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THE LONDON BOROUGH  
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DATE: 4 October 2023

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

Councillor Peter Dean (Chairman)  
Councillor Charles Joel (Vice-Chairman)  
Councillors Mark Brock, Will Connolly, Sophie Dunbar, Simon Fawthrop,  
Keith Onslow, Chris Price, Will Rowlands and Ryan Thomson

A meeting of the Plans Sub-Committee No. 2 will be held at Bromley Civic Centre on  
**THURSDAY 12 OCTOBER 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](mailto:planning@bromley.gov.uk)**

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

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

## A G E N D A

- 1 **APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS**
- 2 **DECLARATIONS OF INTEREST**
- 3 **CONFIRMATION OF MINUTES OF MEETING HELD ON 17TH AUGUST 2023**  
(Pages 1 - 10)
- 4 **PLANNING APPLICATIONS**

Report No.	Ward	Page No.	Application Number and Address
4.1	Chislehurst	11 - 22	(22/01109/FULL1) - 14 - 16 High Street, Chislehurst, BR7 5AN
4.2	Darwin	23 - 34	(23/03000/FULL1) - High Elms Country Park, Shire Lane, Farnborough, Orpington

**5 CONTRAVENTIONS AND OTHER ISSUES**

NO REPORTS

**6 TREE PRESERVATION ORDERS**

NO REPORTS

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

## PLANS SUB-COMMITTEE NO. 2

Minutes of the meeting held at 7.00 pm on 17 August 2023

### Present:

Councillor Peter Dean (Chairman)  
Councillor Charles Joel (Vice-Chairman)  
Councillors Will Connolly, Sophie Dunbar, Simon Fawthrop,  
Christine Harris, Josh King, Keith Onslow, Will Rowlands and  
Ryan Thomson

### Also Present:

Councillor Colin Smith

## 8 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

Apologies for absence were received from Councillors Mark Brock and Chris Price, and Councillors Christine Harris and Josh King attended as their respective substitutes.

## 9 DECLARATIONS OF INTEREST

There were no declarations of interest.

## 10 CONFIRMATION OF MINUTES OF MEETING HELD ON 22ND JUNE 2023

The minutes of the meeting held on 22<sup>nd</sup> June 2023 were agreed and signed as a correct record.

## 11 PLANNING APPLICATIONS

### 11.1 BICKLEY & SUNDRIDGE (21/03541/FULL1) - 1 St Augustine's Avenue, Bickley, BR2 8AG

Description of application – proposed demolition of existing bungalow and the construction of two pairs of semi-detached houses (4 x 2 bed units), with off street parking and amenity space.

The Head of Development Management reported that further objections had been received from local residents which raised concerns in relation to over development, parking stress and the parking surveys

being non-representative. Comments had been received from the agent in response to the objections which highlighted that:

- the proposal met the relevant requirements for parking provision;
- the parking issues caused by the dance studio were incorrectly being directed at this application; and,
- the parking surveys were undertaken at the time requested by the Sub-Committee

It was noted that photographs and information had been received from Ward Member Councillor Kate Lymer. This had been circulated to Members and was also tabled at the meeting.

Oral representations in support of the application were received at the meeting. The agent gave the following responses to Members' questions:

- it was confirmed that an independent consultancy had undertaken the parking surveys. The Sub-Committee had specifically asked that the survey be undertaken at 5.15pm on a Friday as they had been advised that this represented peak demand in terms of change over between classes at the dance studio. Parking surveys had been carried out on two Fridays, and a 3.00pm survey had also been undertaken to cover another time period.
- it was acknowledged that the people living in the proposed dwellings would have visitors, however this would not necessarily create additional parking demand – they could travel by a number of means, and many of the dwellings on the road had off-street parking. The survey demonstrated that the real impact on parking related to the dance studio.
- if the photos taken were of the same parking space this highlighted that some remained free for a several minutes and therefore every space was not being used continuously. The survey showed that turnover reached 100% but the methodology did not necessarily account for spaces being available at the northern end of the street.
- with regards to parking, they felt they had done enough. It was noted that when they had originally undertaken the work they had carried out overnight parking surveys to look at

demand for residents – this had been low as it was the daytime impact that caused stress on parking. Daytime surveys had been carried out at a time agreed with Highways Officers, and the Sub-Committee had then requested surveys be undertaken at 5.15pm. They had therefore undertaken parking surveys at multiple times, on multiple days and overnight. The application itself proposed the loss of 1 on-street parking bay – this would not have an impact on the amenity of residents or users of the dance studio.

Oral representations from visiting Ward Member Councillor Colin Smith in objection to the application were also received at the meeting. Councillor Smith said that the Bickley and Sundridge Ward Councillors did not object to the site being developed, but felt the proposal was too big for the location. However, this was considered to be secondary to the contentious issue of parking aspects. Parking at this location was already an issue and any additional intensity would make this situation even worse.

The new parking survey demonstrated residents' concerns. At 5.15pm on a Friday the parking stress was 120%, and this was a regular occurrence – as illustrated by the dance studio timetable circulated, lessons were held at numerous times during the day. In addition to the classes held, the dance studio also hosted parties, holiday courses and workshops – the studios were also available for external hire. Southborough Library was also adjacent to the dance studio and a new supermarket was proposed around the corner – there was no respite for residents. It was highlighted that the additional negative impact could not be objectively assessed as it had not yet happened. As local Ward Councillors they were aware that an additional 4 houses did not mean there would be only 4 extra cars – a number of households had more than one car. The photos circulated demonstrated that currently there was not enough parking. The Sub-Committee were respectfully asked to refuse the application on the grounds of over development and insufficient parking. Councillor Smith's comments, and documents received from Councillor Lymer, are attached at Appendix A.

Councillor Fawthrop agreed with the comments made by Councillor Smith. The residents were impacted by

parking stresses on most days – there was no respite for residents. It was acknowledged that the applicant should be applauded for the amendments made in relation to EV charging and water retention, however this did not overcome the issues highlighted. Councillor Fawthrop moved that the application be refused on the grounds stated by Councillor Smith. It was suggested that a reason for refusal be based on the extensive local knowledge of the Ward Councillors, which was demonstrated by the photographs, dance studio timetable and Councillor Smith's statement.

Councillor Rowlands echoed the comments made by Councillor Fawthrop and seconded the motion for refusal.

The Chairman considered that the applicant had done as much as they could since the application was deferred, introducing additional EV charging points and addressing the water conservation measures. Parking was the contentious issue; however, it was highlighted that the application complied with the minimum parking requirements stated in the London Plan. The Chairman moved that the application be approved.

The Vice-Chairman seconded the motion for approval.

The Head of Development Management advised that paragraphs 7.5.20 and 7.5.21 (page 30) of the agenda pack provided a summary of the position in term of highways impact and the relevant elements for Members to consider. The advice received from Highways Engineers was that there were no grounds to refuse the application in relation to highways safety. It was recognised that there was an existing issue related to on-street parking, however this was attributed to the dance studio, and the proposed development exceeded the maximum parking requirements stated in the London Plan. Therefore there were no technical grounds for refusal related to Highways and there was a risk of an award of costs at appeal.

