



THE LONDON BOROUGH
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DATE: 20 September 2023

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

Councillor Alexa Michael (Chairman)
Councillor Christine Harris (Vice-Chairman)
Councillors Jonathan Andrews, Graeme Casey, Kira Gabbert, Colin Hitchins,
Jonathan Laidlaw, Ruth McGregor, Tony Owen and Mark Smith

A meeting of the Plans Sub-Committee No. 1 will be held at Bromley Civic Centre on
THURSDAY 28 SEPTEMBER 2023 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 7588

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 3RD AUGUST 2023**
(Pages 1 - 6)
- 4 **PLANNING APPLICATIONS**

Report No.	Ward	Page No.	Application Number and Address
4.1	Penge and Cator	7 - 32	(22/04784/FULL1) 20 Southey Street, Penge, London, SE20 7JD.
4.2	Hayes and Coney Hall	33 - 44	(23/00988/ADV) - 34 West Common Road, Hayes, Bromley, BR2 7BX
4.3	Petts Wood and Knoll	45 - 58	(23/03077/FULL6) - The Conifers, 2 The Covert, Petts Wood, Orpington, BR6 0BU

5 **CONTRAVENTIONS AND OTHER ISSUES**

NO REPORTS

6 **TREE PRESERVATION ORDERS**

Report No.	Ward	Page No.	Application Number and Address
6.1	Penge and Cator	59 - 68	Confirmation of TPO 2888 (Land rear of 175-205 Kings Hall Road, Beckenham)

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

PLANS SUB-COMMITTEE NO. 1

Minutes of the meeting held at 7.00 pm on 3 August 2023

Present:

Councillor Alexa Michael (Chairman)
Councillor Christine Harris (Vice-Chairman)
Councillors Jonathan Andrews, Graeme Casey, Kira Gabbert,
Colin Hitchins, Ruth McGregor, Tony Owen and Mark Smith

Also Present:

Councillor Alisa Igoe

21 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

Apologies were received from Councillor Laidlaw.

22 DECLARATIONS OF INTEREST

There were no declarations of interest.

23 CONFIRMATION OF MINUTES OF MEETING HELD ON 13 APRIL 2023

The Minutes of the meeting held on 13th April 2023 were confirmed and signed as a correct record.

24 PLANNING APPLICATIONS

Application No. and Address of Property

24.1 CHISLEHURST (22/03120/ELUD) - 96 Imperial Way, Chislehurst, Kent, BR7 6JR

Description of Application: Proposed change of use from use class C3 to C4 House of Multiple Occupation. LAWFUL DEVELOPMENT CERTIFICATE (EXISTING).

In response to questions from Councillor Owen, the Legal Advisor confirmed that the relevant date for determining lawfulness was 1 September 2022 and it was for Members to consider whether a material change of use had occurred by this date.

An oral representation in support of the application was received at the meeting from the agent.

In response to questions the agent confirmed that:

- The three occupants had moved in in August 2022, before the September deadline.
- All conditions within contracts were enforced.
- Any issues were dealt with promptly and efficiently. A license was in place and landlords could face heavy fines if they were found to breach the terms of the license.

A discussion took place in Part 2 of the meeting concerning the additional evidence that had been provided. Concerns were expressed around inconsistencies within the information provided.

The Legal Advisor highlighted that the Sub-Committee needed to be satisfied on a balance of probabilities that the property was available for use as an HMO on 1 September 2023.

Ward Councillor Mark Smith explained that this issue had been stressful for local residents and it was a contentious and emotive issue and residents had reported that the owners and agents had not been responsive to complaints that had been made. Ultimately, it came down to whether the Sub-Committee was satisfied with the evidence that had been provided.

Councillor Ruth McGregor noted that a huge amount of evidence had been supplied and the judgement of Officers was that this was an HMO. Whilst regrettable the reported issues around anti-social behaviour were nothing to do with the application for a lawful development certificate. In conclusion, Councillor McGregor confirmed that she was comfortable with the application.

Other Members of the Sub-Committee noted that there remained some ambiguity over the timing of when units had been occupied and there appeared to be a lack of precision in the evidence presented.

The Chairman moved that the application be refused as the information provided was not sufficiently precise and not sufficiently unambiguous. The motion was seconded by Councillor Casey.

Members, having considered the report, objections and representations **RESOLVED that A LAWFUL**

DEVELOPMENT CERTIFICATE BE REFUSED on
the following grounds -

The evidence provided in support of this application is considered to be ambiguous and not sufficiently precise to demonstrate that on the balance of probabilities, the use of the premises as a house in multiple occupation was converted under Class L of Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) prior to the 1st September 2022 when the Borough wide Article 4 direction came into effect.

(Cllr Gabbert requested that her vote against the motion be recorded.)

**24.2
CHISLEHURST**

**(23/01167/FULL6) – Pickwick, Kemnal Road,
Chislehurst, Kent, BR7 6LT**

Description of Application: Proposed first floor side extension.

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

**24.3
DARWIN**

**(23/01388/FULL1) – Archies Stables, Cudham Lane
North, Cudham, Sevenoaks, TN14 7QT**

Description of Application: Provision of additional pitch comprising one mobile home and provision of utility building.

The Planning Officer reminded Members of the Public Sector Equality Duty and set out the following amended recommendations:

Condition 4: To clarify that the area to which the pitches are to be located must be within the designated traveller site inset within the green belt.

The following additional recommendations were also proposed:

1. A three-year time limit to be implemented
2. Limit the size of the additional static caravan to the one proposed given the limited size of the

site

3. Waste sewage and drainage condition.

In response to a question from the Chairman, the Planning Officer confirmed this application did not differ from an application that that been considered and refused by another Plans Sub-Committee however, this was a new application with a new reference number and needed consideration.

An oral representation, from the applicant, in support of the application was received at the meeting.

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

Additional conditions:

1. A three-year time limit to be implemented
2. Limit the size of the additional static caravan to the one proposed given the limited size of the site.
3. Waste sewage and drainage condition.

Amended conditions in relation to:

Condition 3: Details of landscaping to include trees

Condition 4: To clarify that area to which the pitches are to be located must be within the designated traveller site inset within the green belt.

Informative: Advise that further applications are unlikely to be considered favourably.

25

CONTRAVENTIONS AND OTHER ISSUES

NO REPORTS

26 **TREE PRESERVATION ORDERS**

NO REPORTS

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

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

**The following summary
refers to matters involving exempt information**

28 **PART 2:(22/03120/ELUD) - 96 Imperial Way, Chislehurst, Kent, BR7 6JR**

The Committee noted and considered the Part 2 (exempt from publication) information.

The Chairman moved that the attached report, not included in the published agenda, be considered as a matter of urgency in order for the applicant to meet their 15th August contractual deadline.

**S29 BROMLEY COMMON & HOLWOOD (20/04148/FULL1) - Potters Farm,
Turpington Lane, Bromley, BR2 8JN**

Description of Application: Demolition of existing buildings and erection of part two/part three storey building comprising 16 affordable housing apartments with 12 parking spaces, refuse and cycle store (AMENDED DESIGN).

An oral representation from the agent in support of the application was received at the meeting.

In response to questions from the Sub-Committee the agent confirmed that:

- All of the proposed 16 units were adaptable.
- The apartment block did not have a lift.
- Two of the units were on the ground floor and wheelchair accessible.
- The scheme made more efficient use of the site than the previous proposal for three bungalows. This scheme was a mix of 1 and 2 bed apartments.
- All 16 units would be affordable.

- In the view of the agent there was no need to demonstrate very special circumstances as this was appropriate development in the green belt. However, if there was a need to cite very special circumstances there were a number of such circumstances including the need for affordable housing.

The Sub-Committee noted that Ward Councillor Dr Gupta had submitted a written representation in support of the proposals and Members of the Committee confirmed that they had read the submission.

Members, having considered the report, objections and representations **RESOLVED that permission be GRANTED for the following reasons:**

The development involves the complete redevelopment of previously developed land and contributes to meeting an identified affordable housing need. It would not cause substantial harm to the openness of the green belt for the reasons set out in the GLA planning report. It is therefore not inappropriate development by virtue of paragraph 149(g) of the NPPF.

This is subject to notification to the Mayor of London, an acceptable planning obligation as set out in recommendation 3 with 3 shared ownership units and 3 London affordable rent units and the imposition of such conditions that the Assistant Director of Planning considers necessary.

In the event an acceptable planning obligation is not completed within 3 months, the Assistant Director of Planning may thereafter refuse the application for that reason.

The Meeting ended at 9.17 pm

Chairman

Agenda Item 4.1

Committee Date	08.06.2023	
Address	20 Southey Street Penge London SE20 7JD	
Application Number	22/04784/FULL1	Officer - Susanna Stevenson
Ward	Penge And Cator	
Proposal	Partial demolition, internal and external alterations and conversion of building to 2 no. self-contained studio flats.	
Applicant	Agent	
Mr Brian Smith	Mr Mayur Vashee	
4 Pondfield Road Bromley Kent BR1 7HS	103 Station Road West Wickham London BR4 0PX	
Reason for referral to committee	Enforcement history	Councillor call in
	Enforcement history	No

RECOMMENDATION	PERMISSION
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<p>KEY DESIGNATIONS</p> <p>Biggin Hill Safeguarding Area London City Airport Safeguarding Open Space Deficiency Smoke Control SCA 1</p>
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Land use Details		
	Use Class or Use description	Floor space (GIA SQM)
Existing	Storage (Former class B8)	115
Proposed	Residential (Class C3)	86

Residential Use					
	Number of bedrooms per unit				
	1	2	3	4 Plus	Total
Market	2				2
Total	2				2

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

Representation summary	Letters were sent to neighbouring owners/occupiers on 12 th December 2022 and on 20 th June 2023.
Total number of responses	5
Number in support	0
Number of objections	5

1. SUMMARY OF KEY REASONS FOR RECOMMENDATION

- The proposal would form two residential dwellings of an acceptable quality, making a modest contribution to housing supply
- The conversion of the existing building would result in residential accommodation which would not be uncharacteristic of the mixed pattern of development in the area
- The proposal would not have a significant detrimental impact on the residential amenities of neighbouring dwellings
- Subject to conditions, the proposal would not give rise to unacceptable demand for on-street parking, and in light of the transport accessibility of the town centre site, the site is suitable for car-free development

2. LOCATION

- 2.1 The application site lies immediately between a larger two storey commercial building (No. 21) and the rear boundary of dwellings fronting Raleigh Road - sharing the rear wall of the attached building at No. 21.

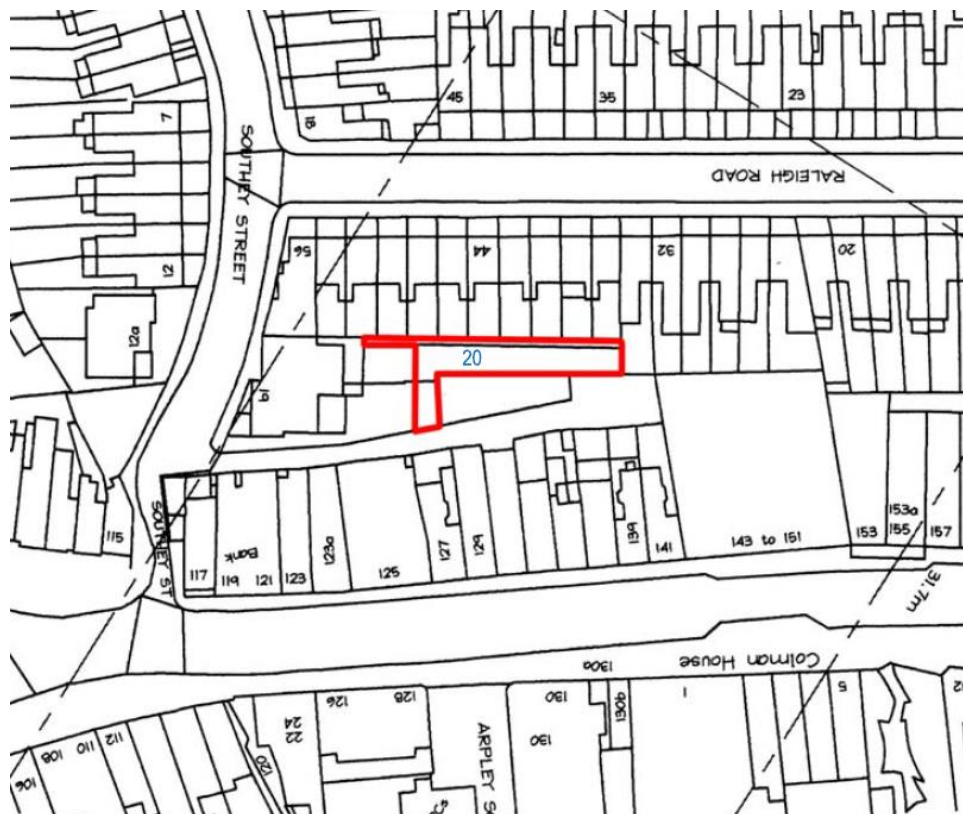


Figure 1 – Site location plan

- 2.2 It is entirely enclosed on one side by the two storey commercial building. A narrow access runs along the north eastern elevation of the building, enclosed on one side by the rear boundary fencing associated with the Raleigh Road dwellings' rear gardens and on the other by the application building. The boundary with the residential dwellings fronting Raleigh Road is formed by a timber fencing which appears to be approx. 1.8m high.



