



THE LONDON BOROUGH
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DATE: 19 October 2022

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

Councillor Mark Brock (Chairman)
Councillor Simon Fawthrop (Vice-Chairman)
Councillors Jonathan Andrews, Will Connolly, Peter Dean, Kira Gabbert,
Keith Onslow and Ryan Thomson

A meeting of the Plans Sub-Committee No. 2 will be held at Bromley Civic Centre on
THURSDAY 27 OCTOBER 2022 AT 7.00 PM

TASNIM SHAWKAT
Director of Corporate Services & Governance

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

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

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

To register to speak please telephone Democratic Services on 020 8461 7840

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

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

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

A G E N D A

1 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

2 DECLARATIONS OF INTEREST

3 CONFIRMATION OF MINUTES OF MEETING HELD ON 1ST SEPTEMBER 2022
(Pages 1 - 12)

4 PLANNING APPLICATIONS

Report No.	Ward	Page No.	Application Number and Address
4.1	Darwin	13 - 30	(17/00655/RECON2) - Archies Stables, Cudham Lane North, Sevenoaks, TN14 7QT
4.2	Chislehurst	31 - 42	(22/02557/FULL6) - 30 Marlings Park Avenue, Chislehurst, BR7 6QW
4.3	Petts Wood & Knoll	43 - 58	(22/02563/FULL6) - 26 Great Thrift, Petts Wood, Orpington, BR5 1NG

5 CONTRAVENTIONS AND OTHER ISSUES

NO REPORTS

6 TREE PRESERVATION ORDERS

NO REPORTS

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

PLANS SUB-COMMITTEE NO. 2

Minutes of the meeting held at 7.00 pm on 1 September 2022

Present:

Councillor Mark Brock (Chairman)
Councillor Simon Fawthrop (Vice-Chairman)
Councillors Jonathan Andrews, Will Connolly, Peter Dean,
Tony Owen, Shaun Slator and Ryan Thomson

Also Present:

Councillors Alisa Igoe, Alexa Michael, Mark Smith and
Michael Tickner

1 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

Apologies for absence were received from Councillors Kira Gabbert and Keith Onslow, and Councillors Shaun Slator and Tony Owen attended as their respective substitutes.

2 DECLARATIONS OF INTEREST

Councillor Peter Dean declared a non-pecuniary interest in Item 4.2 as a member of the Natwest Bank Sports Club. Councillor Dean stated that he would remain in the Council Chamber during this item, but would not participate in the debate or vote.

In relation to items 4.3 and 4.5, visiting Ward Member Councillor Mark Smith advised that he was a member of the Chislehurst Society.

3 CONFIRMATION OF MINUTES OF MEETING HELD ON 21st APRIL 2022

The minutes of the meeting held on 21st April 2022 were confirmed and signed as a correct record.

4 PLANNING APPLICATIONS

4.1 (21/00847/FULL1) - 1 Maple Leaf Close, Biggin Hill, TN16 3JW

BIGGIN HILL

Description of application – Alterations to roof of both blocks (1-12 & 13-22 Maple Leaf Close) consisting of addition of third floor mansard roof extensions with dormer windows at third floor level to provide

additional residential units consisting of a total of 2x1 bedroom flats and 2x2 bedroom flats (1x1 bedroom and 1x2 bedroom per block), with associated provision of additional parking, sheltered cycle storage and refuse/recycle storage.

THE REPORT WAS WITHDRAWN BY THE APPLICANT.

4.2 COPERS COPE

(21/03379/FULL1) - National Westminster Sports Ground, Copers Cope Road, Beckenham, BR3 1NZ

Description of application – Installation of a fuel tank for the storage of heating oil (retrospective application).

The Principal Planner - Major Developments reported that if Members were minded to approve the application, an additional condition was recommended in relation to an updated energy strategy, which would be specifically linked to the combustion of fuel from the tank.

Oral representations in objection to the application were received at the meeting. Oral representations in support of the application were also received from the agent, who gave the following responses to Members' questions:

- It was not known if a structural survey of the cesspit had been undertaken – it was highlighted that structural considerations were not usually a planning consideration. There may be a building control certificate, however this was not something that he would necessarily be aware of.
- The boiler/plant related to the under-pitch heating for Pitch No. 1, which would only be used at the very coldest points in winter to prevent it from freezing. This application was for the stationing of the tank, and storage of fuel – the use of the boilers was controlled by the main permission for the whole site. They would be looking to reengage with officers regarding the lawfulness of the use of the infrastructure.
- Three conditions were associated with the use of the plant/boiler in the main planning consent – air quality, noise and energy/carbon emissions. The air quality condition had been

discharged and, in relation to the other two conditions, they intended to provide officers with more information to ensure they were content.

- It was anticipated that the Football Club would be prepared to undertake additional landscaping, interwoven in the trellis, to hide the tank.

Oral representation from visiting Ward Member Councillor Michael Tickner in objection to the application were also received at the meeting. Councillor Tickner highlighted that the fuel tank had been placed in an Area of Special Residential Character (ASRC), and immediately adjacent to Metropolitan Open Land (MOL). It was proposed that the tank be sited on top of an Edwardian cesspit which was still in use by the Bowls Club. There were safety concerns as the tank would contain 10,000 litres of heating oil, which weighed 8 tonnes when full. There were also issues around visual amenity – it was questioned whether it was correct for Members to agree to a fuel tank being located above ground, with no housing, in an ASRC. The fuel would be used for under-pitch heating and should be located underground, if possible. Placing the fuel tank in the proposed location was considered to be contrary to policy 53 of Bromley's Local Plan and D13 (Part E) of the London Plan. In summary, Councillor Tickner highlighted that there were serious safety concerns, and, from a planning view, the fuel tank would harm the visual amenity. It was noted that the fuel linked to the boiler plant, which was refused by the Local Authority on 3rd March 2022. Councillor Tickner urged the Committee to refuse the application.

In response to questions, the Principal Planner - Major Developments clarified that the cesspit itself was not a planning consideration. The application site was technically within the ASRC boundary; however it was understood that it should have been removed, and the boundary would be redrawn in the next Local Plan.

Committee Member and Ward Member Councillor Connolly said that Crystal Palace Football Club was hugely valuable to the Borough, and did a lot for young people. However there were safety concerns in relation to the cesspit, which were connected to the integrity of the concrete base. There were also concerns around air and noise pollution which could

not be tested until there was an approved application for the boiler/plant. Councillor Connolly moved that the application be deferred to align with the use of the boiler.

Councillor Thomson said that the application should be deferred until the boiler was approved and checks could be undertaken in relation to air quality and emissions – he also agreed with the comments made by Councillor Tickner regarding the ASRC. Councillor Thomson seconded the motion for deferral.

The Motion for deferral was put to a vote and LOST.

In response to questions, the Principal Planner - Major Developments clarified that, in relation to the impact on residential amenity, Planning Policy covered air quality, noise and other nuisances, but not structural integrity, which was covered under separate Building Control legislation and could not be duplicated. Similarly, the Health and Safety Executive (HSE) dealt with the storage of fuel over a certain volume, and the application did not meet this threshold.

Councillor Fawthrop moved that the application be refused on grounds relating to the visual impact on the MOL.

Councillor Owen seconded the motion for refusal.

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

The fuel tank, by reason of its siting and design, results in a detrimental impact on the visual amenities of the adjoining Metropolitan Open Land; thereby contrary to Policy 53 of the Bromley Local Plan (2019).

4.3 CHISLEHURST CONSERVATION AREA

(21/05386/FULL1) - Kemnal Park Cemetery Sidcup By Pass Road Chislehurst BR7 6RR

Description of application – Hard and soft landscaping of Zone 3 of Kemnal Park cemetery including the introduction of additional burial plots and carparking.

The Principal Planner - Major Developments reported that further information had been received from an

objector and circulated to Members. It was noted that the matters raised were reflected within the report. An amended site plan had also been circulated.

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

Oral representation from visiting Ward Member Councillor Mark Smith were also received at the meeting. Councillor Smith said that he did not oppose the application, but Ward colleagues had concerns which were reflected in the comments made by Chislehurst Society on page 53 of the report, regarding 'the decimation of ancient woodland that has taken place recently is much greater than any of the permissions would lead one to expect and some comments suggest that some of the clearances were done accidentally'. Councillor Smith said he had visited the site with Councillor Stammers and had been staggered by the number of trees felled. In relation to replanting of the site, a total of 153 trees sounded impressive, but when the size of the plot and the map showing the trees at full maturity were considered, it was not felt to be substantial enough, and more tree planting needs to be undertaken. It was suggested that the 'Woodland Management Plan' become a pre-commencement condition and a full report on tree Planting be commissioned from the Forestry Commission or Woodland Trust. Councillor Smith said he supported the suggestion to use a Tree Preservation Order (TPO) on this site – the 100 small whips referenced were planted before the hot summer and it was likely that many would now be in a poor condition, so tree planning needed to be put in force on this site.

In response to questions, the Principal Tree Officer advised that the Woodland TPO could be applied to the specific site plan, or the whole site – however it was designed for woodland, and not open grassland, which was the majority of the site. To avoid delays, a Woodland Management Plan would provide a route forward, and making a TPO could be considered in due course.

Members having considered the report, objections and representations, **RESOLVED:**

- i.) to ask officers to consider making a Woodland TPO.
- ii.) that **PERMISSION BE GRANTED** as

recommended, subject to the conditions set out in the report of the Assistant Director, Planning with the addition of a further condition for Woodland Management:-

6. P Non-standard pre-commencement condition: Woodland Management Plan;

Prior to commencement of the development hereby approved, a woodland management plan for the area detailed as New Woodland Planting shall be submitted to, and approved in writing by, the Local Planning Authority. The management plan should be prepared by a qualified and experienced forestry or arboricultural consultant and include;

- i. type and frequency of management operations to achieve and sustain canopy, understorey and ground cover***

The trees in the area detailed as New Woodland Planting shall then be managed in accordance with the approved management plan for a period of 5 years from the first burial on the land shown on drawing Zone 3 General Site Layout (D200009_CDS_EN_ZZ-DR-L-023 REV 11).

Reason: Required to ensure that the woodland area is satisfactorily maintained in the interest of nature conservation and the visual amenity of the area and to accord with Policies 37, 43 and 74 of the Bromley Local Plan (2019).

**4.4
PETTS WOOD AND KNOLL
CONSERVATION AREA**

(22/00179/FULL6) - 23 The Covert, Petts Wood, Orpington, BR6 0BT

Description of application – Single storey side extension.

The Head of Development Management reported that further comments of support had been received from the applicant and circulated to Members, asking that they take into account the following:

- the applicants were happy to commit to whatever design specifications were felt necessary;
- the proposed side extension, was modest in size and would not result in "terracing"; and,

- the applicants had already agreed to a greater set-back from the front of the house to minimise the impact on their neighbours.

Committee Member and Ward Member Councillor Fawthrop said that he had called-in this application for two reasons:

1. the impact on the neighbouring amenity of no. 21 The Covert as well as the visual outlook from that address; and,
2. the impact of the proposals on The Covert Conservation Area, particularly the unbalancing of the pair of Noel Rees semi-detached properties, which would be visible from the street scene. This needed to be taken in context of both the Conservation Area and the Area of Special Residential Character descriptions.