Councillor Onslow considered that in relation to paragraph 7.5.20, and a parking-related ground for refusal, the photographs provided by Councillor Lymer demonstrated that there was already overspill parking. It had been suggested that overspill parking would be

on Salisbury Road, and the road opposite, however when the supermarket opened there would be no overspill parking at all. With regards to the second point, that this would occur when the demand for the dance studio was at its highest, it was noted that the area was always busy, and parking was at a premium. It was highlighted that the photographs again demonstrated that there would be a severe impact on the road network, with double parking on a narrow road, and questions as to whether an emergency vehicle could access the end of the road.

The Motion for refusal was put to a vote and CARRIED.

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

1. **The site is located in an area which in particular experiences significant levels of parking stress arising from the operation of existing non-residential activities in the vicinity which can limit the opportunities for safe on street parking and manoeuvring. As a consequence of the overdevelopment of the site the proposal, by replacing a single dwelling with four semi-detached houses with a parking provision requiring several manoeuvres to exit after having gained entry in a forward gear and the loss of an existing on street parking space available to all road users, would result in an unacceptably cramped layout that is likely to have a harmful impact on the use of this area of highway, contrary to Policy 32 of the Bromley Local Plan, Policy T4 of the London Plan and paragraph 111 of the NPPF.**

**11.2  
WEST WICKHAM**

**(22/04833/FULL1) - Justin Hall Beckenham Road,  
West Wickham, BR4 0QS**

Description of application – proposal for the erection of a new school building, the refurbishment of existing buildings and an extension to Justin Hall, together with access, parking and landscaping at St David's Prep.

The Principal Planner – Major Developments advised that an additional condition would be recommended, if the application was permitted, to restrict the number of pupils to a maximum of 298.

Oral representations in objection to the application were received at the meeting. The following responses were given to Members' questions:

- neighbours had not looked into whether there were any European protected species in the location.
- although they had not been on the school grounds in recent years, they remembered there being an area of 'scrubland' which could be levelled and converted into a car park.

Oral representations in support of the application were also received at the meeting. The Head Teacher gave the following response to Members' questions:

- Block A would be located on the 'scrubland' previously referred to – this was an area of self-seeded trees which had been cleared, and there was a track down to the school field. The new building would move nearer to the existing building, creating a wider gap between the first neighbouring house. The school was on quite a large green site, which was important to them – lots more planting would be undertaken, and a company were already looking into native trees that would enhance the whole area.
- if permission was granted they would be happy to accept the conditions suggested by the Orpington Field Club & Bromley Biodiversity Partnership Sub-Group – *to retain and protect of as many remaining trees as possible; retain of as much scrub as possible; and retain and protect the remaining ancient woodland flora (ground cover species) both during construction and afterwards, and retained trees and woodland to be protected as per Tree Survey Arboricultural Integration Report.*
- they had considered the balance between biodiversity and parking at length. Additional parking areas would be allocated as part of the development. Some members of staff lived within walking distance of the school, but this was not the case for all. If a condition was added in relation to parking, this was something that could be looked at further.



- it was understood that a condition relating to the use of swift nest bricks had already been included. If permission was granted they would be happy to accept conditions relating to having 5 active EV charging points and water retention/conservation, as well as an informative to look at parking mitigation.
- the school travel plan was doing quite well, but there was always room for improvement. The school had followed the LBB plan to introduce Year 6 Travel Ambassadors. Through the Smart Moves scheme children and their parents were encouraged to walk, scoot and cycle to school, and there had been a significant increase in the numbers doing so. A number of families came to school through the local park, whilst others parked further away and walked the rest of the journey. Over half the school achieved their Smart Move badges most months.
- it was not thought that the service road could be used to lead into parking on another part of the site as this would be an area where children would be walking. However, this stretch could potentially be used for side-on parking. They were aware that parking was a key issue, and they wanted to help as much as they could.

In response to some of the points raised, the Principal Planner – Major Developments advised that there would be conditions relating to a pre-clearance strategy, tree protection measures and full details of hard and soft landscaping on site. In response to a question, the Principal Planner – Major Developments confirmed that this condition could state that this would be undertaken by a professional ecologist or arboriculturist. In relation to biodiversity enhancements, there would be a condition which would include the targeting of habitat and nesting opportunities. The drainage condition would look at any rainwater harvesting that could be appropriate on site – this would require the applicant to submit the details for consideration. The condition relating to the additional active EV charging points was noted. With regards to the parking mitigation informative, the Principal Planner – Major Developments advised that any additional parking on site would require a formal planning application, to be considered on its own merits.

The Chairman read out a written statement in support of the application, which had been received from Councillor Nicholas Bennett on behalf of the West Wickham Ward Councillors.

Members having considered the report, objections and representations, **RESOLVED** that **PERMISSION BE GRANTED**, and **SUBJECT TO THE PRIOR COMPLETION OF A S106 LEGAL AGREEMENT** as recommended, subject to conditions outlined within the report with wording added to conditions relating to biodiversity enhancements and landscaping, water retention, and additional active EV charging points, and an additional condition as follows;

- **Restrict No. of pupils to 298**

And an informative as follows;

**The applicant should consider further mitigation measures to improve staff car parking at the site.**

**11.3  
BECKENHAM TOWN &  
COPERS COPE**

**(23/01225/FULL1) - Land at Grangewood Lane,  
Beckenham.**

Description of application – construction of a detached single storey 2 bedroom dwellinghouse with associated car parking, landscaping and refuse storage.

The Development Management Team Leader – Major Developments advised Members that the application was a resubmission of a previously consented scheme which was approved on appeal. It was noted that the proposed amendments to the development were list on pages 102-103 of the agenda pack.

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

**12**

**CONTRAVENTIONS AND OTHER ISSUES**

NO REPORTS

**13**

**TREE PRESERVATION ORDERS**

NO REPORTS

The Meeting ended at 8.21 pm

Chairman

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# Agenda Item 4.1

<b>Committee Date</b>	12 <sup>th</sup> October 2023	
<b>Address</b>	14 - 16 High Street Chislehurst BR7 5AN	
<b>Application Number</b>	22/01109/FULL1	<b>Officer</b> - Lawrence Stannard
<b>Ward</b>	Chislehurst	
<b>Proposal</b>	Replacement shop front (Retrospective Application)	
<b>Applicant</b>	<b>Agent</b>	
Vogue Dental	Mr Peter Hadley	
14-16 High Street Bromley Chislehurst BR7 5AN	Robinson Escott Planning Downe House 303 High Street Orpington BR6 0NN United Kingdom	
<b>Reason for referral to committee</b>	<b>Call In</b>	<b>Councillor call in</b>
	Call In	Yes – Cllr Alison Stammers:  “For the decision to be decided at Planning Committee as the recommendation for refusal by the Conservation Officer is being contested”.