Figure 2 – Aerial view (building as existing highlighted yellow)



Figure 3 Existing entrance to building

- 2.3 The surrounding area is mixed in character, with the alley/access to which the front of the building and the parking area relates servicing the rear of commercial premises on the High Street as well as providing pedestrian access to the flats above those commercial properties. To the north of the site is a modern block of flats, separated from the host building by a parking area. The host building and the service yard form a buffer between the more intense commercial uses associated with the High Street and the modest two storey terraced residential dwellings fronting Raleigh Road, which have rear gardens adjacent to the rear path immediately adjacent to the building which are approx. 9m long (6m from the rear elevation of their rear outriggers).



Figure 4 Rear alleyway as existing

3. PROPOSAL

- 3.1 Planning permission is sought for the partial demolition of the existing storage building, elevational alterations to the building, and the conversion of the building resulting from the demolitions and alterations into 2 no. studio flats.
- 3.2 In terms of the extent of demolitions, the application proposes the removal of a section of the existing building to the centre of the rear elevation, reducing the footprint of the building by approx. 31sqm. It is also proposed to reduce the length of the building, demolishing a section of the building to provide increased space between the end of the structure and the south eastern boundary (increase from approx. 0.83m to approx. 3.52m. In addition, the existing covered courtyard area to the northern side of the building will be removed, with the northern elevation of the retained building aligning with the main flank elevation of 21 Southey Street.

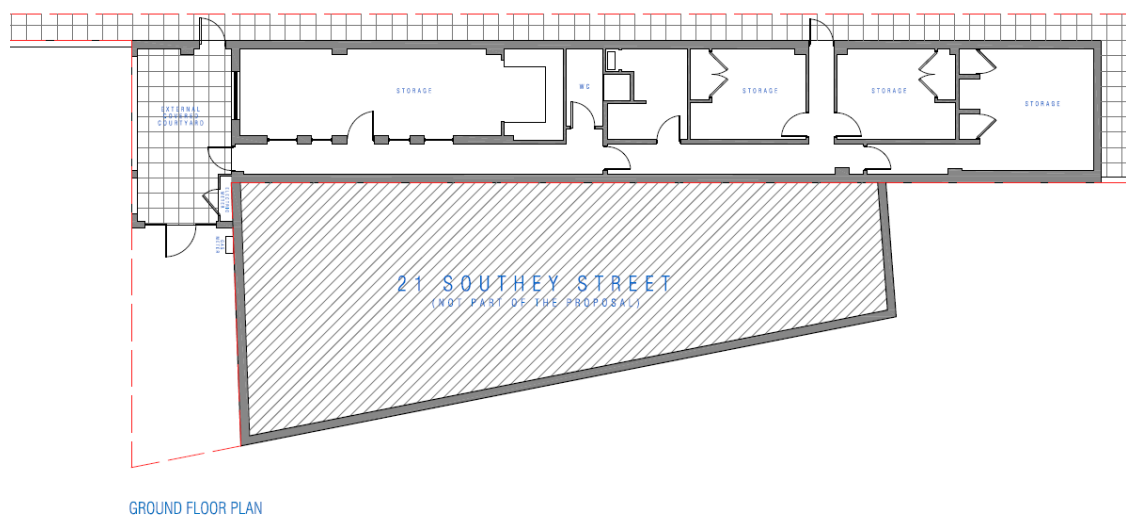


Figure 5 Existing ground floor plan

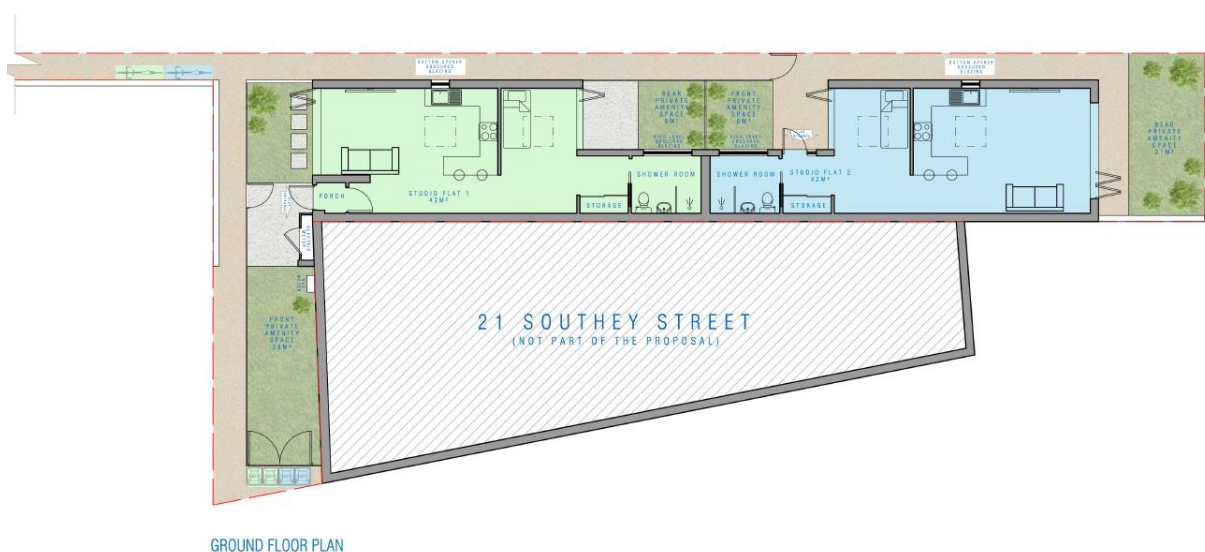


Figure 6 Proposed ground floor plan

- 3.3 The resultant space to the side of the building at each end would be set out as private amenity space. Cycle storage is proposed to be provided to the rear/side of the building within the private rear alleyway and refuse storage would be provided to the front of the site. The demolition of part of the main building to recess approx. 18.4sqm space would provide a courtyard amenity space between the two units. Windows within the inward facing elevations formed through the works would face to the amenity space and would be clear glazed. Also facing the courtyard would be 2 sets of high level obscure glazed windows (serving shower rooms) and the entrance door to studio flat 2.
- 3.4 Within the retained rear elevation two windows would be installed, serving kitchen space, which would open from the bottom and would be obscure glazed.

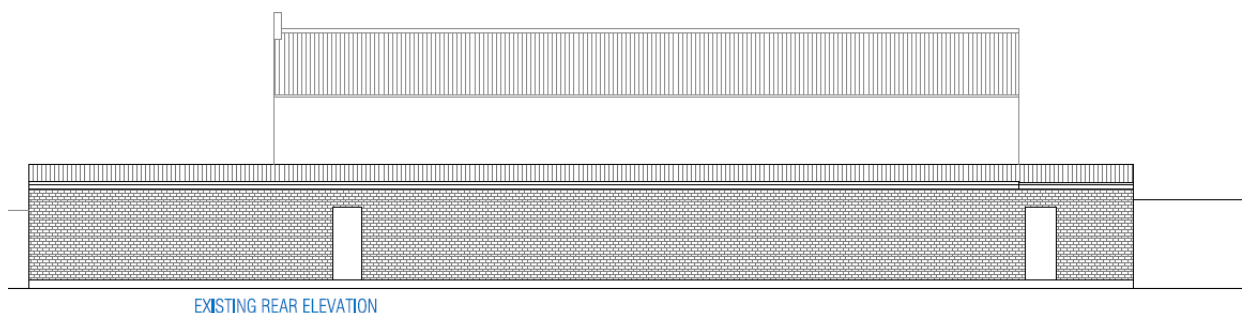


Figure 7 Existing rear elevation facing r/o Raleigh Road



Figure 8 Proposed rear elevation

- 3.5 Internally, the space would be configured as 2 no. self-contained studio flats of symmetrical layout, with the bedroom spaces of each unit being positioned to wrap around the formed private amenity space. Studio 1 would be approached via the existing entrance, and would benefit from amenity space to the side, between the entrance to the unit and the pathway leading to the rear accessway and to Studio 2, as well as the enclosed patio space within the formed recess at the rear.
- 3.6 Studio 2 would be accessed via the path to the rear of the building, between the flank elevation of Studio 1 and past the rear amenity space of Unit 1. It would have a private rear amenity space to the south of the building, formed through the demolition of the rearmost section of the building as well as a small area of patio adjacent to the “front” door.

3.7 Studio 1 would have a Gross Internal Area (GIA) of 42sqm and Studio 2 would have a GIA of 42sqm. Each dwelling would benefit from rooflights (two per property) and large window openings/patio doors which would be positioned at each end of the building. In addition, light to the bedspaces would be provided by flank windows facing onto the recessed area at the rear of the building. The obscure glazed, bottom opening windows in the rear elevation of the building would be positioned relative to the kitchen layout inside.

4. RELEVANT PLANNING HISTORY

4.1 The application site has a lengthy recent planning history, which is summarised below:

4.2 17/04393/FULL2

Planning permission was refused for development described: "Conversion of storage building to 3 bedroom residential dwelling (PART RETROSPECTIVE)."

Permission was refused on the grounds:

1. *The proposal would result in a dwelling with a poor standard of residential accommodation, lacking in natural light and ventilation and adequate amenity space to serve a dwelling of the size proposed, thereby contrary to Policies H7 and H12 of the Unitary Development Plan, Policies 4 and 10 of the Draft Local Plan and Policy 3.5 of the London Plan.*
2. *The proposal would have a detrimental impact on the residential amenities that the occupiers of neighbouring dwellings might reasonably expect to continue to enjoy, by reason of loss of privacy and unacceptable overlooking resulting from the proposed windows in the north eastern elevation of the building, thereby contrary to Policy BE1 of the Unitary Development Plan, Policy 37 and Policy 7.6 of the London Plan.*

An appeal against the refusal of planning permission was dismissed under reference APP/G5180/W/18/3194482 on 19/9/18.

The Inspector considered within the application the two elements of the proposal - the development which had already been carried out (noting that the dwelling was already occupied) as well as the proposed installation of windows within the eastern elevation.

With regards to the living conditions of future occupants, the Inspector considered that given the close proximity of the proposed windows to the boundary fence, they would have very restricted outlook, resulting in a dark and gloomy dwelling which would not provide satisfactory living conditions.

The amenity space was considered to lack privacy and sunlight and to be of poor quality, inadequate for family use.

With regards to the impact of the proposal on the amenities of neighbouring residents, the Inspector concluded that the proposed windows due to their proximity to the boundary fence and their height in relation to the boundary fence would cause harm through overlooking of the gardens and houses fronting Raleigh Road. It was noted that the gardens of Nos. 34-52

Raleigh Road have relatively short rear gardens. While it was assessed that obscure glazing would overcome harm by overlooking, the by-product of obscure glazing would be to fail to address the issue associated with lack of outlook and light.

An enforcement notice was served on 14/8/18.