It was acknowledged that the applicant had revised the scheme to minimise the impact on the street scene, however the examples of similar side extensions listed in paragraph 7.13 of the report were historic, and permitted prior to the introduction of the Conservation Area and before the current Local Plan was adopted. The report did not demonstrate the public benefit of the application, particularly in relation to side space, and did not preserve the character of the Conservation Area and Area of Special Residential Character. It was considered that spaces or gaps between buildings must be maintained where it contributed to the character of an area. Therefore the application was contrary to Policies 6b, 8, 41 and 44 in the Local Plan as it eroded the character of the Conservation Area and Area of Special Residential Character and impacted upon side space. Councillor Fawthrop's comments are attached at Appendix A.

Councillor Andrews said that he agreed with the comments made by Councillor Fawthrop. It was highlighted that paragraph 7.14 stated that the LBB Conservation Officer had reported that the proposed side extension "*would have a minimal negative impact in the Conservation Area*". This did not enhance the Conservation Area, as required by Policy 41 of the Local Plan, and he therefore moved that the application be refused for the reasons stated by Councillor Fawthrop.

Councillor Dean seconded the motion for refusal.

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

The proposed single storey side extension, by reason of its siting, would erode the space between the host dwelling and neighbouring property and harm the symmetry of the pair of semi-detached dwellings, and would therefore fail to preserve or enhance the character and appearance of The Covert, Petts Wood Conservation Area and Petts Wood Area of Special Residential Character within which it lies; thereby contrary to Policies 6, 8, 41 and 44 of the Bromley Local Plan (2019).

**4.5
CHISLEHURST
CONSERVATION AREA**

**(22/01225/FULL6) - Graylings, Camden Way,
Chislehurst, BR7 5HT**

Description of application – Demolition of existing conservatory and erection of new lower ground, ground & first floor rear extension along with new first floor front extension and erection of detached garage. The Head of Development Management advised Members that the detached garage, referenced in the description, had been removed from the application.

Oral representations in support of the application were received at the meeting. The agent had circulated images, and gave the following response to Members' questions:

- There was a contemporary house located immediately next door to the property, and all the houses in the cul-de-sac were individually designed. Various contemporary dwellings on Camden Park Road had been approved as replacement properties – therefore the contemporary remodelling of this property was not considered to be out of keeping in the area.

Oral representation from visiting Ward Member Councillor Mark Smith in support of the application were also received at the meeting. Councillor Smith said that there was a range of different property designs along Camden Park Road and Camden Way. Most of Chislehurst was within a Conservation Area so applications were often viewed giving consideration as to whether they made a positive contribution to the area. This was subjective; however this application

was of a very high quality and, taken alongside other properties in Camden Way, would enhance the area. It was highlighted that no local residents, nor the Chislehurst Society, had objected to the application. The Conservation Area consideration did have to be “filtered” through supplementary planning guidance for this area, which stated the need for caution around mock-Tudor architecture. This property was described as mock-Tudor; however panels were attached instead of beams. Councillor Smith urged the Committee to approve the application in order to enhance the wider area.

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

4.6 KELSEY AND EDEN PARK

(22/02271/FULL6) - 22 Wagtail Walk, Beckenham

Description of application – Demolition of existing detached garage and erection of part two storey/part single storey rear extension and two storey side extension.

The Head of Development Management reported that further written comments had been received from the applicant's planning consultant in support of application and circulated to Members.

Members having considered the report and objections, **RESOLVED** that **PERMISSION BE GRANTED** as recommended, subject to the conditions set out in the report of the Assistant Director, Planning with the addition of a further condition to read:-

N Non-standard condition: Removal of PD rights;

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order amending, revoking and re-enacting this Order) no development permitted by Class A, AA, B, C, D and E of Part 1 of Schedule 2 of the Order shall be carried out.

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.

**4.7
PENG AND CATOR**

(22/02393/ADV) - Land outside 200 Kent House Rd, Beckenham, BR3 1UN

Description of application – Village Sign.

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

**4.8
HAYES AND CONEY HALL**

(22/02548/FULL6) - 11 Hartfield Road BR4 9DA

Description of application – Demolition of existing conservatory and replacement with single storey rear extension. (RETROSPECTIVE)

The Principal Planner - Major Developments reported that the application to develop the rear of the site with three new dwellings had now been validated.

Oral representation from visiting Ward Member Councillor Alexa Michael were also received at the meeting. Councillor Michael said she was aware that the extension was contained at the back of the property and was located on the footprint of the conservatory; however neighbours were concerned about the removal of trees and hedges which would impact on their residential amenity. It was noted that by the time the retrospective application had been received, most of the mature trees and shrubs had been felled. Councillor Michael highlighted that the Council was doing as much as it could to plant more trees – if Members were minded to allow this application, it was suggested that provision to replant trees and soft landscaping could be included in the conditions to lessen the impact.

In response to a question, the Principal Planner - Major Developments advised that the LBB Tree Officer had not objected to the application on arboricultural grounds. It was confirmed that no trees or hedges were to be removed as part of this application – this had been stated by the applicant on the application form.

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

N Non-standard condition: Removal of PD rights;

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order amending, revoking and re-enacting this Order) no development permitted by Class A, AA, B, C, and D of Part 1 of Schedule 2 of the Order shall be carried out.

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 CONTRAVENTIONS AND OTHER ISSUES

5.1 ST PAUL'S CRAY

**DIRECT ACTION - 24 SAXVILLE ROAD,
ORPINGTON, BR5 3AW**

Report HPR2022/042

**THE REPORT WAS WITHDRAWN BY THE
ENFORCEMENT & APPEALS MANAGER.**

5.2 KELSEY AND EDEN PARK

DIRECT ACTION - 9 HOLLY CRESCENT, BR3 3DL

Report HPR2022/041

**THE REPORT WAS WITHDRAWN BY THE
ENFORCEMENT & APPEALS MANAGER.**

The Meeting ended at 8.37 pm

Chairman

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Agenda Item 4.1

Committee Date	27 October 2022		
Address	Archies Stables Cudham Lane North Cudham Sevenoaks TN14 7QT		
Application Number	17/00655/RECON2	Officer - David Bord	
Ward	Darwin		
Proposal	Variation of Condition 3 of planning permission reference 17/00655/RECON1 to increase the number of pitches on the site from 2 to 3		
Applicant		Agent	
Miss Charmaine Moore		N/A	
Archies Stables Cudham Lane North Cudham Sevenoaks TN14 7QT			
Reason for referral to committee	Call-In		Councillor call in
	Call-In		Yes

RECOMMENDATION	Permission
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<p>KEY DESIGNATIONS</p> <p>Article 4 Direction Special Advertisement Control Area Biggin Hill Safeguarding Area Green Belt London City Airport Safeguarding</p> <p>Traveller Sites</p>
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Land use Details		
	Use Class or Use description	Floor space (GIA SQM)
Existing	Traveller Site	
Proposed	Traveller Site	

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

Electric car charging points	Percentage or number out of total spaces Unknown
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Representation summary	
Total number of responses	13
Number in support	0
Number of objections	13

1. SUMMARY OF KEY REASONS FOR RECOMMENDATION

- The proposal would result in a total of three pitches.
- The site is a designated Traveller Site Inset Within the Green Belt.
- There would be no significant impact on residential amenities.
- The proposed development would be of an acceptable design and would not harm the visual amenities of the street scene or the area in general.
- The accommodation provided would be of a satisfactory standard.
- Subject to a condition to ensure that the site remains in single family occupation, the highways impact of the proposal is considered acceptable.

2. LOCATION

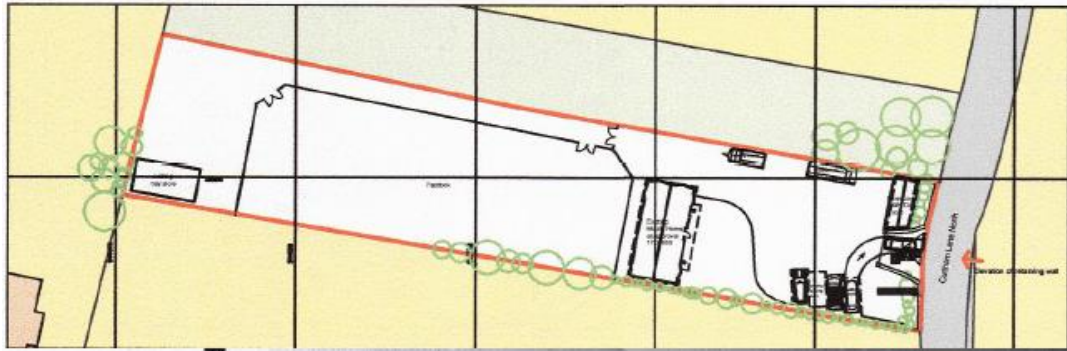


Figure 2 – site location plan

- 2.1 The front part of the application site which is the subject of this application is designated as a *Traveller Site Only, Inset Within the Green Belt*. The rear part of the site falls within the Green Belt. Cumulatively, the site measures approximately 0.25 hectares in area, with a 25.8 metre wide frontage to Cudham Lane North. A Girl Guide camp site adjoins southern site boundary whilst the area to the north is occupied by protected woodland. The surrounding area is generally open and rural in character with little built development within close proximity to the appeal site.



Figure 2 – Front of the site



Figure 3 – Location of proposed day room between mobile home and day room



Figure 4 – Location of proposed mobile home adjacent to the southern boundary

3. PROPOSAL

- 3.1 This Section 73 application seeks to vary Condition 3 imposed under application reference 17/00655/RECON1 which was granted by the Council in May 2022 to enable an increase in the number of pitches within the site from 2 to 3.
- 3.2 The basis of this application has been outlined in a supporting statement compiled by the applicant. In summary, the applicant has stated that her son and his partner require their own static caravan having lived with the applicant on site since 2010. The applicant advises that the mobile home would measure 8ft x 12fy and would not

intrude into an existing parking area. The static caravan would be placed within the southern side of the site.



Figure 5 – Proposed site plan

4. RELEVANT PLANNING HISTORY

4.1 There is a detailed planning history associated with the site since 2008 which is summarised below:

4.2 In May 2008 planning permission was granted (under application ref: 08/00559) for a change of use of the site from agricultural land to the keeping of a horse and for the retention of a newly created access and hardstanding. The applicant indicated, in a supporting statement, that the site would be used by her daughter to practice riding her horse.

4.3 Under a subsequent application approved in November 2008 (ref: 08/03254), planning permission was granted for a stable and a store room and hardstanding area for horsebox and trailer parking. This application was submitted in relation to the equestrian use of the site which had been granted 6 months prior. Planning permission was also granted for a detached WC building in December 2009 (under ref. 09/02833) to be used by the applicant and her children when visiting the site.

4.4 In April 2009 the applicant appealed against the refusal to remove Condition 12 of application ref: 08/03254 which restricted uses within the site, including the stationing or storage of a caravan or caravans (including for the setting up or preparation for such uses or activities) at any time. The Planning Inspector considered the condition to be justified and dismissed the appeal in August 2009. The Inspector commented *"I consider that the use of the Land as it has been permitted by the Council represents its maximum capacity as an acceptable enterprise within the green belt.....To add to its intensification of its use for up to 28 days a year would be materially harmful to the openness of the area, and its character and appearance, in breach of the relevant policies of the UDP"*.

