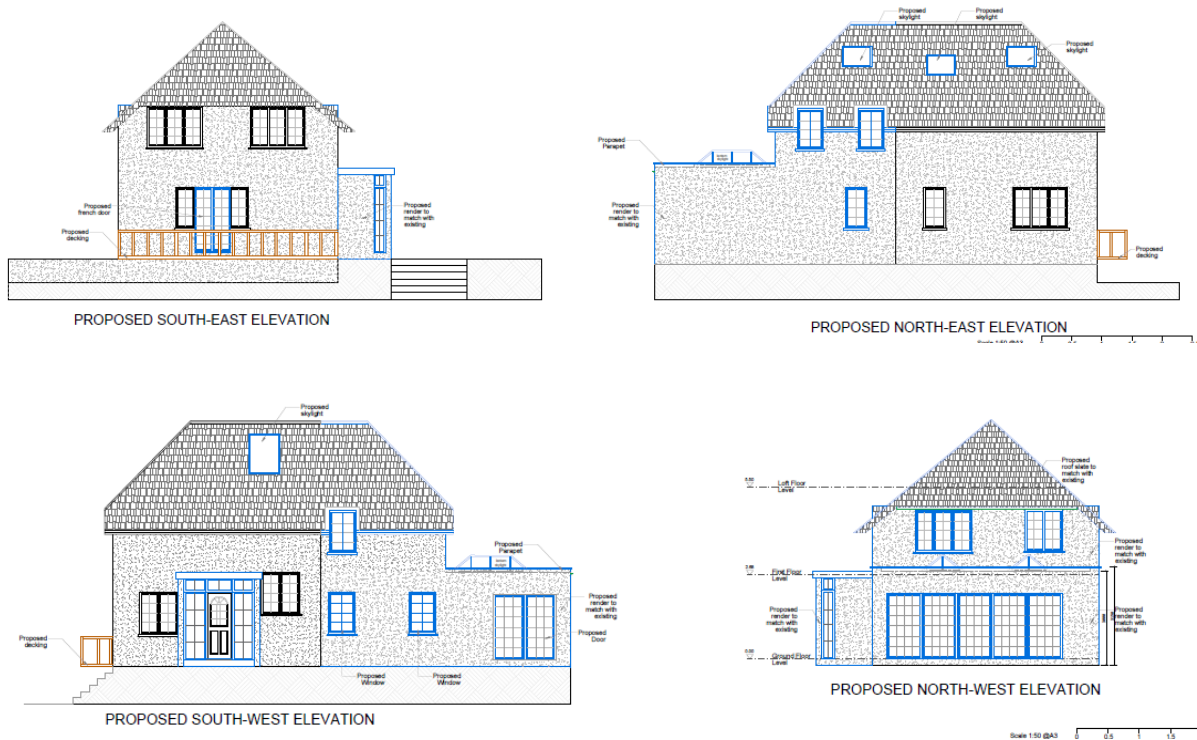


### 3.9 Existing elevations:





### 3.10 Proposed elevations:



## RELEVANT PLANNING HISTORY

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

- 87/03373/FUL- Two storey side extension – Permission

- 89/01430/FUL- Single storey rear extension – Permission

- 17/00618/OUT- Proposed outline permission in respect of access, layout and scale for the demolition of an existing dwelling and the development of a 7x2 bedroom, 4 storey development with associated parking, refuse facilities and landscaping – Refused and Dismissed on Appeal.

- 17/00616/OUT- Proposed outline permission in respect of access, layout and scale for the demolition of an existing dwelling and the development of a 6x2 bedroom, 3 storey development with associated parking, refuse facilities and landscaping – Refused and Dismissed on Appeal.