4.3 18/02596/FULL1

Planning permission was refused (in the period between the refusal of planning permission under reference 17/04393/FULL1 and the serving of the enforcement notice) for development comprising the partial demolition of the building to provide a rear courtyard, with elevational alterations to the rear and side in conjunction with the conversion of the storage building to residential use. Planning permission was refused for that application on 18/9/18 on the grounds:

1. The proposal would result in a dwelling with a poor standard of residential accommodation, lacking in natural light and ventilation and adequate amenity space to serve a dwelling of the size proposed, thereby contrary to Policies H7 and H12 of the Unitary Development Plan, Policies 4 and 10 of the Draft Local Plan and Policy 3.5 of the London Plan.

2. The proposal would have a detrimental impact on the residential amenities that the occupiers of neighbouring dwellings might reasonably expect to continue to enjoy, by reason of loss of privacy and unacceptable overlooking resulting from the proposed windows in the north eastern elevation of the building, thereby contrary to Policy BE1 of the Unitary Development Plan, Policy 37 and Policy 7.6 of the London Plan.

4.4 Enforcement appeal

An appeal against the enforcement notice served in August 2018 was lodged on 12/10/18.

The enforcement appeal was dismissed in part, with the appeal on ground (g) being allowed and the EN being varied to a 6 month period for compliance.

In dismissing the appeal the Inspector had regard to the development for which retrospective planning permission had been refused under 17/04393/FULL2 (under a ground (a) appeal).

The Inspector noted that the appellant made the argument that the Council's concerns had been addressed in planning application 18/02596/FULL1. However, the Inspector confirmed that the deemed application in the ground (a) appeal was the development the subject of the notice and not the development proposed under 18/02596/FULL1. Therefore the deemed application related to the material change of use of a storage building to a three bedroom residential dwelling, and the consideration of the alternative proposal was not found to be within the remit of the deemed application under ground (a). No appeal was submitted within the requisite time period following the refusal of planning permission under reference 18/02596/FULL1.

The reasoning in the Inspector's appeal decision relates as a consequence to the development and use as then existed i.e. to the three bedroom unit without a courtyard.

It was noted with regards to neighbouring amenity that the development as provided on site/as carried out did not cause undue harm to neighbours with the Inspector stating: "Separation distances and the absence of windows means that there is no adverse overlooking or loss of privacy. As explained it is not within my remit in this appeal to comment on the proposed alternative scheme which introduces windows onto residential facing elevations."

With regards to the living conditions within the dwelling, the Inspector noted:

- the property is principally single aspect with one single north-west facing window opening onto the covered lobby area
- the absence of natural light creates a gloomy and oppressive atmosphere
- habitable rooms have no external doors and natural ventilation is poor
- the amenity space is not of a practical size and utility being small, enclosed on all sides and failing to satisfy the SPG in terms of its size

The Inspector found that the development as provided and refused under 17/04393/FULL2 was unacceptable as a consequence of the poor living conditions resulting from inadequate daylight, ventilation and amenity space. Comments regarding the five year housing land supply were not considered to outweigh the significant and demonstrable harm identified.

4.5 19/04132/FULL1

Planning permission was refused for the conversion of a storage building to residential (Part Retrospective). In this proposal, the application was noted as being retrospective insofar as the building at the time was still residential (without authorisation) i.e. fitted out as such. In terms of the proposed alterations within the application these were summarised:

- Demolition of part of the building to form an external courtyard area between the two bedrooms.
- Installation of windows to the north eastern elevation, facing the rear alleyway between the building and the boundary fence with dwellings fronting Raleigh Road.
- Removal of internal partition between the hallway/corridor as existing and the open plan lounge/kitchen
- Installation of rooflight within bedroom corridor
- Provision of trellis to the front of the formed courtyard between the bedrooms and to the rear of the courtyard adjacent to the main front entrance
- Substitution of window to north western lounge elevation with a set of outward opening doors

4.6 Members are advised that during the course of this application, the site was visited and it was apparent that the fittings associated with the unauthorised dwellings had been/were being removed (site visit 28th February 2023).

5. CONSULTATION SUMMARY

A) Statutory

Highways (LBB): NO OBJECTION

The site is in an area with PTAL rate of 4 on a scale of 0 – 6b, where 6b is the most accessible. No car parking space would be offered by the applicant, which is acceptable in principle providing the resident's rights to Parking Permits would be restricted. This will prevent the development contributing to the on-street parking congestion.

B) Local Groups

None commented.

C) Adjoining Occupiers

Impact on neighbouring amenity (addressed at para. 7.5)

- The bottom-open windows when fully open and use of the alleyway will result in loss of privacy and security to dwellings fronting Raleigh Road
- Noise associated with building works
- Noise associated with the amenity spaces/additional footfall – impact on neighbouring properties

Highways (addressed at para. 7.6)

- Traffic conditions will be worsened by the addition of more flats in the locality

Quality of residential accommodation (addressed at para. 7.4)

- Lack of privacy for the proposed amenity space/dwellings

6. POLICIES AND GUIDANCE

National Policy Framework (2021)

The London Plan (2021)

SD6 Town centres and high streets

SD8 Town Centre Network

D1 London's form and characteristics

D3 Optimising site capacity through the design-led approach

D4 Delivering good design

- D5 Inclusive design
- D6 Housing quality and standards
- D7 Accessible housing
- D11 Safety, security and resilience to emergency
- D12 Fire safety
- D13 Agent of change
- D14 Noise
- H1 Increasing Housing Supply
- H2 Small sites
- H5 Threshold Approach to application
- H10 Housing Size Mix
- S4 Play and informal recreation
- G5 Urban greening
- SI1 Improving air quality
- SI4 Managing heat risk
- SI5 Water infrastructure
- SI7 Reducing waste and supporting the circular economy
- SI12 Flood risk management
- SI13 Sustainable drainage
- T2 Healthy Streets
- T3 Transport capacity, connectivity and safeguarding
- T4 Assessing and mitigating transport impacts
- T5 Cycling
- T6 Car parking
- T6.1 Residential Parking

Bromley Local Plan 2019

- Policy 1 Housing Supply
- Policy 4 Housing Design
- Policy 10 Conversion of Non-Residential Buildings to Residential
- Policy 13 Renewal Areas
- Policy 14 Development Affecting Renewal Areas
- Policy 15 Crystal Palace, Penge and Anerley Renewal Areas
- Policy 30 Parking
- Policy 32 Road Safety
- Policy 37 General Design of Development
- Policy 119 Noise

Supplementary Guidance

- Urban Design Supplementary Planning Document (Bromley 2023)
- Housing Design Standards (London Plan Guidance) 2023
- Technical housing standards - Nationally Described Space Standard (March 2015)
- National Design Guide - (September 2019)

application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

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

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

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

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

7.1.10 This application includes the provision of 2 additional dwellings and would represent a minor contribution to the supply of housing within the Borough. This will be considered in the overall planning balance set out in the conclusion of this report, having regard to the presumption in favour of sustainable development.

Optimising Sites:

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

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

7.1.13 The London Plan does not include a prescriptive density matrix and promotes a design-led approach in Policy D3 to optimise the capacity of sites. The design-led approach requires consideration of design options to determine the most appropriate form of development that responds to a site's context and capacity for growth, and

existing and planned supporting infrastructure capacity. Policies D2 and D4 are also relevant to any assessment of development proposals, including whether the necessary infrastructure is in place to accommodate development at the density proposed.

7.1.14 In the assessment of applications and appeals within the planning history of the site, the principle of the conversion of the building from commercial storage to residential has not been considered unacceptable, subject to consideration of the main issues arising from the assessment of the appeals/applications: the impact of the proposal on the amenities of neighbouring residential properties in tandem with the assessment of the quality of the residential accommodation provided.

7.2 Resubmission

7.2.1 The Planning History of the site is lengthy. The most recent application for planning permission under reference 19/04132/FULL1 related to the provision of a two bedroom single storey dwelling following partial demolitions. The main differences between this current proposal and that previous application is summarised:

- Proposal relates to the provision of 2 studio dwellings rather than the two bedroom dwelling previously proposed
- Alterations to the extent of rear fenestration proposed – current proposal does not include the rear facing patio doors previously proposed and windows proposed are either high level or top-opening
- Reduction in footprint of building – demolition to the south eastern and north western ends of the building, including removal of covered entranceway, and increased width to the recessed demolition to the rear of the building
- Entrance to second unit provided through the alleyway at the rear – previous application was for single dwelling with access from the side of the commercial building at No. 21
- Additional rooflights proposed in rear roof slope – 4 no. in total
- Window opening/patio doors provided to new south eastern flank elevation
- Car free development – increased landscaping to sides and front of building

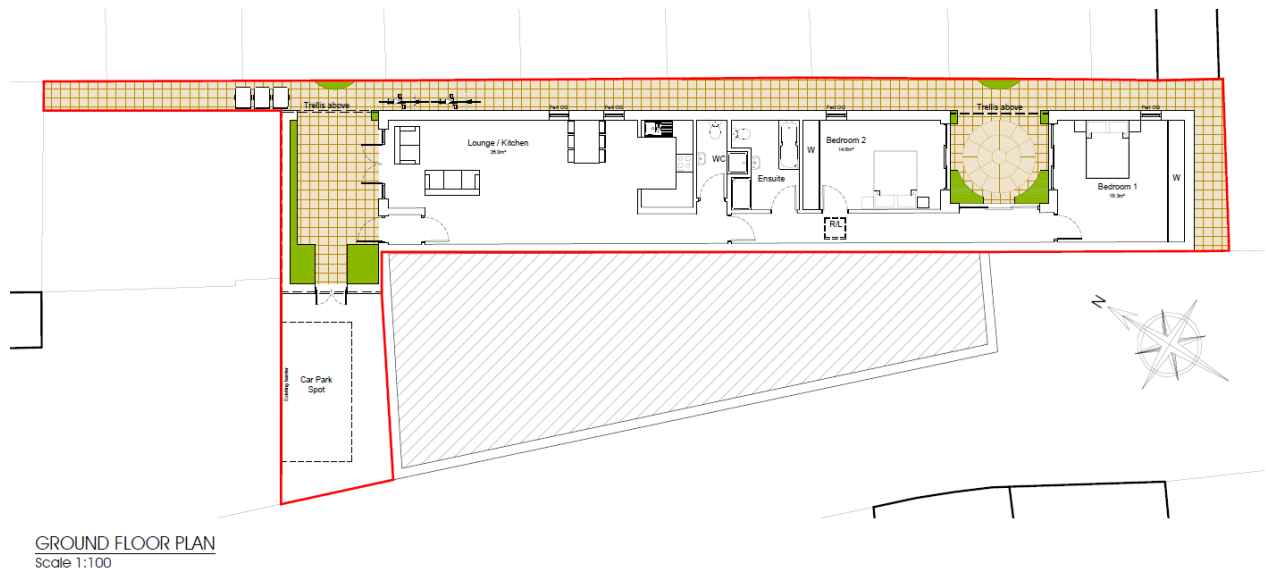


Figure 9 – Refused and dismissed on appeal (ref. 19/04132/FULL1)

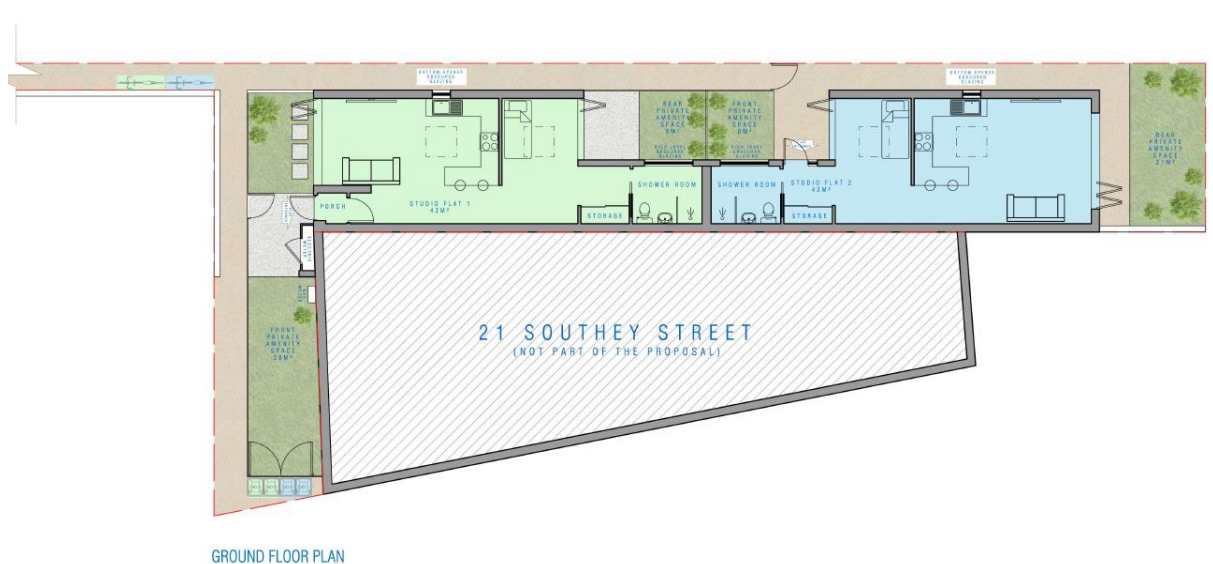


Figure 10 – Proposed ground floor plan

7.3 Design and Impact on visual amenity **ACCEPTABLE**

- 7.3.1 Design is a key consideration in the planning process. Good design is an important aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.
- 7.3.2 Paragraph 126 of the NPPF (2021) states that beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