4.5 In April 2010 the Council refused a further application which sought to vary the above planning condition in order to permit the stationing of a caravan on the site (ref: 10/00192). The applicant explained that she sought to vary the condition should she wish to place a caravan on the site at a later date. A further application for an additional

storage building was refused by the Council in June 2010 (ref: 10/00834) on the basis that this was not considered necessary to facilitate equestrian activities on the site and that this would result in a disproportionate level of site coverage by buildings, thereby representing an undesirable intensification of development in the Green Belt.

- 4.6 On 9 July 2010 two caravans were moved on to the site, comprising a mobile home which was occupied as a dwelling by the applicant and her family and a smaller touring caravan which was understood to be used for travelling. An application (ref: 10/02059) was registered on 26 July 2010, in which retrospective planning permission was sought for the change of use of the equestrian site to a gypsy and traveller caravan site. The application included one mobile home measuring 3.6m x 9.7m and a touring caravan measuring 1.8m x 5.4m which were shown to be located adjacent to the southern site boundary, together with an enlarged tarmac hardstanding area located mainly within the eastern side of the site. The Council refused permission by Notice dated 14 September 2010 for the following reasons:

“1. The proposal constitutes an undesirable form of urbanised development located in the Green Belt wherein there is a general presumption against inappropriate development, and no very special circumstances have been demonstrated to justify making an exception to Policy G1 and H6 of the Unitary Development Plan and Planning Policy Guidance Note 2 'Green Belts'.

“2. The continued residential occupation of this site and the stationing of caravans will cause unacceptable visual harm to the character and appearance of the area and undermine the openness and character of the Green Belt, therefore contrary to Policies G1 and BE1 of the Unitary Development Plan and PPG2.

“3. The additional hardstanding, boundary fencing and entrance gate detract from the visual amenities and openness of this rural and open area, by reason of their prominent siting, unsympathetic materials excessive height and unsympathetic design, contrary to Policies BE1 and G1 of the Unitary Development Plan.

“4. In the absence of information to the contrary, the means of vehicular access is unsuitable for larger vehicles/trailers manoeuvring on to the site and is prejudicial to the free flow of traffic and general conditions of safety within the highway, contrary to Policy T18 of the Unitary Development Plan.”

- 4.7 A subsequent appeal concerning the change of use of the equestrian site to a gypsy and traveller caravan site was dismissed in June 2011; however, this Appeal Decision was subsequently overturned by the High Court, a decision upheld by the Court of Appeal. The High Court judgement dated 16 November 2012 quashed the Inspector's decision but only relating to temporary permission. The Council issued two enforcement notices in July 2013 to put an end to the use of the land as a gypsy and traveller site and to remove various associated operational development.

- 4.8 A re-determined appeal concerning the change of use of the equestrian site to a gypsy and traveller caravan site as well as the 2013 enforcement notices was issued in July 2015. The appeals were allowed and planning permission was granted for the change

of use of the land from the keeping of horses to a mixed use for the keeping of horses and for use as a single pitch Gypsy and Traveller site accommodating one residential mobile home and one touring caravan used for ancillary residential purposes, together with additional hardstanding area, concrete post and timber panelled fence (max height 1.98m), steel gates (max height 1.98m) and detached shed subject to conditions. Key considerations made by the Inspector in determining these appeals are set out below:

“The Traveller policy makes it clear that gypsy sites are inappropriate development in the GB and the Framework provides that substantial weight will be attached to such harm. This is common ground between the parties.” (Paragraph 38)

“The fact that all existing sites in the borough are presently in the GB, as is all of the non-urban area, does not diminish the weight to be accorded to the harm resulting from inappropriate development caused by the appeal development. This is substantial and, therefore, contrary to UDP Policy G1 and paragraph 88 of the Framework.” (Paragraph 39)

“However, I accept that if the appellant were to vacate the site and set up a roadside encampment, this would also be likely to be in the GB. Not only would this also be inappropriate, but roadside encampments can aggravate tensions between travellers and the settled community and cause as much, if not greater, environmental harm than unauthorised development. This is a material consideration which I afford some weight to.” (Paragraph 40)

“The permitted structures on the land, including the stable building, toilet building and some of the fencing, already result in some loss of openness with the appeal development, as a whole, resulting in a further loss of openness. Even if this is more limited today than when the previous appeal was determined, any harm to the GB, no matter how limited, has to be afforded substantial weight, as required by paragraph 88 of the Framework. The loss of openness may be relatively limited but it is not minimal; two caravans have been sited on the land, a shed constructed on it, a high, solid timber fence erected along its southern boundary and additional areas of hardstanding have been laid within the site.” (Paragraph 42)

“The appeal development is visible against a wooded backdrop when viewed from the south. Its visual impact would have been greater were it not for the landscaping carried out which predominantly screens the development. However, this landscaping itself has resulted in some visual harm. The solid timber fence and fast growing laurel hedge now visible above it are features more appropriate to a suburban setting not the appeal site’s rural setting.” (Paragraph 43)

“Overall, the appeal development has resulted in some harm to the character and appearance of the countryside, contrary to UDP Policy BE1. However, I am satisfied that the harm identified could be mitigated over time and by more sensitive landscaping than that carried out. The native trees planted between the timber fence and the permitted fence along the site’s southern boundary will mature to provide an effective and more natural form of landscaping than the laurel hedge planted behind it and the appellant has also offered to remove the fence. These matters could form part of a landscaping scheme which could be a condition of any planning permission granted.” (Paragraph 45)

“Having regard to the provisions of the Traveller policy, the fact that any new sites would also be in the GB and that there would be no need to remove any frontage

planting as a consequence of implementing proposed improvements to the current access arrangements (which I turn to next), I consider that the visual harm caused by the appeal development is limited. I am also satisfied that this limited visual harm could be reduced and the appeal development made acceptable such that the requirements of UDP Policy BE1 could be met.” (Paragraph 46)

“Given the circumstances, there can be no guarantee that the Council’s proposed strategy would deliver the additional pitches required to meet the significant level of current and future need identified, beyond allowing the size of families occupying existing sites to expand. Whilst this would meet some of the identified future need it would not meet the wider general need for pitches in the borough.” (Paragraph 58)

“National policy advice and guidance is quite clear: Inappropriate development in the GB should not be approved except in very special circumstances. It is, by definition, harmful and the harm caused by it should be afforded substantial weight. Likewise, the harm caused by the loss of openness, even though the loss may be limited by virtue of the small scale of the development carried out and the fact that the appeal site is previously developed land. Consequently, the appeal development conflicts with UDP Policy G1 and relevant provisions of the Framework and the Traveller policy.” (Paragraph 74)

“I have found that alternative forms of landscaping would reduce the harm caused to the character and appearance of the area, and this could be secured by condition. The Council now accepts that its concerns about highway safety could be similarly addressed. Consequently, I conclude that, other than the harm to the GB, the appeal development causes little harm, subject to appropriate conditions and that there would be no material conflict with UDP Policies BE1 and T18. If these matters do not necessarily weigh, or weigh very much, in the appeals’ favour they do not weigh against it.” (Paragraph 75)

“Personal circumstances are also material. The appellant’s aversion to bricks and mortar means that temporary housing or hostel accommodation would not be suitable alternative accommodation, even in the short term, and there is a very real likelihood that a refusal of planning permission would result in her resorting to a roadside existence. This would be harmful to the family’s quality of life and would adversely impact on their health and education. It would also result in the loss of the family’s home, in serious interference with their Article 8 rights [of the Human Rights Act 1998] and would clearly not be in the best interests of the children. As most of the borough is either urban or GB a roadside existence would also be likely to be just as harmful to the GB and, potentially, more harmful to the countryside than the appeal development.” (Paragraph 78)

“In these circumstances, I conclude that the harm by reason of inappropriateness and the limited loss of openness that has occurred is clearly outweighed by other considerations such that very special circumstances exist to justify the grant of a permanent planning permission for the appeal development, personal to the appellant and her resident dependents, subject to other conditions discussed below. Consequently, there is no need for me to consider the appeals under ground (g)” (Paragraph 81)

“I have considered the Council’s list of suggested conditions in the light of the discussion which took place during the inquiry. There is a need for a condition restricting occupation of the land to gypsies and travellers, in the interests of protecting the GB. A further occupancy condition is necessary to make any permission personal to the appellant and her resident dependents, in the interests of

protecting the GB and because the appellant's personal circumstances are a significant factor in my decision to grant planning permission." (Paragraph 82)

"There is a need for conditions restricting the number and types of caravans on the land, preventing any commercial activities taking place on the land, restricting the weight of vehicles kept on the land and requiring details of any external lighting to be approved in advance, all in the interests of appearance. There is also need for a condition requiring the permitted use to cease unless details of the layout of the site and alternative landscaping, including boundary treatment, are approved and implemented within a given period, again, in the interests of appearance." (Paragraph 83)

4.9 Under application reference 17/00655/FULL1, planning permission was granted at appeal in April 2018 for the following: *Use of land for private Gypsy and Traveller caravan site comprising 1 pitch accommodating one mobile home and one touring caravan. (Revision to planning application ref. 10/02059/FULL2 allowed at appeal comprising removal of existing mobile home and its replacement with twin mobile home unit in a re-sited position within the site with associated slab and access ramps, without compliance with Condition 5).* In allowing the appeal, the Inspector concluded that the harm that would arise to the openness of the Green Belt would be outweighed by other matters, including that applicant's medical condition and needs, such that very special circumstances exist to allow the appeal.

4.10 Under application reference 17/00655/RECON the Council granted approval in April 2020 for the removal of the following conditions of application reference 17/00655/FULL1 (as allowed at appeal):

(No 3) The occupation of the site hereby permitted shall be carried on only by the following and her resident dependants: Ms Charmaine Moore;

(No 4) When the land ceases to be occupied by those named in condition 3 above the use hereby permitted shall cease and all caravans, structures, materials and equipment brought on to or erected on the land, and/or works undertaken to it in connection with the use, shall be removed and the land shall be restored to its condition before the development took place; and

(No 5) There shall be no more than 1 pitch on the site and on the pitch hereby approved no more than 2 caravans, shall be stationed at any time, of which only 1 caravan shall be a static caravan

4.11 Under application reference 19/04469/FULL the Council refused permission in April 2020 for the installation of 2 additional touring caravans to be used for residential ancillary purposes; the erection of 2 utility/day rooms to be placed together; re-siting of existing stable block to the rear of the site; and erection of a retaining wall adjacent to the front boundary for the following reasons:

"1. The proposed re-sited stable would constitute inappropriate development within the Green Belt as the site does not provide an adequate-sized area of grazing land, and would therefore result in an overintensification of horse-related activities, thereby contrary to policies 49 and 61 of the Bromley Local Plan.

2. The proposed day and utility rooms would, by reason of their siting, scale and height constitute an overdominant and intrusive form of development,

harmful to the rural character of the area, and contrary to Policy 37 of the Local Plan, and the PPTS.

3. *The proposal would intensify the use of the existing substandard access onto Cudham Lane North and would be likely to lead to conditions prejudicial to the free flow and general safety of traffic along the highway, contrary to Policy 32 of the Local Plan."*

- 4.12 Under application reference 20/02706/FULL1 the Council refused planning permission in October 2020 for the relocation of existing stables, the retention of an existing static home and the construction of a utility day room for the following reason:

"The proposed re-sited stable would constitute inappropriate development within the Green Belt, which would be harmful to its openness, and in the absence of very special circumstances the proposal is contrary to policies 49 and 61 of the Bromley Local Plan."