<b>RECOMMENDATION</b>	Refused
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<p><b>KEY DESIGNATIONS</b></p> <p>Article 4 Direction Chislehurst Conservation Area Biggin Hill Safeguarding Area London City Airport Safeguarding Retail Shopping Frontage Smoke Control SCA 16</p>
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<b>Representation summary</b>	<ul style="list-style-type: none"> <li>• Neighbour notification letters were sent on the 22<sup>nd</sup> March 2022.</li> <li>• A Press Ad was published on the 30<sup>th</sup> March 2022.</li> <li>• The site notice was displayed on the 11<sup>th</sup> May 2022.</li> </ul>
Total number of responses	0
Number in support	0
Number of objections	0

## UPDATE

This application was reported for consideration by Members on Thursday 29<sup>th</sup> September 2022.

The application was deferred without prejudice by Members in order to seek further consideration on mitigation measures to offset the heritage objection to the new shopfront on the basis of too much unbroken glazing, by the enlargement of stall riser and more traditional entrance door.

No revised plans have been submitted following the deferral.

The report considered by Members is repeated below to enable further consideration, and updated necessary to refer to updated planning policy.

## 1 SUMMARY OF KEY REASONS FOR RECOMMENDATION

- The application would result in a detrimental impact upon the character and appearance of the host building which is located within the Chislehurst Conservation Area, causing less than substantial harm to the designated heritage asset (the Conservation Area) to which there would be no public benefits.
- The proposed replacement shop front would neither preserve or enhance the character and appearance of the Chislehurst Conservation Area within which it lies.
- The proposal is therefore contrary to the aims and objectives of Section 16 of the National Planning Policy Framework (2023), Policies D1, D4, HC1 and SD6 of the London Plan and Policies 37, 41 and 101 of the Bromley Local Plan, as well as the Chislehurst Conservation Area SPG and Urban Design Supplementary Planning Document (July 2023).

## 2 LOCATION

- 2.1 The application relates to a ground floor unit within the commercial parade located on the east side of High Street Chislehurst, with the site located within a Local Centre.
- 2.2 The unit was previously in use as a bookmakers / betting shop but has recently been changed to a dental surgery following the granting of a Lawful Development Certificate under ref: 22/01106/PLUD.
- 2.3 The application site also lies within the Chislehurst Conservation Area.





**Figure 2: Pre-Existing Shop Front**



**Figure 3: Proposed Shop Front (As currently built)**

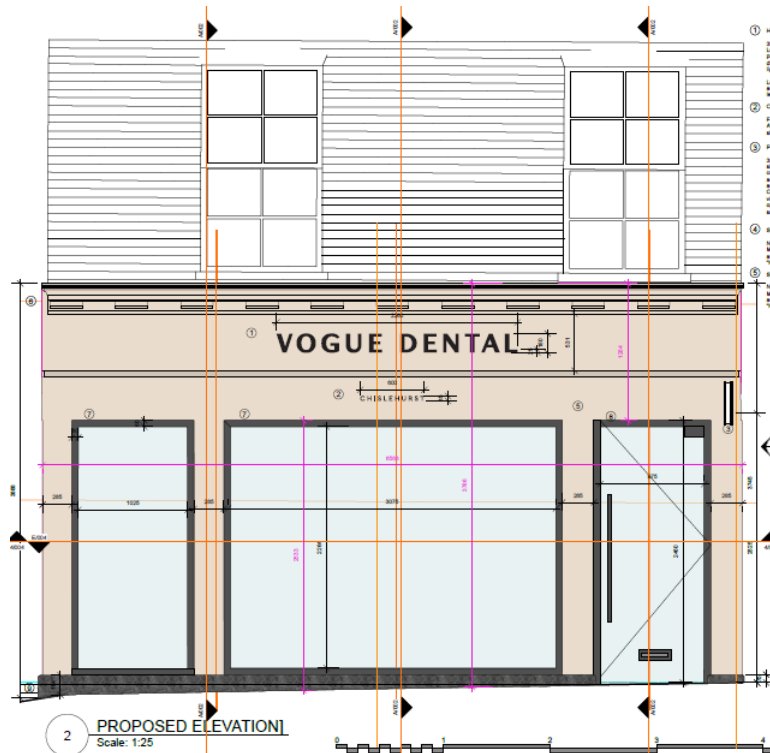
### **3 PROPOSAL**

- 3.1 The application seeks retrospective permission for the replacement of the shopfront.
- 3.2 The existing shopfront would be removed and replaced with a new shopfront fabricated from 18mm marine grade ply and exterior grade plaster with new glazing and doors.
- 3.3 The shop front design would include decorative mouldings from hard wood to be primed and painted to match the shop front. The skirting is proposed to be of black marble.





**Figure 4: Pre-Existing Front Elevation**



**Figure 5: Proposed Front Elevation**

#### 4 RELEVANT PLANNING HISTORY

4.1 The application site has the following relevant planning history;

- 03/03768/FULL2 - Change of use of car showroom to restaurant (Class A3) and new shopfront and ventilation ducting at rear 14-16 High Street, Chislehurst - Permitted
- 05/02545/FULL2 - Change of use from car showroom to Class A2 of the Use Class Order - Permitted
- 21/02395/ELUD Confirmation of use of unit as falling with Class E - Existing use is not lawful
- 22/01106/PLUD - Change of use of vacant ground floor premises last in use as a bookmakers/betting shop (sui generis use) to a Dental Surgery (Class E use) subject to the condition that, before beginning the development, the developer provides written notification to the local planning authority of the date on which the use of the building will change. – Proposed use is lawful

4.2 The application site is also currently the subject of a further application for advertisement consent under ref: 22/01105/ADV for an internally illuminated shop front fascia sign and projecting sign to serve 'Vogue Dental'. The application is currently pending consideration.

## 5 CONSULTATION SUMMARY

### A) Statutory

Conservation Officer:

- Object.
- I would have no in principle objection to the replacement the existing shop front however there would be a strong heritage objection to the new shopfront/signage which shows far too much unbroken glazing with no mullions or transoms and a large glazed door.
- I consider that this would cause harm at a less than substantial harm level to the designated heritage asset (the CA) In the wording of the NPPF.
- The Chislehurst shop front guide adopted in 2014 is relevant in this instance.
- The cumulative harm argument made in the PPG paragraph 13 is also relevant in my view in relation to adjacent shopfronts. This specifically says that when assessing any application which may affect the setting of a heritage asset, local planning authorities may need to consider the implications of cumulative change. They may also need to consider the fact that developments which materially detract from the asset's significance may also damage its economic viability now, or in the future, thereby threatening its ongoing conservation.

APCA:

- No objection in principle but we think it important to add a stall riser.

### B) Local Groups

No comments were received from local groups.

### C) Adjoining Occupiers

No comments were received from local residents.

