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DATE: 22 September 2021

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

Councillor Alexa Michael (Chairman)
Councillor Christine Harris (Vice-Chairman)
Councillors Kathy Bance MBE, Katy Boughey, Kira Gabbert, Samaris Huntington-Thresher,
Charles Joel, Tony Owen and Suraj Sharma

A meeting of the Plans Sub-Committee No. 1 will be held at Bromley Civic Centre on
THURSDAY 30 SEPTEMBER 2021 AT 7.00 PM

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

There will be limited additional space for other members of the public to observe the meeting – if you wish to attend, please contact us before the day of the meeting if possible, using our web-form:

<https://www.bromley.gov.uk/CouncilMeetingNoticeOfAttendanceForm>

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

ADE ADETOSOYE OBE
Chief Executive

Members of the public can speak at Plans Sub-Committee meetings on planning reports, contravention reports or tree preservation orders. To do so, you must have

- already written to the Council expressing your view on the particular matter, and
- indicated your wish to speak by contacting the Democratic Services team by no later than 10.00am on the working day before the date of the meeting.

These public contributions will be at the discretion of the Chairman. They will normally be limited to two speakers per proposal (one for and one against), each with three minutes to put their view across.

To register to speak please telephone Democratic Services on 020 8461 7743

If you have further enquiries or need further information on the content of any of the applications being considered at this meeting, please contact our Planning Division on 020 8313 4956 or e-mail planning@bromley.gov.uk

Information on the outline decisions taken will usually be available on our website (see below) within a day of the meeting.

Copies of the documents referred to below can be obtained from
<http://cds.bromley.gov.uk/>

A G E N D A

- 1 **APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS**
- 2 **DECLARATIONS OF INTEREST**
- 3 **CONFIRMATION OF MINUTES OF MEETINGS HELD ON 10 JUNE 2021 AND 5 AUGUST 2021** (Pages 1 - 24)
- 4 **PLANNING APPLICATIONS**

Report No.	Ward	Page No.	Application Number and Address
4.1	Bickley Conservation Area	25 - 42	(21/02056/FULL1) - 5 Woodlands Road, Bickley, Bromley BR1 2AD
4.2	Farnborough Park and Crofton Conservation Area	43 - 66	(21/03075/FULL1) - Pucks Cottage, Hazel Grove, Orpington BR6 8LU
4.3	Copers Cope	67 - 82	(21/03431/FULL6) - 53 Park Road, Beckenham BR3 1QG
4.4	Petts Wood and Knoll	83 - 92	(21/03470/FULL6) - 263 Crescent Drive, Orpington BR5 1AY
4.5	Petts Wood and Knoll	93 - 102	(21/03661/PLUD) 110 Kingsway, Petts Wood, Orpington BR5 1PU

5 **CONTRAVENTIONS AND OTHER ISSUES**

Report No.		Page No.	Application Number and Address
5.1	<i>(Report to follow)</i>	-	PLANNING APPEAL RECOMMENDING 'RESOLVE NOT TO CONTEST'

6 **TREE PRESERVATION ORDERS**

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

7 LOCAL GOVERNMENT ACT 1972 AS AMENDED BY THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) (VARIATION) ORDER 2006 AND THE FREEDOM OF INFORMATION ACT 2000

The Chairman to move that the Press and public be excluded during consideration of the items of business listed below as it is likely in view of the nature of the business to be transacted or the nature of the proceedings that if members of the Press and public were present there would be disclosure to them of exempt information.

<u>Items of Business</u>	<u>Schedule 12A Description</u>
7.1 PLANNING APPEAL RECOMMENDING 'RESOLVE NOT TO CONTEST' <i>(Report to follow)</i>	Information relating to the financial or business affairs of any particular person (including the authority holding that information)

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

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PLANS SUB-COMMITTEE NO. 1

Minutes of the meeting held at 7.00 pm on 10 June 2021

Present:

Councillor Alexa Michael (Chairman)
Councillor Christine Harris (Vice-Chairman)
Councillors Kathy Bance MBE, Katy Boughey, Kira Gabbert,
Samaris Huntington-Thresher, Charles Joel, Tony Owen and
Suraj Sharma

Also Present:

Councillors Mike Botting, Kevin Brooks, Simon Fawthrop,
Kate Lymer and Neil Reddin FCCA

30 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

No apologies for absence were received.

Apologies for lateness were received from Councillor Suraj Sharma.

31 DECLARATIONS OF INTEREST

Prior to this meeting, the Urgency Committee had granted an unconditional dispensation to Councillor Simon Fawthrop to permit him to observe the consideration of his planning application for Item 4.5 - (21/00844/FULL6) - 3 Monarch Close, West Wickham, in which he had a Disclosable Pecuniary Interest as the owner of the property. The dispensation applied to any subsequent meetings on the same or similar application until the end of the municipal year. Councillor Fawthrop observed as a member of the public but did not take part in the discussion or vote.

All Members declared a non-pecuniary interest in Item 4.5 as they were acquaintances of Councillor Fawthrop.

Councillor Kira Gabbert declared a non-pecuniary interest in Item 4.3 as she was acquainted with the speaker in support of the application through her representation on the Wood Lodge Living Skills Committee.

32 CONFIRMATION OF MINUTES OF THE MEETING HELD ON 8 APRIL 2021 AND THE SPECIAL MEETING HELD ON 5 MAY 2021

With regards to the minutes of the special meeting held on 5th May 2021 the Chairman requested that the final sentence of the second paragraph (page 17) be amended to read:

'...but he was not *selected* by the membership so therefore his name did not go forward as a candidate on the ballot paper in that *election*'.

RESOLVED that subject to the amendments noted above, the minutes of the virtual meetings held on 8th April 2021 and 5th May 2021 be confirmed and signed as a correct record.

33 PLANNING APPLICATIONS

33.1 (20/04944/FULL1) - 21 Windsor Drive, Orpington CHELSFIELD AND PRATTS BR6 6EY BOTTOM

Description of application – Part one/two storey rear extension to provide enlarged restaurant space on ground floor, and staff live/work accommodation on first floor with ventilation ducting.

Oral representations in support of the application were received.

Oral representation from visiting Ward Member Councillor Mike Botting in support of the application were also received at the meeting. It was considered that the application would be beneficial to the local area for a number of reasons and the proposed extension was not out of keeping with other premises nearby. Councillor Botting therefore urged Members to approve the application in order to increase the capacity of the restaurant and provide a cleaner and tidier environment to the rear of the shops.

The Assistant Director, Planning clarified that the heading of sections 7.3 – Design, layout and scale and 7.6 – Neighbouring amenity in the report should both read ‘unacceptable’.

Councillor Samaris Huntington-Thresher noted concerns regarding the loss of amenities; overlooking neighbouring properties; positioning of the flue; and risk of severance of the property. Councillor Huntington-Thresher moved deferral.

Councillor Christine Harris stated that she had visited the site and considered that the size and bulk of the proposed extension would result in a loss of privacy for neighbouring properties and she therefore supported the officer’s recommendation and moved refusal.

Councillor Suraj Sharma said he did not feel that the proposed extension would be harmful to the character of the area and was not convinced that there would be a loss of amenity to neighbours. Councillor Sharma

moved permission.

The Chairman seconded deferral.

Members having considered the report, objections and representations, **RESOLVED** that **the application be DEFERRED**, without prejudice to any future consideration to be considered at a future Plans Sub-Committee for the following reason:-

1. To reduce the size of the two storey element and investigate repositioning the extract flue or providing additional filtration.

33.2
PENGE AND CATOR

(20/05176/FULL1) - 33 Croydon Road, London SE20 7TJ

Description of application – Part one/two storey rear extensions and rear dormer extension associated with proposed use of the site as a children's day nursery.

Oral representations from visiting Ward Member Councillor Kevin Brooks were received at the meeting. It was noted that although Ward Members supported the principle of having this type of business operating on the site, there were concerns that the size and depth of the designs would affect the amenities of No.31 and No. 35. He urged Members to consider deferring the application to allow a rescale of the design.

The Chairman highlighted that approval for change of use was not required for a GP surgery to become a children's day nursery as they now came under the same use class.

In response to questions, the Development Management Team Leader advised that a condition would be included relating to the proposed number of pre-school children attending the nursery. If the owner wanted to change the property to residential use in the future planning consent would be required.

Councillor Tony Owen noted that Croydon Road was extremely busy and more children attending would create more danger on the road.

Councillor Tony Owen moved refusal which Councillor Kira Gabbert seconded.

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

1. The part one/two storey rear extensions, by reason of their size and scale, would adversely impact on the amenities of the adjoining occupiers in terms of overshadowing and loss of outlook which would be contrary to Policy 37 of the Bromley Local Plan.
2. The extensions, by reason of the size and increased floorspace, would intensify the use of the site, adversely impacting on the adjoining neighbours in terms of the number of children attending the nursery, and would result in noise and traffic impacts contrary to Policies 32 and 37 of the Bromley Local Plan.

**33.3
CHISLEHURST**

**(21/00570/FULL1) - Edgebury Grazing Land,
Slades Drive, Chislehurst**

Description of application – Demolition of existing buildings (Land adjacent to Edgebury Primary School) and erection of a single storey new SEND school with associated pedestrian and vehicular access works, car park, pick-up and drop-off space, outdoor play area, MUGA and landscaping.

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

Oral representations from visiting Member, Councillor Kate Lymer – Portfolio Holder for Children, Education and Families, in support of the application were also received at the meeting. Councillor Lymer advised that if the Sub-Committee refused or deferred this application there was a risk that the Department for Education may decide not to proceed with the scheme. There was a high risk that future investment into the Borough could be lost and it could jeopardise plans for a new secondary school and SEN Free School in Bromley. She therefore urged Members to approve the application.

In response to a question from Councillor Katy Boughey, the Portfolio Holder for Children, Education and Families said that the site had been allocated for a secondary school and the smaller scheme proposed would be a lot less disruptive for the local residents. A

secondary school on the site could have up to 1,800 pupils plus staff, who would not be arriving on minibuses and would instead be making a large number of individual journeys each day.

The Development Management Team Leader reported that a number of further objections had been received and circulated to Members, as had a letter of support from Sir Bob Neill MP. Clarification was provided that the distance between the proposed building and rear boundaries of Edgebury was approximately 11.5 metres, and not 7 metres as stated in the report, and the carbon offsetting payment was £39,900. In response to a question from the Chairman it was further clarified that the existing vehicular access and new pedestrian access were both in designated green belt.

Councillor Boughey highlighted that this land had been designated in the Bromley Local Plan for secondary education, which could be used to house a school of up to six form entry. The location for the proposed school building had been chosen following a detailed feasibility study and was considered to be the best site based on its topography. The layout of the site had been designed to minimise disturbance to residents living on Edgebury. The main issue raised by residents had related to traffic and pedestrian and vehicular access – these had been considered and various options were explored. The decision had been made to utilise, upgrade and widen the existing track from Slades Drive to avoid the need to create a new access route, and would also allow minibuses to queue on-site rather than on the public highway. A pedestrian pathway would provide access from Edgebury for pupils and staff that cycled or arrived via public transport. The on-site parking provision would be for 100 parking spaces, 4 designated minibus parking spaces and a drop-off/pick-up area for 5 school minibuses, which was felt to be more than adequate. Councillor Boughey considered that the proposal was an acceptable use of the land and agreed with the recommendation to grant permission.

Councillor Suraj Sharma noted that this land had been designated for education and it was clearly demonstrated that there was a need for this type of provision. Although Councillor Sharma sympathised with local residents in terms of traffic flow, it was highlighted that 80% of pupils would be arriving at the

school in minibuses and the school had attempted to mitigate traffic further with the use of staggered timings. The proposal was for the school to accommodate 100 students, whereas the site could be used to house a much bigger secondary school, which would have a much greater impact on the local area. Councillor Sharma also seconded the recommendation to grant permission.

The Chairman considered that the single storey building design chosen was sensitive, as were the access arrangements. It was noted that the number of pupils and staff at the school would not be increased and as the majority of pupils would arrive by minibus there would be far less traffic than at other schools. There was a need for this school to provide the best opportunities for the pupils, and the Chairman supported the recommendation to grant permission.

Members having considered the report, objections and representations, **RESOLVED that PERMISSION BE GRANTED, and SUBJECT TO THE PRIOR COMPLETION OF A LEGAL AGREEMENT** as recommended, and subject to the conditions set out in the report of the Assistant Director, Planning.

**33.4
PENGE AND CATOR**

(21/00734/FULL1) - Unit 1, 23 Station Road, Penge, London SE20 7BE

Description of application – Demolition of the existing commercial units (Class B1) and redevelopment of the site for a 2-3 storey residential scheme comprising of 8 (Class 3) residential Units (3 no. 2 bedroom and 5 no. 1 bedroom units) with associated landscaping and car parking.

Oral representations in support of the application were received.

Oral representations from visiting Ward Member Councillor Kevin Brooks in objection to the application were also received at the meeting. It was noted that the construction of 7 units on the site had already been approved, which was considered to be acceptable – 8 units would cause too much intrusion on the amenities of neighbours and he therefore urged Members to refuse the application on the grounds of over development.

Councillor Kathy Bance agreed with Councillor Brooks

and moved refusal.

The Chairman highlighted section 7.4.8 of the report which stated that the 'principal impact on neighbouring amenity would relate to that upon the amenities of No. 38 Bredhurst Close resulting from the height, massing and third storey projection of the development. The height and length of the building immediately adjacent to this neighbour would be very visible from the rear windows and garden of that property. It is considered that there would be an impact on the residential amenities of this property in terms of a heightened sense of enclosure and the visual dominance of the development viewed from the neighbouring site.' The Chairman considered that 8 units on the site would have an unacceptable impact and seconded refusal.

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

1. The proposed building, by reason of its excessive height, massing, length, visual dominance and perception of overlooking, would have a detrimental impact on the amenities of neighbouring residential properties in Bredhurst Close, thereby contrary to Policy 37 of the Bromley Local Plan.

**33.5
HAYES AND CONEY HALL**

**(21/00844/FULL6) - 3 Monarch Close, West
Wickham, Kent BR4 9DQ**

Description of application – First floor rear extension.

Oral representations from visiting Ward Member Councillor Neil Reddin in support of the application were received at the meeting. The application would provide the space required to allow the applicants to work from home, the need for which had increased as a result of the pandemic. The option of a garden office had been considered but would result in the felling of some mature trees and loss of open space. It was noted that the application had been adjusted to reflect the concerns of the neighbours at No. 2. The adjoining neighbours at No. 4, who would be most impacted by the proposed extension, were supportive of the application and a video to that effect had been circulated to Members. Councillor Reddin therefore urged Members to approve the application.

The Assistant Director, Planning reported that a copy of the comments received from the agent, the officer response, and videos and further letter of support for the application had been circulated to Members of the Sub-Committee. Clarification was provided that:-

- section 2.1 of the report should read: 'The surrounding properties comprise predominantly *semi-detached* dwellings';
- the agent had confirmed that the proposed extension was 3.6 metres deep; and
- permitted development restricted anything within 2 metres of the boundary, to a maximum of 3 metre high eaves.

Councillor Kathy Bance MBE said that she supported the officer's reasons for recommending that the proposed first floor rear extension be refused due to its excessive rearward projection and close proximity to the shared boundary which would result in a significant loss of light, outlook and prospect, and moved refusal.

Councillor Charles Joel seconded refusal.

Councillor Suraj Sharma highlighted that the occupiers of the adjoining property at No.4 did not object to the application and had in fact submitted a letter of support. It was noted that concerns had been raised in relation to drainage, but as the extension would house an additional bedroom this was not a reason to refuse the application. It was subjective if the application would result in the lack of amenity and Councillor Sharma moved to grant permission.

Having visited the site, the Chairman did not consider the rearward projection of the proposed first floor extension to be excessive as it would only go as far back as the existing ground floor extension. As the immediate neighbour did not object to the application, and planned to do something similar, the reason given for refusal would no longer stand. It was highlighted that this was a preferred option to felling trees to create a garden office and therefore she seconded permission.

Councillor Kate Boughey said that she felt the proposals were modest, and as the projection was not that great, the impact would be minimal. It was considered that due to the distance between the

properties there would not be any impact on No. 2 and she would agree with permission being granted.

Councillor Christine Harris said that she had also made a visit to the site and had been concerned that major changes would need to be made to the roof. It was considered that in order to maintain symmetry it may be better to pause the application until the occupiers of No. 4 were ready to submit their planning application.

Councillor Samaris Huntington-Thresher highlighted that the application was only 0.6 metres higher than what would be allowed by permitted development and was above an existing single storey ground floor extension. Councillor Huntington-Thresher did not feel the proposal was excessive, and as the reason for refusal was based on a property whose occupants were not objecting, she would support permission being granted.

In response to a question, the Assistant Director, Planning advised that joint planning applications were encouraged when both neighbours were in a position to proceed. However, there would need to be a mechanism in place for both applications to be built within a reasonable timeframe of each other.

Members having considered the report, objections and representations, **RESOLVED that PERMISSION BE GRANTED** for the following reason, and subject to the conditions and informatives set out in the report of the Assistant Director, Planning, with conditions delegated to officers:-

1. It was judged that the proposal would not cause unacceptable loss of light and prospect, and that the rearward projection was not judged to have an unacceptable impact on the neighbouring properties.

**33.6
PETTS WOOD AND KNOLL**

(21/01292/FULL6) - 34 Towncourt Crescent, Petts Wood, Orpington BR5 1PQ

Description of application – Loft conversion incorporating dormer to the rear and rooflights to the front.

Oral representations from visiting Ward Member Councillor Simon Fawthrop in objection to the

application were received at the meeting. It was noted that the site was within an Area of Special Residential Character – the property already had a gable end and the semi-detached houses were already unbalanced, and it was considered that the roof lights would increase this further. He urged Members to refuse the application on the grounds of degradation of the Area of Special Residential Character.

In response to a question from the Chairman, the Development Management Team Leader clarified that the rear dormer could be built under permitted development and therefore permission was only required for the roof lights included in the application.

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

**33.7
BROMLEY TOWN**

(21/01985/RESPA) - Y Buildings, Bromley Civic Centre BR1 3UH

This item was taken after a decision was made on item 4.8.

Description of application – Change of use of Class B1(a) office to Class C3 Residential to form 73 residential units. (56 day application for prior approval in respect of transport and highways, contamination, flooding, noise impacts, natural light to habitable rooms under Class O Part 3 of the GPDO).