- 4.13 A subsequent appeal was dismissed under reference APP/G5180/W/20/3263878 in November 2021. The Inspector concluded the following at para 25:

"The proposal would conflict with Policies 49 and 61 of the Local Plan which, amongst other matters, state that permission will not be given, except in very special circumstances. I have concluded that the development would be inappropriate development in the Green Belt as the proposal would not preserve the openness of the Green Belt, as required by the Framework. The proposal would, by definition, be harmful to the Green Belt, harm which the Framework indicates should be given substantial weight. In addition, I have found that the proposal would be harmful to the rural character of the Green Belt, and this brings the proposal into conflict with Policy 61 of the Local Plan. The benefits of those other considerations, which include those personal benefits to the appellant of re-positioning the stable, retaining the caravan so that the family can live together and support one another, and, providing a dayroom at the site, do not clearly outweigh the harm. Consequently, there are not the very special circumstances necessary to justify inappropriate development in the Green Belt."

- 4.14 Under planning application reference 17/00655/RECON1 the Council granted approved in April 2022 for the removal of Condition 10 of application reference 17/00655/FULL1 (allowed at appeal 10 April 2018) to enable the provision of 2 pitches within the site. Condition 3 stated:

"There shall be no more than 2 pitches on the site, and on each of the pitches hereby approved no more than 2 caravans shall be stationed at any time, of which only 1 caravan shall be a static caravan."

Reason: In order to comply with the requirements of policies 12, 32, 37 and 49 of the Local Plan, Planning Policy for Traveller Sites, and in the interests of the amenity of the area, local highways conditions and the openness of the Green Belt."

5. CONSULTATION SUMMARY

A) Statutory

- 5.1 The Council's Highways Engineer raised no objection to the proposal and commented as follows:

"Cudham Lane North is a classified road, a local distributor. The 2017 application was allowed on appeal. The use of the site for a residential unit has been established. RECON1 increased the number of pitches from 1 to 2 and this one is to increase it to 3.

This would again result in a small increase in associated traffic movements. However, I think it is unlikely to be significant and also that it would be difficult to sustain a ground of objection on that basis.

The site access has some limitations in terms of sightlines. I have some concerns about the gradual increase in pitches on the site where the corresponding increase in traffic movements is also small but the overall accumulation is growing. I would suggest that any application for a further increase in pitches is accompanied by a Transport Technical Note."

B) Local Groups

- 5.2 Cudham Residents' Association has raised objection to the proposal on the following grounds:

- The original planning application was refused by the Council in 2017 and then only granted on appeal. The subsequent applications made by Archies Stables appear to be appeals to remove various conditions which were placed upon this original application.
- Similar proposal have been previously refused for the site.
- The applicant's proposals do not meet any of the criteria in Policy 37 of the Local Plan.
- To allow an increase in the number of pitches on the site from 2 to 3 is harmful to the rural character of the area and contrary to Policy 37 of the Local Plan and the PPTS.
- Policy 49 sets out the circumstances for proposed developments in the Green Belt being approved. The applicant's proposals do not meet any of the criteria in this policy.
- There is confusion around the existing provision of occupancy units on the site. We are of the understanding that there are already 3 residential units on the site.
- In regard to the Community Utility/Dayroom, there is no detail provided relating to where any waste water would be dispensed. There has not been main drainage to this site and no supporting information to any application relating to waste-water and how this is dealt with or how this is monitored and supervised by Bromley Council to address any contaminated water escaping.
- Concern that the applicant is demonstrating a conscious and determined strategy of appealing against decisions or aspects of decisions in order to wear down the Council and residents over time. To demonstrate this point, it should be noted that the

applicant was awarded the decision to increase to 2 pitches in May 2022 and has immediately then issued their application to increase to 3 pitches.

C) Adjoining Occupiers

5.3 Local residents were notified of the application and comments are summarised below:

- Occupants illegally occupied this site in the first place and have continually used the appeal system to remain on site
- Occupants should not be allowed to extend the site to more than the one existing caravan.
- Could end up with a large traveller camp in the village.
- Occupancy should be limited to that for which planning permission was originally granted - for Ms Moore and her dependents, whom one would take to mean dependent children living with her, not in a separate unit.
- To remove the condition will set a precedent for future applications and it should be refused.
- There is no need for a further pitch as there are already 3 with occupancy.
- No detail relating to where any waste water would be dispensed.
- The septic tank is sited where the plan shows a kids amenity play area.
- This land was never meant to be residential. The only reason one residence was granted was because it was claimed that refusal was showing prejudice to travellers. That surely showed prejudice to the non-traveller community who would have had their application refused.
- The original development on this site was unauthorised and this abuse of the planning system undermines faith in it its fairness amongst the wider community.
- The lane is too narrow and dangerous for the current volume of traffic so adding more residences is surely going to impact further on highway safety.
- Extension of the site is also likely to be damaging and negatively impact the wildlife, views and general conservation of the area.
- It is unfair to other local residents to allow the traveller and gypsy community to have preferential treatment and exemption to the local planning laws.
- To allow the site to be increased from 2 to 3 pitches would result in a disproportionate level of site coverage by buildings, there representing an undesirable intensification of development in the Green Belt. [Note the area of the proposed development is outside the Green Belt.]
- Conditions previously placed on the site should be upheld.
- No evidence to support/show that the requirements of Policies 12, 32, 37, and 49 of the Local Plan have been satisfied.
- There is no assumption that the local planning authority is required to plan to meet traveller needs in full.
- Reference to previously refused applications at the site.
- Concerns over the drainage and waste management of this site. This site was originally an agricultural field. There has now been a significant amount of hard standing laid (hard core and tarmac), plus residential use allowed and there are a number of residents now living on the site. There was never any mains drainage at this site. There is no supporting documents on any of the planning applications or appeals with details relating to waste water and how this is dealt with or how this is monitored and supervised by Bromley Council to address any contaminated water

- Downe Bank nature reserve a site of special scientific interest is within proximity of this location and this steadily expanding development impacts biodiversity in the area.

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:-

- 6.2 Section 38 (6) of the Planning and Compulsory Purchase Act (2004) makes it clear that any determination under the planning acts must be made in accordance with the development plan unless material considerations indicate otherwise. The development plan for Bromley comprises the London Plan (2021) and the Local Plan (2019). The NPPF does not change the legal status of the development plan.

Policy H14 Gypsy and Traveller Accommodation

Policy 12	Travellers' Accommodation
Policy 30	Parking
Policy 32	Road Safety
Policy 37	General Design of Development
Policy 53	Land Adjoining Green Belt or Metropolitan Open Land

- ## 7. ASSESSMENT

7.1.1 Part of the application site was removed from the Green Belt and allocated as a Traveller Site in the Local Plan 2019 in order to address the existing and future need for traveller provision.

- Page 25

caravans, of which only 1 caravan shall be a static caravan). Following the adoption of the Council's current Local Plan in January 2019, the status of the front part of the site has changed to a Traveller Site Only, Inset Within the Green Belt. The rear part of the site falls within the Green Belt. The change of designation has been aimed at addressing the accommodation needs of travellers in the borough. Accordingly, this designation forms an important material consideration.

- 7.1.3 On the basis of 500m per pitch the Local Plan Traveller Site Assessment (2016) Table 2 indicated that Archies Stables site had the potential for two pitches. However, this does not limit the site to 2 pitches should an application, such as this one be submitted for additional pitches and considered to meet planning policy. The DCLG guidance allows for pitches of more limited scale, noting in para 7.13 that “*Smaller pitches must be able to accommodate at least an amenity building, a large trailer, drying space for clothes and parking for at least one vehicle*).” Indeed, a significant number of the Council’s own pitches are smaller than 500m.
- 7.1.4 The particular circumstances of this application, a single family group, would allow for smaller pitches with the shared proposed day room and children’s play area, however, this relies upon the usage of the site as a whole (three pitches) by a single family group. This would be subject to a planning condition.
- 7.1.5 The size of the proposed pitches would also justify a condition to restrict the size of the statics to those illustrated on the submitted plans as the provision of 3 larger statics would undermine that ability of the pitches to meet the other aspects of good pitch design.
- 7.1.6 Having regard to the above, the proposal is considered acceptable in principle.

7.2	Design	Acceptable
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- 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 (2021) 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.
- 7.2.3 Local Planning Authorities are required 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).
- 7.2.4 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.

- 7.2.5 London Plan and Bromley Local Plan further reinforce the principles of the NPPF setting out a clear rationale for high quality design.
- 7.2.6 Policy D3 of the London Plan specifies that development must make the best use of land by following a design-led approach, providing optimised development that is of the most appropriate form and land use for the site, taking into account a site's capacity for growth in tandem with its context. Development proposals should deliver buildings that positively respond to local distinctiveness through their layout, scale, orientation, appearance and shape, having appropriate regard to existing and emerging building types, forms and proportions.
- 7.2.7 Policy 37 of the Local Plan details that all development proposals, including extensions to existing buildings, will be expected to be of a high standard of design and layout. To summarise developments will be expected to meet all of the following criteria where they are relevant; be imaginative and attractive to look at, of a good architectural quality and should complement the scale, proportion, form, layout and materials of adjacent buildings and areas; positively contribute to the existing street scene and/or landscape and respect important views, heritage assets, skylines, landmarks or landscape features; create attractive settings; allow for adequate daylight and sunlight to penetrate in and between buildings; respect the amenity of occupiers of neighbouring buildings and those of future occupants; be of a sustainable design and construction; accessible to all; secure; include; suitable waste and refuse facilities and respect non designated heritage assets.
- 7.2.8 In terms of the siting and appearance and the mobile home and the communal utility day room, these elements would be located adjacent to the southern and northern site boundaries respectively and much of the existing aspect into the site would be maintained as a result of their siting. The proposed communal utility day room would occupy a somewhat more discreet position adjacent to the northern site boundary and against a backdrop of trees. In terms of the adjoining Green Belt, it is not considered that it would have a detrimental effect on its visual amenity, character or nature conservation value.
- 7.2.9 In comparison to the utility/day rooms which were proposed by the Council under application reference 19/04469/FULL1 and subsequently refused on the basis of their siting, scale and height – deemed to constitute an overdominant and intrusive form of development, harmful to the rural character of the area – the currently proposed structure is set back from the site frontage to the rear of an existing stable block and incorporates a substantially reduced floor area and a more discreet siting.

7.2.10 Having regard to the above it is not considered that the scope of the development would be significantly out of character with or detrimental to the visual amenities of the area.

7.3 Neighbourhood amenity Acceptable

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

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

7.3.3 In regard to neighbouring amenity, given the scale of the proposal and its relationship to neighbouring residential properties, as well as to the adjoining Girl Guide site to the south, it is not considered that this would be significantly undermined in terms of noise or disturbance or in terms of visual impact. The site is well screened and maintains a significant separation to residential properties along Cudham Lane North.

7.4 Highways Acceptable

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

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

7.4.3 The Highways Engineer has commented that the site access has some limitations in terms of sightlines, and he has some concerns about the gradual increase in pitches on the site where the corresponding increase in traffic movements is also small but the overall accumulation is growing. In the current circumstances, the proposal would result in a small increase in associated traffic movements. However, it is considered unlikely to be significant, and subject to a condition aimed at ensuring that the site remains in single family occupation any highways impact would be more limited as compared to a site occupied by more than one family.