## 6 POLICIES AND GUIDANCE

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

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

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

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

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

#### 6.5 **National Policy Framework 2023**

#### 6.6 **The London Plan**

- D1 London's form and characteristics
- D4 Delivering good design
- D5 Inclusive design
- HC1 Heritage conservation and growth
- SD6 Town centres and high streets

#### 6.7 **Bromley Local Plan 2019**

- 37 General Design of Development
- 41 Conservation Areas
- 101 Shopfronts
- 123 Sustainable Design and Construction

#### 6.8 **Bromley Supplementary Guidance**

- Urban Design Supplementary Planning Document (July 2023)
- Chislehurst Conservation Area SPG

### **7 ASSESSMENT**

#### 7.1 Impact on Conservation Area/Heritage Impact, and Design – Unacceptable

7.1.1 The main issue in this case is to judge the level of harm that the proposed shopfront would cause to the appearance of the host building and street scene and whether or not it would preserve or enhance the character or appearance of the Conservation Area within which the property lies.

7.1.2 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a requirement on a local planning authority in relation to development in a Conservation

Area, to pay special attention to the desirability of preserving or enhancing the character or appearance of that area.

- 7.1.3 Interpretation of the 1990 Act in law has concluded that preserving the character of the Conservation Area can not only be accomplished through positive contribution but also through development that leaves the character or appearance of the area unharmed.
- 7.1.4 Policy HC1 of the London Plan states that development proposals affecting heritage assets, and their settings, should conserve their significance, by being sympathetic to the assets' significance and appreciation within their surroundings. The cumulative impacts of incremental change from development on heritage assets and their settings should also be actively managed. Development proposals should avoid harm and identify enhancement opportunities by integrating heritage considerations early on in the design process.
- 7.1.5 Policy 41 of the Bromley Local Plan states that proposals for development in Conservation Areas should preserve and enhance its characteristics and appearance by respecting or complementing the layout, scale, form and materials of existing buildings and spaces; respecting and incorporating in the design existing landscape or other features that contribute to the character, appearance or historic value of the area; and using high quality materials.
- 7.1.6 Policy 101 (Shopfronts) states that when considering applications for shopfronts and security shutters the Council will resist the removal of shop fronts of architectural or historic merit; proposals for new shop fronts or alterations need to demonstrate a high quality which complements the original design, materials and surrounding street scene and building of which it forms. Blinds, canopies or shutters where acceptable in principle must be appropriate to the character of the shop front and its setting.
- 7.1.7 The site is located within High Street, Chislehurst, which also lies within the Chislehurst Centre Conservation Area. It is noted that High Street Chislehurst encompasses a variety of shop fronts in terms of materiality, glazing pattern and stall riser depth, though most appear traditional in their design with stall risers a common feature.
- 7.1.8 Whilst there are some more modern shop fronts with large areas of uninterrupted glazing and no stallrisers within the High Street, including the adjacent property, these appear to have been installed for some time.
- 7.1.9 The agent has outlined that they consider the application acceptable as they are not replacing an historical shop front and that they consider the proposed design a significant enhancement compared to the pre-existing shopfront design.
- 7.1.10 Whilst those points are noted, the Shopfront Design guidance within the Councils Urban Design Guide Supplementary Planning Document (Adopted July 2023) outlines that it is important that traditional shopfronts with historic and/or architectural significance are retained, restored and enhanced.
- 7.1.11 It further outlines that "Traditional shopfronts (mid to late 19th Century to the early 20th Century) are based on a classical design. This style was particularly successful in achieving harmony between the shopfront and the building as a whole. Traditional shopfronts are well proportioned and comprise of pilasters, cornel brackets, cornice, fascia, clerestory, and a shopwindow divided with mullion and a stallriser".

- 7.1.12 In particular, the guidance outlines that “Stallrisers provide a solid base to the shopfront, reduce the dominance of glazing and help to visually balance the fascia and cornice above.”.
- 7.1.13 The proposed shopfront would be altered to provide even more unbroken glazing compared to the existing shopfront and would also result in the loss of the existing low stall riser. Whilst it would include a lower stall riser element than existing, it is not considered that this would preserve its appearance and a larger stallriser would be considered more appropriate. As such, given that the development would not reinstate or replace similar original features it is considered that it would not comply with the guidance as set out in the design guide, and would detract from the appearance of the host building.
- 7.1.14 The Principal Conservation Officer has raised a strong heritage objection to the new shopfront / signage as they consider that it shows far too much unbroken glazing with no mullions or transoms, and a large glazed door. They consider that it would cause harm at a less than substantial harm level to the designated heritage asset (the Conservation Area).
- 7.1.15 The proposed development would also result in an increased and unacceptable level of cumulative harm, as outlined in PPG paragraph 13 which specifically says that when assessing any application which may affect the setting of a heritage asset, local planning authorities may need to consider the implications of cumulative change. They may also need to consider the fact that developments which materially detract from the asset’s significance may also damage its economic viability now, or in the future, thereby threatening its ongoing conservation.
- 7.1.16 Having regard to the above, and the design of the proposed shopfront, it is considered that the development would not preserve or enhance the character of the Conservation Area, and would have an increased adverse cumulative harm to its character.
- 7.1.17 The proposal is therefore contrary to the aims and objectives of Section 16 of the National Planning Policy Framework (2021), Policy HC1 of the London Plan and Policy 41 and 101 of the Bromley Local Plan, as well as the Chislehurst Conservation Area SPG and The Council’s Urban Design Guide Supplementary Planning Document (Adopted July 2023).

## 7.2 Residential Amenity – Acceptable

- 7.2.1 The proposed replacement shopfront would not result in the enlargement of the host building and would therefore not impact detrimentally upon adjacent residential properties by way of loss of light, outlook or visual amenity.
- 7.2.2 Furthermore, the additional glazing and design would not result in any additional opportunities for overlooking towards other properties.
- 7.2.5 Having regard to the scale of the development it is therefore considered that it would not result in any unacceptable loss of amenity with particular regard to light, outlook, prospect and privacy.

