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THE LONDON BOROUGH  
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To: Members of the  
**PLANS SUB-COMMITTEE NO. 4**

Councillor Simon Fawthrop (Chairman)  
Councillor Will Rowlands (Vice-Chairman)  
Councillors Felicity Bainbridge, Kathy Bance MBE, Peter Dean, Charles Joel,  
Kevin Kennedy-Brooks, Keith Onslow and Sam Webber

A meeting of the Plans Sub-Committee No. 4 will be held at Bromley Civic Centre,  
Stockwell Close, Bromley, BR1 3UH on **THURSDAY 7 MARCH 2024 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 0208 461 7694**

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**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)**

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**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 11TH JANUARY 2024**  
(Pages 1 - 6)
- 4 **PLANNING APPLICATIONS**

Report No.	Ward	Page No.	Application Number and Address
4.1	CHISLEHURST CONSERVATION AREA	7 - 32	(23/03457/FULL1) - Suite 6, Royal Parade Mews, Chislehurst, BR7 6TN
4.2	CHISLEHURST CONSERVATION AREA	33 - 60	(23/03687/FULL1) 54 Lubbock Road, Chislehurst, BR7 5JX
4.3	ST MARY CRAY	61 - 74	(23/04083/FULL6) - 51 Sweeps Lane, Orpington, BR5 3PE
4.4	BICKLEY & SUNDRIDGE	75 - 84	(23/04928/FULL1) - Southborough Library, Southborough Lane, Bromley, BR2 8AP

### 5 **CONTRAVENTIONS AND OTHER ISSUES**

NO REPORTS

### 6 **TREE PRESERVATION ORDERS**

NO REPORTS

The Council's [Local Planning Protocol and Code of Conduct](#) (Chapter 7, Section 30, Page 19) sets out how planning applications are dealt with in Bromley.

## PLANS SUB-COMMITTEE NO. 4

Minutes of the meeting held at 7.00 pm on 11 January 2024

### Present:

Councillor Simon Fawthrop (Chairman)  
Councillor Will Rowlands (Vice-Chairman)  
Councillors Felicity Bainbridge, Kathy Bance MBE, Peter Dean,  
Charles Joel, Kevin Kennedy-Brooks, Keith Onslow and  
Sam Webber

### 35 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

There were no apologies for absence.

### 36 DECLARATIONS OF INTEREST

Councillor Sam Webber declared an interest as a resident of Shrewsbury Road.

### 37 CONFIRMATION OF MINUTES OF MEETING HELD ON 9TH NOVEMBER 2023

The minutes of the meeting held on the 9th of November 2023 were agreed and signed as a correct record.

### 38 PLANNING APPLICATIONS

#### 38.1 CLOCK HOUSE

#### (23/02120/FULL1) - Garages Adjacent 2 Shrewsbury Road, Beckenham.

This application was a proposed re-development of dis-used garages on land between 2-4 Shrewsbury Road, London, BR3 4DB, to provide one 3B5P dwelling, and one 3B4P dwelling, plus off street parking for three cars, with active EV chargers, landscaped private amenity areas, and a new dropped kerb. The application had been called in by Cllr Jeremy Adams on the basis that although the changes in this application were acknowledged, the scheme still represented a cramped back-land over development with harm to the character, neighbouring amenity and various highways/parking issues.

An oral objection from a neighbour was heard at the

meeting.

An oral representation in support of the application was also heard.

Oral representations in objection were received from Ward Councillor Jeremy Adams.

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

**The proposed development constitutes over development where there is an unacceptable impact upon the character, appearance and context of the area by reason of scale, design, siting and the surrounding development pattern and spatial layout of the area. If permitted this would establish an undesirable pattern for similar piecemeal infilling in the area, resulting in a retrograde lowering of the standards to which the area is at present developed and have a serious and adverse effect on the visual amenity of the locality contrary to Policies 3, 4, 8 and 37 of the Bromley Local Plan and Policies D3, D6 and H2 of the London Plan and the NPPF (2021).**

**38.2  
DARWIN**

**(23/02241/PLUD) - 5 Leaves Green Crescent,  
Keston, BR2 6DN**

This application was for the siting of a caravan/ mobile home within the rear garden area of the existing property for purposes incidental to the enjoyment of the dwellinghouse as such (Lawful Development Certificate Proposed).

The officer recommendation was that the proposed use/development was lawful and that the certificate should be granted.

Members having considered the report, objections and representations, **RESOLVED that the application be DEFERRED**, without prejudice to any future consideration, to be considered at a future meeting.

**REASON: To allow further information to be provided to councillors regarding the legal definition of a mobile home/caravan, and to include relevant legislation, and case law.**

**38.3  
ST MARY'S CRAY**

**(23/03189/FULL6) - 17 Chesterfield Close,  
Orpington, BR5 3PQ**

Application removed pending the receipt of revised plans.