8. CONCLUSION

8.1 In summary, the proposal would result in an additional pitch within the area of the site that has been designated a Traveller Site Inset within the Green Belt. Accordingly

there is no conflict with Green Belt policy and in principle the proposal would help to address the need for traveller accommodation within the Borough at an established site. There would be no significant impact on residential amenities and the development is considered to be of an acceptable design that would not harm the visual amenities of the street scene or the area in general. The accommodation provided would be of a satisfactory standard. Subject to a condition to ensure that the site remains in single family occupation, the highways impact of the proposal is considered acceptable.

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- 1 The site shall only be occupied by a single extended family and shall not be occupied by any persons other than gypsies and travellers as defined in Annex 1: Glossary of Planning Policy for Traveller Sites (or its equivalent in replacement national policy).**

Reason: In order to comply with Policies 12, 32 and 37 of the Local Plan and Planning Policy for Traveller Sites, to ensure that the site remains in Gypsy and Traveller occupation, in the interest of the visual amenities of the area, and to ensure that the development is commensurate with the interests of highways safety.

- 2 When the land ceases to be occupied by those named in Condition 1 above the use hereby permitted shall cease and all caravans, structures, materials and equipment brought on to or erected on the land, and/or works undertaken to it in connection with the use, shall be removed and the land shall be restored to its condition before the development took place.**

Reason: In order to comply with policies 12 and 49 of the Local Plan, Planning Policy for Traveller Sites, and in the interests of the amenity of the area and the openness of the Green Belt.

- 3 There shall be no more than 3 pitches on the site, and on each of the pitches hereby approved no more than 2 caravans shall be stationed at any time, of which only 1 caravan shall be a static caravan.**

Reason: In order to comply with the requirements of policies 12, 32, 37 and 49 of the Local Plan, Planning Policy for Traveller Sites, and in the interests of the amenity of the area, local highways conditions and the openness of the Green Belt.

- 4 No commercial activities shall take place on the land, including the storage of materials and no vehicle over 3.5 tonnes shall be stationed, parked or stored on this site.**

Reason: In order to comply with the requirements of policies 12, 32, 37 and 49 of the Local Plan, and in the interests of the amenity of the area and the openness of the Green Belt.

- 5** Details of any external lighting to be installed shall be submitted to and approved in writing by the local planning authority. The lighting shall be installed in accordance with the approved details and thereafter retained in that form.

Reason: In order to comply with the requirements of policies 12, 37 and 49 of the Local Plan, and in the interests of the amenity of the area and the openness of the Green Belt.

- 6** If any tree is cut down, uprooted or destroyed in order to implement this permission trees of a size and species to be agreed by the local planning authority in writing, shall be planted as replacements and shall be of such size and species as may be specified in writing by the local planning authority. Any trees which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species to those originally planted.

REASON: In order to comply with Policy 73 of the Local Plan and to secure a visually satisfactory setting for the development.

- 7** The development hereby permitted shall be carried out strictly in accordance with the following approved plan: 200704/01A dated 14 July 2020.

REASON: In order to comply with the requirements of policies 12 and 37 of the Local Plan, Planning Policy for Traveller Sites, and in the interests of the visual amenities of the area.

And any other conditions or informatives considered necessary by the Assistant Director (Planning and building Control).

Agenda Item 4.2

Committee Date	27.10.2022		
Address	30 Marlings Park Avenue Chislehurst BR7 6QW		
Application Number	22/02557/FULL6	Officer - Joshua Veeranna	
Ward	Chislehurst		
Proposal	Part one/two storey rear extension, roof alterations to existing single storey at rear and elevational alterations to host dwelling including at main roof level, to link existing roof with proposed roof over two storey extension at rear.		
Applicant		Agent	
Mrs Purvi Patel		David Wylie	
Flat 36 Trafalgar Court Wapping Wall London E1W 3TF		28 Halesworth Road Ladywell London SE13 7TN	
Reason for referral to committee	Call-In		Councillor call in
	Call-In		Yes

RECOMMENDATION	PERMISSION
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KEY DESIGNATIONS Area of Special Res. Character Article 4 Direction Biggin Hill Safeguarding Area London City Airport Safeguarding Smoke Control SCA 17

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

Representation summary	<i>Neighbours were notified of the application by letter dated 26th July 2022</i>	
Total number of responses	7	
Number in support	3	
Number of objections	4	

1. SUMMARY OF KEY REASONS FOR RECOMMENDATION

- The development would not result in a significant loss of amenity to local residents
- The development would not impact detrimentally on the character of the area, including the ASRC.

2. LOCATION

- 2.1 The application property is located on the north-western side of Marlings Park Avenue and is host to a detached dwelling. The local area is composed of large properties, of different styles. The site is not in a conservation area, nor is it listed. The lies within the Marlings Park Estate Area of Special Residential Character.

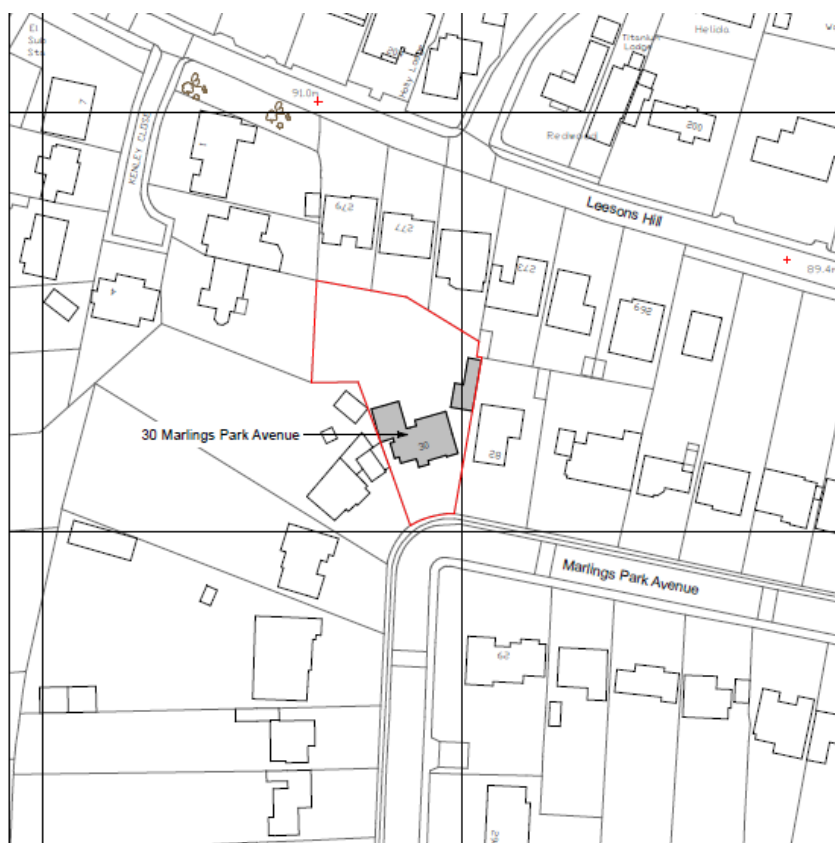


Figure 1 – Site location Plan



Image 1 – Existing rear elevation

3. PROPOSAL

- 3.1 Part one/two storey rear extension, roof alterations to existing single storey at rear and elevational alterations to host dwelling including at main roof level, to link existing roof with proposed roof over two storey extension at rear.



Figure 2 – Proposed Block Plan

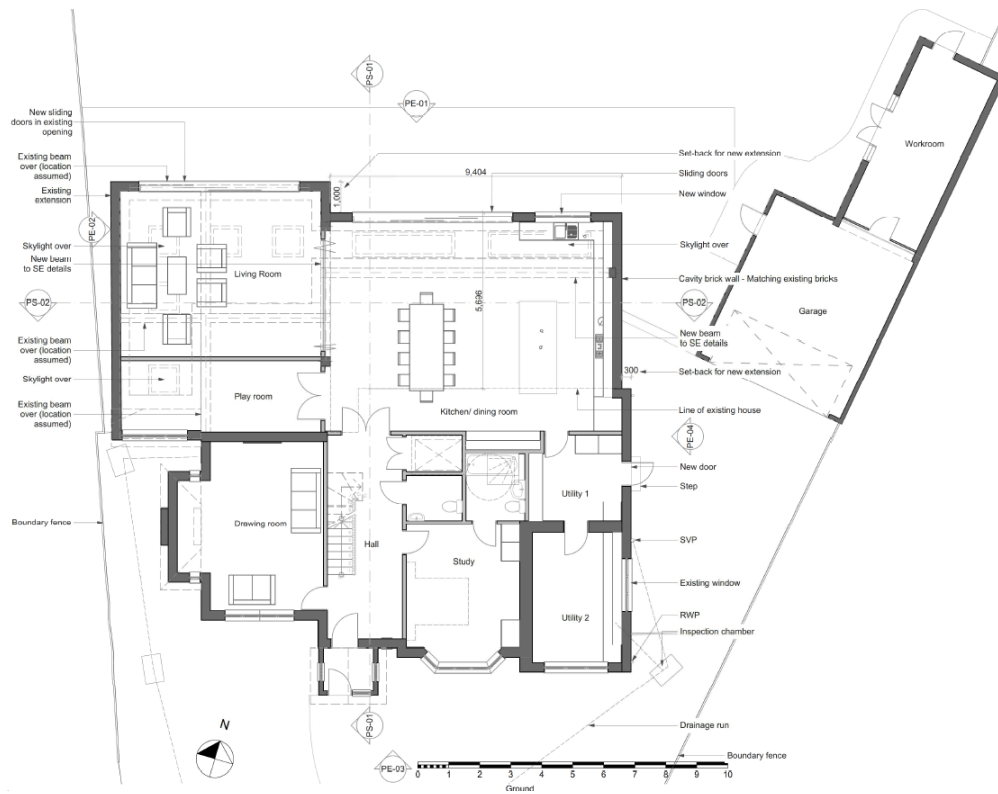


Figure 3 – Proposed Ground Floor Plan



Figure 4 – Existing Rear Elevation

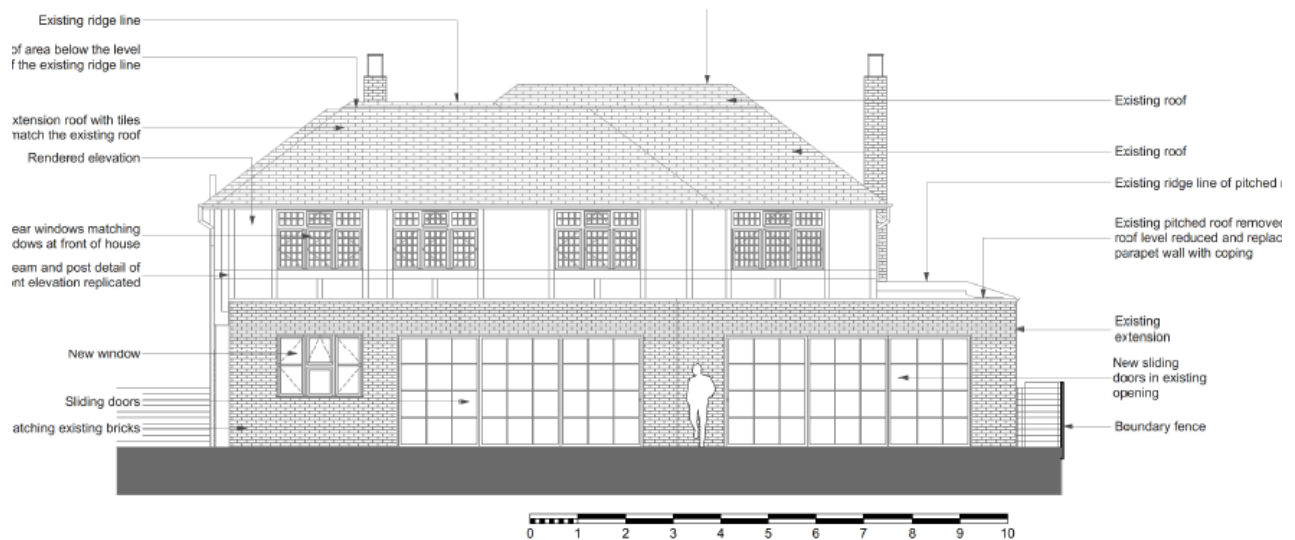


Figure 5 – Propsoed Rear Elevation

4. RELEVANT PLANNING HISTORY

- 4.1 11/00249/FULL6 - First floor side and rear extension and elevational alterations (Amendment to permission ref. 08/03151 to include enlarged first floor rear extension) - Permitted
- 4.2 08/03151/FULL6 - First floor rear extensions - Permitted
- 4.3 84/02196/FUL - FRONT PORCH DETACHED HOUSE - Permitted

5. CONSULTATION SUMMARY

A) Statutory

No consultations were undertaken.