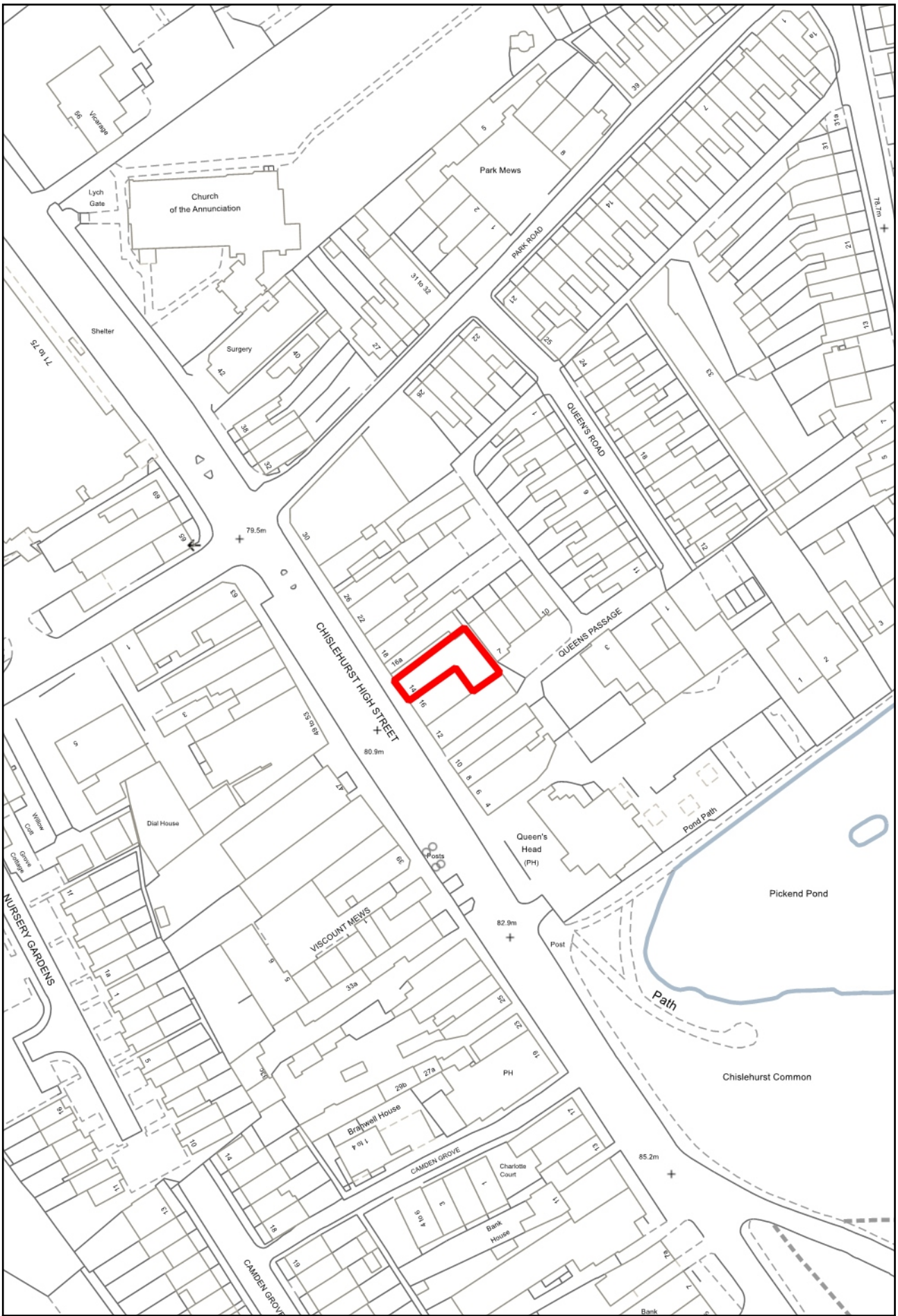
## **8 CONCLUSION**

- 8.1.1 Having regard to the above, the proposed shopfront is considered to result in an unsympathetic and prominent form of development which would fail to respect or complement the character, appearance, proportions and rhythm of the existing building and street scene in general and would not preserve or enhance the character and appearance of the CA within which it lies.
- 8.1.2 Whilst the harm would be less than substantial, as stated within paragraph 202 of the NPPF, this harm should be weighed against the public benefits of the proposal, of which there are considered to be none.
- 8.1.3 The application would therefore be contrary to Policies 37, 41 and 101 of the Bromley Local Plan, Policies D1, D4, HC1 and SD6 of the London Plan, the aims and objectives of Section 16 of the NPPF, and the Urban Design Guide Supplementary Planning Document (Adopted July 2023).
- 8.2 Background papers referred to during production of this report comprise all correspondence on the files set out in the Planning History section above, excluding exempt information.


### **RECOMMENDATION: Application refused**


#### **For the following reasons;**

**The design of the replacement shopfront fails to respect or complement the character, appearance, proportions and rhythm of the existing building and would not therefore preserve or enhance the character and appearance of the Conservation Area, being contrary to Chapters 16 of the NPPF; Policies D1, D4, HC1 and SD6 of the London Plan (2021), Policies 37, 41 and 101 of the Bromley Local Plan (2019) and the Urban Design Guide Supplementary Planning Document (Adopted July 2023).**



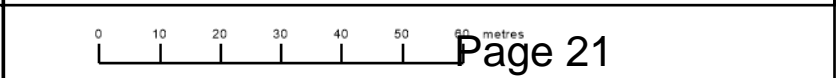
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Chislehurst



04 October 2023

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# Agenda Item 4.2

<b>Committee Date</b>	12 <sup>th</sup> October 2023	
<b>Address</b>	High Elms Country Park Shire Lane Farnborough Orpington	
<b>Application Number</b>	23/03000/FULL1	<b>Officer</b> - Lawrence Stannard
<b>Ward</b>	Darwin	
<b>Proposal</b>	Installation of new Changing Places Accessible WC Pre-Fabricated Unit adjacent to existing Visitor Centre.	
<b>Applicant</b>	<b>Agent</b>	
Mr Max Graham London Borough of Bromley Council	Mr Nathan Pearce	
Bromley Council, Civic Centre St Blaise Stockwell Close Bromley BR1 3UH United Kingdom	51 Trinity Street Huddersfield HD1 4DN United Kingdom	
<b>Reason for referral to committee</b>	<b>Councillor call in</b>	
Outside Delegated Powers	No	

<b>RECOMMENDATION</b>	Permission
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<p><b>KEY DESIGNATIONS</b></p> <p>Article 4 Direction Adjacent Listed Building Biggin Hill Safeguarding Area London City Airport Safeguarding Green Belt Local Nature Reserve Sites of Interest for Nature Conservation</p>
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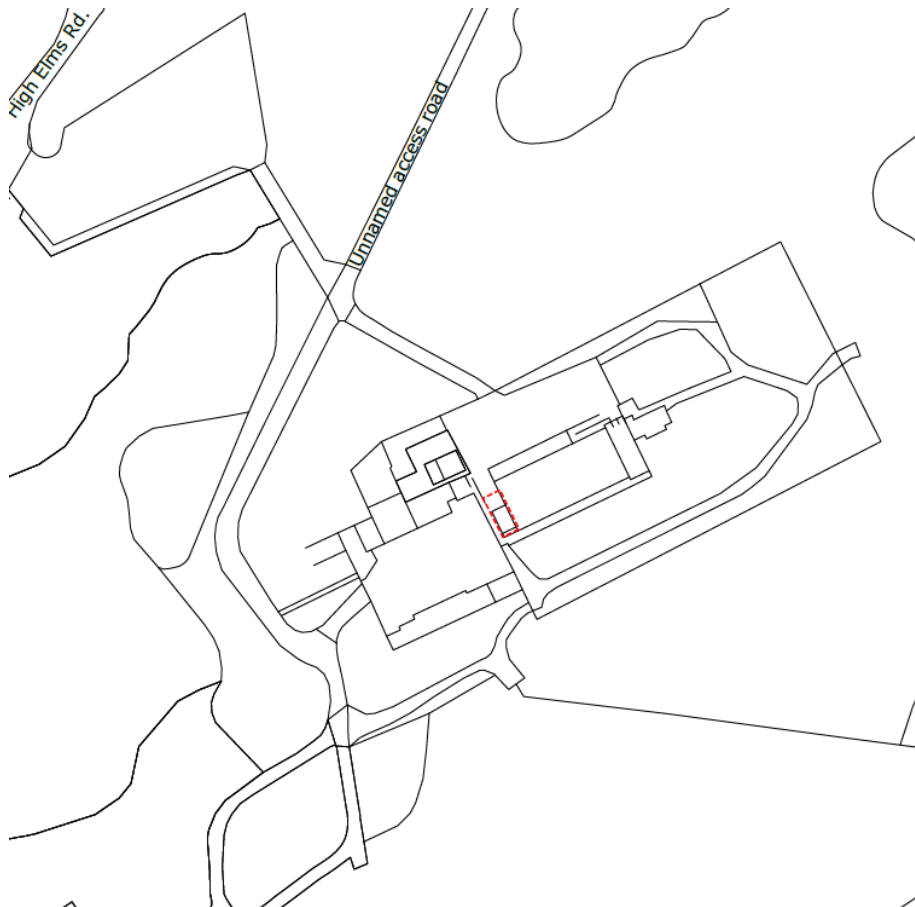
<b>Representation summary</b>	<ul style="list-style-type: none"> <li>• Neighbour notification letters were sent on the 21<sup>st</sup> August 2023.</li> <li>• The site notice was displayed on the 23<sup>rd</sup> August 2023.</li> <li>• A Press Ad was published on the 30<sup>th</sup> August 2023.</li> </ul>
Total number of responses	0
Number in support	0
Number of objections	0