Oral representations in support of the application were received from the agent engaged by the applicant. With respect of the qualifying criteria they believed the only matter outstanding was whether the Y buildings were within the curtilage of the listed Palace building. In their opinion the case law established the criteria was whether there was an intimate connection between the listed building and the land claimed to be the curtilage. With respect to the details requiring prior approval these were all agreed to be satisfactory.

The Assistant Director, Planning reported that further objections and a letter from the agent had been received and circulated to Members. Revised plans had been received showing different bedroom sizes and therefore the issues raised in sections 7.2.14 and

7.2.17 were now resolved and officers were no longer recommending the second ground for refusal.

The Legal Representative quoted the Challenge Fencing Limited legal case which outlined the factors to be taken into account when making an assessment relating to the curtilage of a building.

Councillor Kira Gabbert considered that a full planning application should be invited and moved refusal.

Councillor Kathy Bance seconded refusal.

Members having considered the report, objections and representations, **RESOLVED** that **PRIOR APPROVAL IS REQUIRED AND REFUSED** for the following reasons:-

1. In the opinion of the Local Planning Authority the proposed development does not comply with Class O.1(f) of Part 3, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) with respect to the requirement that the development is not within the curtilage of a listed building. The proposal does not therefore comply with the provisions, conditions and limitations of Paragraph W(3) of Part 3, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
2. An application for planning permission is to be invited.

**33.8
BROMLEY TOWN**

(21/02042/ELUD) - Y Buildings, Bromley Civic Centre BR1 3UH

Description of application – The use of the "Y" Buildings as offices for the carrying out of administrative functions (Use Class E(g)(i)). LAWFUL DEVELOPMENT CERTIFICATE (EXISTING).

Oral representations in support of the application were received from the agent engaged by the applicant. Their opinion was that the Y Blocks were a separate unit of occupation. Physically the Y blocks were not attached to other buildings in the Civic Centre, had their own toilets and kitchen facilities and functionally were separately occupied by specific Council

departments. Although the officer's report recommended refusal in paragraph 7.14 the officers did concede it is possible to conclude that the Y buildings were used separately from the remainder of the site. The functions carried on in the Y buildings with desks, computer cabling and notices, meeting rooms, server rooms and printing and bundling meant that the use was a Class E office use.

The Assistant Director, Planning reported that further objections, including one from Bromley Civic Society, and a letter from the agent had been received and circulated to Members.

In response to questions, the Legal Representative referred to the conclusions reached in the officers' report. Reference was made to the Court of Appeal judgement regarding County Hall, and the Lord Justices of Appeal had concluded in respect of that site that the overall site was sui generis. The London Borough of Bromley had legal ownership of the overall site which should be the starting point of the consideration and it was considered that there was no physical separation between the "Y" Buildings.

Councillor Christine Harris agreed with the officer's recommendation and moved refusal.

Councillor Suraj Sharma considered that the Y buildings did not have a democratic function or a council chamber. For some time the Council's property team had been in occupation. He referred to paragraph 7.14 of the officer's report. He concluded that this was an existing lawful office use and moved to grant a certificate of lawfulness. This was seconded by Councillor Kira Gabbert.

Members having considered the report, objections and representations, **RESOLVED** that **the EXISTING USE IS LAWFUL and a CERTIFICATE OF LAWFULNESS BE GRANTED** for the following reason:-

1. On the balance of probabilities, the "Y" Buildings have been used predominantly for an office use, and in particular have not had a democratic function, and the use has therefore been functionally separate from the remainder of the Civic Centre site which has predominantly been a sui generis use for

administrative and democratic functions to support local government.

Councillor Harris' vote against granting a certificate of lawfulness was noted.

The meeting ended at 9.27 pm

Chairman

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PLANS SUB-COMMITTEE NO. 1

Minutes of the meeting held at 7.00 pm on 5 August 2021

Present:

Councillor Alexa Michael (Chairman)
Councillor Christine Harris (Vice-Chairman)
Councillors Kathy Bance MBE, Katy Boughey, Simon Fawthrop,
Samaris Huntington-Thresher, Keith Onslow, Tony Owen and
Suraj Sharma

Also Present:

Councillor Stephen Wells

34 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

Apologies for absence were received from Councillors Kira Gabbert and Charles Joel, who were replaced by Councillors Simon Fawthrop and Keith Onslow.

35 DECLARATIONS OF INTEREST

There were no declarations of interest.

36 CONFIRMATION OF MINUTES OF MEETING HELD ON 10 JUNE 2021

The Sub-Committee noted that the minutes of the last meeting were not yet available and would be presented to the next meeting.

37 PLANNING APPLICATIONS

37.1 (19/03728/RECON) - 128b College Road, Bromley BR1 3PF PLAISTOW & SUNDRIDGE

Description of application – Single storey side infill and first floor extensions to dwelling house with conversion of resultant building including roof space into 4 residential units (1 x 1 bed and 3 x 2 bed).

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

The Head of Development Management clarified that the application was for variation of a condition for an application already granted at appeal.

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

**37.2 (21/00292/FULL1) - Highway and Land, Canterbury Close, Beckenham
COPERS COPE**

Description of application – Erection of three storey building, with basement, comprising 5 flats and the laying out of associated parking spaces and amenity space.

The Head of Development Control reported that further objections had been received and circulated.

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

Oral representations from visiting ward member Councillor Stephen Wells were received at the meeting – he objected to the loss of amenity space and stated that this was a bulky overdevelopment of the site, and that the basement element was uncharacteristic for the area. He also referred to the lack of a range of assessments including noise, ecology, construction management and foul water provision. The Chairman read out an email objecting to the application in similar terms from another ward member, Councillor Russell Mellor.

The Chairman stated that amenity space was important for the existing dwellings in the Close, and that the proposed development was far too large in comparison with the existing buildings. She was also concerned about parking, but it was confirmed that there had been no objections from Highways on parking grounds.

Councillor Harris commented that although she had originally thought the proposals were a clever use of limited space, having visited the site she realised that this was overdevelopment.

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

The proposed development, by reason of the design, scale and massing of the proposed building, would be a bulky, overdevelopment of a constrained plot of land that appears out of keeping with the character of surrounding development and results in the loss of a valued local amenity space. This is contrary to policies 4 and 37 of the Bromley Local Plan.

37.3

**(21/00533/FULL6) - 3 Nightingale Road, Petts Wood, Orpington
BR5 1BG**

**PETTS WOOD
& KNOLL**

Description of application – Part one/two storey rear and single storey side extensions.

Councillor Tony Owen, a Petts Wood and Knoll ward councillor, stated that the proposals would have severe effects on the neighbouring properties on both sides, particularly to number 5. The proposals were out of keeping and too large for a small semi-detached house. The other ward councillors, Simon Fawthrop and Keith Onslow, also considered that this was overdevelopment.

Councillor Christine Harris reported that she had visited the property and viewed it from the rear. The adjoining properties both had large box extensions and therefore she considered that the application should be allowed.

Members having considered the report, objections and representations, **RESOLVED** that the application be **REFUSED** for the following reason –

The proposed development, by reason of its design and excessive dimensions, would be an overbearing, overdevelopment of the site that appears out of keeping with the character of the area and causes harm to the amenities of nos. 1 and 5 Nightingale Road with particular regards to light and outlook. This is contrary to policies 6 and 37 of the Bromley Local Plan.

37.4

**(21/01034/FULL6) - 8 Greencourt Road, Petts Wood,
Orpington BR5 1QW**

**PETTS WOOD
& KNOLL**

Description of application – Proposed first floor side extension and loft conversion with rear dormers.

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

The Development Management Area Team Leader reported that additional photos had been circulated.

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

**37.5
COPERS COPE**

(21/01090/FULL6) - 103 Foxgrove Road, Beckenham BR3 5DA

Description of application – Demolition of existing side conservatory and erection of two storey side extension and single storey rear extension. New double height garage with office at first floor.

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

Oral representations from visiting ward member Councillor Stephen Wells were received at the meeting. The Chairman also read out an email objecting to the application from another ward member, Councillor Russell Mellor.

The Development Management Area Team Leader reported that further objections had been received and circulated from the speaker objecting to the proposals.

Members having considered the report, objections and representations, **RESOLVED** that **PERMISSION BE GRANTED** as recommended, subject to the conditions set out in the report and the following additional questions –

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order amending, revoking and re-enacting this Order) no buildings, structures, alterations, walls or fences of any kind shall be erected or made within the curtilage(s) of the dwelling(s) without the prior approval in writing of the Local Planning Authority.

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

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

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

8. A full kitchen/cooking facilities shall not be installed within the two story outbuilding hereby permitted.

Reason: in the interests of protecting the character of the area and the residential amenities of the area in accordance with Policy 37 of the Bromley Local Plan.

9. 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%
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 BE1, NE7 and NE8 of the Unitary Development Plan to secure a visually satisfactory setting for the development and to protect neighbouring amenity.

37.6

(21/01913/FULL6) - 64 Petts Wood Road, Petts Wood, Orpington BR5 1LD

**PETTS WOOD
& KNOLL**

Description of application – Alterations to previously approved application with reference 15/04422/FULL6 for part one/two storey side/rear extension to include alterations to the first floor layout, increase in height of the first floor rear extension, alterations to roof layout and a loft conversion

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

Members having considered the report, objections and representations, **RESOLVED** that **PERMISSION BE GRANTED** as recommended, subject to the conditions set out in the report and subject to the following additional conditions –

4. 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 buildings, structures, alterations, walls or fences of any kind 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.

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

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

6. Before the development hereby permitted is first occupied the proposed window(s) in the eastern elevation shall be obscure glazed to a minimum of Pilkington privacy Level 3 and shall be non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed and the window (s) shall subsequently be permanently retained as such.

Reason: In the interests of protecting residential amenity in accordance with Policy BE1 of the UDP.

37.7

(21/03120/RESPA) - Y Buildings, Bromley Civic Centre, Stockwell Close, Bromley

**BROMLEY
TOWN**

Description of application – Change of use of Class B1(a) office to Class C3 Residential to form 73 residential units. (56 day application for prior approval in respect of transport and highways, contamination, flooding, noise impacts, natural light to habitable rooms under Class O Part 3 of the GPDO.)

Oral representations in support of the application were received at the meeting. The Speaker referred to a Court case that in his opinion indicated the issue was whether there was an intimate connection between the old Palace building and the Y buildings. He said the Y buildings were their own planning unit, had a different architectural style and were separated by a clear line of trees. In response to a question from the Chairman, the speaker confirmed that there was a separate entrance to the Y blocks from a different part of the site and a separate car park which pointed to a physical separation.

The Head of Development Management clarified with respect to paragraph 7.3.1 in the report that the proposals did comply with internal space standards.

The report did not cover the other prior approval matters - these were transport and highways impact, contamination risks, flooding risks, impact of noise from commercial premises, and provision of adequate natural light in all habitable rooms. These matters needed to be considered if Members accepted the curtilage point. He also reported that there had been late objections from local residents and the Bromley Civic Society and comments from Highways and Environmental Health.

The Sub-Committee's Legal Advisor informed Members that the issue of whether a building was within a curtilage was a matter of fact and degree for the decision-maker, subject to the normal principles of public law, and the three key factors that had to be taken into account (as set out in the Challenge Fencing case) were physical layout, ownership (past and present) and use or function of the land or buildings, past or present. In response to a question, he advised that three counsel's opinions had been sought, all of which advised that the Y blocks were within the curtilage of the old Palace. The decision was one for Councillors to make, but they had to take a decision which was reasonable (as defined in the Wednesbury case.)

Councillor Suraj Sharma considered that the fact that there was a separate entrance to the Y blocks from Rafford Way was quite key – users would not use the main entrance, there was also a line of trees separating them from the old Palace, and there had been functional separation for many years. The architectural language of the Y blocks was very different to the old Palace, and he saw ownership as

less relevant. He took the view that the Y buildings were outside of the curtilage of the old Palace.

Councillor Simon Fawthrop commented that this was a very difficult decision. He did not see the two entrances as meaning there were separate curtilages, but focussed on the degree of separation. Historically the area had been part of the old Palace. Although the Y blocks were a separate building and had been used for different purposes he was not certain that this meant that they were in a separate curtilage.

Councillor Tony Owen stated that as Deputy Mayor he had recently spoken to former students of the Teacher Training College on the site from 1971 – they had lived in the Y blocks, but had only visited the old Palace once in three years.

Councillor Keith Onslow agreed that it was significant that the Y blocks had originally been used as student accommodation, and he felt that there was a separation between the Y blocks and the old Palace, but he also remarked that it was not unusual for a palace to have more than one entrance. He argued for a further deferral, but officers pointed out that the Council only had 56 days (expiring on 3rd September 2021) to determine the application before it would be allowed by default.

The Sub-Committee noted that the applicants could submit a planning application, which the Council would have to allow or refuse on planning grounds. The Legal Advisor informed members that they should focus on whether the Y blocks were within the curtilage of the listed building or not, and should not speculate on other options open to the applicants. He also explained that the legislation had been drafted to require that if a site was within the curtilage of a listed building then permitted development rights would not automatically apply and any proposals would therefore require individual consideration under a planning application.

The Chairman summed up by stating that if Members granted the application they would be agreeing that the Y buildings were not within the curtilage of the old Palace, that there was no intimate connection between the buildings and the site had been divorced from the old Palace for many years, that the architecture of the buildings was very different, there was physical separation from the line of trees, and there were separate entrances. The Head of Development Management reminded Members that if they accepted that the Y blocks were not within the curtilage of the listed building they would also need to be satisfied that the development was acceptable on the other matters he had listed earlier.

Members having considered the report, objections and representations, for the reasons summarised by the Chairman

considered that the Y buildings are not within the curtilage of the old Palace and **RESOLVED** that **PRIOR APPROVAL BE GRANTED** in respect of transport and highways, impacts of the development, contamination, flooding risks on the site, impacts of noise from commercial premises on the intended occupiers of the development and the provision of adequate natural light in all habitable rooms of the dwelling houses under Class O Part 3 of the GPDO, as the details submitted were satisfactory.

Members also resolved that the Assistant Director of Planning and Building Control be given delegated authority to determine the conditions to be imposed on the prior approval.

**37.8
KELSEY &
EDEN PARK**

(20/02339/FULL1) 94A Wickham Road, Beckenham BR3 6QH

Description of application – Sub-division of the existing duplex apartment into 2 x two bedroom flats and the construction of a rear, second floor dormer extension.

The Sub-Committee agreed to consider the report as a matter of urgency as the Appeal Statement detailing the Council's case was due to be submitted to the Planning Inspectorate on 9th August 2021 (the deadline having already been extended from 2nd August) and there was insufficient time to report to the next Sub-Committee meeting.

Members having considered the report **RESOLVED NOT TO CONTEST THE APPEAL.**

The Meeting ended at 9.24 pm

Chairman

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Agenda Item 4.1

Committee Date	30.09.2021	
Address	5 Woodlands Road Bickley Bromley BR1 2AD	
Application Number	21/02056/FULL1	Officer - Gill Lambert
Ward	Bickley	
Proposal	Demolition of existing detached single storey garage building and erection of replacement detached garage building with accommodation in roof containing 1 self-contained one bedroom residential unit (Class C3), together with associated car parking, cycle and refuse stores and landscaping	
Applicant	Agent	
Mr Robert Dickman	Mr Anthony Ferguson	
5 Woodlands Road Bickley Bromley BR1 2AD	Fourth Floor 8 Baltic Street London EC1Y 0UP	
Reason for referral to committee	Side Space	Councillor call in No

RECOMMENDATION	Application Permitted
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<p>KEY DESIGNATIONS</p> <p>Conservation Area: Bickley Park Biggin Hill Safeguarding Area London City Airport Safeguarding Open Space Deficiency Smoke Control SCA 10</p>

Land use Details		
	Use Class or Use description	Floor space (GIA SQM)
Existing	Garages	69
Proposed	Garages Residential flat (C3)	69 65

Residential Use – See Affordable housing section for full breakdown including habitable rooms					
	Number of bedrooms per unit				
	1	2	3	4 Plus	Total / Payment in lieu
Market	1				
Affordable (shared ownership)					
Affordable (social rent)					
Total	1				

Vehicle parking	Existing number of spaces	Total proposed including spaces retained	Difference in spaces (+ or -)
Standard car spaces	4	5	+ 1
Disabled car spaces			
Cycle	0	2	+ 2

Electric car charging points	Percentage or number out of total spaces
1 Active 4 Passive	

Representation summary	Neighbour letters were sent 27.05.2021 A press ad was published on 09.06.2021 A site notice was displayed between 01.06.2021 – 30.07.2021
Total number of responses	0
Number in support	
Number of objections	

1 SUMMARY OF KEY REASONS FOR RECOMMENDATION

- The development would not result in a harmful impact on the character and appearance of the Conservation Area
- The development would not adversely affect the amenities of neighbouring residential properties
- The proposals would not constitute an overdevelopment of the site
- The development would provide a satisfactory standard of residential accommodation
- The proposals would not have adverse impacts on parking or highway safety
- The proposals would not have adverse impacts on important trees on or adjacent to the site

2 LOCATION

- 2.1 The application site is located to the front of Orchard House at No.5 Woodlands Road which is locally listed and is divided into 4 flats. The site is located adjacent to the eastern side boundary with Deerwood House, and lies within the western part of Bickley Park Conservation Area.