**38.4  
CHISLEHURST**

**(23/03765/FULL6) - The Roses, Kemnal Road,  
Chislehurst BR7 6LT**

This application was for a proposed garage conversion into a habitable room with the construction of a part one/two storey side/rear extension.

The application sat in the Conservation Area: Chislehurst.

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

**38.5  
PETTS WOOD AND KNOLL**

**(23/03919/FULL6) - 150 Kingsway, Petts Wood,  
Orpington, BR5 1PU**

The proposal was for the erection of a brick piers with gates and a fence around the existing highway boundaries and was a retrospective application.

The application had been called in by Cllr Onslow on the basis that it was not compatible with being located in an Area of Special Residential Character.

Oral representations in support were heard from the applicant.

The officer recommendation was for Permission.

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

By reason of their siting, height and design, the boundary treatments would be out of keeping with the character and appearance of the Petts Wood Area of Special Residential Character, contrary to policies 37 and 44 of the Bromley Local Plan.

**38.6  
BECKENHAM TOWN &  
COPERS COPE;**

**(23/04047/NDFLAT) - Ribble Hurst, 45 The Avenue,  
Beckenham, BR3 5EF.**

The application was for the proposed construction of additional floor with flat roof to provide 2 additional flats (2 no. 2 bedroom units) with associated landscaping works, 2 no. car parking spaces, refuse store and cycle storage lockers (56 day application under Class A, Part 20, Schedule 2 to the General Permitted Development Order, 2015 (as amended) with regards to transport and highways impacts, flooding risk, air traffic and defence assets impacts, contamination risks, external appearance of the building, provision of adequate natural light to habitable rooms, impact on existing and neighbouring residential amenities and impact on protected views).

The Application was recommended for Approval.

Members, having considered the report, objections and representations, **RESOLVED THAT PRIOR APPROVAL be GRANTED**, for the reasons and subject to the conditions and informatives set out in the report of the Assistant Director, Planning:

- (a) Details of a scheme to light the access drive and car parking areas hereby permitted shall be submitted and approved in writing by the Local Planning Authority prior to the commencement of above ground works.**
- (b) The approved scheme shall be self-certified to accord with BS 5489 – 1:2003**
- (c) The lighting scheme as shall be implemented in full accordance with details submitted under Part (a) before the development is first occupied and the lighting shall be permanently retained thereafter.**

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

**38.7  
BROMLEY TOWN;**

**(23/04405/FULL1) - Ravensleigh House,  
Westmoreland Place, Bromley, BR1 1DS.**

The application was for the installation of two external condensers within a caged enclosure, and associated façade alterations including the replacement of a window with a louvre at first floor level and installation of a louvre at ground floor level and other associated works.

This application came to Committee as it was on Council owned land.

Members, having considered the report, objections and representations, **RESOLVED THAT PERMISSION BE GRANTED** for the reasons set out in the report.

The Meeting ended at 9.02 pm

Chairman

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# Agenda Item 4.1

<b>Committee Date</b>	07.03.2024	
<b>Address</b>	Suite 6 Royal Parade Mews Chislehurst BR7 6TN	
<b>Application Number</b>	23/03457/FULL1	<b>Officer</b> - Robin Evans
<b>Ward</b>	Chislehurst	
<b>Proposal</b>	Partial demolition of existing building. Erection of part two storey building, part first floor extension, with mansard roof, over existing building, and conversion of existing offices to form 4x dwellinghouses and 1x roof flat (total 5 units) with cycle storage, car parking spaces, refuse/recycling storage and landscaping.	
<b>Applicant</b>	<b>Agent</b>	
Mr Mike Clark	Mr John Escott	
Suite 6 Royal Parade Mews Chislehurst BR7 6TN	Downe House 303 High Street Orpington BR6 0NN	
<b>Reason for referral to committee</b>	Call-In	<b>Councillor call in</b> Yes <b>Cllr Mark Smith</b> – local residents concerns

<b>RECOMMENDATION</b>	Application Permitted
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<p><b>KEY DESIGNATIONS</b></p> <p>Conservation Area: Chislehurst          Article 4 Direction          Biggin Hill Safeguarding Area          GS Protection Zone          London City Airport Safeguarding          Statutory Listed Buffer          Smoke Control SCA 16</p>
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<b>Land use Details</b>		
	Use Class or Use description	Floor space (GIA SQM)

Existing	Office Residential	445 200
Proposed	Residential	828

<b>Residential Use</b>					
	Number of bedrooms per unit				
	1	2	3	4 Plus	Total/Payment in lieu
Market	0	1	4	0	5
Total	0	1	4		5

<b>Vehicle parking</b>	Existing number of spaces	Total proposed including spaces retained	Difference in spaces (+ or -)
Standard car spaces	1	9	+8
Disabled car spaces	0	0	0
Cycle	0	8	+8

<b>Electric car charging points</b>	Percentage or number out of total spaces 20%
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<b>Representation summary</b>	Neighbour letters sent 17.10.2023, 27.11.2023 and 09.02.2024 Newspaper advert published 18.10.2023 Site notice displayed 20.10.2023 and 09.02.2024
Total number of responses	9
Number in support	0
Number of objections	9

## 1. SUMMARY OF KEY REASONS FOR RECOMMENDATION

- The proposal would not impact detrimentally on the character of the area including the Conservation Area and Listed Buildings,
- The proposal does not result in a significant loss of amenity to local residents
- There would be no other adverse impacts.