## 1 SUMMARY OF KEY REASONS FOR RECOMMENDATION

- The development would appear acceptable in terms of its scale and design.
- The development would not harm the character of the area.
- The development would not result in an unacceptable impact upon the amenities of neighbouring residential properties.
- The development would not result in an unacceptable impact on the Site of Importance for Nature Conservation (SINC).
- The development would not result in an unacceptable impact upon the openness and visual amenities of the Green Belt.

## 2 LOCATION

- 2.1 The application site is situated within High Elms Country Park, which is a Local Nature Reserve comprising of 250 acres of countryside.
- 2.2 The site itself relates to an area adjacent to the existing visitor centre building. The submitted details indicate that the building would sit in a similar footprint to a detached timber clad prefabricated unit that has been demolished.



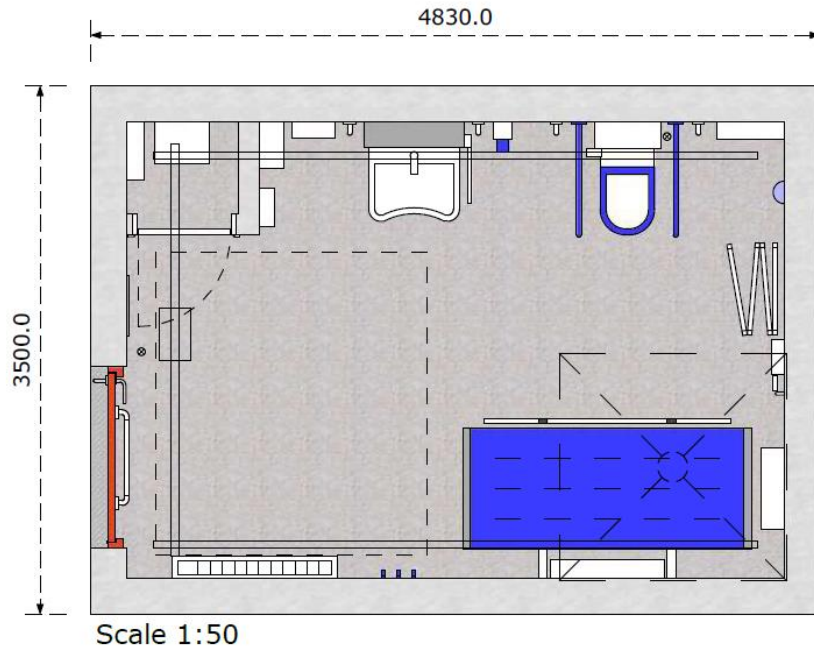
**Figure 1: Site Location Plan**



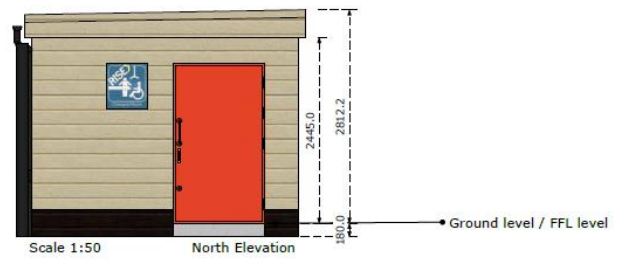
**Figure 2: Photo of existing Visitor Centre and Proposed Site**

### **3 PROPOSAL**

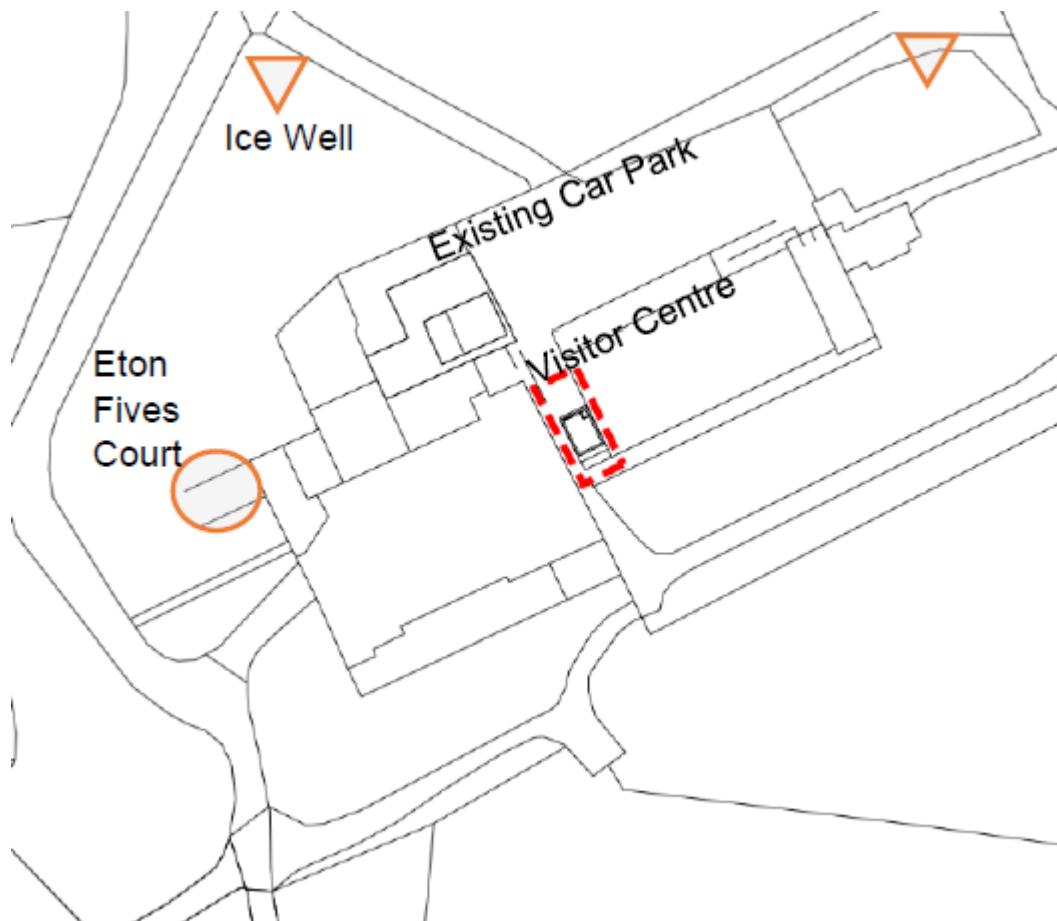
- 3.1 The application seeks permission for the installation of a new Changing Places Accessible WC Pre-Fabricated Unit adjacent to the existing Visitor Centre.
- 3.2 The proposed building would measure 4.83m by 3.5m and would feature a shallow pitched roof with a maximum height of 2.81m.
- 3.3 The facilities are intended to support the needs of profoundly disabled users which include washing and changing facilities. Level access would be provided for ease of access into the facility, which would be sited to allow easy access from the adjacent Car Park and adjacent BEECHE building.
- 3.4 In March 2022, Bromley Council was awarded £220K grant funding from the Department of Levelling Up, Housing and Communities to deliver four Changing Places facilities at agreed locations across the Borough which included Crystal Place Park. Changing Places facilities support people with complex and multiple disabilities whose needs are not met by a standard accessible toilet. Changing Places facilities are larger and contain specialist equipment including an adult-sized changing bench and ceiling track hoist.