- 7.3.3 London Plan and Bromley Local Plan policies further reinforce the principles of the NPPF setting out a clear rationale for high quality design.
- 7.3.4 Policy D3 of the London Plan relates to 'Optimising site capacity through the design-led approach' and states that all development must make the best use of land by following a design-led approach that optimises the capacity of sites. Form and layout should enhance local context by delivering buildings and spaces that positively respond to local distinctiveness through their layout, orientation, scale, appearance and shape. The quality and character shall respond to the existing character of a place by identifying the special and valued features and characteristics that are unique to the locality and respect, enhance and utilise the heritage assets and architectural features that contribute towards the local character.
- 7.3.5 Policy 37 of the Local Plan details that all development proposals, including extensions to existing buildings, will be expected to be of a high standard of design and layout. To summarise developments will be expected to meet all of the following criteria where they are relevant; be imaginative and attractive to look at, of a good architectural quality and should complement the scale, proportion, form, layout and materials of adjacent buildings and areas; positively contribute to the existing street scene and/or landscape and respect important views, heritage assets, skylines, landmarks or landscape features; create attractive settings; allow for adequate daylight and sunlight to penetrate in and between buildings; respect the amenity of occupiers of neighbouring buildings and those of future occupants; be of a sustainable design and construction; accessible to all; secure; include; suitable waste and refuse facilities and respect non designated heritage assets.
- 7.3.6 The application site lies within an area of mixed character, with the building in particular “bridging” the space between the rear of High Street commercial development and activities, and the rear gardens of the dwellings fronting Raleigh Road. Residential development has been implemented at the neighbouring block of flats which originally formed part of the application site (dating from the applications in 2009 and earlier). The proposal would re-purpose an existing building, reducing its bulk, rather than introducing new built development in the site. The materials used in the development would be acceptable, comprising a mix of brick and timber cladding, consistent with the host building and surroundings, and the current proposals include landscape enhancements that would soften the front corner of the retained commercial premises at No. 21 and the flank elevation of the retained converted building the subject of this application.
- 7.3.7 Taking into account the above, it is not considered that the proposal would result in development uncharacteristic in terms of its use and appearance with the mixed character of the site’s surroundings. The conversion of the storage building would be consistent with the pattern and grain of development in this urban location, representing a mews-style development which would effectively bridge in its scale and appearance the transition from the commercial activities of the High Street and the rear land associated with these to the residential character of Raleigh Road.

7.3.8 In view of the formation of amenity spaces to the sides of the building, it is considered appropriate should permission be granted to secure further detail of the intended landscaping (hard and soft) associated with the development, in the interest of the appearance of the building, site and street scene.

7.4 Standard of residential accommodation ACCEPTABLE

7.4.1 The London Plan Guidance - Housing Design Standards (June 2023) and London Plan prescribes internal space within new dwellings and is suitable for application across all tenures. It sets out requirements for the Gross Internal (floor) Area of new dwellings at a defined level of occupancy as well as floor areas and dimensions for key parts of the home, notably bedrooms, storage and floor to ceiling height. The Gross Internal Areas in this standard will not be adequate for wheelchair housing (Category 3 homes in Part M of the Building Regulations) where additional internal area is required to accommodate increased circulation and functionality to meet the needs of wheelchair households.

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

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

7.4.4 Policy 10 of the Bromley Local Plan relates to the conversion of non-residential buildings to residential and states inter alia that that good quality living accommodation will need to be provided.

7.4.5 The proposed residential units would each slightly exceed the minimum Gross Internal Area for studio flats. The internal layout of the units relative to the formed amenity spaces and window/door openings would result in there being adequate levels of light and outlook for the key habitable areas within the building. For example, the bedroom areas would face towards private amenity space with an intervening boundary treatment in context with the single storey building beyond – providing some outlook and sky view for the bedroom areas, alongside light from these areas in addition to that provided by the proposed roof lights. The reception/living spaces would each incorporate full width patio doors as well as obscure glazed windows associated with the kitchen/food preparation areas in addition to the rooflights above the food preparation areas.

- 7.4.6 In terms of the internal living environment, the units would be separated from each other by the internal partition wall and the shower rooms serving each unit – which would limit the extent to which the residential activities associated with one residential unit would impact on the amenity of the other. Satisfactory amenity space would be provided to serve the units.
- 7.4.7 It is noted that concerns have been expressed regarding the extent to which the private amenity space and bedroom area windows would be capable of being overlooked from the rear of dwellings fronting Raleigh Road. Taking into account the layout of the windows, with the internal space and patio doors orientated to effectively look inwards, along with the urban setting of the site, it is not considered that the proposal would give rise to unacceptable and uncharacteristically overlooked accommodation lacking in privacy. The discreet and enclosed setting of the site and the layout of the units within has the effect of increasing the perception of privacy and seclusion associated with the units and it is not considered that these would feel unduly overlooked or lacking in privacy.
- 7.4.8 The units would be supplied with dedicated refuse and cycle storage areas, and should planning permission be forthcoming it would be appropriate to impose a condition requiring the submission of further details on these facilities in order to ensure satisfactory capacity and appearance.
- 7.4.9 It is noted that the access to Studio 2 which lies in the southern side of the building would be via the narrow alleyway to the rear of the building which at present is visually dominated by the building itself along with the existing boundary treatments at the end of the rear gardens of the dwellings fronting Raleigh Road. The access would pass adjacent to the rear of Studio 1 and the amenity space associated with that property.
- 7.4.10 While the limited proportions of the access are noted, along with the relationship with the other planned unit within the building, the demolition involved to the rear of the building will lead to a less oppressive visual perspective on approach than is currently the case with the alleyway, and taking into account the level of occupancy of the proposed units, which are single occupancy dwellings, it is not considered that the use of the alley to access Studio 2 would result in a significant impact on the amenity of Studio 1, nor that the limited width of the alley would lead to unacceptable residential quality in respect of Studio 2.
- 7.4.11 It is noted that the applicant has stated within the Design and Access statement that “the proposal is set out over one level, ground floor, and therefore is accessible for all.” An accessibility statement was received on 7th June 2023 to confirm that the units would be M4(2) compliant.
- 7.4.12 Further detail has also been provided during the course of the application regarding fire safety, most recently on 30th August 2023 with the submission of a Fire Safety Statement (02), a fire access plan, and a fire safety drawing. Members are advised that the residential conversion of the building would be subject to separate assessment under the building regulations, which would include the technical details relating to fire suppression, fire escape and general fire safety.

7.5 Impact on neighbouring amenity

ACCEPTABLE

- 7.5.1 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.
- 7.5.2 It is noted that concern has been expressed regarding the impact of the occupation of the property, including access to Studio 2, on the amenities of neighbouring residents, with specific reference to loss of privacy, overlooking and noise and disturbance associated with the use of the property.
- 7.5.3 The planning history of the site includes concern, supported by the appeal Inspector, with regards to the impact of the residential conversion of the various planning schemes on the amenities of neighbouring properties. In the most recent planning appeal, the Inspector found that the courtyard proposed to be provided in context with the front entrance of the property was not clearly detailed in the application, and there was doubt regarding the extent to which mitigation would be capable of preventing overlooking and loss of privacy associated with the courtyard area in question. It was further considered that the courtyard between the bedrooms in the two bedroom scheme dismissed at appeal could similarly result in loss of privacy/overlooking to the rear of Raleigh Road.

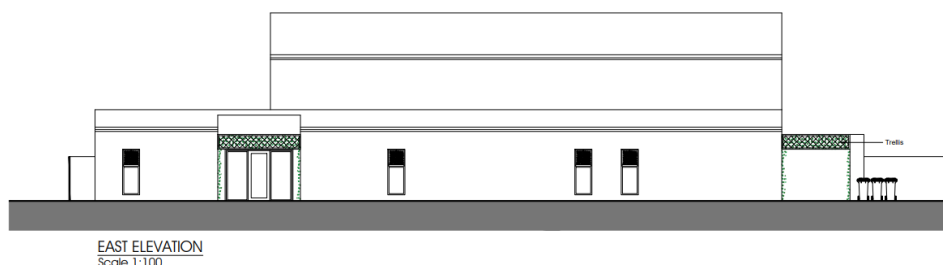


Figure 11 – East elevation of scheme dismissed on appeal 19/04132/FULL1

- 7.5.4 It was acknowledged however that it would be possible to safeguard the living conditions of neighbours from overlooking and loss of privacy associated with the proposed new windows along the eastern elevation of the appeal building. It was also considered that the ability of neighbours to see lights from the proposed properties would not have a significant impact on neighbouring amenity. In view of the small scale of the proposed residential unit (2 bedroom dwelling) it was also not considered that there would be justification for withholding planning permission on the grounds of noise and disturbance to the neighbours in Raleigh Road, particularly in the light of the commercial use of the site.
- 7.5.5 The sectional drawings submitted with the application show the section through the building in each direction and include detail on the existing boundary (dashed line) with the rear gardens of the dwellings fronting Raleigh Road. The rear elevation

includes detail on the fenestration proposed within the rear elevation, facing onto the alley between the building and the boundary, as well as facing into the formed courtyard amenity space.

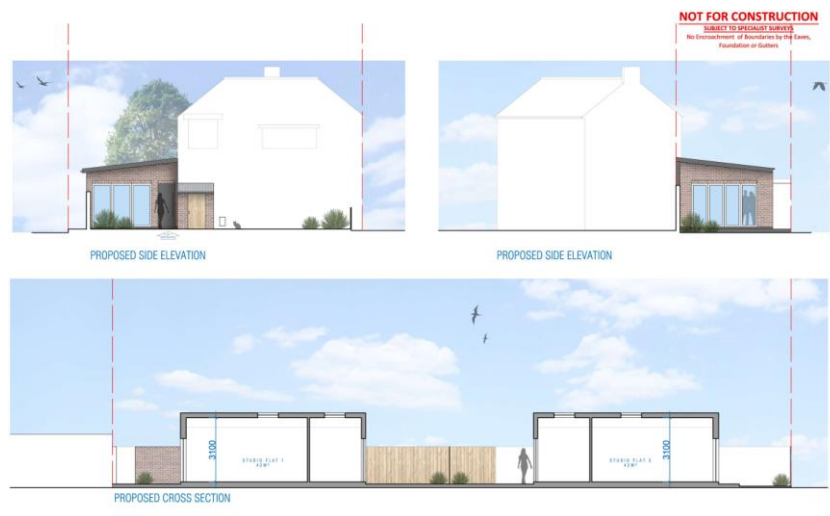


Figure 12 – Proposed sections through building

7.5.6 With regards to the courtyard currently proposed within the middle of the rear elevation, considered in the context of the amended fenestration to the courtyard and the amended siting/depth of this, it is not considered that the current proposal would have a significant impact on neighbouring amenity with regards to loss of privacy and overlooking.

7.5.7 There are no longer patio doors proposed within the courtyard that would face directly towards the dwellings fronting Raleigh Road. While there would be bedroom patio doors facing along the length of the building, the field of vision from these would be oblique. These windows would face towards the boundary treatment associated with the private amenity spaces proposed rather than towards the boundary. The main aspect from the windows would be along the length of the building, towards the corresponding proposed studio rather than outside of the site. A front door is proposed to Studio 2 which would face towards the boundary, but this is indicated to be largely of solid construction and would be positioned approx. 3.2m from the boundary. It would be prudent to impose a condition requiring detail of the front door to Studio 2, including the vertical glazed panel, as well as with regards to the obscure glazing and method of opening of the east facing windows.