## 2. LOCATION

- 2.1 The application site relates to Royal Parade Mews, located on the southwestern side of Royal Parade Chislehurst. Royal Parade Mews is a single lane/width

access between No. 12 and Ivy Cottage Royal Parade. The application buildings within Royal Parade Mews are a mixture of joined up single storey and two storey buildings set around a courtyard and according to the planning records it appears to be in use or last in use as offices. The rear (southern) site boundary abuts properties at No 9 Church Road and The Studio, Church Road. The building(s) are not locally or statutorily listed although they lie close to/or abut a row of Grade II Listed dwellings Ivy Cottage, Gravetts Cottage and Walton Lodge, and locally listed buildings Nos. 6-12 Royal Parade. The site lies within the Chislehurst Conservation Area: Sub Unit 5 – Royal Parade.

2..2 The Chislehurst Conservation Area: Sub Unit 5 – Royal Parade, commemorates the association of Chislehurst with the French Imperial Family. The main part of the sub-unit comprises the shops fronting on to Royal Parade, like the High Street, Chislehurst. However, the dominant elements of Royal Parade are terraced shop/houses, providing it with a substantially different character from most other parts of Chislehurst. Although it is a retail area, the character of Royal Parade is distinct from that of the High Street as it has become an area of specialist shops, antiques, fashions and small restaurants, also with some other businesses and professional services including architect and accountant offices, and the diverse and specialist nature of the retailing on the Parade contributes greatly to its character. The use of each shopfront by a separate business reinforces the ‘village shopping’ effect of multiple small traders and the retention of this format is encouraged. The appearance of the street is further enhanced by the condition of the buildings: original shop windows, fittings and signage remain in place in some cases. The parade setting is greatly enhanced by the tongue of green (being the former village pound), which extends open space from the Common into the active core.

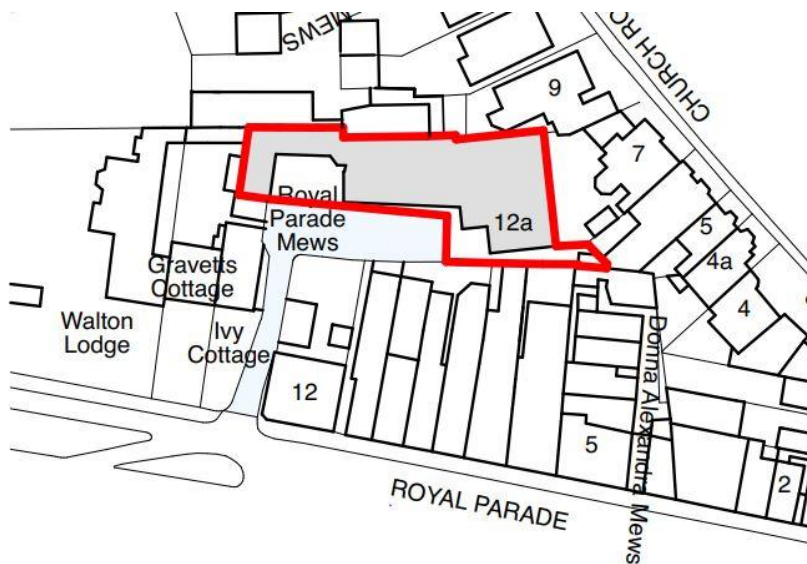


Fig 1 Site location plan.



Photograph 1 view from Royal Parade into Royal Parade Mews.



Photograph 2 internal site looking southwest towards The Studio.



Photograph 3 internal site looking south east.



Photograph 4 internal site looking northwest towards existing maisonette.

### 3. PROPOSAL

- 3.1 Planning permission is sought for partial demolition of existing building. Erection of part two storey building with mansard roof/part first floor extension with mansard roof and mansard roof over existing building, and conversion of existing offices to form 4x dwellinghouses and 1x roof flat (total 5 units) with cycle storage, car parking spaces, refuse/recycling storage and landscaping.





Fig 2. Proposed ground floor plan.