**Figure 3: Proposed Floor Plan**



**Figure 4: Proposed Elevations**



**Figure 5: Proposed Block Plan**

## **4 RELEVANT PLANNING HISTORY**

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

- 06/00979/DEEM3 - Demolition of existing building (nature centre) and erection of new sustainable single storey building for outdoor education with café and exhibition space and public amenities plus erection of new prefabricated unit for sustainable wood chip burner for heating building. - Permitted
- 06/04514/DEEM3 - Elevational alterations and reduced size of detached building permitted under ref. 06/00979 for erection of new sustainable single storey building for outdoor education with café and exhibition space and public amenities plus erection of prefabricated unit for sustainable wood chip burner for heating the building - Permitted

## **5 CONSULTATION SUMMARY**

### **A) Statutory**

Drainage Officer:

- No Comment.

Conservation Officer:

- No heritage objection.
- This facility will be visually discreet and built using traditional materials in my view.

### **B) Local Groups**

No Comments were received from local groups.

### **C) Adjoining Occupiers**

No comments were received from local residents.

## **6 POLICIES AND GUIDANCE**

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

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

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

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

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

### **6.5 National Policy Framework 2023**

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

D1 London's Form and Characteristics  
D3 Optimising Site Potential Through the Design Led Approach  
D4 Delivering Good Design  
D5 Inclusive Design  
G2 Green Belt

#### **6.7 Bromley Local Plan 2019**

30 Parking  
37 General Design of Development  
38 Statutory Listed Buildings  
46 Ancient Monuments and Archaeology – Ice Well, High Elms  
49 Green Belt  
57 Outdoor Recreation and Leisure  
69 Development and Nature Conservation Sites  
72 Protected Species  
79 Biodiversity and Access to Nature  
123 Sustainable Design and Construction

#### **6.8 Bromley Supplementary Guidance**

Urban Design Supplementary Planning Document (July 2023)

## 7 ASSESSMENT

### 7.1 Design, Layout, Scale (including Heritage Impacts) – Acceptable

- 7.1.1 Design is a key consideration in the planning process. Good design is an important aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. London Plan and Bromley Local Plan (BLP) policies further reinforce the principles of the NPPF setting out a clear rationale for high quality design.
- 7.1.2 Policy 37 of the Bromley Local Plan (BLP) and the Council's Supplementary design guidance seek to ensure that new development, including residential extensions are of a high quality design that respect the scale and form of the host dwelling and are compatible with surrounding development.
- 7.1.3 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a duty on a local planning authority, in considering development which affects a listed building or its setting, to have special regard to the desirability of preserving the building or its setting, or any features of architectural or historic interest it possesses.
- 7.1.4 The proposed building would measure 4.83m by 3.5m and would feature a shallow pitched roof with a maximum height of 2.81m.
- 7.1.5 The site had previously hosted a 7.4m by 2.55m building adjacent to the Visitor Centre which had been used for a wood chip burner house, though it is noted that this has already been demolished. The proposed building would provide a reduction in footprint of 16.9sqm compared to the 18.87sqm of the previous building on the site, though it would be wider.
- 7.1.6 The proposed outbuilding is not considered excessive in its overall scale, height or bulk. Furthermore, its siting adjacent to the existing visitor centre would minimise its visual impact given that it would not appear highly visible from within the wider country park.
- 7.1.7 The external materials would consist of a timber cladding with a grey EPDM roof. It is considered that the external materials would be appropriate for its setting.
- 7.1.8 It is noted that there are three Grade II Listed structures in the vicinity of the proposal within High Elms Country Park, comprising of Eton fives courts, the Ice Well and the Lubbock Memorial. However, the Council's Conservation Officer considers that the proposed outbuilding would be visually discreet and built using traditional materials, and that therefore no heritage objection would be raised with regards to the impact of the development on the setting of the nearby listed buildings which would not be harmed as a result of the development.

### 7.2 SINC / Biodiversity Impact - Acceptable

- 7.2.1 The application site forms a Local Nature Reserve and is designated as a Site of Importance for Nature Conservation (SINC).
- 7.2.2 Policy 69 of the Bromley Local Plan outlines that a development that may significantly affect the SINC would only be permitted if it can be shown that the reasons for the

development or benefits to the local community from the development would outweigh the interest or value of the site.

7.2.3 The submitted information outlines that the applicants consider the development would not significantly affect the nature conservation interest or the value of the SINC given that it would be small scale, built adjacent to an existing building, and on the footprint of a pre-existing building. It also outlines that the applicants consider the benefits it would provide by way of better accessibility to the park and centre and encouragement for more people to access nature and environmental education would outweigh any negative effects.

7.2.4 The proposed area for the siting of the building already consist of some hardstanding and lies adjacent to the existing visitor centre. Therefore, it is considered the siting would not result in any significant loss of habitat or any significant impact on the wider SINC.

7.2.5 It is therefore considered that the impact upon the SINC would be minor, and that the benefit of the provision of accessible changing facilities would outweigh any impact upon the SINC.