Figure 13 Proposed rear elevation

- 7.5.8 With regards to the impact of the proposal resulting from the residential use and associated noise and disturbance, it is not considered in view of the small scale of the units proposed that the proposal would have a significant impact in this regard. While it is acknowledged that the proposal would result in the entrance to the second unit being from the access alley, it is not considered in view of the location/siting of the development and the size of the unit that the proposed works would result in a loss of security, taking into account the siting of the entrance to Studio 2 relative to the front entrance of Studio 1, along with its position adjacent to the amenity and associated space serving that unit. There will be some degree of surveillance associated with the occupation of the units and it is noted that there would be potential comings-and-goings and activity around the building if it was to be in continued commercial storage use.
- 7.5.9 Notwithstanding this assessment, should permission be granted it would be appropriate to seek by way of condition details of internal boundary treatments (associated with the demarcation of the units in relation to each other) as well as of external boundaries to provide greater detail on the treatment of the parts of the site that adjoin neighbouring sites.
- 7.5.10 Comments have also been received referring to disruption and impact during the course of the implementation of the proposals. With regards to these concerns, in general the impact of construction does not represent a strong material planning consideration as it is in its nature time-limited, with the impact not extending beyond the construction phase. Building operations/construction works can interfere with neighbouring amenity, but this impact is usually short-lived and does not represent a ground for the refusal of planning permission.

7.6 Highways impacts

ACCEPTABLE

- 7.6.1 The application site lies in a town centre location with a Public Transport Accessibility Level of 4. The application is for car-free development. Given the town centre location, the PTAL rating and the small size of the proposed units it is not considered that the proposal would generate significant parking demand such as may give rise to additional congestion or adverse parking conditions in the locality.
- 7.6.2 The delivery of car free residential development is consistent with the provisions of the London Plan Policy T6.a and the maximum residential parking standards set out in table 10.3 alongside this policy. The Council's Highways Officer has raised no objections to the proposals, subject to a condition which would limit the entitlement of future occupiers of the development to residents' parking permits. In the light of this, while it is acknowledged that concern has been expressed within a representation regarding the impact of the proposal on parking conditions in the locality, it is considered that the proposal would not result in conditions harmful to pedestrian or vehicular safety or undue congestion and demand for on-street car parking.

8. CONCLUSION

- 8.1 Having regard to the above, the proposals are not considered to result in an overdevelopment of the site, nor to have a detrimental impact on the character and appearance of the surrounding area. The development would not have a significant impact on light, outlook or privacy to neighbouring residential properties.
- 8.2 It is acknowledged that concern has been raised regarding the impact of the proposal with regards to parking demand. However, no technical objections are raised by the Council's Highways Officer in this respect.
- 8.3 The proposals would provide 2 residential dwellings of a reasonable quality and with formed space for external landscaping improvements and would adequately address the reasons for refusal in previous planning applications.
- 8.4 The proposal would make a minor contribution to housing supply. It is not considered that impacts would arise associated with the application proposal that would outweigh the benefit associated with this minor contribution to housing supply.

RECOMMENDATION:

Subject to the following conditions:

- 1. Time limit**
- 2. Approved plans**
- 3. Landscaping (hard and soft) details to be provided**
- 4. Arrangements to be made to restrict occupier eligibility for residents' parking permits**
- 5. Boundary details to be provided**
- 6. Cycle storage details to be provided**
- 7. Refuse storage details to be provided**
- 8. Details of accessibility to be provided**
- 9. Details of windows and doors in eastern elevation to be provided**
- 10. Materials as set out in application**
- 11. Low NOx boilers**
- 12. Compliance with Fire Statement**


and delegated authority be given to the Assistant Director: Planning & Building Control to make variations to the conditions and to add any other planning condition(s) as considered necessary.

Informatives

1. **CIL liability**
2. **Street naming and numbering**
3. **Environmental Health – contamination and Control of Pollution and Noise from Demolition and Construction Sites Code of Practice**
4. **Building Control – contact to discuss fire safety provisions**



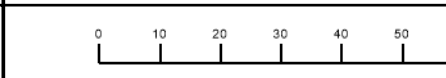
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20 September 2023

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Agenda Item 4.2

Committee Date	28.09.2023	
Address	34 West Common Road Hayes Bromley BR2 7BX	
Application Number	23/00988/ADV	Officer – Agnieszka Nowak-John
Ward	Hayes and Coney Hall	
Proposal	Retrospective advertisement consent application for the installation of 11x non illuminated hoarding signs.	
Applicant	Agent	
Mr Steve Arion BARCHESTER	Mrs Gillian Shepley Ashleigh Signs Ashleigh House Beckbridge Road Normanton WF6 1TE	
Reason for referral to committee	Call-in	Councillor call in
		<p>Cllr Michael</p> <p><i>“Advertisement to be over-sized in a prominent location. As such, the decision should be subject to proper scrutiny by a Council planning committee. There is also a risk of setting a precedent if over-large advertisement hoardings such as this are permitted.”</i></p>

RECOMMENDATION	Grant Advertisement Consent
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KEY DESIGNATIONS
<ul style="list-style-type: none"> Conservation Area (adjoining)

Representation summary	<i>Adjoining neighbours were consulted by letter 27.03.2023. A Press Advert was published 05.04.2023 in the News Shopper.</i>	
Total number of responses		1
Number in support		0
Number of objections		1
Number of neutral		0

1. SUMMARY OF KEY REASONS FOR RECOMMENDATION

- The proposed hoarding signs would not result in a permanently detrimental harm to the visual amenities of the street scene or the special character and appearance of the adjoining conservation area.
- The advertisement would have no adverse impact on residential amenities.
- The advertisements are non-illuminated and static. They would not be harmful to road and public safety.

2. SITE LOCATION AND KEY CONSTRAINTS

- 2.1 The site is located in a prominent position on the north-west corner of West Common Road and Ridgeway. It has an area of approximately 0.3 hectares which is currently occupied by six disused, single storey buildings previously used for office and storage. The site was last used by a heating and plumbing engineering company until July 2017.
- 2.2 The surrounding streets are predominantly residential in character. A two-storey detached dwelling at 32 West Common Road sits along the north boundary and The Knoll, a street of two-storey interwar period dwellings, sits to the rear (west). To the south of the site, on the opposite side of the West Common Road/Ridgeway junction, is 56 West Common Road, a substantial two-storey semi-detached dwelling.
- 2.3 Further north beyond No 32 there are two more modern detached properties, The Priest House and Our Lady of the Rosary Roman Catholic Church. Opposite the site are Hayes School playing fields which are bounded along the roadside by a line of mature conifers. From Ridgeway the site is separated from the highway by an area of grass containing two tall mature trees.

- 2.4 The application site falls outside but is adjacent to the Hayes Village Conservation Area and to an area designated as Urban Open Space to the west.

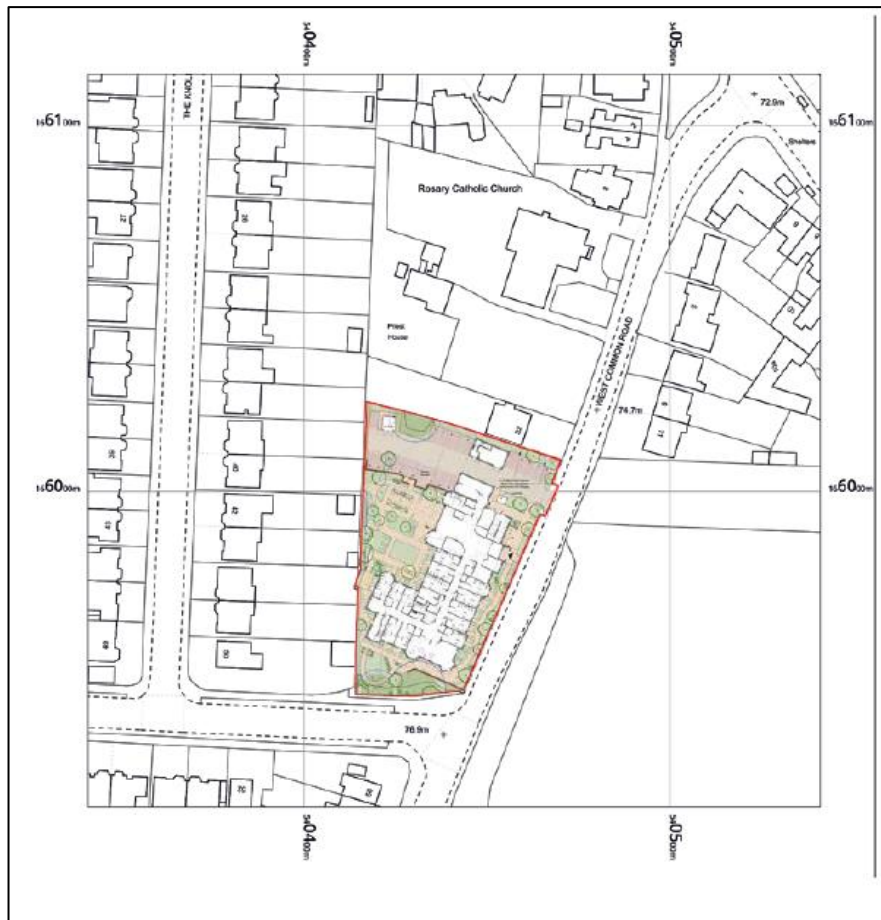


Figure 1. Site Location Plan.

3. PROPOSAL

- 3.1 Retrospective advertisement consent is sought for the installation of 11x non illuminated hoarding signs relating to the associated planning permission for the demolition of existing buildings and redevelopment with the construction of a new three storey building to provide a 50-bed residential care home, including communal facilities, access, car parking and landscaping (20/05027/FULL1).
- 3.2 Although the unauthorised hoarding advertisements have been removed, the applicants have clarified that they do wish to re-display the adverts in the event of consent being granted.
- 3.3 Members are advised that the hoarding itself does not require planning consent, as it forms part of an approved Construction and Environmental Management Plan (ref. 20/05027/CONDIT).
- 3.4 The signs would be flat Dibond panels with digital print measuring 4.88m wide and 2.44m high.

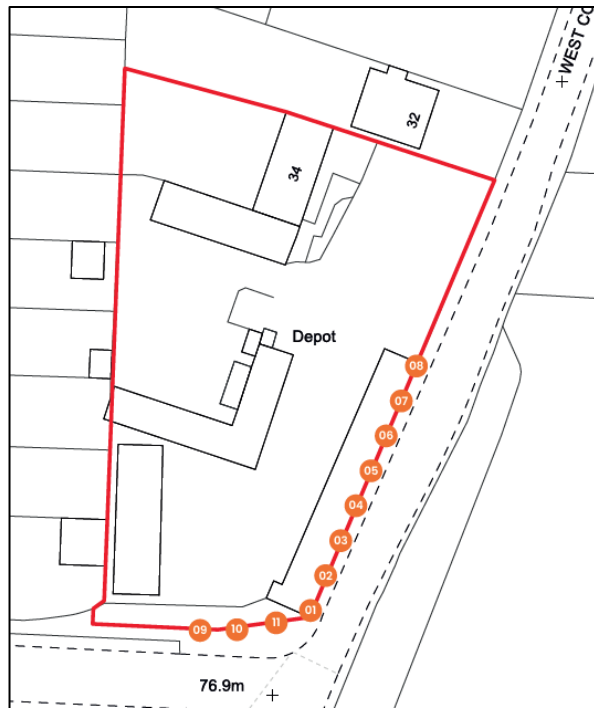


Figure 2. Location of the proposed adverts.