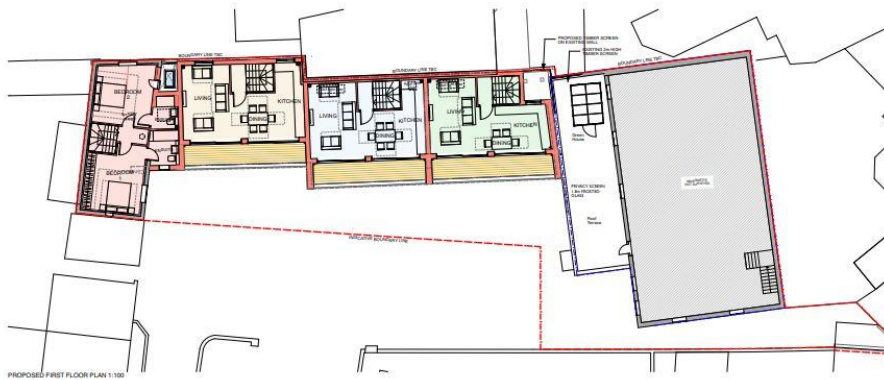


Fig 3. Proposed first floor plan.

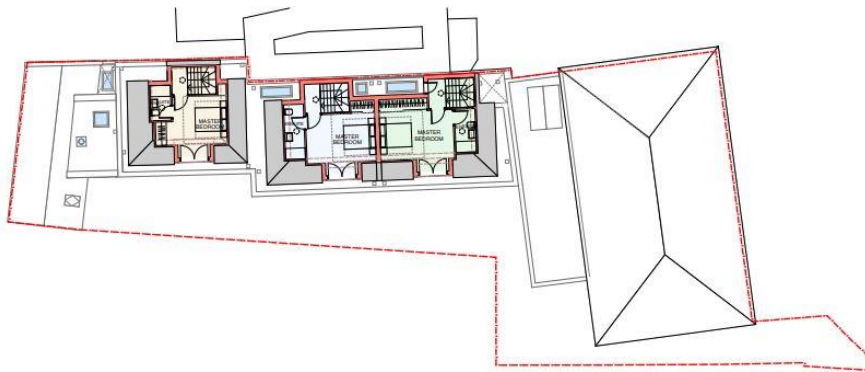


Fig 4. Proposed second floor plan.



Fig 5. Proposed elevations.



Fig 6. Refused/dismissed elevations 21/04266/FULL1.

#### 4. RELEVANT PLANNING HISTORY

- 4.1 19/00216/FULL1 – Erection of first floor extension over part of existing building and formation of 6 apartments with 7 car parking spaces – was approved on 15.07.2019. According to the Appeal Inspector’s decision (21/04266/FULL1) the ground works have commenced, the permission is extant, with a prospect of

being completed as a fallback option, and it is therefore a material consideration in assessing any new scheme.

- 4.2 21/04266/FULL1 – Erection of first floor extension and Mansard roof over part of existing building and conversion of existing offices to form 4x dwellinghouses and 1x roof flat (total 5 units) with cycle storage, car parking spaces, refuse/recycling storage and landscaping was refused by the Council for the following reasons:
1. The proposal would overdevelop the site and would lead to an excessive, cramped and incongruous form and design of development out of keeping with the prevailing character and appearance of the site and the local area, harmful to the visual amenities of the site the wider Chislehurst Conservation Area contrary to Policies D4 and HC1 of the London Plan 2021 and Policies 3, 4, 8, 37 and 41 of the Bromley Local Plan 2019.
  2. The siting, mass and bulk of the proposed development would be significantly harmful to the amenity of occupiers of neighbouring buildings by reason of overshadowing and overbearing effect and it would fail to respect amenity of occupiers of neighbouring buildings contrary to Policy 37 of the Bromley Local Plan 2019.

In the corresponding appeal the Appeal Inspector agreed that the development would appear cramped and that its built form together with the proposed materials would not be visually separate from The Studio at the rear and it would be visually over dominant to the existing maisonette at 12A and to the smaller modest scale of the neighbouring dwellings at Ivy Cottage and Gravetts Cottage, and would therefore harm the character of this localised area. However the Inspector considered that the site location; within a rear courtyard area makes a limited contribution to the Conservation Area (CA) as the CA Supplementary Planning Guidance (SPG) mostly focuses on the frontages, and that the proposal would not affect the key attributes of the CA and upon specific locally listed and statutorily listed buildings, including the streetscene of the Royal Parade and the designated Heritage Assets which would continue to be preserved. The Inspector considered that the height and length of the additional storey and mansard roof would have a harmful effect on the outlook of neighbouring occupants at No. 12A although it would not be more harmful to The Studio. The Appeal Inspector consequently dismissed the appeal.