3 PROPOSAL

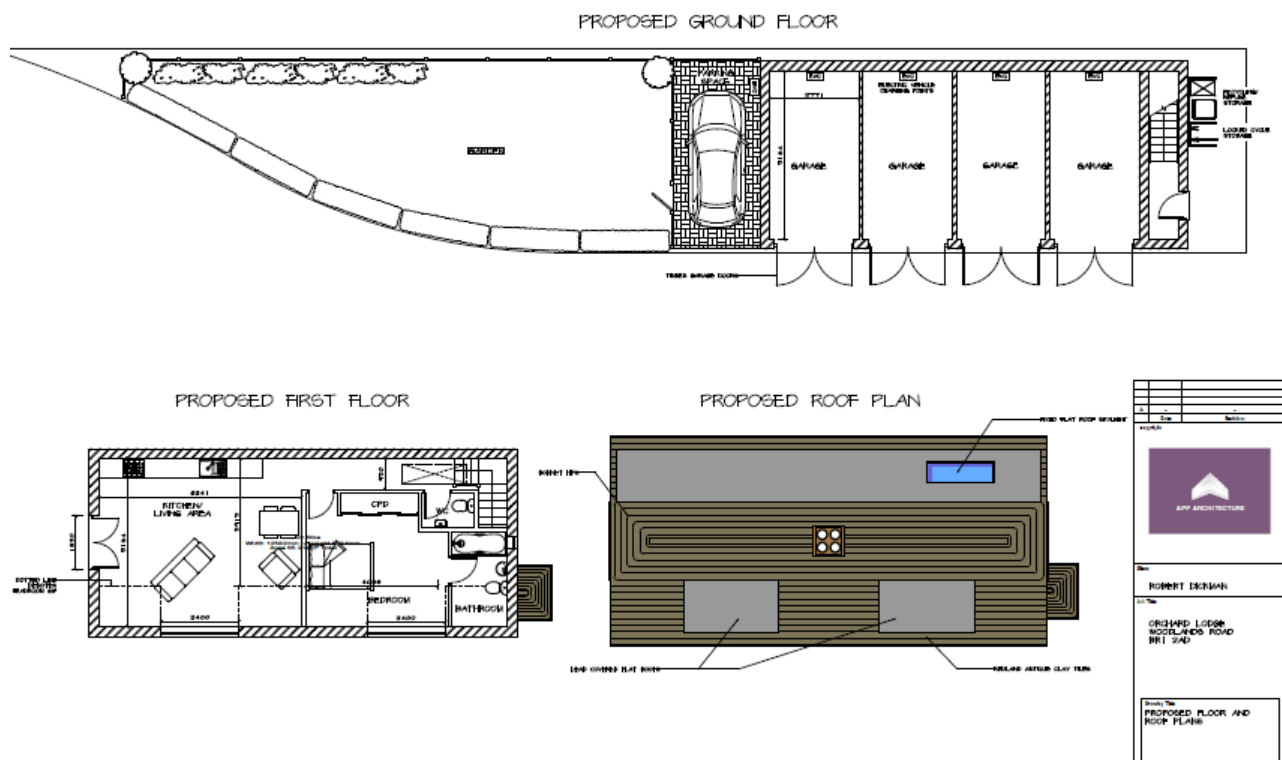
- 3.1 It is proposed to demolish the existing detached single storey garage building which contains 4 garages for Apartments 1 and 3 at Orchard House, and erect a replacement detached garage building which would have accommodation in the roof space and would be located in a similar position on the site to the front of Orchard House. The building would contain 4 replacement garages on the ground floor for Apartments 1 and 3, along with a self-contained one bedroom residential unit (Class C3) at first floor level.
- 3.2 The new building would be located adjacent to the eastern flank boundary with the access road to Deerwood House, and would be 17m from the existing building at Orchard House.

3.3 One additional car parking space would be provided adjacent to the northern side of the building to serve the new flat, and cycle and refuse stores would be provided to the south of the new building. A small private garden area for the flat would be provided to the north of the building.

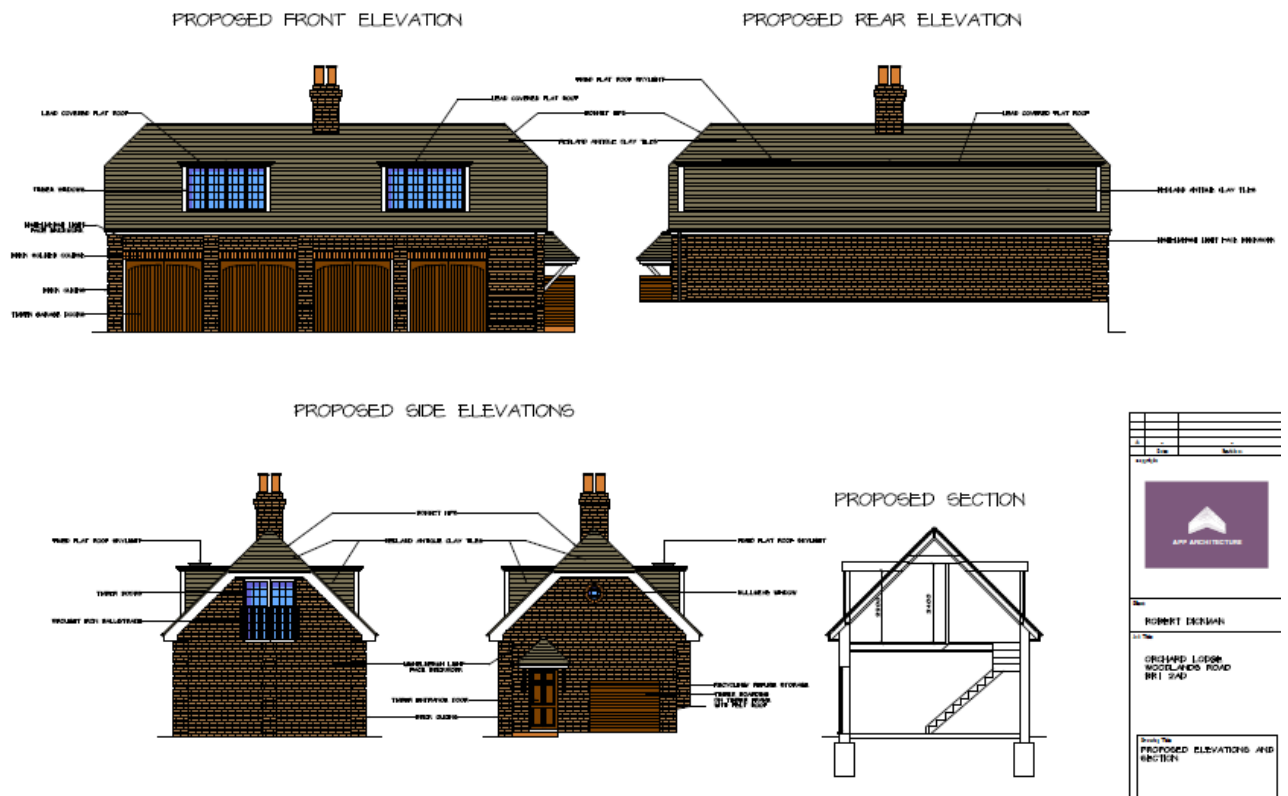
3.4 The application was supported by the following documents:

- Design and Access Statement
- Arboricultural Report

3.5 Proposed site and floor plans:



3.6 Proposed elevations and section:



4 RELEVANT PLANNING HISTORY

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

4.2 Permission was refused in 2015 (ref.15/04167) for the erection of a detached two storey dwelling including accommodation in the roof, a detached triple garage, access drive, and cycle and refuse stores on land to the north of Orchard House.

4.3 Permission was refused in May 2016 (ref.16/01284) for the erection of a detached two storey dwelling including accommodation in the roof, a detached triple garage, access drive, cycle and refuse stores on land to the north of Orchard House, but it was granted on appeal in October 2016.

4.4 Permission was refused in June 2018 (ref.18/01938/FULL1) for the erection of a detached two storey building including accommodation in the roof to provide 5 three bedroom flats, with access drive, car and bicycle parking, refuse storage and landscaping on land to the north of Orchard House on the following grounds:

- 1 The increase in the number of units will intensify the use of the site, detrimental to the established low density character of the Conservation Area where there is also no precedent for purpose built flats. This would be contrary to Policies BE1 and BE11 of the UDP and Policies 37 and 41 of the Draft Local Plan.

- 2 The proposed intensification of the site will be detrimental to neighbouring amenity by reason of loss of privacy and general noise and disturbance contrary to Policy BE1 of the UDP and Policy 37 of the Draft Local Plan.

The subsequent appeal was granted in July 2019.

4.5A revised scheme (ref.18/01938/RECON) was approved in May 2020 for an increase in the height of the roof, changes to the fenestration, the provision of a glazed canopy over the main entrance, elevational alterations and the erection of a new outbuilding to accommodate the heat pump and electrical equipment.

4.6 Scheme approved under ref.18/01938/RECON:



5 CONSULTATION SUMMARY

A) Statutory/Non-Statutory

Highways – No objection

- This site is large and set right back from Woodlands Road which is an unadopted highway. There is plenty of parking on site, so no objections would be raised from a highway perspective to an additional one bedroom unit.

Drainage – No objection

- There is no public surface water sewer near the site, therefore, the applicant should make their own arrangement as to how to dispose of surface water run-off.

Conservation Officer – No objection

- The house and garage are set right back amongst mature greenery and trees. The materials for the proposed replacement garage are suitable, and the design is considered to be in keeping. Therefore, on balance, no objections are raised from a heritage viewpoint as views of the house and the new garage would be limited.

APCA – Objections

- The development would be an overdevelopment, unsympathetic to the setting of the locally listed building as well as compromising its side space with 4 garages opening out onto the main access road serving the flats.

Trees – No objection

- With regard to the Arboricultural Impact Assessment (AIA) submitted, it is considered that the existing trees will be sufficiently protected during the development.

B) Adjoining Occupiers

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

6 POLICIES AND GUIDANCE

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

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

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

6.3 The National Planning Policy Framework was published on 20th July 2021, and is a material consideration.

6.4 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.

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

6.6 The London Plan

HC1	Heritage conservation and growth
D1	London's form and characteristics
D3	Optimising site capacity through the design-led approach
D4	Delivering good design
D5	Inclusive design
D6	Housing quality and standards
D7	Accessible housing
D11	Safety, security and resilience to emergency
D12	Fire safety
D14	Noise
H1	Increasing Housing Supply
H2	Small sites
H10	Housing Size Mix
S4	Play and informal recreation
G5	Urban greening
G6	Biodiversity and access to nature
G7	Trees and woodlands
SI1	Improving air quality
SI4	Managing heat risk
SI5	Water infrastructure
SI7	Reducing waste and supporting the circular economy
SI12	Flood risk management
SI13	Sustainable drainage
T2	Healthy Streets
T3	Transport capacity, connectivity and safeguarding
T4	Assessing and mitigating transport impacts
T5	Cycling
T6	Car parking
T6.1	Residential Parking
T7	Deliveries, servicing and construction

6.7 Bromley Local Plan 2019

3	Backland and Garden Land Development
4	Housing Design
30	Parking
32	Road Safety
37	General Design of Development
39	Locally Listed Buildings
41	Conservation Areas
43	Trees in Conservation Areas

6.8 Supplementary Planning Guidance

Major's Housing SPG
The National Planning Policy Framework (NPPF)
Bickley Park Conservation Area SPG

7 ASSESSMENT

7.1 Principle - Acceptable

- 7.1.1 The current position in respect of Bromley's Five Year Housing Land Supply (FYHLS) was agreed at Development Control Committee on 24th September 2020. The current position is that the FYHLS (covering the period 2020/21 to 2024/25) is 2,690 units, or 3.31 years supply. This is acknowledged as a significant undersupply and for the purposes of assessing relevant planning applications means that the presumption in favour of sustainable development will apply.
- 7.1.2 The NPPF (2019) sets out in paragraph 11 a presumption in favour of sustainable development. In terms of decision-making, the document states that where a development accords with an up to date local plan, applications should be approved without delay. Where a plan is out of date, permission should be granted unless the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.
- 7.1.3 According to paragraph 11(d) of the NPPF in the absence of a 5 year Housing Land Supply the Council should regard the Development Plan Policies for the supply of housing including Policy 1 Housing Supply of the Bromley Local Plan as being 'out of date'. In accordance with paragraph 11(d), for decision taking this means where there are no relevant development plan policies or the policies which are most important for determining the application are out-of-date, granting permission unless:
- i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.
- 7.1.4 London Plan Policy H1 sets Bromley's housing target at 774 homes per annum. In order to deliver this target, boroughs are encouraged to optimise the potential for housing delivery on all suitable and available brownfield sites. This approach is consistent with Policy 1 of the Bromley Local Plan, particularly with regard to the types of locations where new housing delivery should be focused.
- 7.1.5 Policy H2 requires Boroughs to pro-actively support well-designed new homes on small sites (below 0.25 hectares in size). Policy D3 requires all development to make the best use of land by following a design led approach.

7.1.6 This application includes the provision of one residential dwelling and would represent a minor contribution to the supply of housing within the Borough. This will be considered in the overall planning balance set out in the conclusion of this report, having regard to the presumption in favour of sustainable development.

7.1.7 With regard to the current proposals, this site is located in a residential area where the Council may consider infill developments provided that they are designed to complement the character and spatial standards of the surrounding area, the design and layout of the dwelling provide suitable residential accommodation, and the proposals provide adequate amenity space and parking for the occupants.

7.2 Density – Acceptable

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

7.2.1 Policy D4 of the London Plan outlines the various methods of scrutiny that assessments of design should be based on depending on the level/amount of the development proposed for a site.

7.2.2 Orchard House occupies a large site measuring 0.7ha, and contains 4 flats, whilst a development within the northern part of the site containing 5 flats is currently under construction. There are also converted residential properties adjacent to the site at Deerwood. The provision of one additional small residential unit on this site is not therefore considered to result in an overdevelopment of the site, and would not be out of character with the surrounding area.

7.3 Design, layout and scale – Acceptable

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

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

7.3.3 Paragraph 127 of the NPPF (2018) requires Local Planning Authorities to ensure that developments will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development; are visually attractive as a result of good architecture, layout and appropriate and effective

landscaping and are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities). New development shall also establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit; optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

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

7.3.5 Policies 4 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.

7.3.6 Policy 8 of the BLP requires a minimum separation of 1m to be retained to the flank boundaries of the site in respect of two storey development.

7.3.7 The proposed replacement two storey building would be located 0.3m from the eastern flank boundary with the access road to Deerwood House, and would not therefore comply with the side space policy. However, the nearest building to the east is Deerwood House which is 20m away, therefore, good separations between buildings would still exist.

7.3.8 The proposed building would be on the same footprint as the existing single storey garage building, and would therefore be set back 32m from the road. The proposed first floor flat would be contained within the roof which would have part gabled ends and roof dormers, and the building is not therefore considered to appear overly bulky or cramped within the street scene. Furthermore, there is good tree screening along the eastern flank boundary with the adjacent access road to Deerwood House which would further reduce its prominence.

7.4 Heritage Impact - Acceptable

7.4.1 The NPPF sets out in section 16 the tests for considering the impact of a development proposal upon designated and non-designated heritage assets. The test is whether the proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset and whether it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits. A range of criteria apply.

7.4.2 Paragraphs 202 and 203 state where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where

appropriate, securing its optimum viable use. The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

7.4.3 Within or adjacent to a Conservation Area:

7.4.4 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.

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

7.4.6 The design of the building is considered to be in keeping with the Conservation Area, and the materials proposed are considered acceptable. The building would be set far back from the road amongst mature greenery and trees, and views of the replacement building would therefore be limited.

7.4.7 The proposed building would be located to the front of Orchard House and would be approximately 17m away. It is not therefore considered to have a detrimental impact on the setting of this locally listed building.

7.5 Standard of residential accommodation – Acceptable

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

7.5.2 Policy D7 of the London Plan - Accessible Housing, states that to provide suitable housing and genuine choice for London’s diverse population, including disabled people, older people and families with young children, residential development must ensure that at least 10 per cent of dwellings (which are created via works to which Part M volume 1 of the Building Regulations applies) meet Building Regulation requirement M4(3) ‘wheelchair user dwellings’ and; all other dwellings (which are created via works to which Part M volume 1 of the Building Regulations applies) meet Building Regulation requirement M4(2) ‘accessible and adaptable dwellings’. The relevant category of Building Control Compliance should be secured by planning conditions.

7.5.3 Policy 4 of the BLP sets out the requirements for new residential development to ensure a good standard of amenity.

7.5.4 The proposals comprise 1 one bedroom 2 person flat for which The London Plan suggests that the minimum size should be 50sq.m. in floor area. The flat would have a floorspace of 65sq.m. which would meet the standard.

7.5.5 Amenity space would be provided in the form of an 82sq.m. garden area which would be delineated by low-level planting in order to preserve the open setting of Orchard House. The amenity space is considered acceptable to serve this small dwelling unit.

7.6 Highways – Acceptable

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

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

7.6.3 London Plan and 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.

7.6.4 No highways objections are raised to the proposals subject to safeguarding conditions.

7.7 Neighbouring amenity - Acceptable

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

7.7.2 The proposed replacement building would be set some distance away from the nearest residential properties, and due to its scale and height, would have only a limited impact on outlook from nearby flats. The first floor windows to the flat would face the north and west, and given the separation distance, would not result in significant overlooking of neighbouring properties.

7.8 Trees – Acceptable

7.8.1 The existing trees on the site would be sufficiently protected during the development, therefore, no objections are raised to the proposals from a tree viewpoint, subject to safeguarding conditions.

7.9 CIL

7.9.1 The Mayor of London's CIL is a material consideration. CIL is payable on this application and the applicant has completed the relevant form.

8 CONCLUSION

8.2 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 adjacent locally listed building, the character and spatial standards of the Conservation Area, or important trees on the site.

8.3 Additionally, the provision of one new dwelling unit would make a minor contribution towards meeting the Council's housing targets, which also weighs in its favour.

8.4 Background papers referred to during production of this report comprise all correspondence on the files set out in the Planning History section above, excluding exempt information.