- 20/03774/HHPA - Single storey rear extension, extending beyond the rear wall of the original house by 8m, for which the maximum height would be 3m, and for which the height of the eaves would be 2.84m (42 Day Notification for Householder Permitted Development Prior Approval) – No Prior Approval required

- 20/04201/PLUD – Single storey side extension – lawful

- 20/04234/FULL6 - Part one/two storey rear extension, porch extension to side and raised decking with balustrade at front – Permission

- 20/04234/AMD - Amendment to application ref: 20/04234/FULL6- To add a window on the first floor and combine with ground floor window, to add skylight on south-west elevation, re-positioning the approved french door with windows on the south-east elevation, relocating the skylight positions on north-east elevation, to add windows on both sides of the porch – Amendment requires permission

- 20/05147 - Part one/two storey side extension and porch at side was refused on the following grounds:

*“1. The proposed part one/ two storey side extension by reason of its excessive size and width, would constitute a cramped form of development that would be out of character with the street scene appear incongruous and disproportionate to the scale and form of the host dwelling, appearing overly dominant in relation to the visual amenities of the street scene generally, thereby contrary to Policies 6, 8 and 37 of the Bromley Local Plan.*

*2. The proposed part one/two storey side extension, by reason of its excessive depth and proximity to the adjoining property, would be seriously detrimental to the prospect and amenities enjoyed by the occupants of No. 67a Broomhill Road by reason of visual impact, thereby contrary to Policies 6 and 37 of the Bromley Local Plan.”*

## **CONSULTATION SUMMARY**

### **A) Statutory**

None

### **B) Local Groups**

None

### **C) Adjoining Occupiers**

No objections received.

## **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 24 July 2018 and updated on 19 February 2019.

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

### **6.8 Bromley Local Plan (2019)**

- 6 Residential Extensions
- 37 General Design of Development

### **6.9 Bromley Supplementary Guidance**

Supplementary Planning Guidance 1 - General Design Principles

Supplementary Planning Guidance 2 - Residential Design Guidance

Mayor's Housing Supplementary Planning Guidance (March 2016)

## **ASSESSMENT**

7.1 Design, Scale and Layout – 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 Bromley Local Plan policies further reinforce the principles of the NPPF setting out a clear rationale for high quality design.
- 7.1.3 Policies 6 and 37 of the Bromley Local Plan and the Council's Supplementary design guidance seek to ensure that new development, including residential extensions are of a high quality design that respect the scale and form of the host dwelling and are compatible with surrounding development. These policies are supported by Policies D3 and D4 of the London Plan.
- 7.1.4 It is noted that there have been a number of recent applications at the site and some elements of the current scheme currently benefit from approval by the LPA. The current application seeks to mainly to combine the 8m single storey rear extension which did not require prior approval under ref. 20/03774/HHPA (previously granted for 5m under ref. 20/04234/FULL6), with the 4m first floor extension granted under the same scheme. The construction of the 8m single storey extension simultaneously with the previously permitted first floor rear (ref. 20/04243) triggers the need for planning permission for the development as a whole.
- 7.1.5 The proposed part one/two storey extensions would be sited to rear of the existing dwelling and would result in a sizeable addition to the property. However, the proposal ground floor element seeks permission for 8m (as per ref.20/03774/HHPA) which on balance is considered acceptable. The proposed first floor extension would have a pitched roof to be constructed in-line with the existing dwelling. Render is proposed to match the materials of the existing dwelling. The extension would have doors across the rear elevation accessing the rear garden. Although the proposed extension would result in a sizable addition, the design is considered to be acceptable in context with the host dwelling and adjoining neighbouring houses.
- 7.1.6 In terms of the proposed porch, the extension is set back from the front of the property and is modest in size. The proposed decking and balustrade will replace an existing raised patio in this location and its design is considered acceptable.
- 7.1.7 Having regard to the above, the proposed extension would not result in a detrimental impact to the appearance of the host property and would not appear out of character with surrounding development or the area generally.

## 7.2 Residential Amenity – Acceptable

- 7.2.1 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 part one/two storey rear extension would be sited to the rear of the property and would project 8m in depth at ground floor and 4m projection at first floor. To the east of application property, No.67A is sited significantly further forward of the application property, retaining substantial distance to the shared boundary. The proposed 8m single storey rearward projection is as shown on the prior approval application and no local objections have been raised. Whilst it is acknowledged that the proposal seeks to extend the property with a large part one/two storey rear extension, due to the existing situation and orientation of the site it is considered unlikely that the proposed would have a significant impact on the amenities of this neighbour.
- 7.2.3 To the west of the site, No.71 also benefits from a Part one/two storey side and rear extension (ref.01/01294) and given the proposed dimensions and separation to the boundary the proposed extensions are considered acceptable in terms of residential impact.
- 7.2.4 The proposed height of the decking, which will replace an existing patio, is also considered acceptable in relation to neighbouring properties and unlikely to result in any undue overlooking.
- 7.2.5 Three additional first floor flank windows are indicated on the submitted plans which will serve the rear bedroom, an en-suite and dressing room. A condition has been added to ensure they are obscure glazed and non-opening below 1.7m from the finished floor level.
- 7.2.6 Photo of property towards No.71:



Photo towards No.67a:



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

## **CONCLUSION**

8.1 Having had regard to the above it is considered that the development in the manner proposed is acceptable in that it would not result in a significant loss of amenity to local residents nor impact detrimentally on the character and appearance of the host dwelling, or area in general. The application is therefore considered to accord with the overarching aims and objectives of Policies 6 and 37 of the Bromley Local Plan and Policy D4 of the New London Plan (2021).

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**

### **Conditions:**

- 1. Time**
- 2. Plans**
- 3. Matching materials**
- 4. Obscure glazing to first floor flank windows**



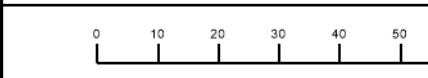
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# Agenda Item 4.6

<b>Committee Date</b>	09.12.2021	
<b>Address</b>	10 West Way Petts Wood Orpington BR5 1LW	
<b>Application Number</b>	21/03959/PLUD	<b>Officer</b> – Joanna Wu
<b>Ward</b>	Petts Wood And Knoll	
<b>Proposal</b>	Loft conversion with set back gable and rear dormer (Proposed Lawful Development Certificate)	
<b>Applicant</b>	<b>Agent</b>	
Mr Richard Gibbons	Ms Amna Khan	
10 West Way Petts Wood Orpington BR5 1LW	AK-Studios 5 Lambarde Road Sevenoaks TN13 HR	
<b>Reason for referral to committee</b>	Deferred	<b>Councillor call in</b> Yes

Proposed Use/Development is Lawful

**RECOMMENDATION**

**KEY DESIGNATIONS**

Area of Special Residential Character  
Biggin Hill Safeguarding Area  
London City Airport Safeguarding  
Smoke Control SCA 4

<b>Representation summary</b>	Neighbour letters issued – 17.09.2021	
Total number of responses		3
Number in support		0
Number of objections		3

## **1. REPORT UPDATE**

- 1.1 This application was originally discussed at the Planning sub-committee No. 4 (11.11.21) but was deferred as the applicants were asked to change their application to a householder planning application for a “half hip” roof extension. The applicants have confirmed that they will not change their proposal to a half hip roof extension and would like the members to determine this proposal in its current form as an application for the proposed Certificate of Lawfulness. The original report is repeated below.

## **2. SUMMARY OF KEY REASONS FOR RECOMMENDATION**

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

## **3. LOCATION**

- 3.1 The application site is a two storey semi-detached property located on the south side of West Way. The property, which is not listed, is subject to an Article 4 direction and lies within the Petts Wood Area of Special Residential Character (ASRC).
- 3.2 There are restrictions upon 'permitted development' rights at the property due to the 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 faces the public highway), which 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.

3.3 Site Location Plan:

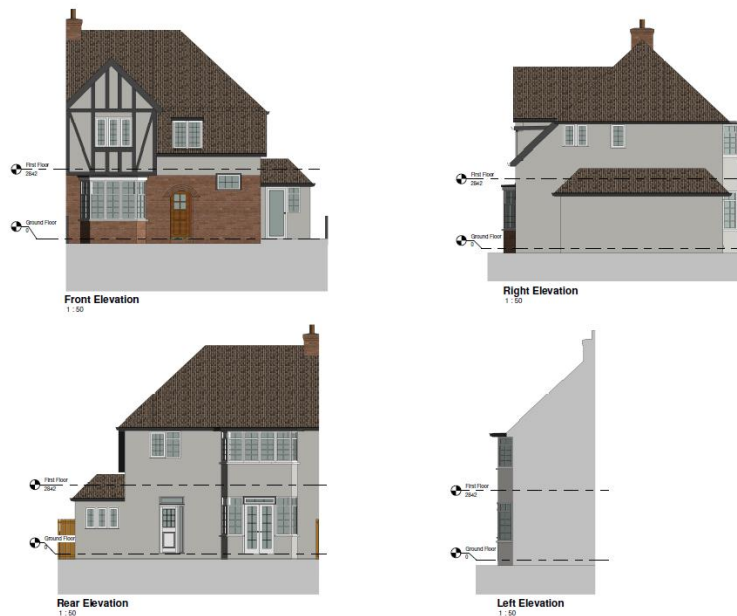


4. PROPOSAL

4.1 The application seeks a Lawful Development Certificate for a loft conversion with hip-to-gable roof enlargement and rear dormer extension. The hip-to-gable roof enlargement would be set back from the front roof slope. Two windows to the rear dormer would facilitate a loft conversion. The cubic volume of the rear dormer would be approximately 42.4m<sup>3</sup>.