### 7.3 Green Belt - Acceptable

7.3.1 Policy 49 outlines that permission in the Green Belt will not be given for inappropriate development unless very special circumstances can be demonstrated that clearly outweigh the harm by reason of inappropriateness or any other harm.

7.3.2 The construction of new buildings on land within the Green Belt is considered inappropriate, unless it falls within one of the exceptions set out within Policy 49. This includes appropriate facilities for outdoor recreation which preserve the openness of the Green Belt, or an extension or alteration of a building that does not result in disproportionate additions over and above the size of the original building.

7.3.3 Policy 57 outlines that development related to outdoor recreational uses on land designated as Green Belt will be permitted provided that the development constitutes appropriate development or use of the land, maximises opportunities to provide better access to the countryside and are small scale and do not adversely affected the character of function of the designated areas.

7.3.4 The proposed building would replace an existing building that was previously situated on a similar siting, though it has been demolished. The proposed building would provide a reduction in footprint of 16.9sqm compared to the 18.87sqm of the previous building on the site, though it would be wider. In any case, it is not considered that the development would appear excessive in its overall scale and bulk.

7.3.5 The development would also provide facilities to support the needs of disabled users. It is considered that this use would be considered to provide appropriate facilities for the purposes of outdoor recreation within the High Elms Country Park that would provide better access.

7.3.6 Having regard to the above, it is considered that the development would meet the exceptions of Policy 49, in that it would not appear excessive in its scale and that it would provide appropriate facilities for outdoor recreation whilst preserving the openness of the Green Belt. The development is therefore considered to form



appropriate development within the Green Belt, and would also therefore comply with Policy 57 given that it would form appropriate development that would provide better access to the countryside and would not adversely impact the character or openness of the Green Belt.

#### 7.4 Residential Amenity – Acceptable

7.4.1 The proposed development would be sited adjacent to the existing Visitor Centre and would be a significant distance away from any nearby residential properties. Given the siting and modest scale of development it is not considered that it would result in any detrimental impact upon nearby residential amenity.

#### 7.5 Other matters

7.5.1 Consideration has been given to the Public Sector Equality Duty (PSED) contained in Section 149 of the Equality Act 2010. This includes the need to advance equality of opportunity for people who share a protected characteristic. The development would provide an accessible toilet and changing facility to meet the needs of visitors with complex and multiple disabilities whose needs are not met by a standard accessible toilet. This consideration would also weigh in favour of the development.

### 8. **CONCLUSION**

8.1 Having had regard to the above it is considered that the development in the manner proposed is acceptable as it would not harm the amenities of neighbouring properties, the character of the area or the setting of the adjacent Listed Buildings. Furthermore, the development is considered appropriate development within the Green Belt and SINC location given that the benefit would outweigh any detrimental impact.

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

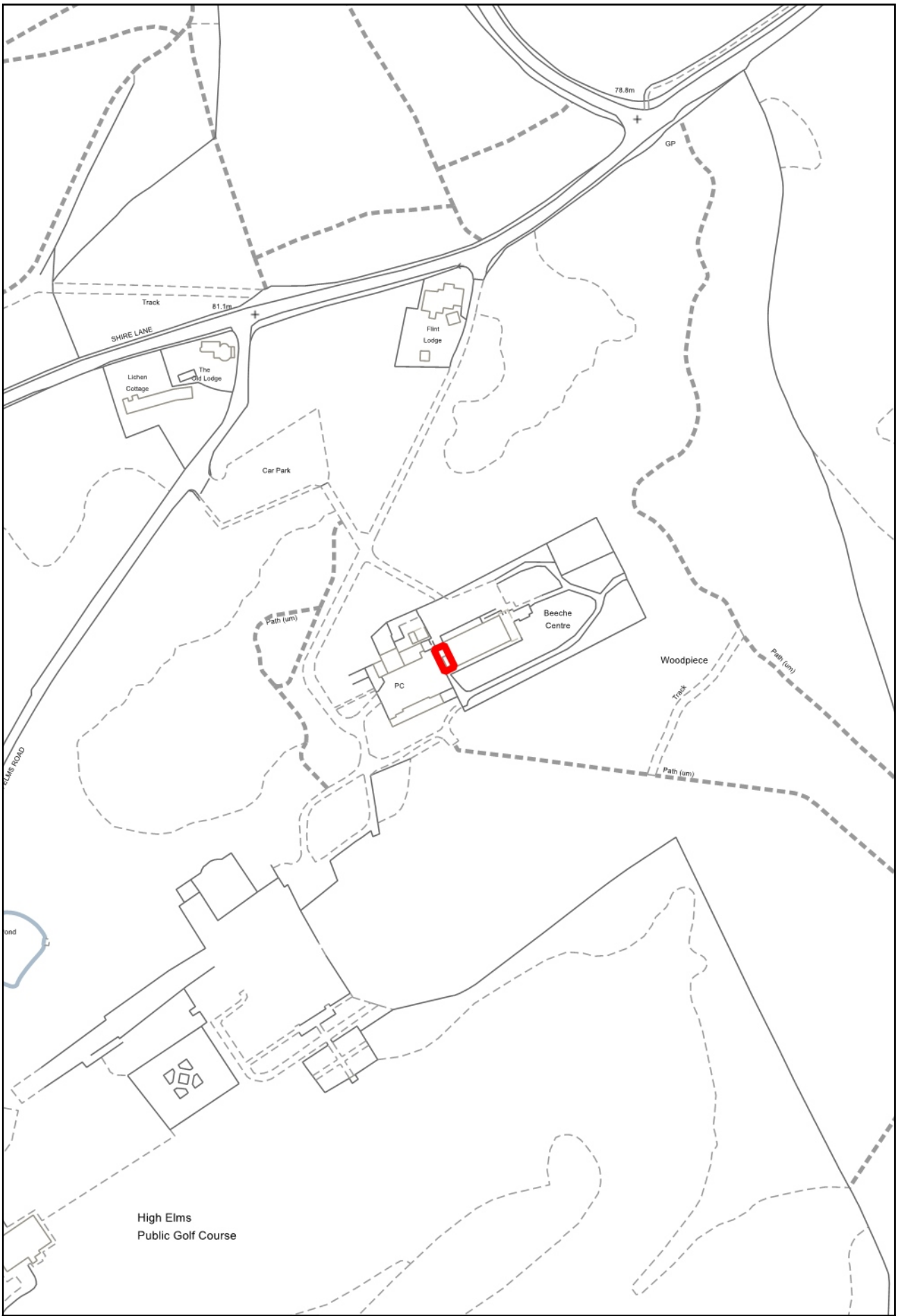
#### **Recommendation: Permission**

##### **Conditions**



1. **Time Period**
2. **Compliance with approved plans**
3. **In accordance with submitted materials**

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

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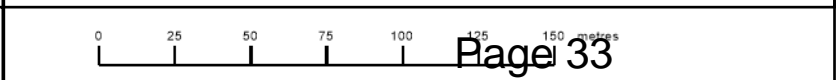


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