As amended by documents received 17.08.2021

RECOMMENDATION: PERMISSION BE GRANTED

The following conditions are recommended:

Standard Conditions:

- 1. Standard time limit of 3 years**
- 2. Standard compliance with approved plans**

Pre-Commencement Conditions:

- 3. Surface water drainage**
- 4. Slab levels**

Above Ground Works conditions:

- 5. Landscaping and boundary enclosures**

Prior to First Occupation conditions:

- 6. Car parking details to be implemented**

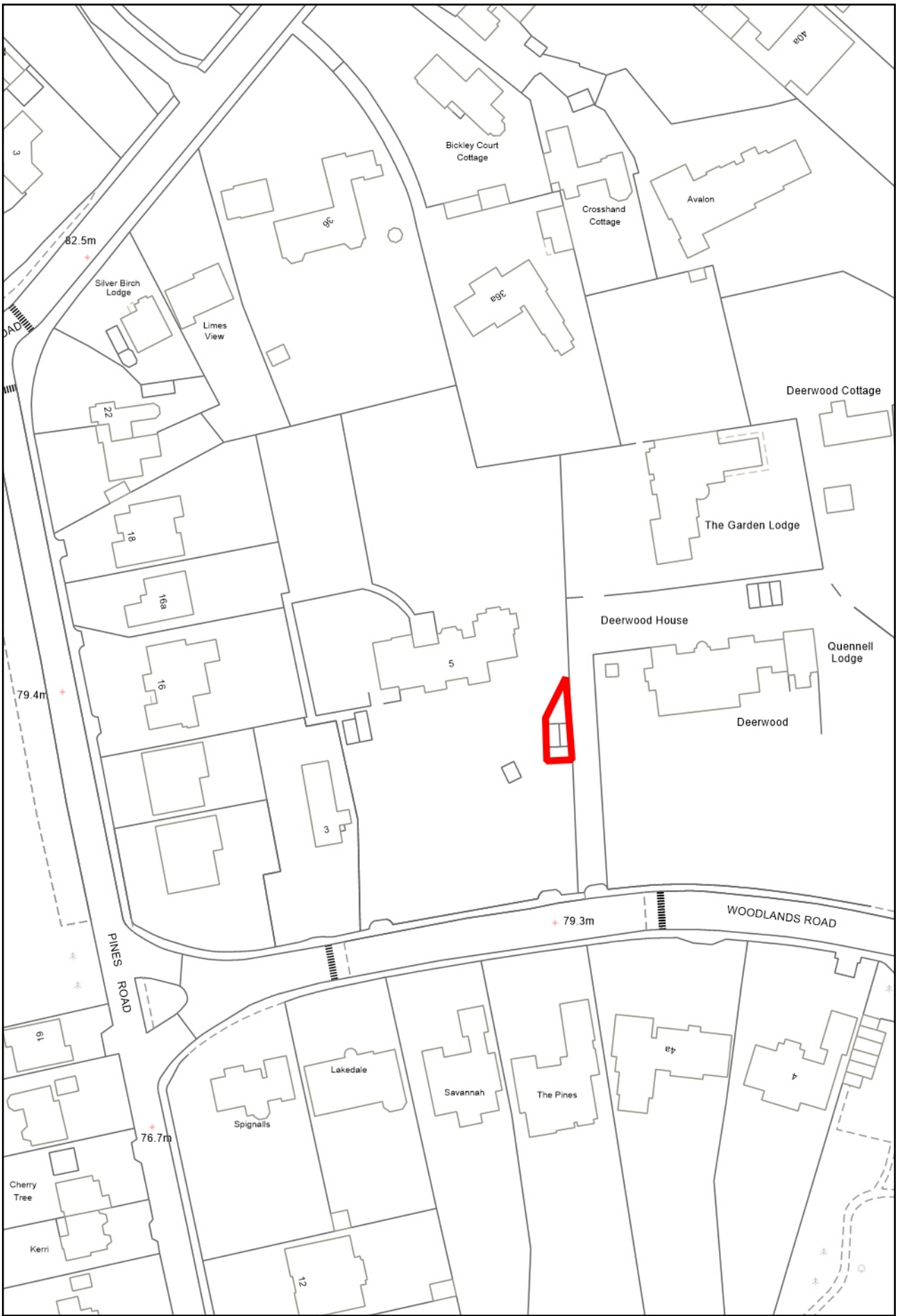
Compliance conditions:

- 7. Materials in accordance with plans**
- 8. Refuse storage implementation**
- 9. Tree Protection**


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

Informatives:

- 1 CIL**



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Ordnance Survey 100017661.

 21/02056/FULL1
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21 September 2021

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Agenda Item 4.2

Committee Date	30/09/21	
Address	Pucks Cottage Hazel Grove Orpington BR6 8LU	
Application Number	21/03075/FULL1	Officer - Catherine Lockton
Ward	Farnborough And Crofton	
Proposal	Demolition of existing dwelling and erection of replacement 5 bedroom detached dwelling with integral garage.	
Applicant Mr & Mrs Rohilla	Agent Mr John Escott Robinson Escott Planning	
Pucks Cottage Hazel Grove Orpington BR6 8LU	Downe House 303 High Street Orpington BR6 0NN	
Reason for referral to committee	Called-in	Councillor call in YES

RECOMMENDATION	PERMISSION BE REFUSED
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<p>KEY DESIGNATIONS</p> <p>Conservation Area: Farnborough Park Biggin Hill Safeguarding Area London City Airport Safeguarding Area Open Space Deficiency Smoke Control SCA 11</p>
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Land use Details		
	Use Class or Use description	Floor space (GIA SQM)
Existing	One residential dwelling (and associated curtilage)	324sq.m.

Proposed	One residential dwelling (and associated curtilage)	610sq.m.
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Residential Use – See Affordable housing section for full breakdown including habitable rooms

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

Vehicle parking	Existing number of spaces	Total proposed including spaces retained	Difference in spaces (+ or -)
Standard car spaces	4	4	0
Disabled car spaces	0	0	0
Cycle	0	0	0

Electric car charging points	1 Passive
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Representation summary	<i>Adjoining neighbours were consulted by letter on 26.07.21. A Site Notice was displayed at the property on 11.08.21. A Press Advert was published on 28.07.21 in the News Shopper.</i>	
Total number of responses	9	
Number in support	9	
Number of objections	0	

1 SUMMARY OF KEY REASONS FOR RECOMMENDATION

- The application would result in the demolition and loss of the existing dwelling which is located within the Farnborough Park Conservation Area, causing less than substantial harm to the designated heritage asset (the Conservation Area) to which there would be no public benefits.
- The proposed replacement dwelling would be excessive in width, failing to provide adequate side space given its location within a conservation area and would include an overly large crown roof which would neither preserve or enhance the character and appearance of the Farnborough Park Conservation Area within which it lies.
- The proposal is therefore contrary to the aims and objectives of Section 16 of the National Planning Policy Framework (2021), Policy HC1 and D4 of the London Plan and Policies 4, 8, 37 and 41 of the Bromley Local Plan, as well as the Farnborough Park Conservation Area SPG.

2 LOCATION

- 2.1 The application site hosts a large two storey detached dwellinghouse located on the northern side of Hazel Grove, Orpington.



- 2.2 The application property is set back from the highway and includes a front garden with front driveway area.



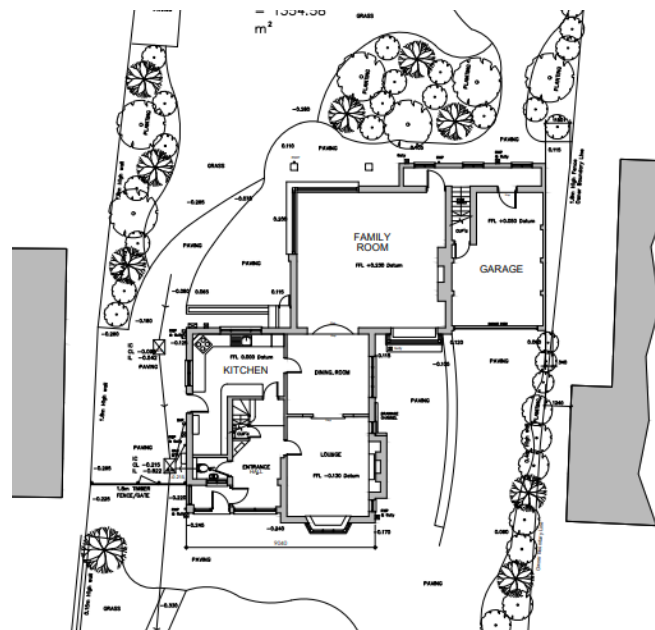
2.3 Hazel Grove is a cul-de-sac comprising 18 large detached dwellings.

2.4 The application site is located within the Farnborough Park Conservation Area. The chief interest of Farnborough Park Conservation Area lies in the innovative way that the Rogers family incorporated pre-existing landscape into a high quality built development, allowing scope for the construction of large and individualistic private homes in a manner more typical of American suburban development than of development of a similar age in England. Developed to a slightly higher density than adjacent Keston Park, both buildings and landscape play a strong role in establishing the character of the park.

3 PROPOSAL

3.1 Planning permission is sought for the demolition of existing dwelling and erection of replacement 5 bedroom detached dwelling with integral garage.

3.2 The existing dwelling has an 'S shaped' footprint with a width of 17.2m at its widest point and a maximum length of approximately 17.2m. It has a maximum height of around 8.7m and provides accommodation on the ground and first floors.

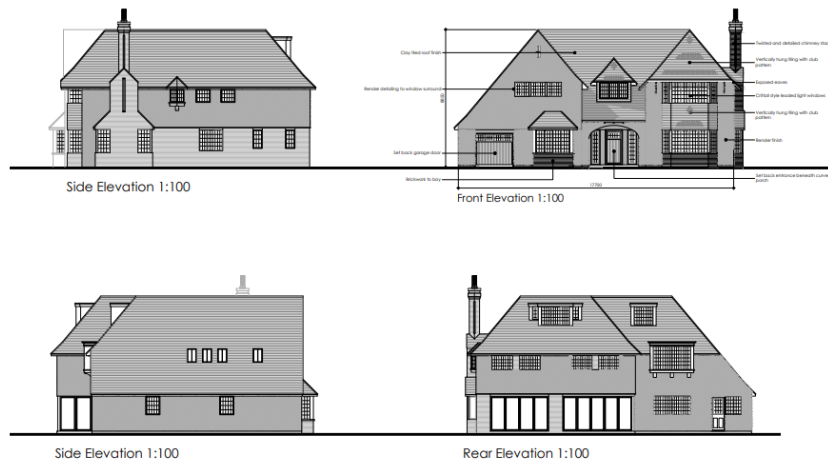


EXISTING SITE PLAN



EXISTING FRONT ELEVATION

- 3.3 The existing dwelling was constructed in the Arts and Crafts style and includes a modest, informal and unsymmetrical appearance with tall chimneys, a cat slide roof, sprocketed eaves, timber boarded front gable and traditional fenestration, located on a spacious site.
- 3.4 The proposed new dwelling would be more rectangular in shape and would have a width of 17.7m, providing a side space of between approximately 1.1m and 1.6m to the north-western side boundary and between approximately 1.4m and 3m to the south-eastern side boundary, and a total length of approximately 15.8m. The dwelling would have a maximum ridge height of 8.85m and would include accommodation within the roofspace served by dormer windows within the rear roof slope and rooflights to the top of the flat section of the crown roof.
- 3.5 The new dwelling would incorporate a crown hipped roof with a catslide roof to the north-western side and front gable feature. To the front of the dwelling to the south-eastern side the dwelling would include a two storey bay window projection with pitched roof above. Between these two front facing features a pitched roof front dormer is proposed at first floor level with the eaves of the roof dropping down to single storey height. An recessed open front entrance porch is proposed beneath the eaves of this part of the roof. A large chimney is proposed to the south-eastern side of the dwelling.



PROPOSED ELEVATIONS



PROPOSED STREETSCENE ELEVATION

- 3.6 The new dwelling is shown to be finished with a mix of brick and rendered walls with a clay tiled roof and crittall style leaded light windows.
- 3.7 The existing vehicular access via Hazel Grove would be retained and a new access also proposed to create an In-Out drive.
- 3.8 The application is supported by the following documents;
- Design and Access Statement
 - Heritage Impact Assessment
 - Planning Statement
 - Planning History Reports

4 RELEVANT PLANNING HISTORY

- 4.1 The relevant planning history relating to the application site is summarised as follows:
- 4.2 Under ref: 73/02924, planning permission was granted for a first floor extension at rear for bedroom and bathroom.
- 4.3 Under ref: 73/03564, planning permission was granted for a first floor rear extension for bathroom and bedroom.
- 4.4 Under ref: 84/02307/FUL, planning permission was granted for an attached car port.
- 4.5 Under ref: 19/02682/FULL1, planning permission was refused for the demolition of existing 5 bedroom dwelling and replacement with a new 5 bedroom dwelling with integrated garage for the following reasons;

“1 The existing building is a fine two-storey Arts and Crafts style dwelling and its historic appearance makes a positive contribution to the Farnborough Park Conservation Area, worthy of retention. Its demolition would deprive the immediate vicinity of an attractive building and negatively harm the character and appearance of the Conservation Area generally, thereby contrary to the aims and objectives of Section 16 of the National Planning Policy Framework, Policy 7.8 of the London Plan and Policy 41 of the Bromley Local Plan.

2 The proposed replacement building by reason of its uncharacteristically symmetrical design and lack of architectural distinction would be completely at odds with the overwhelming asymmetrical character of the wider Farnborough Park Conservation Area, and would neither preserve or enhance the character and appearance or the visual amenities of the conservation area, thereby contrary to the aims and objectives of Section 16 of the National Planning Policy Framework, Policies 7.4, 7.6 and 7.8 of the London Plan, Policies 4, 37 and 41 of the Bromley Local Plan, and the Farnborough Park Conservation Area Supplementary Planning Guidance.”

- 4.6 This application was subsequently dismissed at appeal. The Appeal Inspector stated that; “The dwelling has undergone some more modern additions to the side and rear, however this does not significantly harm its character and this original dwelling still makes a positive contribution to the character and appearance of the Conservation Area, particularly in the context of the many contrasting larger more modern neighbours in Hazel Grove. Although the dwelling does not carry separate heritage status, the loss of the existing building and its arts and crafts elements would eliminate the positive contribution of the site to the Conservation Area where this style of architecture is widely featured.”
- 4.7 The Appeal Inspector also stated that; “The area features a variety of styles of dwelling and it has been highlighted by the appellant that nine dwellings on Hazel Grove have previously been replaced, some with dwellings similar in design to what is proposed. However, the circumstances of these sites, particularly the nature of the original dwellings, are mostly unknown, and for those examples where images of the original houses are provided, the appellant suggests those properties had no architectural merit. In any case, these developments would not justify the resultant harm to the character and appearance of the Conservation Area which has been identified. Therefore the proposed development would fail to preserve the character and appearance of the Farnborough Park Conservation Area and conflicts with Policies 7.4, 7.6 and 7.8 of The London Plan (2016) and Policies 4, 37 and 41 of the London Borough of Bromley Local Plan (2019)”.

5 CONSULTATION SUMMARY

A) Statutory

Advisory Panel for Conservation Areas (APCA): Objection.

Conservation: This new proposal is an improvement on the previous proposal however it is still overly large with a large crown roof and covers almost the entire width of the plot. It also seems a lost opportunity not to retain any of the historic parts of the existing building and therefore the objections to both the demolition of the existing building and the new replacement building made on the previous 2019 are still relevant and are continued. It is considered that this proposal still causes less than substantial harm to the designated heritage asset which is the Conservation Area and no particular justification for this proposal has been provided.

The planning inspector said: “Nevertheless, although it is likely that the dwelling post-dated the arts and crafts period, it is one of the original dwellings and its design has been influenced by the other arts and crafts dwellings within the area. These include its modest, informal and unsymmetrical appearance with tall chimneys, a cat slide roof, sprocketed eaves, timber boarded front gable and traditional fenestration, located on a spacious site, which make it an attractive feature on the site and in the surrounding area.....

The dwelling has undergone some more modern additions to the side and rear, however this does not significantly harm its character and this original dwelling

still makes a positive contribution to the character and appearance of the Conservation Area, particularly in the context of the many contrasting larger more modern neighbours in Hazel Grove. Although the dwelling does not carry separate heritage status, the loss of the existing building and its arts and crafts elements would eliminate the positive contribution of the site to the Conservation Area where this style of architecture is widely featured...

Overall, the public benefits of the scheme do not outweigh the less than substantial harm to the heritage asset..”

Under the NPPF paragraph 196, the poor state of the heritage asset is not an issue. Paragraph 196 states; “Where there is evidence of deliberate neglect of, or damage to, a heritage asset, the deteriorated state of the heritage asset should not be taken into account in any decision.”

Drainage: Please impose a surface water drainage condition.

Highways: Hazel Grove is shown in the Council’s records as a private road. The proposal includes a second access. There is a good sized single garage and other parking on the site. No comments on the application.

Trees:

In line with comments on the previous application, no objections are raised but would recommend a condition similar to that below to ensure replacement tree planting at the front of site:

Prior to first occupation of the development hereby approved, a planting plan indicating the positions, size and species of a minimum of 3 new trees shall be submitted to the Local Planning Authority for approval. The trees shall be of species with at least a medium ultimate height (i.e. not small ornamental tree species.) Once approved and prior to first occupation of the development hereby approved, the new trees shall be planted in accordance with the approved plan. Any tree planted as a requirement of this condition which is damaged or becomes non-viable within 5 years of planting shall be immediately replaced with another of same size and species.

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

B) Local Groups

No comments received.

C) Adjoining Occupiers

Support (address in section 7.1 and 7.2)

- The present structure does need to be knocked down as it is run down and derelict.
- It will enhance the beauty and value of properties on Hazel Grove.
- Support the knock down of the property as it is a bit of an eye sore and not in keeping with the rest of the street.
- It will add value to the street.
- It will be environmentally friendly and in keeping with the current government requirements of future housing.
- It is a very odd looking house compared to the properties and so support this application to demolish and build a new house.
- Many properties have been built/upgraded in the park and it is felt this has increased the beauty of the Farnborough Park.
- The plans are a great improvement of what is there as the current property looks outdated and has a mismatch of different style windows and extensions which is not in keeping with the other houses in the road.
- The new plans would significantly enhance the outlook of Bracken Hazel Grove and those of other properties in the road.
- The existing property is extremely run down and looks very derelict.
- The proposed structure will add value to the neighbourhood and will be a huge improvement on the current building.
- The dwelling as present is not particularly in keeping with other properties along the road and has a number of additions at the rear which has resulted in a mix of styles.
- The proposal will result in a much more coherent form of development that is in keeping with the character of other properties along the road and will enhance the conservation area.
- Will enhance the scenery of Hazel Grove.
- Will make a desirable family dwelling.
- The plans show a beautiful family home which is much more in keeping with the Park now and significantly more attractive to look at compared to Pucks Cottage in its current form.

If any late representations are received they will be reported verbally at the committee meeting.