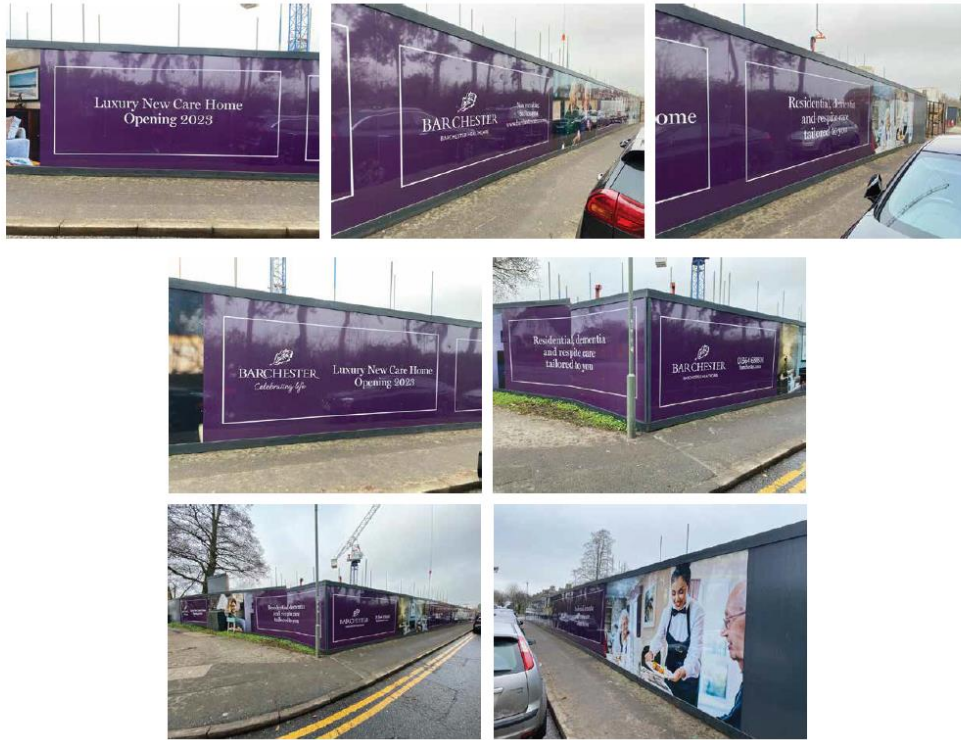


Figure 3. The signs before being removed.

4. CONSULTATION SUMMARY

a) Statutory

- Highways Officer: No objections
- Urban Design: No objections
- Heritage: No objections.

b) Local groups

- None

c) Adjoining Occupiers

- Nearby owners/occupiers were notified of the application and one representation (objection) was received from the local resident stating as follows:
 - Advertising a care home is not necessary.

5. POLICY CONTEXT

- 5.1 Section 3(1) of the Town and Country Planning (Control of Advertisements) Regulations 2007 sets out that in considering and determining applications for advertising consent the local planning authority shall exercise its powers under

these Regulations in the interests of amenity and public safety, taking into account: -

- a) the provisions of the development plan, so far as they are material;
- (b) any other relevant factors.

5.2 Section 3(2) states that without prejudice to the generality of paragraph (1)(b) (above) (a) factors relevant to amenity include the general characteristics of the locality, including the presence of any feature of historic, architectural, cultural or similar interest; (b) factors relevant to public safety include:

(i) the safety of persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);

(ii) whether the display of the advertisement in question is likely to obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air;

(iii) whether the display of the advertisement in question is likely to hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.

5.3 London Plan (2021)

- D4 Delivery Good Design

5.4 Bromley Local Plan (2019)

- Policy 32 Road Safety
- Policy 37 General Design of Development
- Policy 42 Development Adjacent to a Conservation Area
- Policy 102 Advertisements

6. PLANNING HISTORY

- 6.1 90/02153/FUL 34 West Common Road Hayes br2 7da detached single storey storage building section 63 application – permitted - 04.10.1990.
- 6.2 06/00444/FULL1 Single storey office extension, 2m high boundary fence and 36 car parking spaces – permitted - 24.05.2006.
- 6.3 18/01537/FULL1 Demolition of existing buildings and redevelopment to form 28 sheltered apartments for the elderly, including communal facilities, access, car parking and landscaping. Refused - 21.02.2019, allowed at appeal - 03.03.2020.
- 6.4 19/03215/FULL1 Demolition of existing buildings and redevelopment to form 25 sheltered apartments for the elderly, including communal facilities, access, car parking and landscaping – permitted subject to legal agreement - 12.06.2020.

- 6.5 20/05027/FULL1 Demolition of existing buildings and redevelopment with the construction of a new three storey building to provide a 50-bed residential care home (Use Class C2), including communal facilities, access, car parking and landscaping - permitted subject to legal agreement - 04.11.2021.
- 6.6 20/05027/AMD Amendment to planning approval DC/20/05027/FULL1 for the demolition of existing buildings and redevelopment with the construction of a new three storey building to provide a 50-bed residential care home (Use Class C2) including communal facilities, access, car parking and landscaping to allow for changes to conditions 26 and 28 (removal of reference to CHP and amendment to Air Source Heat Pump in accordance with details approved). Permitted - 06.05.2022.
- 6.7 20/05027/CONDIT - Details submitted to discharge conditions in relation to planning permission ref 20/05027/FULL1 (Approved - 29.06.2022)
 Condition 4 - Proposed slab levels
 Condition 5 - Construction and environmental management plan
 Condition 6 - Drainage strategy
 Condition 7 - Protection of trees
 Condition 8 - Surface water drainage
 Condition 9 - Artificial bird nesting bricks
 Condition 10 - External materials
 Condition 11 - Boundary treatments
 Condition 14 - Bicycle parking
 Condition 18 - PV Panels
 Condition 19 - Travel plan
- 6.8 23/01064/ADV Installation of 2x externally illuminated post signs, 1x externally illuminated fascia sign and 3x pole mounted flags. Refused - 12.05.2023.
- 6.9 23/02670/ADV Installation of 1 x non illuminated 'v' shaped post sign, 1 x externally illuminated fascia sign and 1 x non illuminated single sided post sign (AMENDED DESCRIPTION). Permitted - 12.09.2023.

7. ASSESSMENT

- 7.1 Visual Amenity and Heritage Impact - Acceptable
- 7.1.1 BLP Policy 102 'Advertisements' states that advertisements, hoardings and signs should have regard to the character of the surrounding area, be in keeping with the scale, form and character of any buildings on which they are placed and generally not be located in residential areas and the Green Belt, Metropolitan Open Land (MOL) and Urban Open Space.
- 7.1.2 Whilst the site is located opposite the UOS and there are residential properties surrounding the site, the hoarding and advertisement signs are proposed to

remain in place for the period of time required for the construction of the development which is estimated as being completed in October 2023.

7.1.3 It is considered that should the hoarding signs only be in place for a temporary period specified in the application form, no permanent and significant harm to the visual amenity of the streetscene would result.

7.1.4 BLP Policy 102 'Advertisements' also states that advertisements, hoardings and signs should preserve or enhance the character or appearance of conservation area.

7.1.5 The application abuts the Hayes Village Conservation Area, however, given the advert installation will be time limited, the effect of the signs is considered to be minimal in terms of the setting of the heritage asset.

7.2 Highways - Acceptable

7.2.1 BLP Policy 102 'Advertisements' requires hoardings and signs not to create a hazard to road users.

7.2.2 The hoarding is located within the application site and no part of the hoarding overhangs the public pavement or highway, thereby the advertisements are not obstructing sightlines or affect any other means of visibility. The signs are non-illuminated and static hence they should not pose a risk of road safety hazard by way of distraction to road users.

7.2.3 The Council's Highways Team has raised no objection and it is considered that the proposal should have no adverse impact on public and highway safety.

7.3 Neighbouring amenity - Acceptable

7.3.1 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.

7.3.2 The signs are installed on the stretch of hoarding running along West Common Road and wrapping around Ridgeway. Given the location of the signs in relation to the residential properties and the fact that the signs are non-illuminated, no concerns are raised in respect of their impact on the amenity of the neighbouring occupiers.

8 CONCLUSION

8.1 The proposed non-illuminated signs are not considered to result in a permanently detrimental harm to the visual amenities of the street scene or the special character and appearance of the adjoining conservation area. Furthermore, the

proposed signs are unlikely to have any adverse impact on the neighbouring residential occupiers and safety of road-users or highway matters in general. On this basis, it is considered that the proposal would be acceptable and would not be contrary to Bromley Local Plan Policy 102.

RECOMMENDATION: Grant Advertisement Consent

Subject to the following conditions:

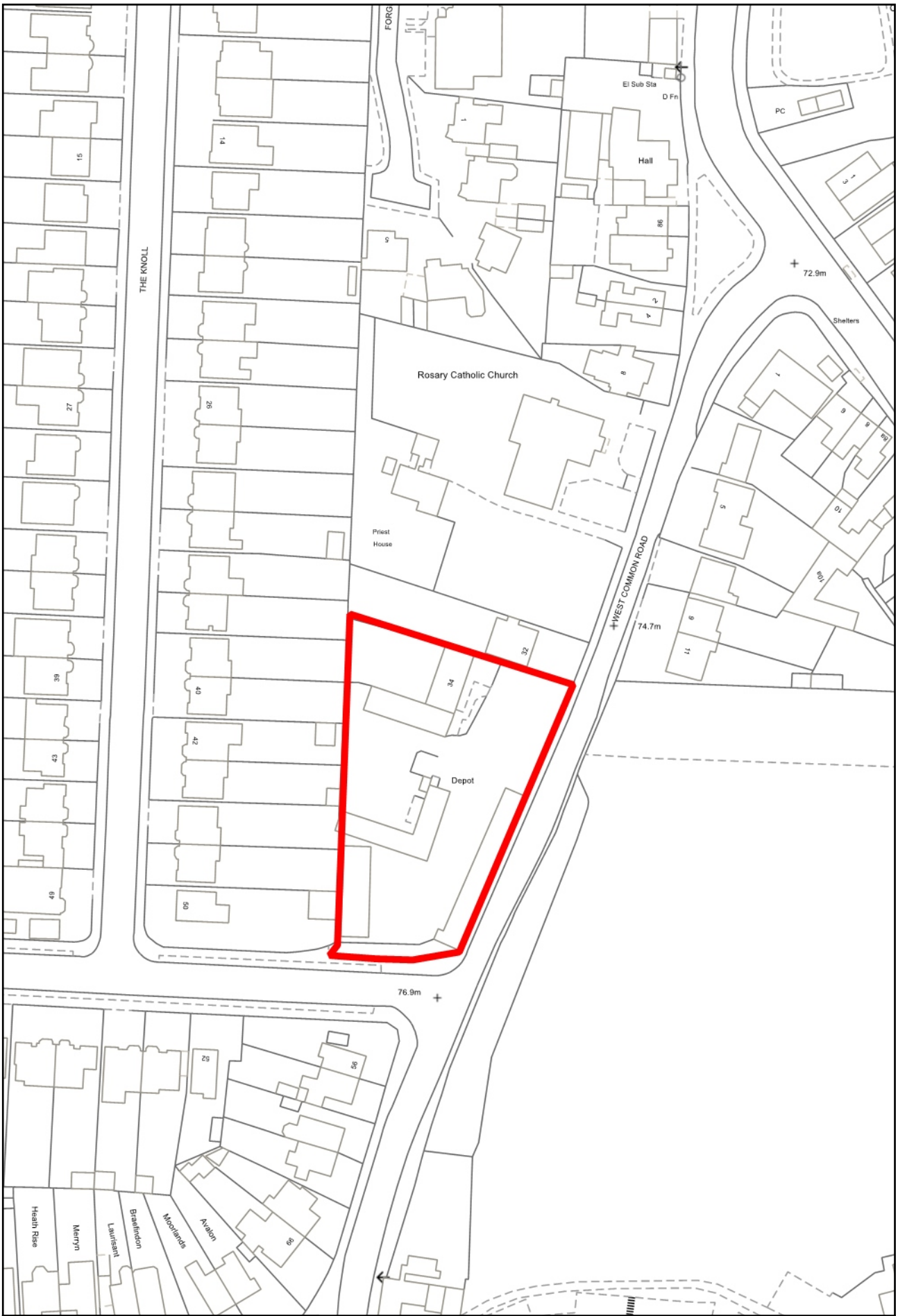
1. The limited period for the display of the hoarding signs shall be until 31/04/2024 by which date the signage shall be removed, unless before this time the Local Planning Authority has agreed in writing to its renewal.

Reason: To safeguard the general visual amenity of the street scene and the special character and appearance of the adjoining Hayes Village Conservation Area, and to ensure compliance with Bromley Local Plan Policies 42 and 102.