4.2 The proposed materials would match the existing.

4.3 Existing elevations:



#### 4.4 Proposed elevations:



### 5. RELEVANT PLANNING HISTORY

- 5.1 The relevant planning history relating to the application site is summarised as follows:
- 5.2 04/03453/FULL6 – Single storey side extension – (Permitted) 10.11.2004
- 5.3 21/01526/PLUD – Loft conversion to include hip to gable extension and rear dormer. LAWFUL DEVELOPMENT CERTIFICATE (PROPOSED) – (Refused) 25.06.2021

The reason for refusal was as follows: “The Petts Wood Area of Special Residential Character Article 4 Direction requires planning permission to be sought for any alteration or addition to any front roof slope (that is facing the public highway) that would otherwise have been permitted by Class B or Class C of Schedule 2, Part 1 of the Town and Country Planning (General Permitted Development) (England) Order 2015. The site is within the area covered by this Article 4 Direction. The front roof slope of the dwellinghouse would be altered by the hip to gable roof enlargement, and therefore the proposal would require planning permission.”

### 6. NEIGHBOURING NOTIFICATIONS/ CONSULTATION SUMMARY

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

#### Objections

- o there is no significant change compared to the refusal scheme;
- o there is a narrow separation distance between the houses and the proposal will be overbearing and create a greater sense of enclosure;
- o loss of light;
- o the rear dormer will be visually intrusive over the neighbouring garden;
- o West Way is in the Petts Wood area of special residential character. The proposal will change the character of the area;

- o loss of privacy;
  - o the hip-to-gable proposal will spoil the appearance of other pair of semis and the entire road;
  - o it could potentially damage the party wall.
- 6.2 There is no requirement to consult any statutory consultees due to the nature of this application.

## **7. POLICIES AND GUIDANCE**

- 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 (as amended) (GPDO) and specifically whether any limitations/conditions of the Order are infringed.
- 7.2 With regards to Class B, 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 roof slope 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 roof slope as it makes no changes to it even though the front elevation of the property would appear differently.

## **8. ASSESSMENT**

- 8.1 Class B permits the enlargement of a dwelling house consisting of an addition or alteration to its roof. In this instance, the proposed roof extension would fall within the scope of Class B and is considered to be permitted development for the following reasons:
- 8.2 The property is a single dwellinghouse and has not benefitted from any change of use under class M, N, P or Q.
- 8.3 The extension will not exceed the height of the highest part of the existing roof.
- 8.4 The extension would not extend beyond the plane of the existing roof slope which forms the principal elevation and fronts a highway.
- 8.5 The resulting extensions volume falls within 50 cubic metres allowed in the case of a semi-detached dwelling (42.4 cubic metres).
- 8.6 The proposal does not consist of or include a veranda, balcony or raised platform.
- 8.7 The house is not sited within a conservation area.
- 8.8 The materials proposed for the exterior are shown to be similar in appearance to those used in the construction of the existing dwellinghouse.
- 8.9 The dormer provides a minimum 0.2m, separation from the eaves of the dwelling.

- 8.10 The extension does not include the installation, alteration or replacement of a chimney, flue or soil and vent pipe.
- 8.11 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 roof slope 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 roof slope and set back from the front roof slope, therefore this is outside of the permitted development rights which have been removed.

## **9. CONCLUSION**


- 9.1 The proposed development falls within the scope of Class B of Schedule 2, Part 1 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
- 9.2 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.
- 9.3 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 5<sup>th</sup> January 2017, did not have the effect of restricting these permitted development rights.**



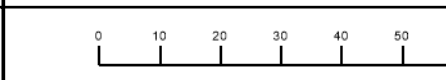
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 21/03959/PLUD



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