6 POLICIES AND GUIDANCE

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

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

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

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

6.6 National Policy Framework (2019)

6.7 The London Plan (2021)

- D1 London's form and characteristics
- D3 Optimising site capacity through the design-led approach
- D4 Delivering good design
- D5 Inclusive design
- D6 Housing quality and standards
- D7 Accessible housing
- D12 Fire safety
- HC1 Heritage conservation and growth
- G6 Biodiversity and access to nature
- G7 Trees and woodlands
- SI1 Improving air quality
- SI4 Managing heat risk
- SI5 Water infrastructure
- SI13 Sustainable drainage
- T5 Cycling
- T6 Car parking
- T6.1 Residential Parking
- T9 Funding transport infrastructure through planning

6.8 Bromley Local Plan (2019)

- 4 Housing Design
- 30 Parking
- 32 Road Safety
- 33 Access for All
- 37 General Design of Development
- 41 Conservation Areas
- 43 Trees in Conservation Areas
- 73 Development and Trees
- 77 Landscape Quality and Character
- 113 Waste Management in New Development
- 116 Sustainable Urban Drainage Systems
- 117 Water and Wastewater Infrastructure Capacity
- 123 Sustainable Design and Construction

6.9 Bromley Supplementary Guidance

Bromley Supplementary Planning Guidance 1 General Design Principles
Bromley Supplementary Planning Guidance 2 Residential Design Guidance
Bromley Supplementary Planning Guidance Farnborough Park Conservation Area

Mayor's Housing Supplementary Planning Guidance (March 2016)
Technical housing standards – Nationally Described Space Standard (March 2015)

7 ASSESSMENT

7.1 Demolition of existing dwelling and Impact on Conservation Area – Unacceptable

- 7.1.1 The NPPF sets out in section 16 the tests for considering the impact of a development proposal upon designated and non-designated heritage assets. The test is whether the proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset and whether it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits. A range of criteria apply.
- 7.1.2 Paragraph 202/203 states where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.
- 7.1.3 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.
- 7.1.4 Interpretation of the 1990 Act in law has concluded that preserving the character of the Conservation Area can not only be accomplished through positive contribution but also through development that leaves the character or appearance of the area unharmed.
- 7.1.5 Policy HC1 of the London Plan states that development proposals affecting heritage assets, and their settings, should conserve their significance, by being sympathetic to the assets' significance and appreciation within their surroundings. The cumulative impacts of incremental change from development on heritage assets and their settings should also be actively managed. Development proposals should avoid harm and identify enhancement opportunities by integrating heritage considerations early on in the design process.

- 7.1.6 Policy 41 of the Bromley Local Plan states that proposals for development in Conservation Areas should preserve and enhance its characteristics and appearance by respecting or complementing the layout, scale, form and materials of existing buildings and spaces; respecting and incorporating in the design existing landscape or other features that contribute to the character, appearance or historic value of the area; and using high quality materials.
- 7.1.7 The property lies within the Farnborough Park Conservation Area, which is a private estate developed on land that historically lay within the Royal Manor of Farnborough, beside Farnborough Lodge and close to the historic hamlet known as Brasted Green.
- 7.1.8 Paragraph 3.2 of the Farnborough Park Conservation Area SPG states that the Council will expect all proposals for new development to conform with the character of the conservation area, and with the approach taken by surrounding dwellings, especially in regard to the scale and height of construction, location within a plot (where material), design and materials used. It is hoped that all improvement works will take account of the character of original buildings and alter them as little as possible.
- 7.1.9 Hazel Grove appears to have been developed in the middle of the 20th Century, although it is noted that some of the plots are later additions to the road. At present, it comprises 18 detached dwellings of predominantly two storeys in height. The supporting statements submitted by the applicant makes reference to a number of applications for replacement dwellings both within Hazel Grove and with other roads within Farnborough Park which have been granted by the Council. In Hazel Grove, in particular, these have resulted in modest houses being replaced by larger dwellings of a more modern design. It is also noted that some other original dwellings within the road have been substantially extended and altered.
- 7.1.10 Accordingly, Pucks Cottage is one of the only remaining original dwellings within the road and whilst it has been previously altered and extended, its many Arts and Crafts features are considered worthy of retention and make a positive contribution to the conservation area.
- 7.1.11 The application seeks to demolish the existing dwelling at Pucks Cottage and replace with a new larger dwelling.
- 7.1.12 Under a previous application at this site (ref: 19/02682/FULL1), planning permission was refused for both the demolition of the existing dwelling and the proposed replacement dwelling. During the Council's assessment of this previous application, concerns were raised by both the Council's Conservation Officer and APCA with regards to the loss of the original dwelling as it was considered that the house makes a positive contribution to the conservation areas streetscene, and that given the reducing number of positive contribution buildings within the area over the years it is essential to retain those which are left.

- 7.1.13 This 2019 application was subsequently dismissed at appeal and it was agreed by the Appeal Inspector that whilst the dwelling has undergone some more modern additions to the side and rear, this does not significantly harm its character and appearance and that the original dwelling does make a positive contribution to the character and appearance of the Conservation Area. The Appeal Inspector also noted that the positive contribution that this existing dwelling makes is particularly important in the context of the many contrasting larger more modern neighbours within Hazel Grove. Accordingly, the Appeal Inspector concluded that although the dwelling does not carry separate heritage status, the loss of the existing building and its arts and crafts element would eliminate the positive contribution of the site to the Conservation Area where this style of architecture is widely featured.
- 7.1.14 Whilst it is noted that in summary the Appeal Inspector stated that the harm to the significance of the Conservation Area would be less than substantial in the wider context, there were no public benefits of the scheme which outweighed this less than substantial harm, as outlined within the NPPF.
- 7.1.15 This current application still seeks to demolish the existing dwelling and has been accompanied by a number of documents which seek to support this demolition including a Heritage Impact Assessment, Planning Statement and Planning History Report which outlines the planning history of other properties within Hazel Grove and also on other roads within Farnborough Park. These are additional documents which weren't provided within the 2019 application.
- 7.1.16 In terms of the examples of replacement dwellings within the road, this was considered in detail during the Council's assessment of the previous 2019 application. However, it was considered that whilst it could be argued that the overall character and appearance of the streetscene within Hazel Grove has been substantially altered from that which was originally developed, it is considered that it is this cumulative change that has occurred from the loss of these original dwellings which further adds weight to the importance of retaining the application dwelling and the negative impact that its loss would cause to the conservation area. As highlighted above, this statement was also supported by the Appeal Inspector during his subsequent assessment. The supporting information provided by the applicant during this current application does not change the Council's view in this regard.
- 7.1.17 It is also noted that this current application has received a number of supporting comments from other residents within the road. These support the general demolition of the existing dwelling and its replacement. Some of these comments refer to the current state of the property which it is said is run-down. However, paragraph 196 of the NPPF does state that where there is evidence of deliberate neglect of, or damage to, a heritage asset, the deteriorated state of the heritage asset should not be taken into account in any decision.
- 7.1.18 The submitted Heritage Impact Assessment argues that there would be no intrinsic loss of heritage significance arising from the demolition of Pucks Cottage and that there would be no harm to the significance of Farnborough Park Conservation Area as a designated heritage asset.

7.1.19 Whilst the comments raised within this additional document are noted, the Council's Conservation Officer and APCA both still raise objections to the demolition of the dwelling and that the objections raised to the previous 2019 application are still relevant and are continued. Notably, the Council's Conservation Officer has advised that it seems a lost opportunity not to retain any of the historic parts of the existing building and that this proposal is considered to cause less than substantial harm to the designated heritage asset, which is the Conservation Area, and there are no public benefits that would outweigh that harm.

7.1.20 Moreover, the previous Appeal Decision is also a material consideration in the determination of this current application and the Appeal Inspector's assessment in regard to the harm that the demolition of the application dwelling would result to the Conservation Area was clear in this regard.

7.1.21 Having regard to the above, the existing building and its many Arts and Crafts features are considered worthy of retention and make a positive contribution to the Farnborough Park Conservation Area and it is considered that the cumulative change that has occurred from the loss of many other original dwellings within the area adds weight to the importance of retaining the application dwelling and the negative impact that its loss would cause to the Conservation Area. Its demolition would deprive the immediate vicinity of an attractive building and be detrimental to the character and appearance of the Farnborough Park Conservation Area.

7.1.22 The proposal is therefore contrary to the aims and objectives of Section 16 of the National Planning Policy Framework (2021), Policy HC1 of the London Plan and Policy 41 of the Bromley Local Plan, as well as the Farnborough Park Conservation Area SPG.

7.2 Design, Scale and Layout – Unacceptable

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

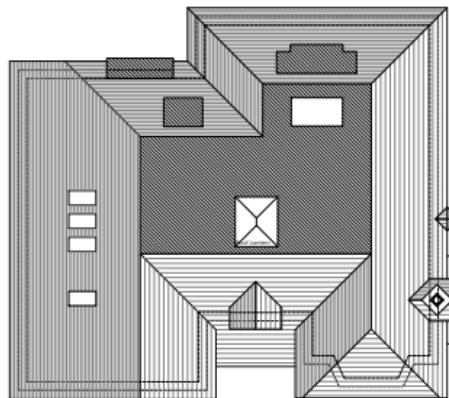
7.2.2 London Plan and Bromley Local Plan policies further reinforce the principles of the NPPF setting out a clear rationale for high quality design.

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

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

- 7.2.4 Policy D4 of the London Plan outlines the various methods of scrutiny that assessments of design should be based on depending on the level/amount of the development proposed for a site.
- 7.2.5 Policy 4 of the Bromley Local Plan seeks to ensure that all new housing developments achieve a high standard of design and layout whilst enhancing the quality of Local Places, and Policy 37 of the Bromley Local Plan requires a high standard of design in all new development, and states that the scale and form of new residential development should be in keeping with the surrounding area.
- 7.2.6 Policy 41 states that new developments should preserve and enhance the characteristics and appearance of the conservation area within which it lies.
- 7.2.7 Policy 8 of the Bromley Local Plan also relates specifically to Side Space and states that for a proposal of two or more storeys in height, a minimum 1 metre space from the side boundary of the site should be retained for the full height and length of the building; or where higher standards of separation already exist within residential areas, proposals will be expected to provide a more generous side space.
- 7.2.8 The previous application for a new dwelling on this site, ref: 19/02682/FULL1, was refused both on the principle of the demolition of the existing building and on the design of the proposed replacement dwelling which, by reason of its uncharacteristically symmetrical design and lack of architectural distinction was considered to be completely at odds with the overwhelming asymmetrical character of the wider Farnborough Park Conservation Area, and would neither preserve or enhance the character and appearance or the visual amenities of the conservation area.
- 7.2.9 In consideration of the subsequent appeal, the Appeal Inspector stated that the proposed dwelling would have a larger, modern and more formal appearance than the current dwelling. Although it is not fully symmetrical, it is more uniform in appearance than the existing dwelling and other similarly original dwellings within the Conservation Area. However, the Appeal Inspector concluded that the contribution of the replacement dwelling to the Conservation Area would be neutral and the basis for the dismissal of the appeal primarily related to the demolition of the existing building.
- 7.2.10 In general, the design of the new dwelling is considered to be an improvement on the dwelling proposed under the 2019 application. It is also noted that a number of supporting comments have been received from other residents within Hazel Grove with regards to the proposal. The height of the new dwelling would also only be 0.2m higher than the existing dwelling and would also be commensurate to its surroundings. However, it would include a crown roof which is considered to be overly large. The Council's Conservation Officer has

also raised concerns with regards to its width as it covers almost the entire width of the plot.



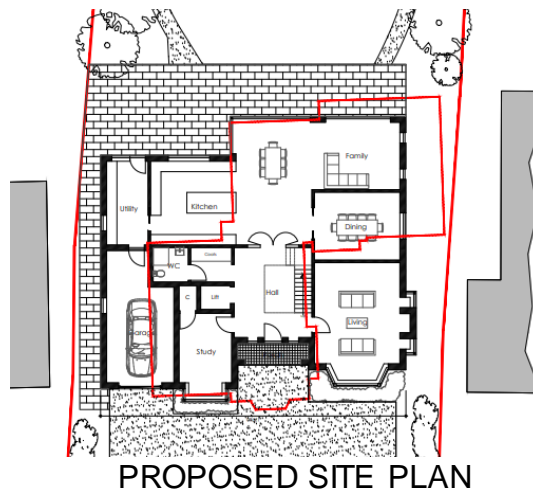
Roof Plan 1:100

PROPOSED ROOF PLAN



PROPOSED ELEVATIONS

7.2.11 The side space to the south-eastern side would be between 1.4m and 3m which is considered acceptable. However, to the north-western side boundary the side space would be 1.6m at the front, but only around 1.1m to the rear which would be a significant reduction in the existing side space. Although, due to the catslide roof design to this side the space between the application dwelling and neighbouring dwelling at Marchurst would increase at first floor and roof level, a greater standard of separation would be expected at ground floor as well to maintain the spatial characteristics of the area.



7.2.12 Taking into account the above, it is considered that the width and design of the proposed new dwelling would be unacceptable in that it would fail to preserve or enhance the character of the Farnborough Park Conservation Area.

7.2.13 The proposal is therefore contrary to the aims and objectives of Section 16 of the National Planning Policy Framework (2021), Policy HC1 and D4 of the London Plan and Policies 4, 8, 37 and 41 of the Bromley Local Plan, as well as the Farnborough Park Conservation Area SPG.

7.3 Standard of Residential Accommodation – Acceptable

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

7.3.2 Policy 4 of the Bromley Local Plan sets out the requirements for new residential development to ensure a good standard of amenity and refers to the London Plan Housing Supplementary Planning Guidance. The Housing SPG sets out guidance in respect of the standard required for all new residential accommodation to supplement London Plan policies. The standards apply to new build, conversion and change of use proposals.

7.3.3 Part 2 of the Housing SPG deals with the quality of residential accommodation setting out standards for dwelling size, room layouts and circulation space, storage facilities, floor to ceiling heights, outlook, daylight and sunlight, external amenity space (including refuse and cycle storage facilities) as well as core and access arrangements to reflect the Governments National Technical Housing Standards.

- 7.3.4 The proposed new dwelling is two storey and shown to have five bedrooms; all of which would be capable of accommodating a double bed and would comply with the minimum standards as set out within the National Technical Housing Standards. The minimum space standard as outlined within the National Technical Housing Standards for a 5-bedroom two storey dwelling for 8 persons is 128sq.m. The proposed dwelling has been indicated as having a GIA of 479sq.m and as such it would greatly exceed the minimum standard required.
- 7.3.5 The National Technical Housing Standards states that the minimum internal floor to ceiling height of any new dwelling should be 2.3m for at least 75% of the Gross Internal Area. No sectional drawings have been provided to show that proposed dwelling would also comply with this requirement. However, given its height and the number of floors proposed, it is considered that it would be able to meet this requirement.
- 7.3.6 The shape, room size and layout of the rooms are considered satisfactory and all habitable rooms would contain at least one window that would ensure it would achieve a good outlook and light.
- 7.3.7 Amenity space is provided by way of the existing garden space to the rear which would provide an acceptable amount of private amenity space in accordance with the Mayors Housing SPG.
- 7.3.8 Having regard to all the above, the proposal would meet the minimum standards as outlined within Policy D6 of the London Plan, Policy 4 of the Bromley Local Plan, the Mayors Housing SPG and The National Technical Housing Standards.

7.4 Residential Amenity – Acceptable

- 7.4.1 Policy 37 of the Bromley Local Plan seeks to protect existing residential occupiers from inappropriate development. Issues to consider are the impact of a development proposal upon neighbouring properties by way of overshadowing, loss of light, overbearing impact, overlooking, loss of privacy and general noise and disturbance.
- 7.4.2 In terms of its relationship with Shanklin which lies to the south-east of the application site, the proposed new dwelling would not be sited any further forward or any further to the rear than this neighbouring dwelling. A separation of a minimum of between 1.4m and 3m would also be provided from the flank wall of the proposed dwelling and the common boundary shared with this neighbouring dwelling, with an additional separation of at least 1.2m provided between the boundary and the existing dwelling at Shanklin.
- 7.4.3 In addition, the Councils records indicate that the existing flank windows within Shanklin which face the application site serve an en-suite at first floor and utility room and garage at ground floor and as such do not serve habitable rooms.
- 7.4.4 The proposed first floor flank windows within the new dwelling at Pucks Cottage would also serve bathrooms and as such could be required by way of a

condition on any approval to be obscure glazed and non-opening below 1.7m from internal ground level to prevent any additional overlooking or loss of privacy.

- 7.4.5 With regards to the impact on the occupiers of the neighbouring dwelling to the north-west at Marchurst, the proposed new dwelling would be sited further to the rear than this neighbouring dwelling and would be located closer to the boundary than that of the existing dwelling at the application site. However, the part of the dwelling that would be closest to this neighbouring dwelling would only project around 1.5m beyond its rear elevation. A separation of a minimum of 3m would also be provided between the dwellings, that would increase at first floor and roof level due to the cat slide roof design of the new dwelling to this north-western side.
- 7.4.6 Four first floor flank rooflights are shown which would face the side of Marchurst, these again would serve bathrooms and could be required by condition to be obscure glazed and of limited opening to reduce any overlooking or loss of privacy.
- 7.4.7 Due to the location and size of the site there would not be any additional impact to the amenities of the neighbouring properties to the front or rear of the site above those which already exist.
- 7.4.8 Having regard to the above, it is considered that no significant loss of amenity with particular regard to light, outlook, prospect and privacy would arise from the proposed development.

7.5 Trees – Acceptable

- 7.5.1 Policy 73 (Development and Trees) states that proposals for new development will be required to take particular account of existing trees on the site and adjoining land, which in the interests of visual amenity and/or wildlife habitat, are considered desirable to be retained.
- 7.5.2 Policy 43 of the Bromley Local Plan refers specifically to Trees in Conservation Areas and states that development will not be permitted if it will damage or lead to the loss of one or more significant and/or important trees in a Conservation Area, unless a) the removal of the tree is necessary in the interest of good arboriculture practice, or b) the benefit of the development outweighs the amenity value of the tree.
- 7.5.3 Policy 77 refers more generally to landscape quality and character and seeks to safeguard the quality and character of the local landscape.
- 7.5.4 The application proposes to remove three birch trees at the front of the site to allow for an in an out driveway access.
- 7.5.5 The Council's Principal Tree Officer has advised that the trees are of limited amenity value due to the conditions observed and the fact that they are fairly recent additions to the local landscape. Therefore, in this instance as the trees

are considered to be replaceable, it would be unreasonable to seek a refusal in line with Council policy on this basis. However, a condition requiring suitable replacement trees is recommended on any approval to protect the visual amenities of the Farnborough Park Conservation Area.

7.6 Highways - Acceptable

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

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

7.6.3 The proposal is for the demolition of the existing single dwellinghouse and construction of a new single dwellinghouse. The application site is located on Hazel Grove which is shown in the Council's records as a private road, located within the Farnborough Park gated estate. At present, the site includes a single vehicular access with an area of hardstanding to the front and a single garage attached to the main dwelling.

7.6.4 The proposal includes a second access to create an in-out drive with an area of grass retained between, and parking on the front driveway. The proposed new dwelling would also include a single garage.