## **5. CONSULTATION SUMMARY**

### **A) Statutory**

- 5.1 Highway Department: No objection  
Planning permission was refused for a previous scheme although not on highway grounds. The application site lies in an area with a PTAL 2 rating (on a scale where 0 has the poorest access and 6b has the best access to public transport services) indicating that the application site and the proposed development would be more dependent upon private transport such as the car or bicycle than on public transport, and indicating a potentially higher demand for car ownership and vehicle parking than an area/development with better public transport accessibility. Access to the site is via Royal Parade Mews, a private road with a narrow width, no dedicated pedestrian footpath and limited turning space with



limited turning at the end, and appears to be unlit. Given the narrow width of the access and parking area large vehicles would have difficulty entering the site, turning and leaving. Servicing and deliveries are likely to have to take place from Royal Parade causing obstruction to the free flow of traffic and inconvenience to other highway users and pedestrians. It is not clear how refuse collection would take place. Given the narrow width of the access and the lack of pedestrian footpath the proposal would cause conflict between vehicles and pedestrians. The proposal is for 3x 3-bedroom units and 2x 2-bedroom units; requiring 4.5 parking spaces according to The London Plan maximum standards and 6.5 spaces according to the Bromley Local Plan minimum standards. The proposal would provide 8 parking spaces for the new units and one space for the existing maisonette, which just exceeds the Local Plan minimum standard. Given the layout of the bays it is not clear whether they would be allocated or unallocated. The proposed cycle store would be positioned in a remote corner of the site, where it would not provide convenient access and lacking natural surveillance would be at risk of theft/vandalism, and the route to the store would be obstructed by the parking space for the maisonette, and this is likely to discourage its use and therefore lower the likelihood and frequency of cycling in the development. If planning permission is granted it will require a detailed CEMP, refuse storage/collection and delivery and serving plan.

## **B) Local Groups**

- 5.2 APCA: comments 21/04266/FULL1 – The proposal is an overdevelopment, and its strident design is inappropriate for this mews location and in the setting of listed buildings such as Ivy cottage and non-designated heritage assets such as the former stable block which would be overwhelmed with much of its historic integral lost and the development allows no separation or legibility from other buildings such as the studio to the rear.

## **C) Adjoining Occupiers**

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

### 5.3.1 Procedural matters – addressed in section 7.1

- A revised red edged application site plan has been submitted however the concerns/objections raised still remain,
- The application relates to land outside the Applicant's ownership/control,
- There is inconsistency in the assumed property boundary,
- The application site does not include access from a public highway,
- Access to the development is over separate private land, notice has not been served on that owner, permission to pass over that land will not be granted, and the development could not be delivered,

### 5.3.2 Housing matters – addressed in section 7.5

- Single aspect would compromise outlook and internal daylight,
- Limited amenity space for new dwellings,

- 5.3.3 Design and landscaping – addressed in section 7.6
- Over intensification of residential development,
  - Overdevelopment of the site,
  - Mew style dwellings are not in keeping with the typology and character of development in this area,
  - Front balconies would be out of keeping in the area,
  - Insufficient landscaping,
- 5.3.3 Heritage Assets – addressed in section 7.7
- Harmful to the historic centre of Royal Parade and neighbouring listed buildings,
- 5.3.4 Residential amenity – addressed in section 7.8
- Overshadowing to neighbouring properties,
  - Upper floor windows and patio areas are unnecessary and overlook neighbouring properties,
  - Noise impact to neighbouring properties during and after construction,
- 5.3.5 Highways and parking – addressed in section 7.1 and 7.9
- High parking stress in the area,
  - Insufficient and poorly integrated on-site parking,
  - Space shown as on-site parking belongs to other properties,
  - Additional parking pressure/stress exacerbating existing on-street parking,
  - Constrained turning space would hinder service and delivery for large vehicles such as refuse vehicles,
- 5.3.6 Drainage and flooding – addressed in section 7.11
- Existing drainage services are inadequate,
  - Additional properties would exacerbate existing poor drainage utilities,
- 5.3.7 Ecology – addressed in section 7.12
- Impact on wildlife and ecology,
- 5.3.8 Other – addressed in section 7.1
- Proposal is for profit only,
  - Impact on neighbouring property values,
  - Additional strain on existing utilities services,
- 5.4 The above is a summary of comments received and the full text is available to view on the Council's website.

## **6. POLICIES AND GUIDANCE**

### **6.1 National Planning Policy Framework 2023**

### **6.2 NPPG**

### **6.3 The London Plan**

H1 Increasing Housing Supply  
H2 Small sites  
H10 Housing size mix  
D3 Optimising site capacity through the design-led approach  
D4 Delivering Good Design  
D6 Housing quality and standards  
D14 Noise  
HC1 Heritage conservation and growth  
SI13 Sustainable Drainage  
T5 Cycling  
T6.1 Residential parking  
DF1 Delivery of the Plan and Planning Obligations

### **6.4 Mayor Supplementary Guidance**

The Mayor's Housing Supplementary Planning Guidance (March 2016)  
London Plan Guidance Housing Design Standards (June 2023)