2. The hoarding signs for which consent is hereby granted shall not be displayed otherwise than in complete accordance with the approved plans unless previously agreed in writing by the Local Planning Authority.


Reason: In the interest of the visual amenities of the area and in order to comply with Policy 102 of the Bromley Local Plan.

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20 September 2023

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Agenda Item 4.3

Committee Date	28.09.2023	
Address	The Conifers 2 The Covert Petts Wood Orpington BR6 0BU	
Application Number	23/03077/FULL6	Officer - Suzanne Lyon
Ward	Petts Wood and Knoll	
Proposal	First floor side extension with 1x front and 2x rear gable dormers	
Applicant	Agent	
Mr O Oechsle	Crofton Design Services Ltd.	
2 The Conifers The Covert Petts Wood Orpington Bromley BR6 0BU	2-3 Rice Parade Fairway Petts Wood BR5 1EQ	
Reason for referral to committee	Councillor call in	
	Call-in	<p>Cllr Fawthrop</p> <p><i>“The application will be detrimental to the visual amenity of "The Covert Conservation Area". The view from the street scene will be out of keeping with the rest of the Conservation Area. It goes against previous inspectors findings in The Covert prior to the recent Conservation Area status. Contrary to policy 44 and policy 41.”</i></p>
RECOMMENDATION	Application Permitted	

KEY DESIGNATIONS

- Conservation Area: The Covert
- Article 4 Direction
- Area of Special Residential Character
- Biggin Hill Safeguarding Area
- London City Airport Safeguarding
- Local Distributor Roads
- Smoke Control

Representation summary	Neighbour letters were sent <u>09.08.2023</u> . A site notice was displayed on <u>10.08.2023</u> A press advert was published on <u>23.08.2023</u>
Total number of responses	0
Number in support	0
Number of objections	0

1 SUMMARY OF KEY REASONS FOR RECOMMENDATION

- No unacceptable impact would arise to neighbouring occupiers; and
- No unacceptable impact on the Conservation Area would arise

2 LOCATION

- 2.1 The application site is located on the north-eastern side of The Covert and is host to a detached dwelling. The site is a corner plot, located at the junction with Crofton Lane.
- 2.2 The site is located within The Covert Conservation Area and the Petts Wood Area of Special Residential Character (ASRC).



Fig.1 – OS Map





Fig.2 – Site Photos

3 PROPOSAL

- 3.1 Permission is sought for a first floor side extension, with front and rear dormers
- 3.2 The proposed first floor front dormer will be located within the existing front catslide roof. The first floor side extension will be located behind the existing side projection and will also incorporate two first floor rear dormers.
- 3.3 This application has been 'called-in' by ward Councillors.

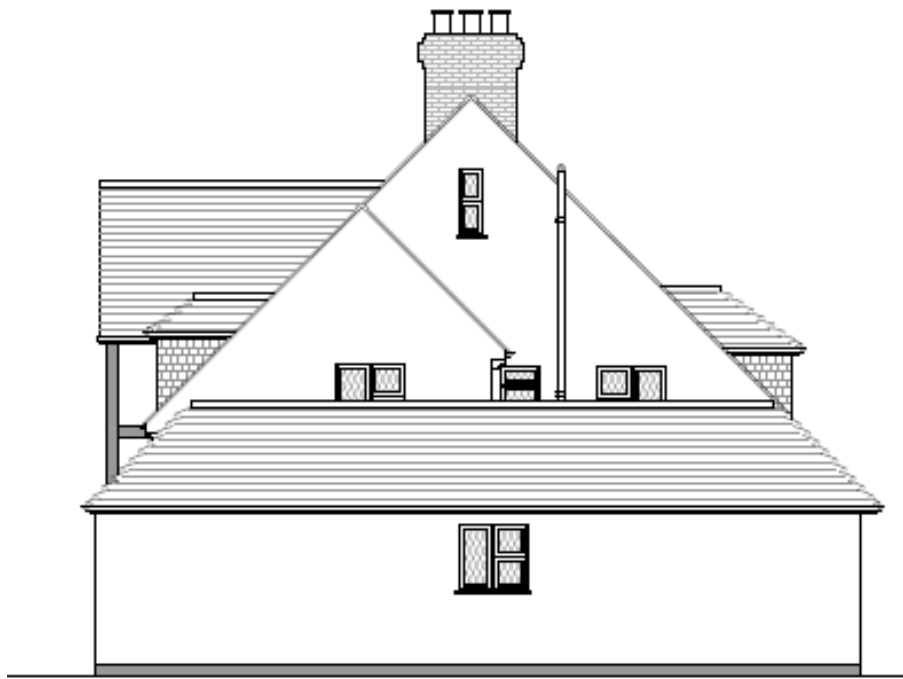


Existing Front Elevation

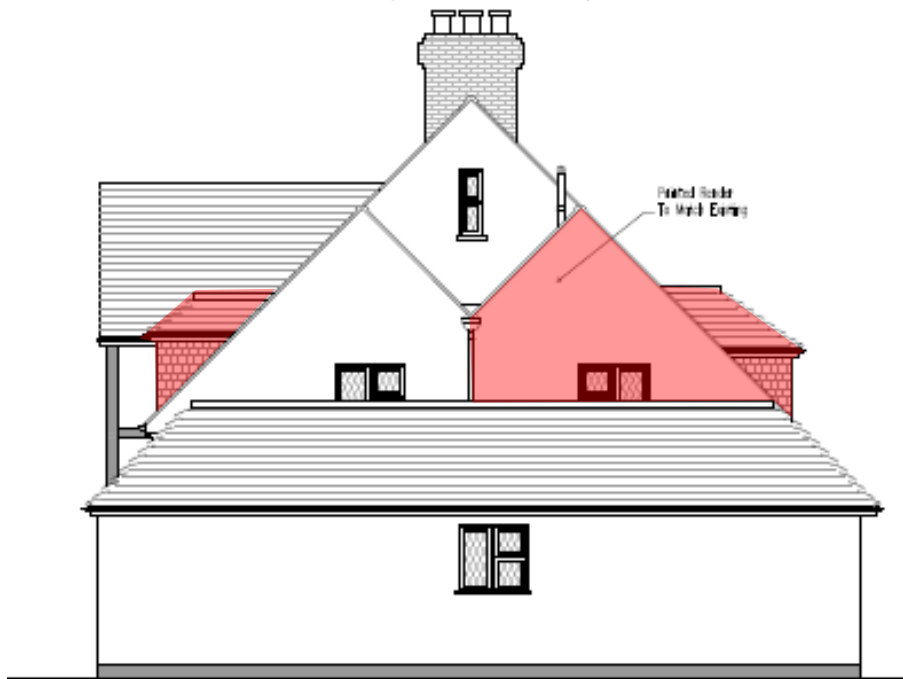


Proposed Front Elevation

Fig.3 – Existing and Proposed Front Elevations



Existing Side Elevation
(From Crofton Lane)



Proposed Side Elevation

Fig.4 – Existing and Proposed Side Elevations



Existing Rear Elevation



Proposed Rear Elevation

Fig.5 – Existing and Proposed Rear Elevations

4 RELEVANT PLANNING HISTORY

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

- 89/03663/FUL – Earthworks and erection of retaining boundary wall to Crofton Lane - Permitted 10.01.1990
- 22/01856/FULL6 Additional first floor rear dormer and loft conversion with four velux windows to the rear elevation. Insertion of roof light to existing flat roof – Permitted 12.09.2022

5 CONSULTATION SUMMARY

A) Statutory

- Conservation Officer:
 - In my view, this proposal will not harm the Conservation Area and I would raise no heritage objection.
 - Although this building has some significance as a 1930s house, it has been compromised by later additions and I consider that this proposal will be visually discreet.
 - The proposed front and rear dormers will match the existing which is important in this case.

B) Local Groups

- N/A

C) Adjoining Occupiers

- N/A

6 POLICIES AND GUIDANCE

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

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

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

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

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

6.5 The London Plan 2021

D1 London's form and characteristics
D4 Delivering good design
D5 Inclusive design
HC1 Heritage conservation and growth

6.6 Bromley Local Plan 2019

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

6.7 Bromley Supplementary Guidance

Urban Design SPD (Bromley, 2023)

7 ASSESSMENT

7.1 Resubmission

7.1.1 The site has been subject to a recent permission under ref. 22/01856/FULL6 for an 'Additional first floor rear dormer and loft conversion with four velux windows to the rear elevation. Insertion of roof light to existing flat roof'.

7.1.2 The approved plans included a first floor rear dormer to match the existing, this element is also incorporated in the current proposal. The previous design also included four rear rooflights at second floor level to accommodate a loft conversion however these have been removed from the current proposal.



Fig.6 – Approved Elevations (22/01856/FULL6)

7.1.3 The current proposal seeks to amend the design to a first floor side extension with two first floor rear dormers, and a first floor front dormer located within the existing front catslide roof.

7.2 Design and Heritage Assets – Acceptable

7.2.1 The site is located within The Covert Conservation Area. Policy 41 of the Bromley Local Plan seeks to preserve or enhance the character or appearance of conservation areas and in particular sets out that an alteration or extension to a building within a conservation area will be expected to respect or complement the layout, scale, form and materials of the existing building and space.

7.2.2 The site is also located within the Petts Wood Area of Special Residential Character (ASRC). The ASRC description within the adopted Bromley UDP is as follows: *"The original plans for Petts Wood date from the late 1920s and early 1930s. While the houses were built over a number of years, in a number of similar though varied styles, the road layout and plot sizes were established in an overall pattern. Today the layout remains largely intact. Within the overall*

area the Conservation Areas of the Chenies and Chislehurst Road already stand out." This is expanded on within the draft Local Plan (appendix 10.6).

- 7.2.3 The proposed first floor front dormer will be located within the existing front catslide roof. It will be modest in size and will match the scale and design of the existing front dormer. At the rear, the first floor side extension will be located behind the existing side projection. As the site is a corner plot the rear addition would be visible from Crofton Lane which is outside of the designated conservation area and the ASRC; however it would be set in, away from the flank boundary beyond the existing single storey element and would therefore appear visually discreet within the street scene.
- 7.2.4 It will also incorporate two first floor rear dormers to match the scale and design of the existing rear dormer. The proposal is considered visually discreet, and the front and rear dormers will match the existing. As such, no heritage objection has been raised from the Council's Conservation Officer.
- 7.2.5 It is noted that there have been recent refusals within the area. No.30 sought a first floor side extension and the introduction of front and rear dormers. This property is semi-detached and did not benefit from front dormers. The proposal was considered incongruous and harmful to the Conservation Area. No's 18 and 44 sought the insertion of a front roof light at second floor level. This was considered harmful to the host dwelling, the ASRC and Conservation Area.
- 7.2.6 However, it is noted that a number of surrounding properties currently benefit from first floor front and rear dormers, including No's 4 (88/04933/FUL), which is specifically referenced in the Petts Wood Historic Area Assessment (p.20 and Fig.37) ; 8 (17/03921/FULL6), 10 (11/03011/FULL6), 12, 14, 18, 20 and 22. Whilst not within the Conservation Area, it is noted that the property directly opposite the site, "Alkens", also benefits from front dormers. Given the siting, scale, design and materials would be consistent with the architectural style of the host dwelling and that of adjacent buildings, the character and appearance of the conservation area would therefore be preserved. Furthermore, the proposed roof alterations would not undermine the overarching characteristics of the ASRC.
- 7.2.7 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, and would therefore be considered to preserve the character and appearance of the Conservation Area.

7.3 Residential Amenity – Acceptable

- 7.3.1 With regards to the neighbouring property to the west, No.4, the proposed first floor side extension will not project beyond the front or rear elevations therefore this element will not be visible from this neighbouring property. The proposal includes front and rear dormers. It is considered that the addition of first floor dormers would not create any loss of privacy over and above what would normally be expected in a residential setting such as this.

7.3.2 The site is located on the northern side of The Covert, at the junction with Crofton Lane. Given the significant separation to residential properties to the south and east, the proposal is not considered to impact significantly on the light, outlook or privacy of neighbouring properties.