7.6.5 The site would retain adequate off-street parking and the creation of an in-out drive would allow vehicles to enter and exit the site in forward gear. The Council's Highways Officer has raised no objections to the proposal and it is considered that in terms of highways matters the proposal would be acceptable.

7.7 CIL

7.7.1 The Mayor of London's CIL and Bromley's Local CIL are both a material consideration. CIL is payable on this application and the applicant has submitted the relevant form.

8 CONCLUSION

8.1 Having had regard to the above, it is considered that the proposed development is unacceptable.

8.2 It is acknowledged that the proposed development would not give rise to any significant loss of residential amenity to neighbouring occupiers, would not result in adverse harm to trees within and nearby the site and would not result in any

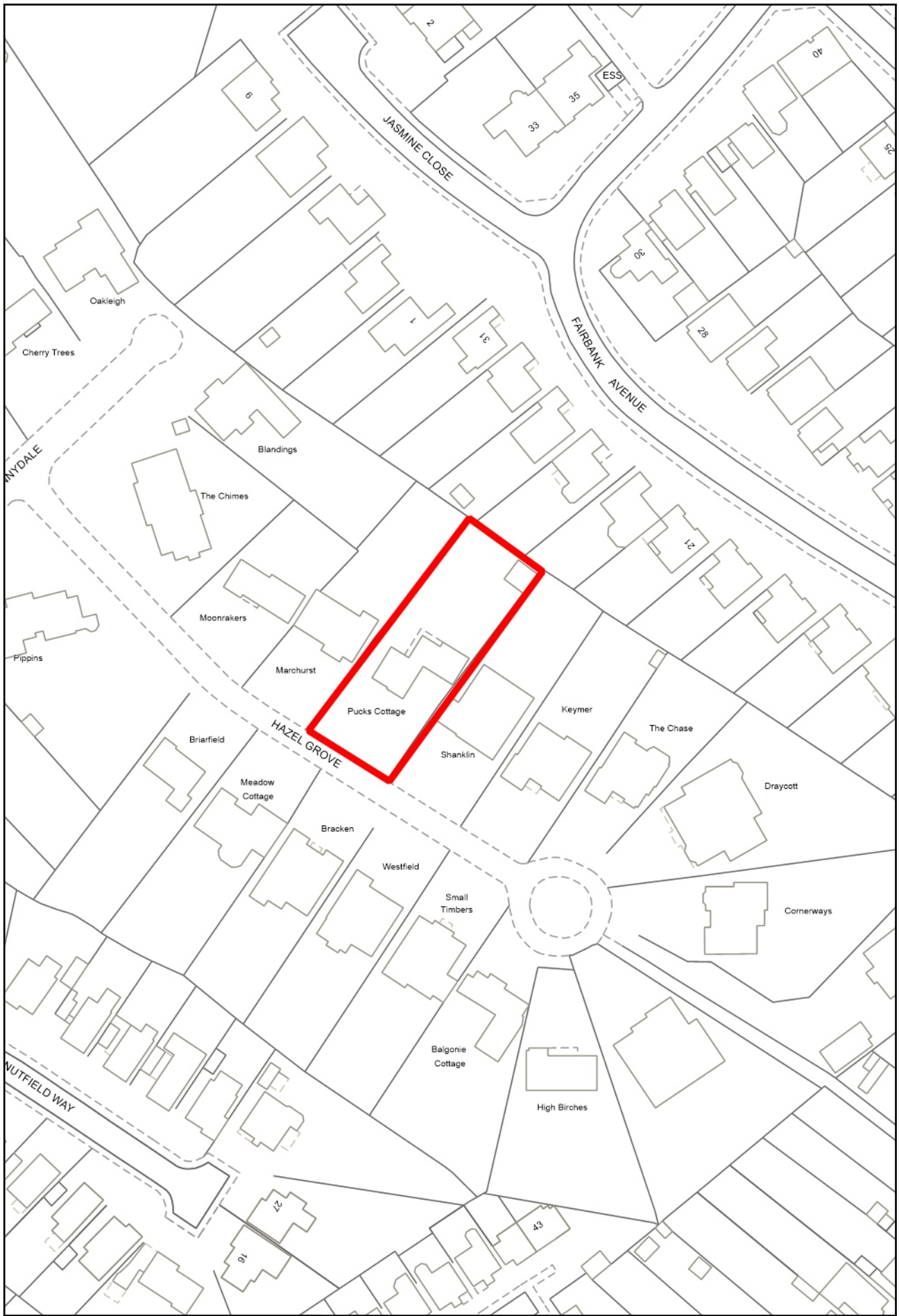
harmful impact to levels of on-street parking within the area. It would also provide a good standard of accommodation for prospective occupiers.

- 8.3 However, these matters would not outweigh the harm that the proposed demolition and loss of the existing dwelling, which is located within the Farnborough Park Conservation Area, would cause to the designated heritage asset (the Conservation Area). Whilst the harm would be less than substantial, as stated within paragraph 202 of the NPPF, this harm should be weighed against the public benefits of the proposal, of which there are considered to be none.
- 8.4 The proposed replacement dwelling would also be excessive in width, failing to provide adequate side space given its location within a conservation area and would include an overly large crown roof which would neither preserve or enhance the character and appearance of the Farnborough Park Conservation Area within which it lies.
- 8.5 The proposal is therefore contrary to the aims and objectives of Section 16 of the National Planning Policy Framework (2021), Policy HC1 and D4 of the London Plan and Policies 4, 8, 37 and 41 of the Bromley Local Plan, as well as the Farnborough Park Conservation Area SPG.
- 8.6 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 refused

For the following reasons;

- 1. The existing building is a fine two-storey Arts and Crafts style dwelling and its historic appearance makes a positive contribution to the Farnborough Park Conservation Area, worthy of retention. Its demolition would deprive the immediate vicinity of an attractive building and negatively harm the character and appearance of the Conservation Area generally, thereby contrary to the aims and objectives of Section 16 of the National Planning Policy Framework, Policy HC1 of the London Plan and Policy 41 of the Bromley Local Plan.**
- 2. The proposed replacement building by reason of its excessive width with lack of adequate side space to the north-western side boundary, and overly large crown roof design, would neither preserve nor enhance the character and appearance of the Farnborough Park Conservation Area, thereby contrary to the aims and objectives of Section 16 of the National Planning Policy Framework, Policies HC1 and D4 of the London Plan, Policies 4, 8, 37 and 41 of the Bromley Local Plan, and the Farnborough Park Conservation Area Supplementary Planning Guidance.**



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21 September 2021

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Agenda Item 4.3

Committee Date	30/09/2021	
Address	53 Park Road Beckenham BR3 1QG	
Application Number	21/03431/FULL6	Officer - Seyi Obaye-daley
Ward	Copers Cope	
Proposal	Part single, part double rear extension, single storey front extension, loft conversion of existing and new hipped roof space, including new dormer to the rear. Alteration of existing roof pitch to increase habitable loft space.	
Applicant	Agent	
Anandha Ponnampalam 53 Park Road Beckenham BR3 1QG	Mr Stephen Mitchell 43 Layhams Road West Wickham BR4 9HD	
Reason for referral to committee	There is local concern about the above application, the planning history at this site, and the adverse impact on my constituents living next door at 55 Park Road.	Councillor call in Yes
RECOMMENDATION	PERMISSION	

Summary

KEY DESIGNATIONS

- Biggin Hill Safeguarding Area
- Local Open Space Deficiency
- London City Safeguarding
- Smoke Control
- Tree Preservation Order

Land-use details		
	Use class	Floor space (GIA sqm)
Existing	C3	
Proposed	C3	+127

Vehicle parking	Existing number of spaces	Total proposed including spaces retained	Difference in spaces (+ or -)
Standard car spaces			-1
Disabled car spaces	N/A	N/A	N/A
Cycle	N/A	N/A	N/A

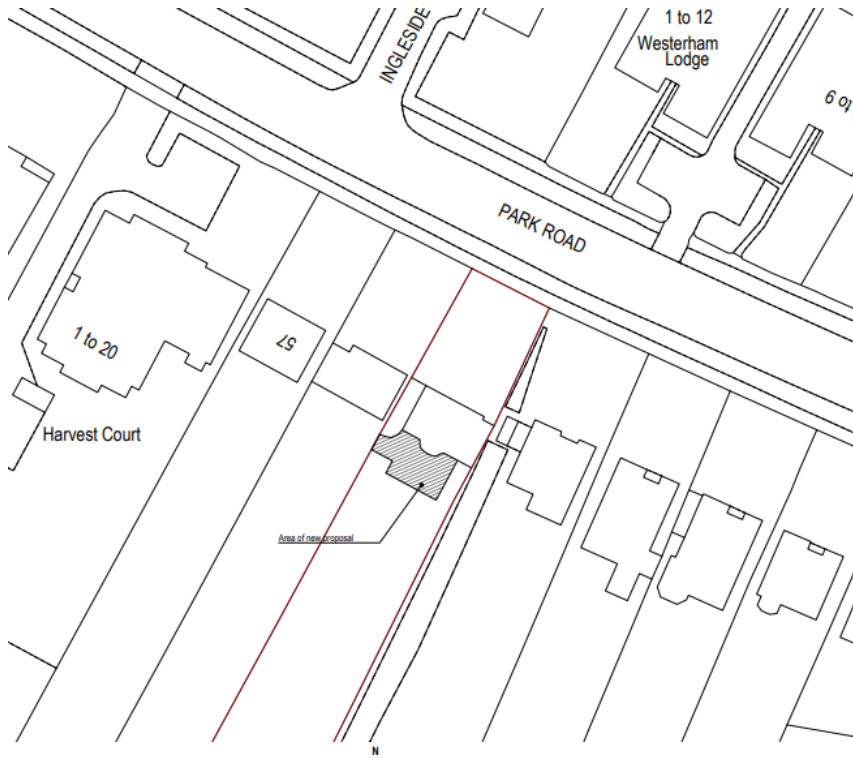
Representation summary	
Total number of responses	2
Number in support	0
Number of objections	2
Neutral	0


1 SUMMARY OF KEY REASONS FOR RECOMMENDATION

- The development would not result in a harmful impact on the character and appearance of the area
- The development would not adversely affect the amenities of neighbouring residential properties
- The proposal would have no detrimental impact to on-street parking or road safety

2 LOCATION

- 2.1 The application relates to a two-storey detached residential dwelling, which is located on the south side of Park Road.
- 2.2 The property benefits from a large drive with off-street parking and a garden which measures approximately 70m in depth.
- 2.3 The surrounding area is predominantly residential comprising large, detached properties and blocks of flats sited within substantial plots of land.



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3 PROPOSAL

- 3.1 Planning permission is sought for a part single, part double rear extension, single storey front extension, loft conversion of existing and new hipped roof space, including new dormer to the rear.
- 3.2 Alteration of existing roof pitch to increase habitable loft space
- 3.3 At ground floor level, the proposed rear extension would have a depth of approx. 6.5m with a width of 8.2m and a flat roof height of 2.9m.
- 3.4 The ground floor works also include a shallower 2.5m projection beyond the rear of the existing garage/study.
- 3.5 The ground floor front extension would include the provision of two 0.8m deep, 2.4m wide bay windows.
- 3.6 At first floor level, the works would include the provision of a 4.5m deep, 9.2m wide extension to the rear of the main building.
- 3.7 With regards to the roof, the works would include a 5.6m rearward extension of the ridge to create a new crown roof design facilitating the conversion of the roof space.
- 3.8 There would also be a new 3.1m wide, 2.3m high and 2.5m deep dormer extension to the rear roof slope.

4 RELEVANT PLANNING HISTORY

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

4.2 Under ref. 18/04050/FULL6 planning permission was refused for conversion of existing garage to habitable room, single storey side and rear and first floor rear extensions, roof alterations to form loft conversion to include gable end at front and roof lights and elevational alterations for the following reasons.

1. The extensions by reason of their overall depth, scale, bulk and design would be out of keeping with scale and form host property and adjacent development, harmful to their character and appearance contrary to Policies BE1 & H8 of the Unitary Development Plan (2006) and Policies 6 & 37 of the Emerging Local Plan (2017)
2. The proposal, by reason of the excessive depth, scale, bulk and design of the rear extensions, together with the proximity with site boundary would result in harm to neighbouring residential amenities by way of an overbearing impact, increased sense of enclosure and a loss of outlook contrary to Policy BE1 of the Unitary Development Plan (2006); Policy 37 of the Emerging Local Plan (2017) and Supplementary Planning Guidance Number 1 & 2

4.3 Under ref. 19/04617/FULL6 planning permission was refused for conversion of existing garage to habitable room, first floor side and part one/two rear extensions, roof alterations to form loft conversion incorporating front and side gables, rear dormer, rooflights and elevational alterations for the following reasons.

1. The extensions by reason of their depth, overall scale and excessive massing would be out of keeping with scale and form of the host property and adjacent development, harmful to their character and appearance contrary to Policies 6, 8 & 37 of the Bromley Local Plan (2019) and Supplementary Planning Guidance Numbers 1 & 2
2. The proposal, by reason of the excessive massing, depth, scale and design of the extensions, together with the proximity with site boundary would result in harm to neighbouring residential amenities by way of an overbearing impact, increased sense of enclosure and a loss of outlook contrary to Policies 8 & 37 of the Emerging Local Plan (2017) and Supplementary Planning Guidance Number 1 & 2

The subsequent appeal was dismissed by the Appeal Inspector who stated the following.

In conclusion, the appeal fails because of the poor roof design in relation to the road, and the proximity of the single storey extension to the side boundary of No.51. The proposal would therefore result in harm to the character and appearance of the host building and surrounding area, and to the living conditions of existing residents. It conflicts with the development plan and there are no other considerations that outweigh this finding. The appeal should be dismissed.

5 CONSULTATION SUMMARY

A) Statutory

Highways – No objection

- No objection, please include the following planning condition with any permission; OC03 (Parking) to ensure the parking spaces are provided and retained in accordance with the approved plans.

B) Local Groups

N/A

C) Adjoining Occupiers

Neighbouring amenity (addressed in para 7.3.1)

- With approved extension at 57 Park Road, would create significant “tunnel effect” for 55
- Excessive loss of light and an overbearing cumulative impact
- Will significantly compromise amenities
- Extension will exceed the 45-degree line by 1.61m
- Application ignored fact 51 has side windows to the dining room and a bedroom
- Extension not subordinate
- Plot size cannot support redevelopment of this massing and size
- Given 2m lower ground level modest change does not alleviate tower effect which dominated by first floor massing
- Windows on western side of 51 on both ground and first floor where 45-degree lines would be cut

Comments are available to view in full on the public access

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 (2021).

6.4 **The National Policy Framework 2021 is a material consideration.**

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

6.6 **The London Plan**

D1 London's form and characteristics
D3 Optimising site capacity through the design-led approach
D4 Delivering good design
D5 Inclusive design

6.7 **Bromley Local Plan 2019**

6 Residential Extensions
8 Side Space
30 Parking
37 General Design of Development
73 Development and Trees

6.8 **Bromley Supplementary Guidance**

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

7 ASSESSMENT

7.1 Resubmission

7.1.1 This is a resubmission of a previously refused scheme which sought the conversion of the existing garage to a habitable room, first floor side and part one/two rear extensions, roof alterations to form a loft conversion incorporating front and side gables, rear dormer, rooflights and elevational alterations.

7.1.2 The application was subsequently dismissed at appeal with the Appeal Inspector noting the following.

In conclusion, the appeal fails because of the poor roof design in relation to the road, and the proximity of the single storey extension to the side boundary of No.51. The proposal would therefore result in harm to the character and appearance of the host building and surrounding area, and to the living conditions of existing residents. It conflicts with the development plan and there are no other considerations that outweigh this finding.

7.1.3 The proposed development comprises various revisions to the previous scheme including the omission of the front and side gables and the first-floor

side extensions, the retention of the hipped roof design and the erection of a dormer extension to the rear roof slope.

7.1.4 The amendments will thus be assessed in the overall planning balance as set out throughout the remainder of this report.

7.2 Design – Layout, scale – Acceptable

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

7.2.2 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.

7.2.3 Paragraph 127 of the NPPF states that planning decisions should ensure that developments function well and add to the overall quality of the area, are not just for the short term but over the lifetime of the development, and are visually attractive and sympathetic to the local character and history, including the surrounding built environment and landscape setting.

7.2.4 It also seeks to ensure that developments establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live.

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

7.2.6 Similarly, policies 6 and 37 aim to ensure that new developments are of good architectural quality and respect the scale, spaces and form of the host property as well as developments in the wider area.

7.2.7 The main considerations for this application with regards to design and scale relates to how the proposed development would impact the character of the property and wider area.

7.2.8 The application site is located on a residential road comprising large, detached properties and blocks of flats within substantial plots of land.

7.2.9 The residential buildings along the road vary in form and architectural design but the application site itself is read in conjunction with 55 Park Road which is similarly characterised by its hipped roof design, brick exterior and its large front garden.

7.2.10 The application proposes to erect a part one/two storey rear extension in addition to a loft conversion with a rearward extension of the ridge and the provision of a rear dormer.

- 7.2.11 The proposed roof design addresses many of the previous concerns raised by the Council and appeal Inspector by omitting the front and side gables.
- 7.2.12 The amendments help to simplify the roof design and allows for the retention of the hipped roof that characterises the existing property.
- 7.2.13 The omission of the first-floor side element from the proposals also helps to reduce the massing of the building whilst also retaining the spatial qualities of the area which is a key feature of the locality.
- 7.2.14 The proposed works predominantly relate to the rear of the property so would have little impact on the visual amenities of the street scene.
- 7.2.15 The extensions to the rear of the building would represent a considerable increase in the bulk added to the host property as a result of the notable dimensions.
- 7.2.16 However, the application relates to a large, detached property sited within considerable grounds.
- 7.2.17 The appeal Inspector also noted there are many buildings of greater size which are visible from the application site in the surrounding area and, as such, the property would not appear incongruous or discordant.
- 7.2.18 Similarly, the ground floor front extension would be a modest alteration that has little impact on the appearance of the property as a whole.
- 7.2.19 The properties along the residential road have a variety of roof designs therefore the proposed amendments to the roof are unlikely to appear wholly out of keeping with the character of the area.
- 7.2.20 The rear dormer extension would be sited on a discrete elevation that is hidden from view at any public viewing point.
- 7.2.21 The dimensions are also modest and would respect the size and scale of the rear roof slope.
- 7.2.22 Whilst it would be finished in aluminium cladding, given its discrete location, there are no concerns with regards to its impact to the local area.
- 7.2.23 The application states that the works would be finished in materials that match the existing and, as such, having regard to the form, scale, siting and proposed materials it is considered that the proposed extension(s) would complement the host property and would not appear out of character with surrounding development or the area generally.