### **6.5 Bromley Local Plan 2019**

1 Housing Supply  
3 Backland and Garden Land Development  
4 Housing Design  
9 Residential Conversions  
10 Conversion of Non-Residential Buildings to Residential  
30 Parking  
32 Road Safety  
37 General Design of Development  
38 Statutory Listed Buildings  
39 Locally Listed Buildings  
41 Conservation Areas  
83 Non-Designated Employment Land  
115 Reducing Flood Risk  
116 Sustainable Urban Drainage Systems  
119 Noise Pollution

### **6.6 Bromley Supplementary Guidance**

Urban Design Supplementary Planning Document (Bromley, 2023)

## 7. ASSESSMENT

### 7.1 Procedural matters

7.1.1 In response to the Council and representations received, the Applicant has submitted an amended red edged application site plan which they state is correct and that they have right of way over the private highway of Royal Parade Mews to access the application/development site. Matters of land ownership, boundaries, means of access over private land are not a planning matter, they are private/civil matters to be addressed by the parties concerned. If planning permission is granted it does not convey any permission or consent that might also be separately required from a relevant landowner(s) and as such if permission to build on land or to access private land is not forthcoming, then it is possible that a development cannot be implemented. As such the Council has endeavoured to address this issue/matter and based on the information submitted is able to continue to determine the planning application as submitted. If planning permission is granted it is for the relevant individual parties to address the land ownership/access issues and to obtain any necessary consents or permissions from the landowner(s). Matters of construction impacts such as upon the condition/structure/stability of neighbouring land or on public utilities and infrastructure, and effects on property values, are not a planning matter, although they may relate to other legislation such as Building Regulations, and are a matter for the parties/utilities companies involved.

7.1.2 The reason for a development proposal; such as whether it is a development/investment opportunity or for the applicants own use is not a material planning consideration.

### 7.2 Resubmission

7.2.1 As mentioned above the current application follows the previous application 21/04266/FULL1 and according to the application details compares/differs in ways including the following:

- reduction in size and scale of mansard roof formation,

7.2.2 The current proposal is therefore materially different from the previously proposed scheme, and it will be assessed on its own merits.

### 7.3 Principle of development – Acceptable

7.3.1 Housing is a priority use for all London Boroughs. London Plan Policies H1, H2, H10, D3, D4 and D7 generally encourage the provision of redevelopment in previously developed residential areas provided that it is designed to complement the character of surrounding developments, the design and layout make suitable residential accommodation, and it provides for garden and amenity space. Policy H2 requires Boroughs to pro-actively support well-designed new homes on small sites (below 0.25 hectares in size). Policy D3 requires all development to make the best use of land by following a design led approach.

- 7.3.2 NPPF paragraph 123 also encourages the effective use of land by reusing land that has been previously developed (brownfield land) and excludes gardens from the definition of previously developed land.
- 7.3.3 Bromley Local Plan Policy 4 advises that new housing developments will be expected to meet all of the following criteria in respect of; density; a mix of housing types and sizes, or provides house types to address a local shortage; the site layout, buildings and space about buildings are designed to a high quality and recognise as well as complement the qualities of the surrounding areas; off street parking is provided; the layout is designed to give priority to pedestrians and cyclists over the movement and parking of vehicles; and security and crime prevention measures are included in the design and layout of buildings and public areas.
- 7.3.4 The current published five year housing land supply (covering the period 2021/22 to 2025/26) is 3,245 units or 3.99 years supply. This position was agreed at Development Control Committee in November 2021 and acknowledged as a significant undersupply. Subsequent to this, an appeal decision from August 2023 (appeal ref: APP/G5180/W/23/3315293) concluded that the Council had a supply of 3,235 units or 3.38 years; this figure assumes the new London Plan target of 774 units per annum applies from FY 2019/20 and factors in shortfall in delivery against past targets since 2019.
- 7.3.5 The Housing Delivery Test 2022 results (published in December 2023) indicate that housing delivery against Bromley's housing requirement has fallen below 85% over the HDT period; this requires the addition of a 20% buffer to the Council's housing requirement over the FYHLS period (in accordance with Footnote 8 of the NPPF). Applying this buffer to the appeal derived figure noted above gives a supply of 2.96 years. The Council acknowledges this amended appeal derived figure for the purposes of determining this application/this appeal, and considers this to be a very significant level of undersupply.
- 7.3.6 The Council is in the process of preparing an updated FYHLS position, reflecting changes since the last published position in November 2021.
- 7.3.7 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.
- 7.3.8 Having regard to footnote 8 of the NPPF, the policies which are most important for determining this application, including Policy 1 of the Bromley Local Plan, are

out-of-date and consequently the presumption in favour of sustainable development as set out in Paragraph 11(d) is engaged.