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

8 CONCLUSION

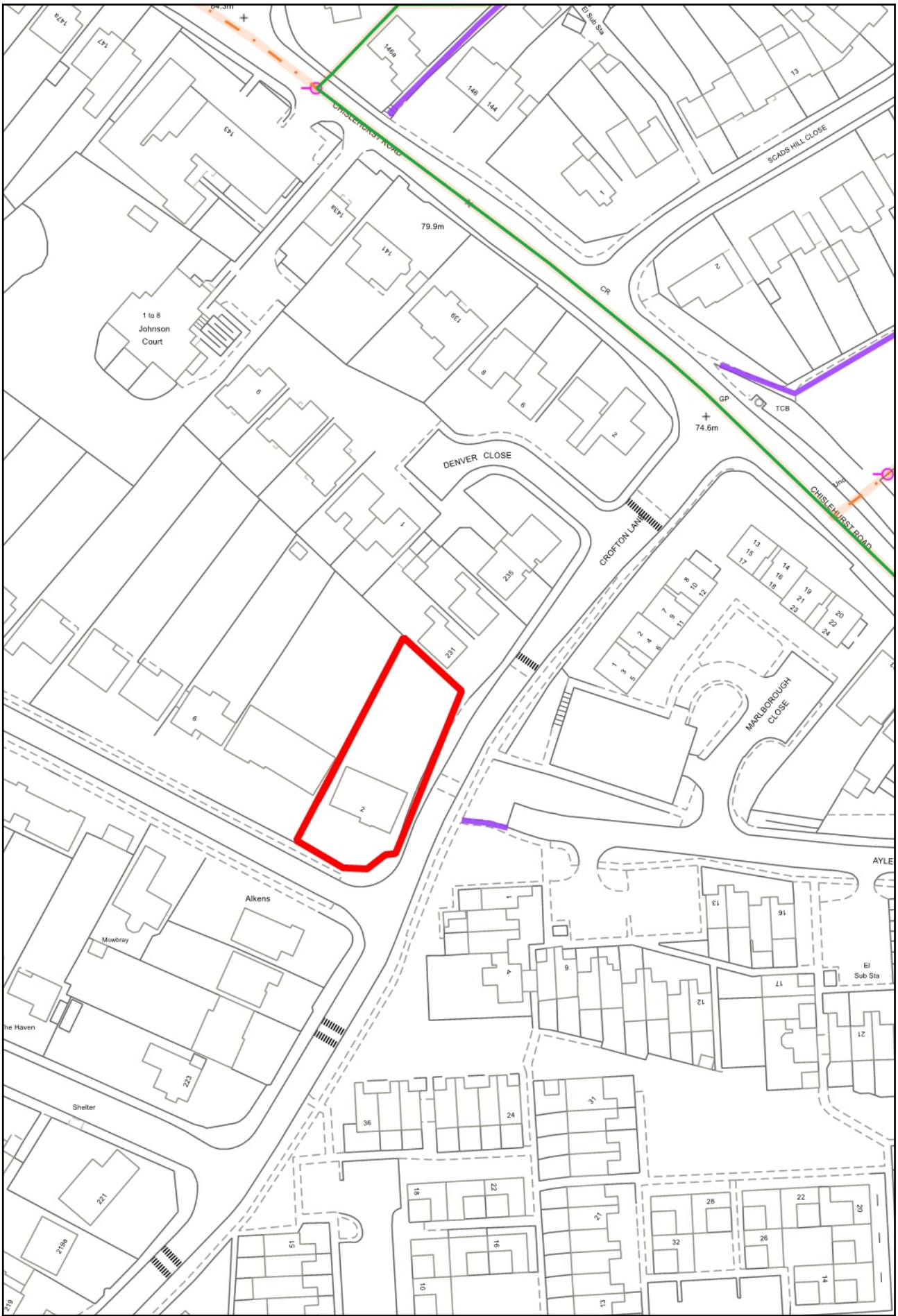
8.1 Having regard to the above, the development in the manner proposed is acceptable in that it would not detract from the significance of the Conservation Area, the character and appearance of which would therefore be preserved. Furthermore, it would not unduly harm the amenities of neighbouring residential properties.

RECOMMENDATION: Application Permitted


Subject to the following conditions:

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

And delegated authority be given to the Assistant Director: Planning & Building Control to make variations to the conditions and to add any other planning condition(s) as considered necessary



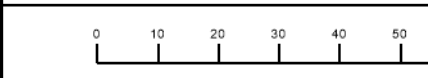
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 **23/03077/FULL6**



20 September 2023

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Agenda Item 6.1

Committee Date	28/09/23	
Address	Land Rear Of 175 To 205 Kings Hall Road Beckenham	
TPO No.	2888	Officer Paul Smith
Ward	Penge & Cator	
Proposal	Confirmation of Tree Preservation Order (TPO) 2888	
Reason for referral to committee	Objection received	Councillor call in No
RECOMMENDATION	Confirmation without modification	

KEY DESIGNATIONS
Tree Preservation Order (TPO) 2888

Representation summary	One objection from a person claiming to be the leaseholder.	
Total number of responses	1	
Number in support	7	
Number of objections	1	

1 SUMMARY OF REPORT

- To consider 1 objection received against the making of Tree Preservation Order (TPO) 2888
- The trees make an important contribution to the amenity of the surrounding local area.
- Members must determine whether to confirm the TPO or allow it to lapse.

2 LOCATION

- 2.1 The trees are located within a plot of privately owned land adjacent to the London Borough of Bromley's Cator Park.
- 2.2 Tree Preservation Order (TPO) 2888 was made on 7th June 2023 to secure the protection of all trees of any species with the area marked W1.



Figure 1 –

Land Rear Of 175 To 205 Kings Hall Road Beckenham



Figure 2 - View from within the site prior to the TPO being served



Figure 3 – View from within the site after the TPO was served

3 RELEVANT PLANNING HISTORY

An Injunction Order that relates to the whole of the land protected by TPO 2888 has been in effect from 6th July 2023. It orders that the defendants be forbidden from cutting etc. any tree protected by TPO 2888.

There is an ongoing investigation (EN/23/00368/TREES) into unauthorised works to trees protected by TPO 2888. The owners of the land have been informed of their duty to plant replacement trees.

4 CONSULTATION SUMMARY

4.1 The TPO was served on the landowners/occupiers/leaseholders/freeholders by email and recorded delivery. A site notice was posted on the gate to the land. Immediate neighbours were notified in writing of the TPO service.

4.2 An objection from a person identifying as the leaseholder of the land was received in two emails and is summarised as follows:

- a) *“the order is being imposed due to undue influence from local individuals who have been unlawfully trespassing on private land in order to exploit its resources for personal gain.” “the order is being imposed due undue influence from the local troublemaker trespassers who had been trespassing the private land to gain their unlawful benefits from the land”*

- b) *“it is evident that no proper consideration has been given to relevant policies and guidelines prior to proposing the order.”*

- c) *“The lack of adequate justification or reasoning for the proposed order further raises concerns.” “no reasons or adequate reasons have been given for the proposed order”*

- d) *“the imposition of a blanket tree preservation order on private land, [...], is a violation of the law.” “implementing a blanket policy for the entire site would be unlawful.” “to place a blanket tree preservation order on a private land with the prospect of it being used for the benefit of the local youth community is unlawful.”*

- e) *“This private land has not been utilized to its full potential for the benefit of the community”. “We have plans to develop the land for the betterment of the local community by establishing a multi-sports and field activities facility that aligns with its current use.” “In order to fully utilize the land, it is crucial that*

some of the trees be removed. However, if deemed necessary, any trees that are removed will be replanted on the site accordingly. Our objective is to provide future generations within the community with the opportunity to participate in team sports from a young age. In addition to the physical health benefits sports offer, they also foster social, mental, and physical skills. They bring the community together, encourage socialization, and facilitate meaningful connections. In an area such as Bromley, there is a significant amount of unrecognized talent, and our aim is to offer the youth in Bromley and the surrounding areas the chance to develop their potential and provide them with a promising future. Currently, there are no other multi-sports facilities in the vicinity that offer the same level of drive, direction, and opportunities as our organization. Our inclusive sports club is comprised of coaches from diverse backgrounds and is dedicated to providing equal opportunities to individuals of all races, ethnicities, and social statuses. As you are aware, the existing usage permitted on the ground is for sports activities, and sports clubs in the area have limited membership capacity. However, our club will operate on a daily basis, ensuring engagement for individuals of all ages and providing as many people as possible with the opportunity to become part of the club. This can only be achieved if the aforementioned land has the capacity to accommodate a large number of individuals and run multiple sports clubs for different age groups and skill levels simultaneously.

- f) *“The presence of trees currently obstructs the required space and significantly hampers the intended use of the site, as a sports pitch necessitates a level surface free from any obstructions, such as trees.”*

4.3 Immediately after service 7 comments in support of the TPO were received.

5 POLICIES AND GUIDANCE

5.1 National Policy Framework 2019

15. Conserving and enhancing the natural environment

5.2 The London Plan

7.21 Trees and Woodlands

5.3 Draft London Plan

G1 Green Infrastructure and Natural Environment
G7 Trees and Woodlands

5.4 Bromley Local Plan 2019

42 Conservation Areas
73 Development and Trees
74 Conservation and Management of Trees and Woodlands

5.5 The London Borough of Bromley Tree Management Strategy 2016-2020

Section 18

5.6 National Planning Guidance - Tree Preservation Orders and trees in conservation areas (Ministry of Housing, Communities and Local Government)

Paragraph 020 - 057

6 COMMENTARY

- 6.1 The Council received 40 separate requests for a TPO to be served.
- 6.2 The TPO was made on 7th June 2023 in accordance with The Town and Country Planning Act 1990 sections 198 – 202G.
- 6.3 Further to a visual assessment adopting the TEMPO (Tree Evaluation Method for Preservation Orders) scoring system, a new TPO was considered justified as the trees merited preservation. In summary, the trees comprise an emerging Oak woodland on unmanaged land adjacent to an LBB park.
- 6.4 The Order does not prevent future works from being carried out, but it requires that the Council's consent be gained prior to carrying out tree work. In assessing applications to remove trees or carry out pruning, the Council takes into account the reasons for the application, set alongside the effect of the proposed work on the health and amenity value of the trees.
- 6.5 The TPO is valid for 6 months from the date the order was made. If the TPO is not confirmed within this period, the TPO will cease to exist. Considering the perceived risk to the trees as a result of the planning application including their removal, continued preservation is required.
- 6.6 On 10th June 2023 a number of the trees protected by the TPO were felled as shown in figure 3. An enforcement investigation is ongoing. The owners of the land have been informed of their duty to replace each tree felled.
- 6.7 Despite the felled trees, the continued existence of the TPO is valid, appropriate and necessary to prevent further works, regardless of any proposed/intended/desired future potential uses of the land.

7 RESPONSE TO OBJECTION

The follows points a) to f) correspond to the objection points listed under 4.1

- a) As stated in 6.2, the Order was served following an assessment of TPO worthiness carried out by LBB tree officers.
- b) The TPO was served in accordance with the policies and awareness of the guidance listed in section 5.
- c) In accordance with The Town and Country Planning (Tree Preservation)(England) Regulations 2012 the regulation 5 notices (covering letters) that were served on those listed in 4.1 stated that the reason for the TPO was to preserve the amenities of the area, in accordance with Policy 73 of the Council's Local Plan (Adopted in January 2019).
- d) The service of the TPO is lawful regardless of whether the land is privately owned. The service of the TPO is lawful regardless of whether it is a woodland/area/group/individual category. The service of the TPO is lawful regardless of any proposed/intended/desired future potential uses of the land.
- e) The existence of the TPO does not prevent the landowner from submitting planning applications. The continued existence of the TPO is valid, appropriate and necessary to prevent further works, regardless of any proposed/intended/desired future potential uses of the land.
- f) See e).

8 CONCLUSION

- 8.1 The TPO will cease to be valid upon expiry of 6 months from the date of service.
- 8.2 A level of management may be considered reasonable, should a justified application be submitted. Damaging works will be opposed.
- 8.3 Members are advised to confirm the TPO as recommended.

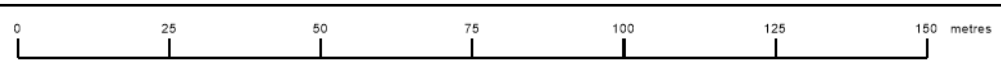
RECOMMENDATION: Confirm TPO without modification.

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TPO 2888
 Land Rear Of 175 To 205 Kings Hall Road Beckenham

07 June 2023
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