7.3 Residential Amenity – Acceptable

- 7.3.1 Policy 37 of the Bromley Local Plan seeks to protect existing residential occupiers from inappropriate development.

- 7.3.2 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.
- 7.3.3 Comments have been received from neighbours raising concerns about a potential loss of amenity to both adjoining neighbours.
- 7.3.4 The adjoining neighbour to the east, 51 Park Road, is set on lower ground than the application site so any development at the party boundary could have a heightened impact to the amenities of this neighbour.
- 7.3.5 However, the ground floor side extension that was previously proposed at this common boundary has been omitted from the development.
- 7.3.6 Instead, the extensions would project from the main building, maintaining a 2m (approx.) separation from the party boundary with further distance being maintained from the flank elevation of 51 Park Road.
- 7.3.7 Whilst this property does have windows facing the application site, the separation distances are considered significant enough to adequately mitigate the impacts of the proposal.
- 7.3.8 There are therefore no substantial concerns with regards to the likely impact to the enjoyment of this property.
- 7.3.9 With regards to the adjoining neighbour to the north-west, 55 Park Road, concern has been raised regarding a potential loss of light and a sense of enclosure caused as a result of the proposed development together with the recently consented extension at 57 Park Road.
- 7.3.10 The first-floor side extension to the north-western elevation of the property has been omitted from this proposal.
- 7.3.11 It instead includes a modest 2.5m deep extension to the existing ground floor structure at the boundary shared with 55 Park Road.
- 7.3.12 Whilst the extension would be adjacent to a rear facing ground floor window at this adjoining neighbour, the extension would maintain approx. 1.2m from the flank elevation of this property.
- 7.3.13 When considered together with the orientation of the properties and the modest height of the extension, the proposed ground floor rear extension is unlikely to substantially impact the amenities of this property by reason of visual impact or loss of light.
- 7.3.14 In regard to the first-floor rear extension, there would be a 2.4m gap retained to the party boundary and an additional separation from the flank elevation of no.55.

7.3.15 The proposed first floor windows in the flank elevations serve bathrooms and are shown to be obscure glazed which would reduce the likelihood of issues arising relating to a loss of privacy or overlooking.

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

7.4 Highways – Acceptable

7.4.1 The NPPF recognises that transport policies have an important role to play in facilitating sustainable development but also in contributing to wider sustainability and health objectives.

7.4.2 The NPPF clearly states that transport issues should be considered from the earliest stage of both plan making and when formulating development proposals and development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

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

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

7.4.5 The application would result in the loss of a parking space through conversion of the existing garage to a store and a habitable room but the property benefits from a large front garden with additional space for parking vehicles.

7.4.6 Therefore, no technical objections are raised from a highways perspective regarding the proposal in terms of its impact on the on-street parking and road safety.

7.5 Other matters

7.5.1 None

8 CONCLUSION

8.1 Having regard to the above, the development in the manner proposed is acceptable in that it would preserve the character and appearance of the area and cause no harm to the amenities of neighbouring residential properties.

8.2 Background papers referred to during production of this report comprise all correspondence on the files set out in the Planning History section above, excluding exempt information.

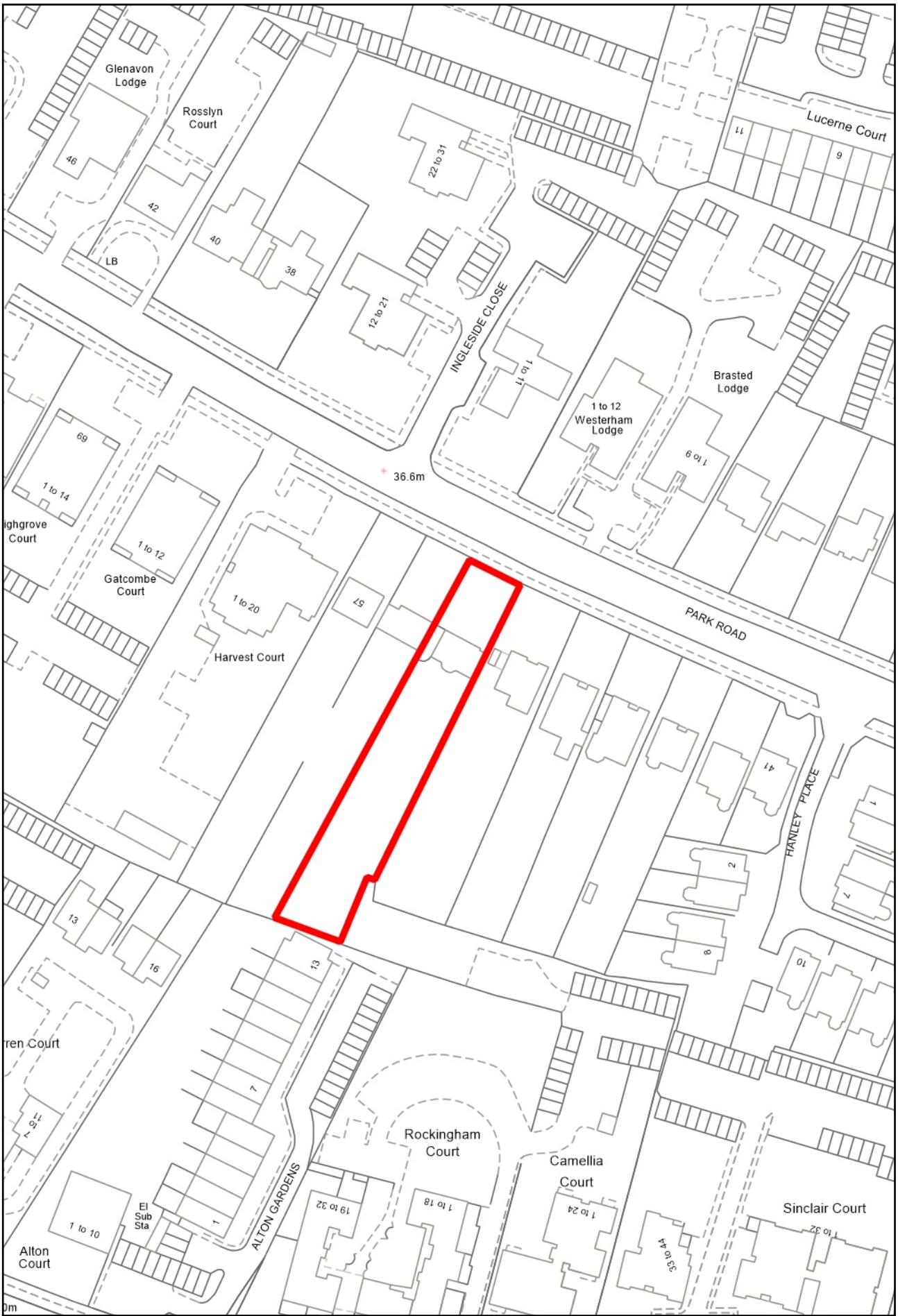
RECOMMENDATION: Application Permitted

Subject to the following conditions:


- 1. Standard time limit of 3 years**
- 2. Standard compliance with approved plans**
- 3. Matching materials**
- 4. Parking**


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

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Agenda Item 4.4

Committee Date	30.09.2021		
Address	263 Crescent Drive Orpington Kent BR5 1AY		
Application Number	21/03470/FULL6	Officer - Jennie Harrison	
Ward	Petts Wood and Knoll		
Proposal	Front porch, single storey side/rear extension with light lantern and elevational alterations		
Applicant	Agent		
Mr Paul Baker	Mr Frank Knight		
263 Crescent Drive Petts Wood Orpington BR5 1AY	1 Forde Avenue Bromley BR1 3EU		
Reason for referral to committee	Councillor call in		
	Related to Council Employee		No

RECOMMENDATION	Application permitted
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<p>KEY DESIGNATIONS</p> <p>Biggin Hill Safeguarding Area London City Airport Safeguarding Smoke Control SCA 8</p>
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Land use Details		
	Use Class or Use description	Floor space (GIA SQM)
Existing	C3	99.18
Proposed	C3 (no change proposed)	105.99

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

Electric car charging points	0
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Representation summary	Neighbour letters issued –17.08.2021		
Total number of responses	1		
Number in support	0		
Number of objections	1		

1. SUMMARY OF KEY REASONS FOR RECOMMENDATION

- The extensions would compliment the character and appearance of the host dwelling and street scene.
- The extensions would have no significantly detrimental impact on neighbouring amenity.

2. LOCATION

2.1 The site hosts a semi-detached two storey dwelling located to the west side of Crescent Drive, within a residential location.

2.2 Site Location Plan:



3. PROPOSAL

3.1 The application seeks permission for a single storey front porch that would have a depth of 1.3m, a width of 2m, an eaves height of 2.3m and a ridge height of 3.5m.

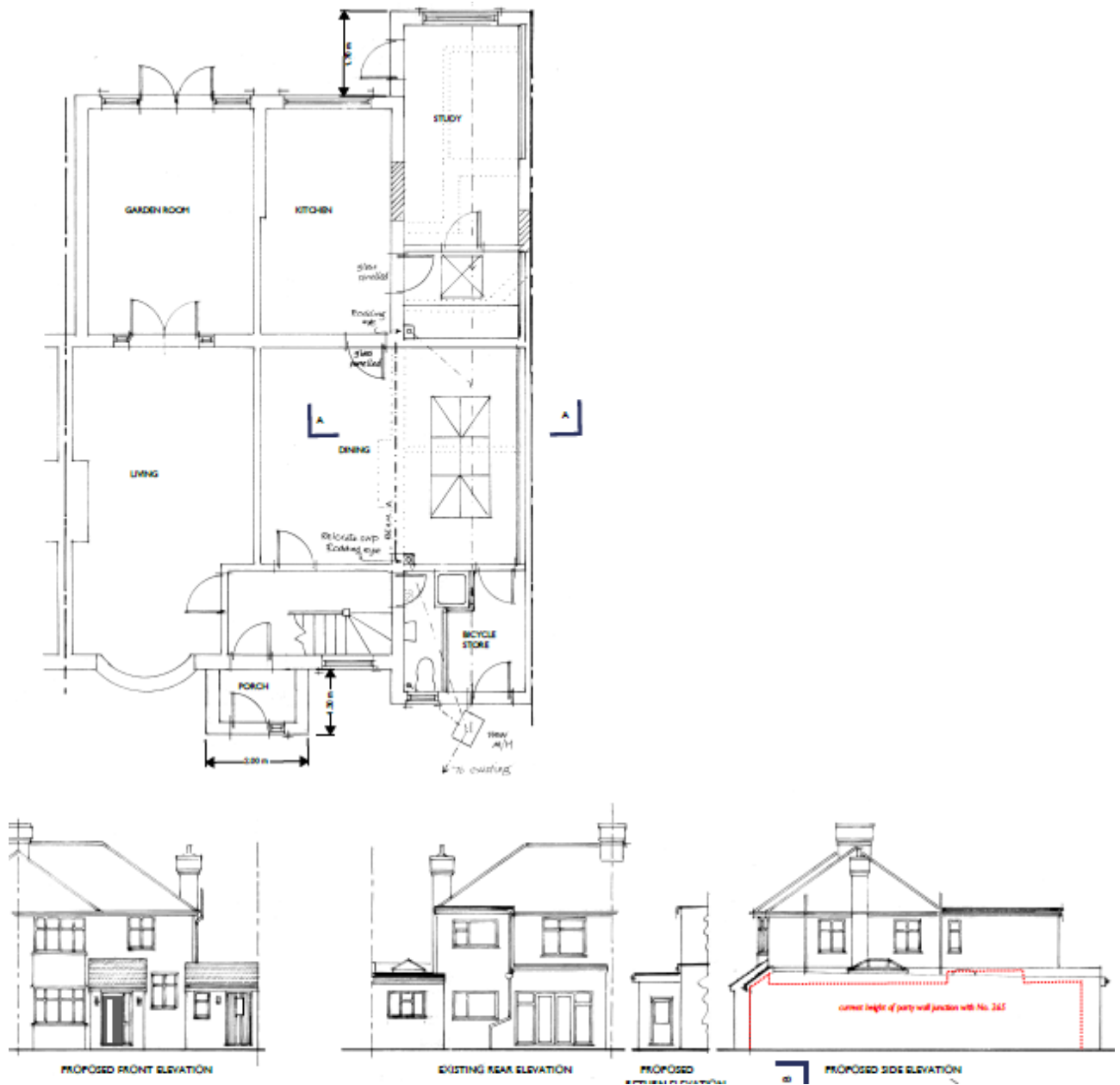
3.1.1 The application also proposes to in part replace an existing store and infill an area beside it and the internal courtyard creating an extension with a depth of 6.6m, a width of 2.9m and a height of 3.2m.

3.1.2 Elevational alterations would involve replacing the existing window to the front elevation with a window and a door to provide access for bicycle storage

3.2 Existing plans and elevations



3.3 Proposed plans and elevations:



4. RELEVANT PLANNING HISTORY

4.1 86/03463/FUL – Single storey rear extension - Permitted

5. CONSULTATION SUMMARY

A) Statutory

5.1 None

B) Local Groups

5.2 N/A

C) Neighbouring occupiers

5.3 Objections

5.3.1 Neighbouring amenity

- Increased height and length would affect light and sun on patio of No.265

6. POLICIES AND GUIDANCE

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

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

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

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

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

6.5 National Policy Framework 2021

6.6 The London Plan 2021

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

6.7 Bromley Local Plan 2019

6 Residential Extensions
37 General Design of Development

6.8 Bromley Supplementary Guidance

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

7. ASSESSMENT

- Design – Layout and scale
- Residential Amenity

7.1 Design – Layout and scale - 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 The front porch would have a minimal projection and would incorporate a pitched roof and matching materials to further maintain the character and appearance of the host dwelling and street scene

7.1.4 The alterations to the front to include a door into a bicycle store would have a negligible impact on the character and appearance of the host dwelling and street scene.

7.1.5 The proposed extension would infill an area beside an existing store and an internal courtyard, as such it is considered that the proposed works would regularise the building line and would have a positive impact on the character and appearance of the host dwelling.

7.1.6 Having regard to the form, scale, siting and proposed materials it is considered that the proposed extension(s) would complement the host property and would not appear out of character with surrounding development or the area generally.

7.2 Residential amenity – Acceptable

7.2.1 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 rear extension would be sited nearest the boundary with number 265 and as such it is considered that there would be no significant impact on the adjoining occupiers at number 261

7.2.3 It is noted that the neighbour at number 265 has raised concerns in regards to the increased depth and height. There would be an increase in depth of 0.7m and an increase in height of 0.5m, as such it is considered that, on balance, there

would be no significantly detrimental impact on the adjoining occupiers of number 265.

7.2.4 Given the scale and siting of the proposed front porch it is considered that there would be no significant impact on neighbouring amenity

7.2.5 The proposed elevational alterations are not considered to have any impact on neighbouring amenity, however due to the insertion of an additional door in the front elevation a condition should be added to any permission to prevent severance from the main dwelling.

7.2.6 Having regard to the scale, siting and separation distance of the development, it is considered that no significant loss of amenity with particular regard to light, outlook, prospect and privacy would arise.

8. CONCLUSION

8.1 Having had regard to the above it is considered that the development in the manner proposed is unacceptable in that it would result in a significant loss of amenity to local residents.

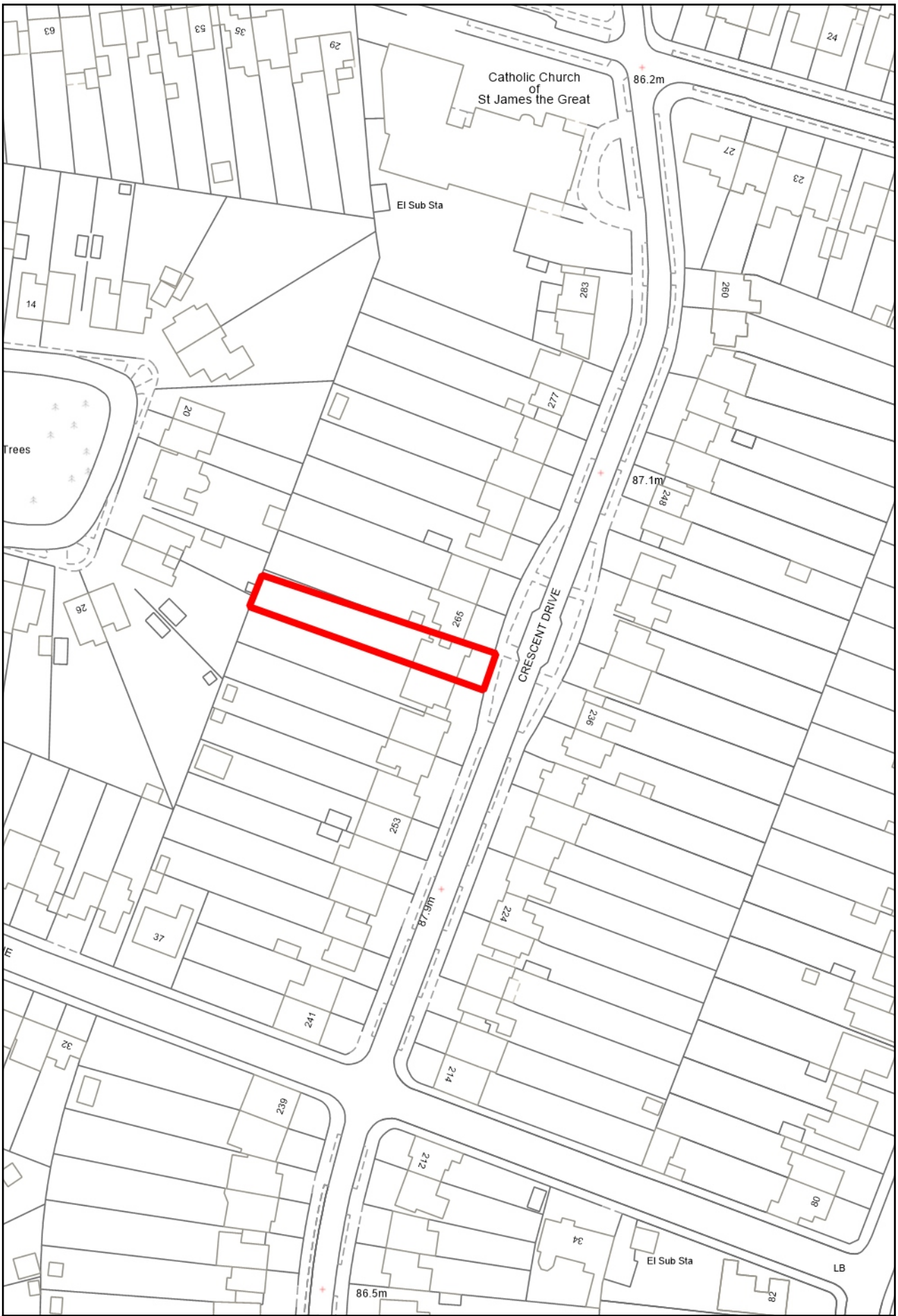
8.2 Background papers referred to during production of this report comprise all correspondence on the files set out in the Planning History section above, excluding exempt information.