B) Local Groups

5.1 The Chislehurst Society made the following comments in objection:

- Extension is excessive in size for the existing house and plot
- May affect light and amenity, in particular to the bungalows at the rear and is completely out of scale with those properties

C) Adjoining Occupiers

- 5.2 Nearby owners/occupiers were notified of the application 7 representations have been received. The comments can be summarised as follows:

Objection

Residential amenity (responded to in Section 7.2)

- Issues with overlooking
- Issues with noise
- Design issues
- Impact on privacy
- Loss of light

Design and impact on character (responded to in Section 7.1)

- Excessive size/mass

Support

- Would make the house in keeping
- No objection

6. POLICIES AND GUIDANCE

National Policy Framework 2019

NPPG

The London Plan

- D1 London's form and characteristics
- D4 Delivering Good Design

Bromley Local Plan 2019

- 6 Residential Extensions
- 30 Parking
- 37 General Design of Development

7. ASSESSMENT

7.1 Design – Layout, scale height and massing - 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. London Plan and Bromley Local Plan (BLP) policies further reinforce the principles of the NPPF setting out a clear rationale for high quality design.

- 7.1.2 Policies 6 and 37 of the Bromley Local Plan (BLP) and the Council's Supplementary design guidance seek to ensure that new development, including residential extensions are of a high quality design that respect the scale and form of the host dwelling and are compatible with surrounding development.
- 7.1.3 At ground floor, the proposal will project approximately 5.7m from the existing rear of the property, and will be 9.4m wide. It will be set back from the existing rear extension/building line by 1m. At ground floor, the proposal will feature a flat roof, and will be approximately 3m at the highest point.
- 7.1.4 At first floor, the proposal will be approximately 7m at the highest point, and 5m to the eaves. The proposal will be set down from the main roof ridge line, and will not be visible in full from Marlings Park Avenue. The development will project roughly 3.9m from the existing building line, and will constitute a partial infill. The extension will be set in from the side elevation by approximately 0.3m.
- 7.1.5 The rear development will closely match the prevailing character of the property. The design direction of the side elevation has also been carefully considered. The first floor will be rendered, and will match the main house with decorative black beams.
- 7.1.6 The development meets Policy 6 of the Local Plan, with specific reference to point a, which relates the scale, form and materials of construction respecting or complementing those of the host dwelling and is compatible with development in the surrounding area. Although consisting of development that adds around 90sqm of floor space to the property, it is noted that the massing and scale of the property is not considered to be excessive in this instance. The development also respects point b, which states that space or gaps between buildings should be respected or maintained where these contribute to the character of the area. Over 5m has been retained at first floor from the side elevations, and the boundaries shared with 28, and 32 Marlings Park Avenue.
- 7.1.7 Policy 37, with particular reference to points a, and b related to good architectural quality, scale, and appreciation for the street scene has also been addressed. The development is not deemed overbearing, when viewed from Marlings Park Avenue. The development does not significantly disrupt the building lines to the front, side, and rear elevations. A flat roof is proposed at ground floor, which does not introduce incongruous features to the streetscene. Although a flat "crown roof" section is proposed, the new roof will match the existing pitch, and the roof ridges has been merged with the existing property in a sympathetic manner. Similar roof designs with flat sections at first floor are observed at 22, and 26 Marlings Park Avenue.
- 7.1.8 Development proposed in areas designated as Areas of Special Residential Character (ASRCs) will be also required to respect, enhance and strengthen their special and distinctive qualities.

7.1.9 Marlings Park Estate is an area that includes a majority of two storey detached properties set within plots regularly laid out onto long roads. Houses include good size back gardens and front gardens most of which remain open and many of which are landscaped with trees, shrubs and flower beds and/or fronted by low boundary walls. Most houses are of a good quality Neo Tudor architectural or Arts and Craft design which gives pride of place to English vernacular features. Properties typically combine the use of materials such as the use of half timbering and weather boarding, hung tiling, plain or ornamental brickwork or render and are topped with various types of often multilevel roofs adding to their character, including mansard, hip, barn hip and gambrel roofs. In addition to the above assessment, the proposed design also aligns with Policy 44, relating to ASRC areas, as an appropriate material palette and design has been considered.

7.1.10 Having regard to its scale, siting and appearance, the proposal would complement the host property and would not appear out of character with surrounding development or the area generally.

7.2 Neighbouring Amenity – Acceptable

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

7.2.2 The provision of adequate space and light between buildings and impact on the privacy and amenity of adjoining properties are important factors that require careful consideration. The Council's side space policy normally asks for a minimum 1m side space. However, it should be noted that in areas where there is a greater spatial quality more than 1m side space will be required.

7.2.3 For the extension at first floor, over 5m has been retained at first floor from the side elevations, and the boundaries shared with 28, and 32 Marlings Park Avenue. As such, the proposal will meet section 1.2 of the SPG Residential Design Guidance.

7.2.4 The property occupies a position where both properties 28, and 32 Marlings Park Avenue are orientated away from the site. Due to the orientation of the neighbouring properties, the generous separation distance between the proposal area to neighbouring habitable windows, and the fact the works will primarily protrude from the rear elevation, the proposals will have a limited impact on neighbouring amenity for the occupiers of 28, and 32 Marlings Park Avenue, to the sides of the site area. It is noted that at first floor, the existing windows are to remain in place for the side elevation. As such, additional points for overlooking are not expected to occur on the side elevation.

7.2.5 Given the separation distance of over 20m from the rear of property, and the rear elevation of properties on Leeson's Hill (numbers 275, 277, and 279), and Kenley Close (numbers 2, and 3), little to no impact to neighbouring amenity is expected to occur to the north of the site. As such, the development will not be significantly

overbearing for the occupiers of these properties. Sufficient amenity space will be retained to the rear of the site for the occupiers of the proposal site area.

7.2.6 To the front elevation, the development is set back from the streetscene, and no overlooking is expected to occur.

7.2.7 The case officer has assessed the proposal against the above-mentioned policy in terms of the impact on neighbouring residential properties with specific regard to the above-mentioned criteria. Having regard to the scale and siting of the development, it is not considered that a significant loss of amenity with particular regard to light, outlook, prospect or privacy would arise.

7.3 Highways - Acceptable

7.3.1 No highways issues related to loss of parking on site would occur. Car parking spaces to the front of the property will be retained.

7.4 CIL

7.4 The Mayor of London and LBB Community Infrastructure Levy (CIL) is a material consideration. CIL is not payable on this application.

8. CONCLUSION

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

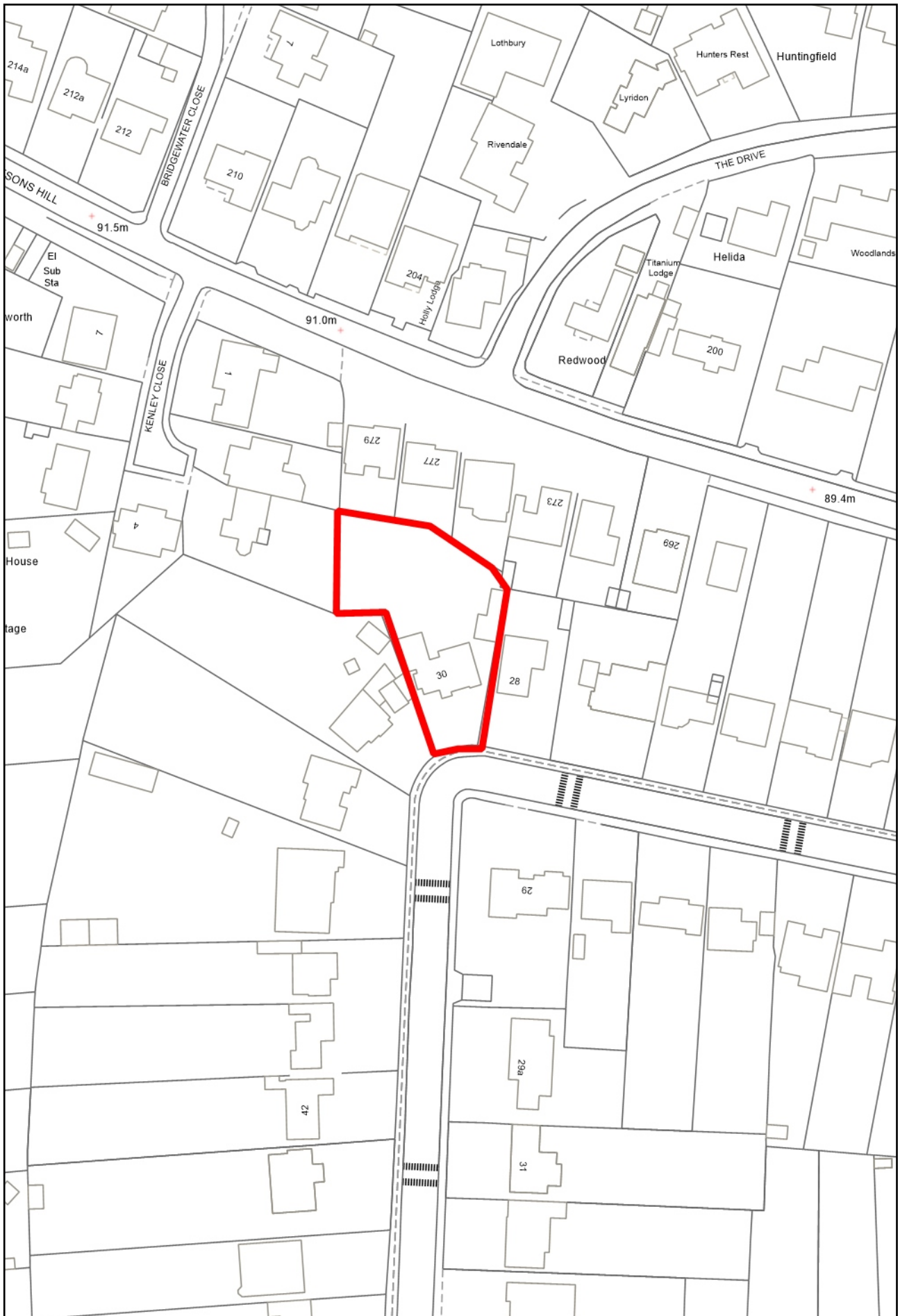
RECOMMENDATION: PERMISSION

Subject to the following conditions:

- 1. Commencement within 3 years**
- 2. Materials in Accordance with Approved Plans**
- 3. Compliance with Approved plans**

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

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Agenda Item 4.3

Committee Date	27/10/22	
Address	26 Great Thrift, Petts Wood, Orpington, BR5 1NG	
Application Number	22/02563/FULL6	Officer - Amy Jenner
Ward	Petts Wood and Knoll	
Proposal	Single storey rear extension (Amendment to permission granted under ref. 21/04755/FULL6 to allow increase in height and revised roof design) (Part Retrospective)	
Applicant Mr Stuart Buckley	Agent	
26 Great Thrift Petts Wood Kent BR5 1NG		
Reason for referral to committee	Cllr Call-in	Councillor call in Yes

RECOMMENDATION	PERMISSION
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KEY DESIGNATIONS Conservation Area Area of Special Residential Character Biggin Hill Safeguarding Area London City Airport Safeguarding Smoke Control
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Representation summary	<i>Neighbours were notified of the application by letters dated 30th June 2022, 1st July 2022 and 2nd September 2022. A site notice was displayed on 1st July 2022 and a Press Advert was published on 13th July 2022.</i>
Total number of responses	27
Number in support	5
Number of objections	22

1. SUMMARY OF KEY REASONS FOR RECOMMENDATION

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

2. LOCATION

2.1 The application site hosts a two storey detached dwelling on the eastern side of Great Thrift and is located within the newly designated The Thrifts Conservation Area, and Petts Wood Area of Special Residential Character.

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

2.3 Site location plan:



3 PROPOSAL

3.1 The application seeks an amendment to permission granted under ref. 21/04755/FULL6 to allow increase in height and revised roof design which have commenced at the site. The extension is at the rear of the existing property on the ground floor to provide an enlarged living area and kitchen/ dining area. The proposed extension would be rendered to match the existing property. Revised plans were received dated 22nd August 2022 and 23rd September 2022.

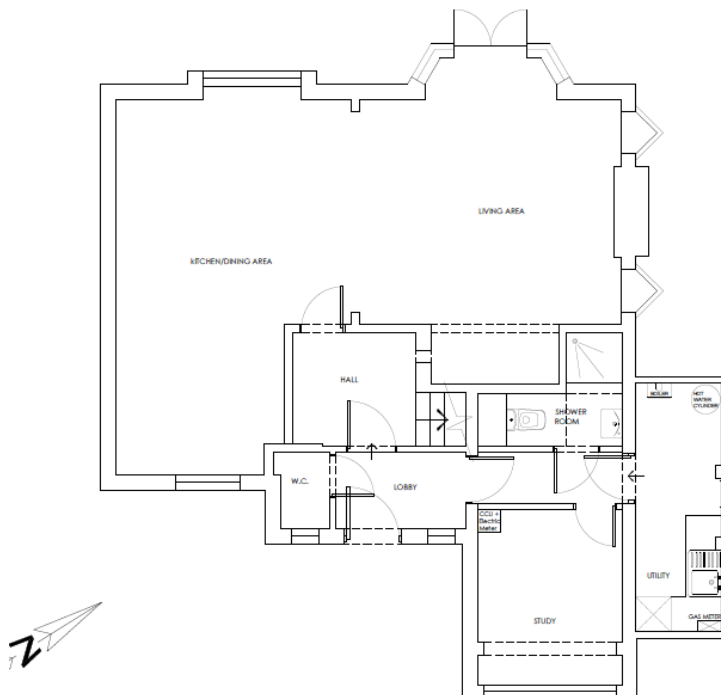
3.2 The recently constructed patio does not form part of this application and is currently under consideration ref. 22/03552/FULL6.

3.3 The planning officer visited the site on 5th August 2022 and the property at No.28 on 20th July 2022.

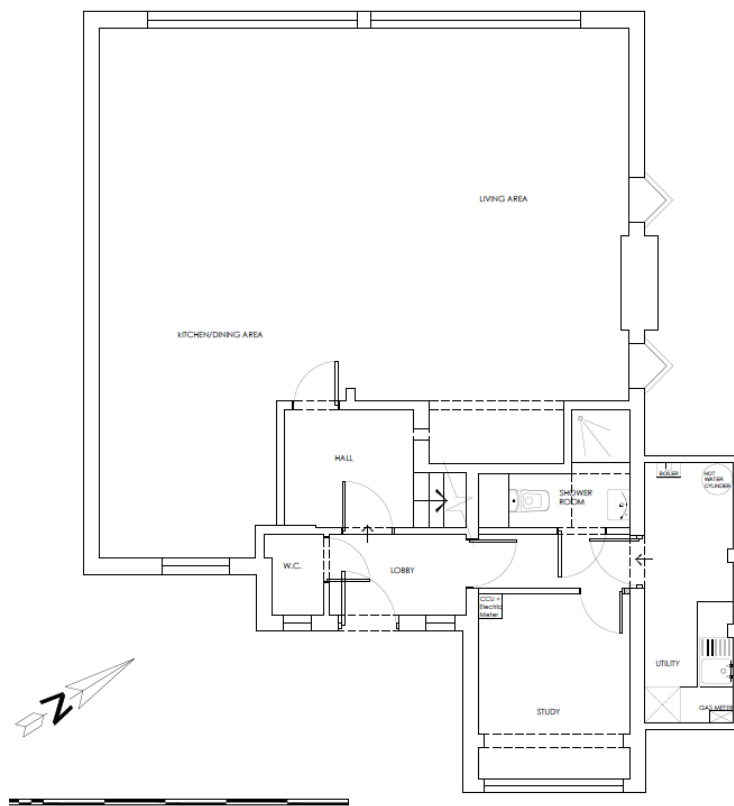
3.4 Photograph of rear elevation:



3.5 Existing ground floor plans:



3.6 Proposed ground floor plans:



3.7 Proposed rear elevation:



REAR ELEVATION

3.8 Proposed rear elevation as permitted under ref. 21/04755/FULL6:



REAR ELEVATION

4 RELEVANT PLANNING HISTORY

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

- 22/03552/FULL6 - The installation of a replacement patio to the rear of the property (RETROSPECTIVE) – Pending consideration
- 22/02566/FULL6 - Replacement first floor rear bedroom – Permission
- 21/04755/AMD - Amendment to planning permission ref 21/04755/FULL6: Alteration of roof line to suit minimum technical fall for roof tiles and to remove small sections of flat roof for security (secured by design) reasons. Replacement of first floor rear elevation single glazed Crittall windows (2no) for similar existing design in black aluminium double glazed windows. Level access patio to rear with steps into the garden – Required permission
- 21/04755/FULL6 – Single storey rear extension – Permission
- 18/02241/FULL6 - Conversion of integral garage into living accommodation - Permitted

5 CONSULTATION SUMMARY

A) Statutory

HUD – no objections

B) Local Groups

PWDRA –

- The original application did not attract any immediate, adjacent, neighbour objection comments
- understand that this extension has already been constructed including the changed roof design
- not part of the agreed plans
- neighbours were not consulted about these changes until after the roof was finished.
- disappointing, and worrying, that approved and agreed plans were not adhered to and changed thereby not allowing neighbouring residents to comment.
- alteration to the permitted scheme roof will have an adverse impact upon immediate, adjacent properties/residents in terms of light and visual appearance, as the extension roof will be higher at the sides
- will heighten an impression of enclosure.
- conservatory at 28 Great Thrift will receive less sunlight in the afternoon
- the neighbour at 24 Great Thrift has an existing extension right next to the application extension (to the immediate south-west of the application property) will be affected by the height of the revised roofline
- will be create a tunnelling effect created for this extension, at number 24
- the plans indicate a drop down either side of the extension due to the ground levels in this part of Great Thrift
- will mean there will be a further impact as the extension will appear to

- be higher from the actual ground level either side
- significant overbearing impact on both neighbouring house
- impact on outlook
- 21/04755/AMD made reference is made to a large, raised level-access patio which has been part-constructed (not shown on this application)
- the raised patio that is being built will give significantly increased opportunities for overlooking.
- PWDRA respectfully requests that planning permission is refused.

Further consultation was made following revised drawings on 22nd August 2022 which are summarised as follows:

- the revised plans indicate that the plans have been changed to reflect the height from the ground
- level to the eaves height. This measurement was fundamental to the design of this extension and it is disappointing that this was inaccurately shown on the plans published on the 30 June 2022.
- it is also noted that two steps have been added to the now removed french doors to accurately reflect the original elevation
- it is also noted that this amendment to the submitted plans corrects
- an error in the previously submitted plans
- this is disappointing as accurate plans should have been submitted at the start of this process
- PWDRA are aware that a raised patio has been built - this accentuates and emphasises the impression of the height of the rear extension
- no planning application for this structure has been submitted to date.
- Original objections remain particularly with regard to the loss of amenity for the neighbours either side (numbers 28
- and 24 Great Thrift)
- the extension will have/has (as it is already built) an overbearing impact upon these neighbouring properties, as well as reducing received light levels into their rear ground floor rooms
- unacceptable and as stated before is contrary to Bromley Local Plan Policy 37

C) Adjoining Occupiers

Nearby owners/occupiers were notified of the application and the following representations were received:

Support

- this is a minor change to an already accepted planning application and the reason for the change is necessary for the roof tiles to be watertight
- the design of the rear extension is in-keeping with the local character of houses in this area
- the extension cannot be seen from the street/looking at the front of the house.
- no objections to the initial plans and permission was granted
- the change of 45cm does not seem to be egregious at all

- no direct sight line over the extension and don't see any material impact relative to the original and granted application

Objections

- increased noise and disturbance from the creation of this outdoor space, as well as a loss of privacy for adjacent neighbour
- the proposed increase in the height of the roof line is significant, not marginal would now bring the roof construction virtually up to the level of the First Floor windows
- does not accord with the original request for a straightforward single storey extension.
- the extensively enlarged and raised patio, as shown in the Proposed Roof Plan, (but not referred to at all in the Design and Access Statement), is a contributory factor to the increase in the height of the extension.
- out of proportion and not in keeping with the neighbourhood
- The Thrifts are now conservation areas this kind of extension is not in keeping with area, ASRC and neighbouring properties
- appears it has been built differently to previous scheme
- higher either side
- substantial increase in height and very noticeable
- impact on light to patio and conservatory at No.28
- limited light due to large oak trees
- impact on view from neighbouring house
- out of keeping with surrounding house

Further consultation was made following revised drawings on 22nd August 2022 which are summarised as follows:

Objections

- the roof is out of keeping with other Great Thrift extensions
- already objected to this but have received a letter saying that amended plan have been received
- look almost the same apart from some steps
- original objections still stand
- it is out of keeping with a conservation area, too big and looks awful when standing in our garden
- it is disappointing, and surprising, that construction of a significant proportion of the extension, together with a raised patio (in the apparent absence of any relevant planning application), has already taken place, without the statutory planning permissions having been granted
- the addition of a raised patio (or platform), and treating this as the new base level, has had the effect of raising the height of the extension above ground level by the same amount (estimated at around one metre)
- a decision on the raised patio should be taken first, as the amended plans for the extension are dependant on this increased height being agreed