- 7.3.9 This proposal would provide 5 new dwellings, representing a minor contribution to the supply of housing within the Borough. This will be considered in the overall planning balance set out in the conclusion of this report, having regard to the presumption in favour of sustainable development.
- 7.3.10 The application lies within the Conservation Area which is a designated heritage asset and therefore an area where policies in the NPPF that protect such areas or assets of particular importance, may give a clear reason for refusing the proposed development and in that event the presumption in favour of sustainable development would not apply as directed in paragraph 11. d) i. This aspect of the proposal will be considered in the overall planning balance set out in the conclusion of the report having regard to the presumption in favour of sustainable development.
- 7.3.11 The application site lies within the confines of a built up village location. The location of the proposed new building/extension itself lies within the village area where there is no objection in principle to the loss of the employment site and new residential development at the site although it lies within a Conservation Area and close to statutorily listed buildings where any new development may be constrained in the interest of preserving the historic setting/context of the application site. Furthermore, it is noted that the earlier permission 19/00216/FULL1 for 6 flats within part(s) of the building could be completed and the principle of that development is a material consideration in assessing a new application. For these reasons there is no objection in principle to residential development at the site, although this is subject the other detailed considerations set out herein.

#### **7.4 Land use – loss of employment site – Acceptable**

- 7.4.1 Policy 83 of the Local Plan (Non-Designated Employment Land) states that proposals for change of use or redevelopment of non-designated sites containing Class B uses for alternative employment generating uses will normally be allowed provided that the amenity of any nearby residential areas is not detrimentally affected. However, it was demonstrated in the earlier application (19/00216/FULL1) and accepted by the Planning Committee Members that there would not be an unacceptable loss of a viable office use at the site, thereby establishing the principle the loss of the commercial use and the change of use from office to residential, and given the unchanged Development Plan Policy context the current proposal does not alter this conclusion.

#### **7.5 Housing matters – Acceptable**

- 7.5.1 Unit size and mix
- 7.5.1.1 New development is expected to provide mixed and balanced communities. The Bromley Local Plan does not set a prescriptive unit size breakdown and individual sites are assessed on a case by case basis in consultation with the Council's

Housing Department. The 2014 SHMA highlights that the highest level of need across tenures within the Borough up to 2031 is for one bedroom units (53%) followed by 2 bedroom (21%) and 3 bedroom (20%) units. Larger development proposals (i.e. of 5+ units) should provide for a mix of units sizes and considered on a case by case basis.

- 7.5.1.2 This proposal would provide 3x 2-bedroom 4-person units and 3x 3-bedroom 5 person units, and would not directly reflect the greater need for smaller 1-bedroom units within the Borough although balanced with the density characteristics of the area it may provide a suitable arrangement within this area.
- 7.5.2 Standard of residential accommodation
- 7.5.2.1 Policy D6 of the London Plan relates to ‘Housing quality and standards’, and states that housing development should be of high quality design and provide adequately sized rooms with comfortable and functional layouts which are fit for purpose and meet the needs of Londoners. The policy also prescribes internal space within new dwellings and external spaces standards that are in line with the National Technical Housing Standards.
- 7.5.2.2 Policy D7 of the London Plan - Accessible Housing, states that to provide suitable housing and genuine choice for London’s diverse population, including disabled people, older people and families with young children, residential development must ensure that at least 10 per cent of dwellings (which are created via works to which Part M volume 1 of the Building Regulations applies) meet Building Regulation requirement M4(3) ‘wheelchair user dwellings’ and; all other dwellings (which are created via works to which Part M volume 1 of the Building Regulations applies) meet Building Regulation requirement M4(2) ‘accessible and adaptable dwellings’. The relevant category of Building Control Compliance should be secured by planning conditions. The proposal would comprise a purpose built residential development and should either provide directly accessible/adaptable homes and/or opportunity for future adaptation to comply with this requirement. In this case it is proposed to provide 5 new dwelling(s) and category M4(2) is applicable, and this could be managed by condition.
- 7.5.2.3 Policy 4 of the Bromley Local Plan sets out the requirements for new residential development to ensure a good standard of amenity. The Mayor’s Housing SPG sets out guidance in respect of the standard required for all new residential accommodation to supplement London Plan policies. The standards apply to new build, conversion and change of use proposals. Part 2 of the Housing SPG deals with the quality of residential accommodation setting out standards for dwelling size, room layouts and circulation space, storage facilities, floor to ceiling heights, outlook, daylight and sunlight, external amenity space (including refuse and cycle storage facilities) as well as core and access arrangements to reflect the London Plan’s ‘Housing quality and standards’.
- 7.5.2.4 The minimum space standard for the proposed 2-bedroom 4-person (2b4p) to 3-bedroom 5-person (3b5p) units ranges from 70sqm–99 sqm with corresponding room size/dimension requirements. The proposed units would exceed the relevant internal space standards, room sizes and room dimensions including the

relevant ceiling heights where the mansard roof has been reduced. It would also provide exterior balcony/terrace private amenity space for the 3x 3-storey units in the centre. Although the 2x end units would not have exterior amenity space they would comfortably exceed the overall floor space standard, and this would go towards offsetting the absence of external space. Overall, in this context and having regard to a numerical/quantitative analysis and a qualitative analysis the proposed dwelling would appear to function reasonably well in terms of their internal space and layout.