RECOMMENDATION: Application Permitted


Subject to the following conditions

- 1. Standard time limit**
- 2. Standard compliance with plans**
- 3. Matching materials**
- 4. Non-severance (bicycle store)**

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 **21/03470/FULL6**



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Agenda Item 4.5

Committee Date	30/09/2021	
Address	110 Kingsway Petts Wood Orpington BR5 1PU	
Application Number	21/03661/PLUD	Officer - Jacqueline Downey
Ward	Petts Wood And Knoll	
Proposal	Loft conversion to include side dormer extensions and roof alterations to rear LAWFUL DEVELOPMENT CERTIFICATE (PROPOSED)	
Applicant	Agent	
Mr & Mrs S Clubbs	Mr Joe Alderman	
110 Kingsway Petts Wood Orpington BR5 1PU	303 Downe House High Street Orpington BR6 0NN	
Reason for referral to committee	Councillor call in	
	Call-In	Yes

RECOMMENDATION	Proposed Use/Development is Lawful
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<p>KEY DESIGNATIONS</p> <p>Area of Special Residential Character Biggin Hill Safeguarding Area London City Airport Safeguarding Smoke Control SCA 4 Urban Open Space</p>

Land use Details		
	Use Class or Use description	Floor space (GIA SQM)
Existing	C3 Dwellinghouse	146.1
Proposed	C3 Dwellinghouse	189.4

Representation summary	Neighbour letters were issued on the 25/08/2021	
Total number of responses	0	
Number in support	N/A	
Number of objections	N/A	

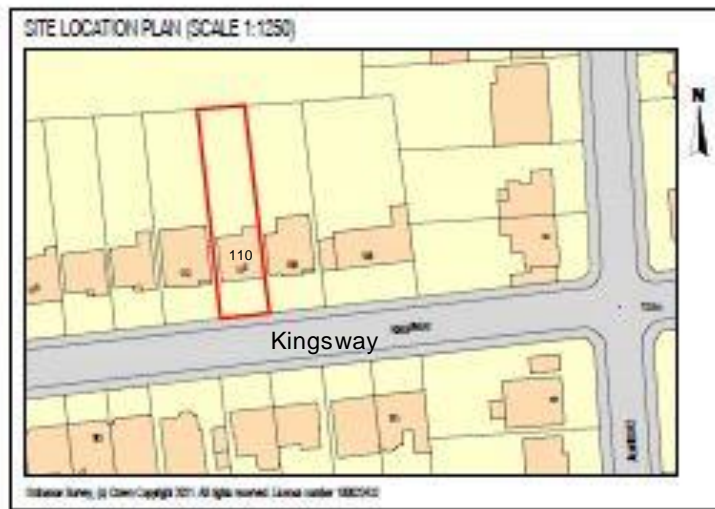
1. SUMMARY OF KEY REASONS FOR RECOMMENDATION

- 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 roofslope that would be prohibited by the Article 4 Direction in place for the Petts Wood Area of Special Residential Character.

2. LOCATION

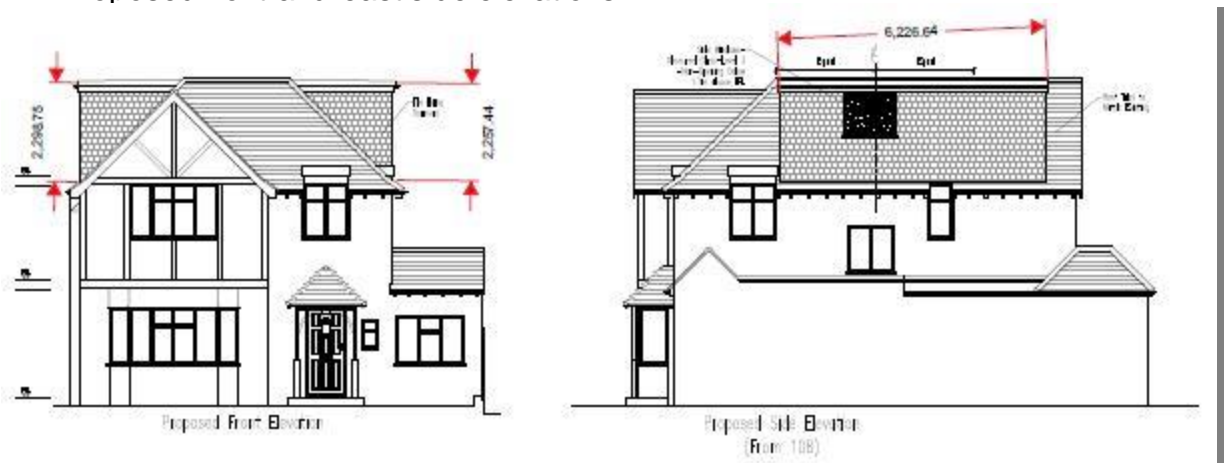
- 2.1. The site is a detached two storey dwelling located to the north side of Kingsway, within a residential location and is situated in the Petts Wood Area of Special Residential Character (ASRC). The site is also within an area subject to Article 4 Directions.

2.2. Location Plan:

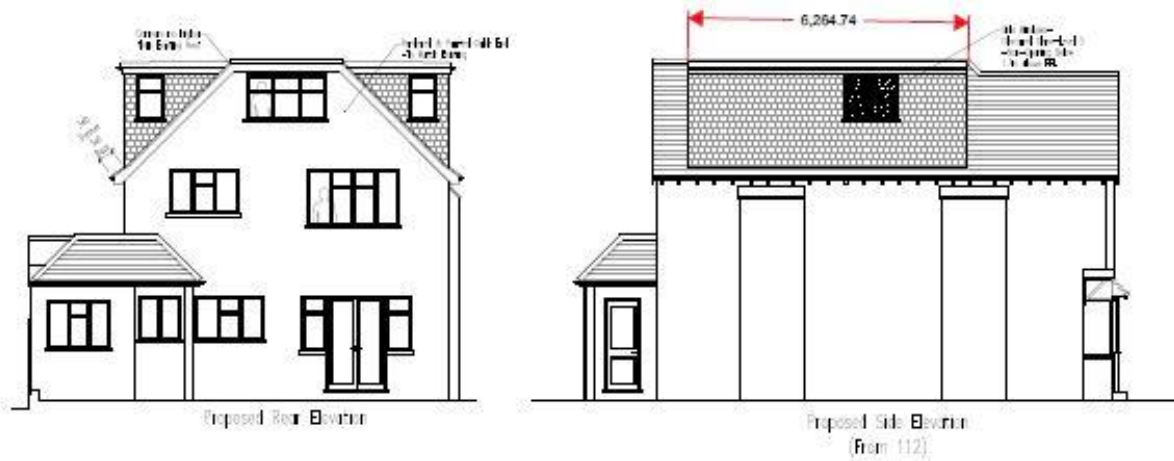


3. PROPOSAL

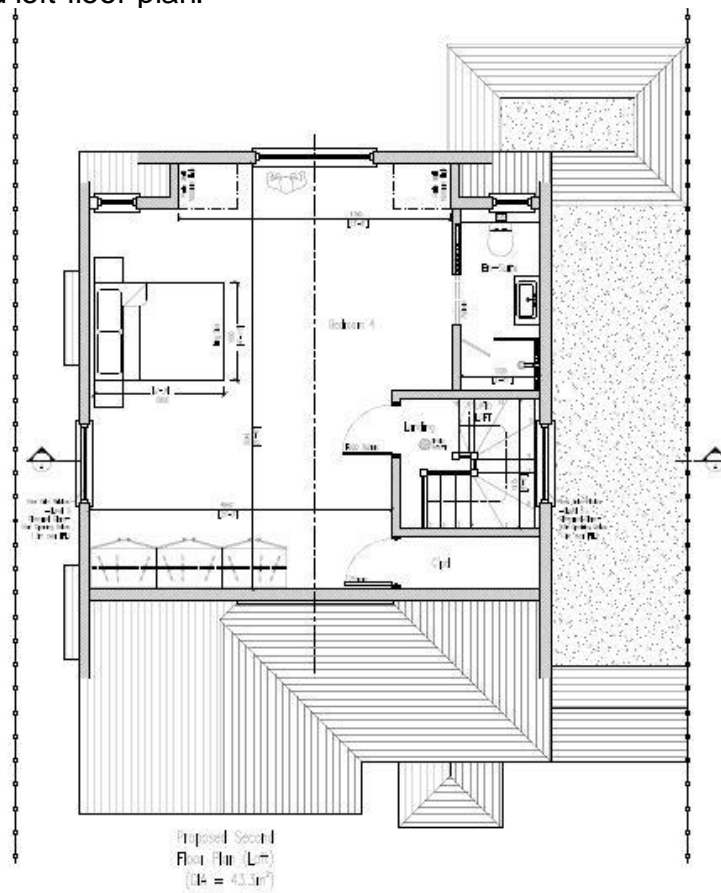
- 3.1. A lawful development certificate is sought for two side dormer extension and a rear hip to gable extension.
- 3.2. The side dormers would each have a length of 6.2m and would have flat roofs with a height of 2.9m. The side dormer would have a flank window which is obscure glazed and non-opening below 1.7m in height from the floor level and rear facing windows.
- 3.3. The hip to gable enlargement to the rear would not be fully pitched as it would incorporate a flat roof section at the highest point.
- 3.4. Proposed front and east side elevations:



3.5. Proposed rear and west side elevations:



3.6. Proposed loft floor plan:



3.7. Existing elevations:



4. RELEVANT PLANNING HISTORY

- 4.1. 19/04310/FULL6 - Loft conversion with raised ridge height, rear box dormer, and elevational alterations – Refused
- 4.2. 20/02494/FULL6 - Loft conversion with raised ridge height, side and rear dormers and side rooflights – Permitted

5. CONSULTATION SUMMARY

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

6. POLICIES AND GUIDANCE

- 6.1. The application requires the Council to consider whether the proposal falls within the parameters of permitted development under **Class B** of Schedule 2, Part 1 of the Town and Country Planning (General Permitted Development) (England) Order 2015 and specifically whether any limitations/conditions of the Order are infringed.
- 6.2. The property is located within the Petts Wood Area of Special Residential Character, and there is an Article 4 Direction for the area which requires any alteration or addition to any front roof slope (that facing the public highway) that is currently permitted by Class B or C of Schedule 2, Part 1 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) to require planning permission.
- 6.3. Of relevance to the application is a recent appeal decision in relation to 40 Manor Way, Petts Wood (ref. APP/G5180/X/18/3212541) for a roof enlargement with a setback gable roof enlargement, and had been refused by the Council as being in contravention with the Article 4 Direction in force in the area. The Appeal was allowed, with the Inspector finding that the appeal proposal would not constitute an "addition" to the front roofslope even though it enlarged the volume of the roof overall. Likewise the Inspector did not consider that the proposal would constitute an "alteration" to the front roofslope as it makes no changes to it even though the front elevation of the property would appear differently.

7. ASSESSMENT

- 7.1. In regards to the roof alterations, Class B permits the enlargement of a dwellinghouse consisting of an addition or alteration to its roof. In this instance, the proposed gable extension and rear dormer would fall within the scope of Class B and is considered to be permitted development for the following reasons:
- 7.2. The property is a single dwellinghouse and has not benefitted from any change of use under Class M, N, P, PA or Q.

- 7.3. The extension and alterations will not exceed the height of the highest part of the existing roof.
- 7.4. The proposed roof additions would not extend beyond the plane of the existing roof slope which forms the principal elevation and fronts a highway.
- 7.5. The resulting extensions volume falls within 50 cubic metres allowed in the case of a detached property. The proposed gable extension and rear dormer would have a volume of 47.38 cubic metres.
- 7.6. The proposal does not consist of or include a veranda, balcony, raised platform, chimney, flue or soil or vent pipe;
- 7.7. The house is not sited within a conservation area
- 7.8. The materials proposed for the exterior will be similar in appearance to those used in the construction of the exterior of the existing dwellinghouse. The elevations of the dormers would have hung tiles and the side roofslopes of the rear gable extension would have roof tiles, matching the main roof of the dwelling. The rear gable elevation would be rendered to match the external walls of the existing dwelling.
- 7.9. The proposed dormers would be set back at least 0.2m from the eaves.
- 7.10. the proposed enlargements would not extend beyond the outside face of any external wall of the existing dwellinghouse.
- 7.11. The upper floor flank windows to the side dormers would be obscure glazed and non-opening unless the parts that can be opened are above 1.7m from the floor level.
- 7.12. the dwellinghouse was not built under Part 20 of Schedule 2 (construction of new dwellinghouses).
- 7.13. the existing dwellinghouse has not been enlarged in reliance on the permission granted by Class AA (enlargement of a dwellinghouse by construction of additional storeys).
- 7.14. The property is located within the Petts Wood Area of Special Residential Character, so the Article 4 Direction for the area needs to be considered. The effect of the Direction is to require any alteration or addition to any front roof slope (that facing the public highway) that is currently permitted by Class B or C of

Schedule 2, Part 1 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) to require planning permission.

- 7.15. The proposed side dormers would be set back from the front roof profile. As such, it is not considered that the proposed side dormer extensions would constitute an alteration or addition to the front roofslope that would be prohibited by the Direction. Therefore, the proposal would not involve any alterations to the front roof slope and therefore this is outside of the permitted development rights which have been removed.

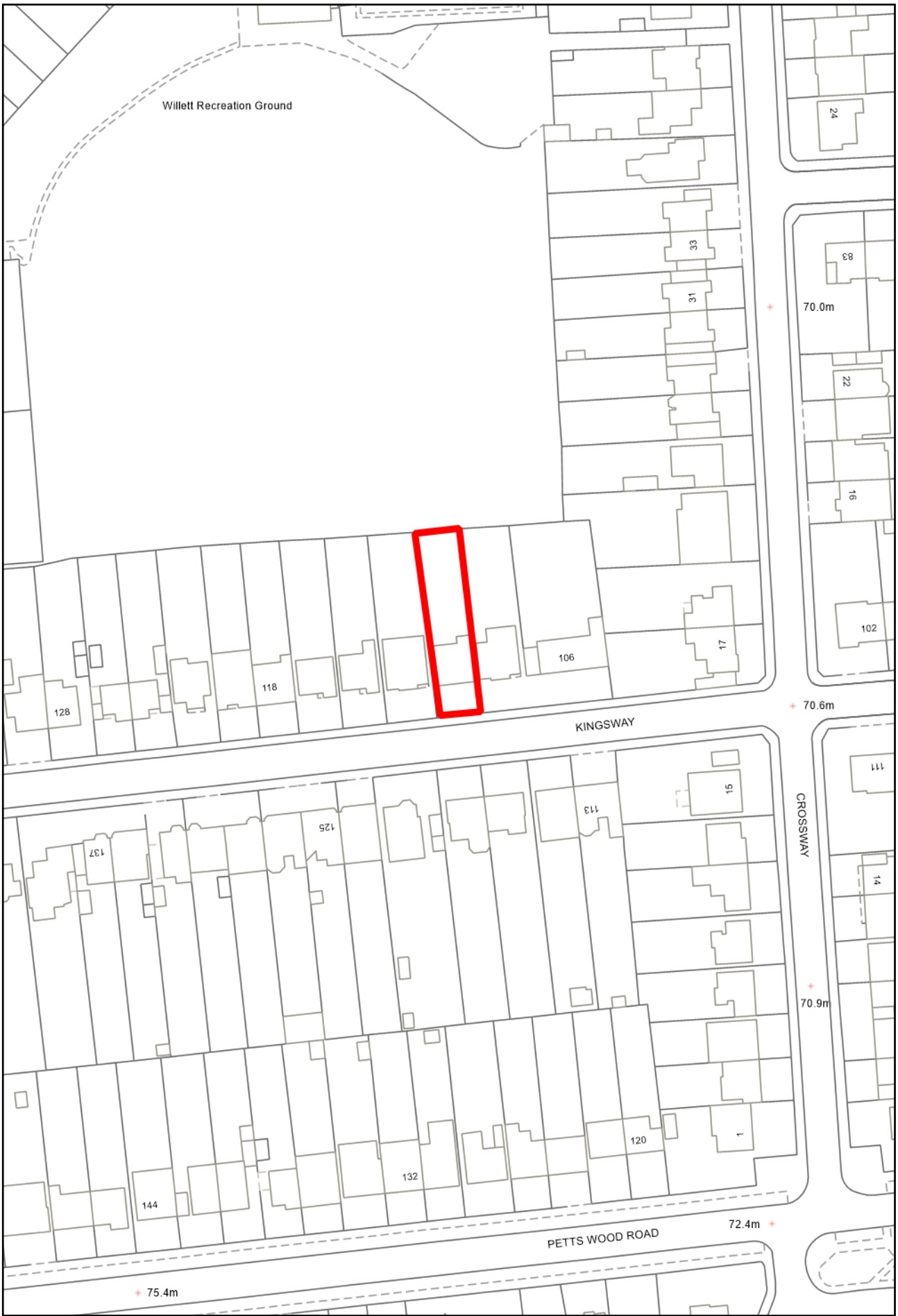
8. CONCLUSION

- 8.1. 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).
- 8.2. The proposed development would not constitute an alteration or addition to the front roofslope that would be prohibited by the Article 4 Direction in place for the Petts Wood Area of Special Residential Character.
- 8.3. On the basis of the information before the Council and subject to the development complying with the relevant Conditions as contained in the Order it may be considered that the development falls within the relevant criteria of the Order and the certificate should be granted.
- 8.4. Background papers referred to during production of this report comprise all correspondence on the files set out in the Planning History section above, excluding exempt information.


RECOMMENDATION: 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 (as amended).

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