- the proposed extension and patio is a cause for concern, will be obtrusive for neighbouring properties, is out of proportion, and not in keeping with the neighbourhood
- The Thrift are now part of a conservation area and this type of extension is not in keeping with the rest of the neighbouring properties
- could do in the future by setting a precedent for other applications to follow
- originally did not believe it would impact greatly on the enjoyment of our property
- thought extension would be small scale extension would be in keeping with adjoining houses and trusted that the planning department would take council and London planning policies into consideration
- the actual build bears little resemblance to his explanation or approved plans
- it is much larger and with a different roof pitch
- stated in his amended planning application that the reason for the change in roof pitch was for security and minimum technical fall, however, the raised roof line also allowed for the floor of the extension to be level with the original house; this was the objective in changing the height in the roof
- shell of the extension has already been built
- that it diminishes our natural light and makes us feel claustrophobic in conservatory
- delegated decision report stated that it should be no higher than 3.2 meters and should be in keeping with adjoining properties - this is not the case
- Area of Special Residential Character (ASRC)
- not in character/keeping with surrounding properties
- extension is approved, it will set a precedent and our ASRC will be lost
- house is built on a sloping site much lower than neighbour where over shadowing and dominance could have been minimised
- although a separate application is required for a raised patio, the agreed ground level for this application will impact on the perceived height of raised patio
- even though a 6ft 10in fence has been erected the privacy in rear garden has been lost due to the height level of raised patio
- understand that a further application for a raised patio was only submitted last week, some three months after this application for an extension
- brings into question why it was not submitted at the same time as application for an extension, let alone before the shell of the extension and patio were built
- extension is of significant height, out of proportion and the roof design does not have a similar pitch to other roofs nearby - the whole build "stands out"
- if others followed suit our lovely back gardens would become characterless, overlooked and overdeveloped
- question the point of conservation / ASRC

Support

- As per previous comment we have direct sight line onto the extension and can't see any material changes to the previously approved plans
- Materials are sympathetic with the area
- fully support this amended proposal for a rear extension
- extension cannot be seen from the road and therefore does not affect anyone on the street
- there are also other extensions with similarly raised patios on their side of the street, hence the application is perfectly in keeping with the street.

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 24 July 2018 and updated on 19 February 2019.

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

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

6.6 National Policy Framework (2021)

6.7 The London Plan (2021)

- D3 Optimising site capacity through the design-led approach
- D4 Delivering good design

6.8 Bromley Local Plan (2019)

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

6.9 Bromley Supplementary Guidance

Supplementary Planning Guidance 1 - General Design Principles

Supplementary Planning Guidance 2 - Residential Design Guidance

Mayor's Housing Supplementary Planning Guidance (March 2016)

7 ASSESSMENT

7.1 Design, Scale and Layout – Acceptable

- 7.1.1 Design is a key consideration in the planning process. Good design is an important aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. The NPPF states that it is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes.
- 7.1.2 London Plan and Bromley Local Plan policies further reinforce the principles of the NPPF setting out a clear rationale for high quality design.
- 7.1.3 Policies 6 and 37 of the Bromley Local Plan and the Council's Supplementary design guidance seek to ensure that new development, including residential extensions are of a high quality design that respect the scale and form of the host dwelling and are compatible with surrounding development. These policies are supported by Policies D3 and D4 of the London Plan.
- 7.1.4 The current application seeks to amend the roof design of the previously permitted scheme which is under constructed at the site. The revised single storey extension would have a dual pitched roof, tiled to match the roof of the existing house, and would be contained to the rear of the building. The proposed extension would project to the same depth as previously granted and on balance the increase in height and design is considered to be acceptable in context with the host dwelling and adjoining neighbouring houses.
- 7.1.5 Having regard to the above, the proposed extension would not result in a detrimental impact to the appearance of the host property and would not appear out of character with surrounding development or the area generally.

7.2 Heritage Impact – Acceptable

- 7.2.1 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.
- 7.2.2 Within or adjacent to a Conservation Area:

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

7.2.3 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.

7.2.4 In terms of design and impact on The Thrifts Conservation Area, the proposed work will be sited at the rear of the property. The proposed rear extension would not be highly visible within the conservation area context and the proposed materials to match the existing house and considered acceptable on this basis. No objections have been raised from the Council's conservation officer. It is not considered that the proposal would impact upon the character of the conservation area, or ASRC and in line with Policy 41 and 44 of the Bromley Local Plan.

7.3 Residential Amenity – Acceptable

7.3.1 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.

7.3.2 As summarised within Section 5 of this report, concerns have been raised by nearby neighbours, including the adjacent neighbours at No.24 and 28 Great Thrift, in particular loss of light, loss of privacy and impact on amenity. Concerns have also been raised regarding the impact of the extension on the character of the area. Full copies of the representations are available to view on the electronic file.

7.3.3 Photo of property towards No. 28.:

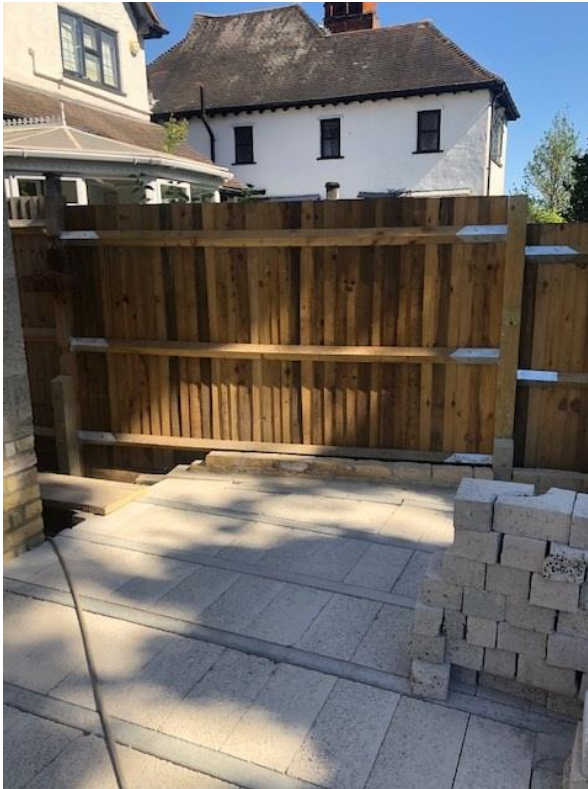


Photo towards No.24:



- 7.3.4 The principle of the extension has been established by way of granting permission under ref. 21/04755/FULL6 and on balance the increase in height and change of roof design is not considered to be significant enough to result in unacceptable harm to the neighbouring properties.
- 7.3.5 Having regard to the scale and siting of the development, it is not considered that a significant loss of amenity with particular regard to light, outlook, prospect and privacy would arise.

8 CONCLUSION

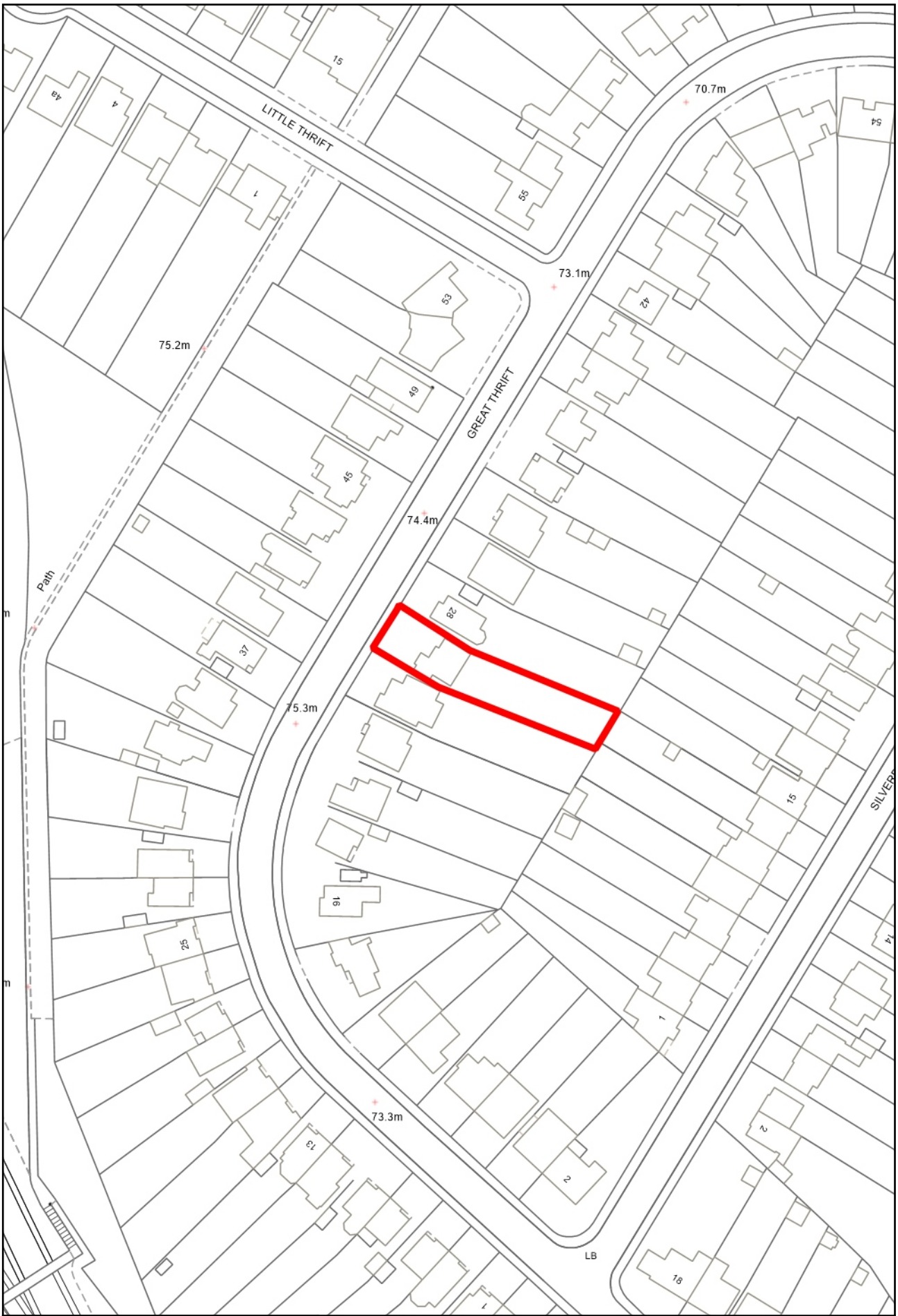
- 8.3 Having had regard to the above it is considered that the development in the manner proposed is acceptable in that it would not result in a significant loss of amenity to local residents nor impact detrimentally on the character and appearance of the host dwelling, or area in general. The application is therefore considered to accord with the overarching aims and objectives of Policies 6, 37, 41 and 44 of the Bromley Local Plan and Policy D4 of the New London Plan (2021).
- 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: PERMISSION

Subject to the following conditions:

- 1. Standard time limit for implementation**
- 2. Compliance with the submitted plans**
- 3. Use of materials as outlined in the application**

Any other condition(s) considered necessary by the Assistant Director (Planning and Building Control)



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