- 7.5.2.5 The Council's Environmental Health (Housing) Department notes some of the internal layouts, with bedrooms accessed directly off communal areas and combined kitchen/dining/living spaces, would compromise the living environment for the future occupants however although they may not be ideal, they are not necessarily unusual and furthermore do not differ significantly from the previously approved scheme. Many of the units would have a less desirable single aspect and some of the rooms in some of the units would not have an ideal outlook however the main living spaces and bedrooms would have a normal window and in some cases another secondary window or patio door and some of the other interior spaces would have a roof light window and this would provide an overall suitable living arrangement.
- 7.5.2.6 The Council's Environmental Health Department notes potential issues of landownership (of the whole site), rights of way and access to the existing/proposed properties and potential conflict that might arise therefore affecting the standard of living for the future occupants. Notwithstanding this, matters of landownership and private rights of way are a private/civil matter to be addressed by the private individual parties involved and not a planning matter. Furthermore, the principle for the development and this arrangement has already been established in the previous permission.
- 7.5.2.7 The Council's Environmental Health Department noted that the site lies within a mixed residential and commercial area where previous commercial uses and may have lead to contaminant linkages and or other effects on the residential amenities of future occupants and neighbouring properties and considers that this could be addressed through a site inspection/investigation and recommended mitigation measures as necessary and that there is no objection in principle subject to the recommended conditions.
- 7.5.2.8 The Council's Waste Services has not commented on the refuse/recycling storage and collection arrangement, nonetheless there are existing dwelling(s) on the site including No. 1 Royal Parade Mews which is served by the Council's Waste Services arrangements.

## **7.6 Design and landscaping – Acceptable**

- 7.6.1 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.



- 7.6.2 NPPF paragraph 131 states that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.
- 7.6.3 NPPF paragraph 135 requires Local Planning Authorities to ensure that developments will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development; are visually attractive as a result of good architecture, layout and appropriate and effective landscaping and are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities). New development shall also establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit; optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.
- 7.6.4 Policy 37 of the Bromley Local Plan requires all development proposals, including extensions to existing buildings, to be of a high standard of design and layout. Policies 43 and 73 of the Bromley Local Plan states that proposals for new development will be required to take particular account of existing trees on the site and on adjoining land, which in the interests of visual amenity and/or wildlife habitat, are considered desirable to be retained.
- 7.6.5 Policy 77 of the Bromley Local Plan states that development proposals will seek to safeguard the quality and character of the local landscape and seek the appropriate restoration and enhancement of the local landscape through the use of planning obligations and conditions.
- 7.6.6 London Plan and Bromley Local Plan policies further reinforce the principles of the NPPF setting out a clear rationale for high quality design.
- 7.6.7 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.

- 7.6.8 Policy D4 of the London Plan outlines the various methods of scrutiny that assessments of design should be based on depending on the level/amount of the development proposed for a site.
- 7.6.9 As set out above the Appeal Inspector noted the two storey built form of extant permission 19/00216/FULL1 (which could be constructed) and considered that the width, height and overall scale of the previously proposed third storey of the appeal scheme 21/04266/FULL1 would have appeared cramped within the site, it would not have been sufficiently separate from the Studio at the rear and it would have been over dominant to the existing retained maisonette building at No. 12A. The current proposal maintains the ground and first floor elements of the appeal scheme 21/04266/FULL1 (and the extant scheme 19/00216/FULL1) and in terms of the second floor and it would split the mansard roof into two separate elements and reduce its maximum width setting it in from both sides. As such it would allow views through to the roof of The Studio behind and it would have a generally less extensive roof formation which would be less dominant to The Studio, to No. 12A Royal Parade Mews and to the more modest scale of Ivy Cottage and Gravetts Cottage. In light of these reductions in size and scale and the greater separation from the neighbouring properties, the remainder of the design and the external materials would appear suitable to this reduced scale of building and would not appear out of keeping, as the Appeal Inspector did not appear to object to the principle of this design approach, subject to its scale and massing. Notwithstanding this, the detail of the proposed external materials are required for the Council's consideration and approve to ensure they would be appropriate and sensitive to this location.
- 7.6.10 Notwithstanding this, although the proposed dwelling would be considered acceptable in its current form and in relation to the site context and its surroundings; including the neighbouring dwellings, it is possible that the dwelling(s) could potentially be substantially further extended through permitted development rights, such as upper floor extensions, and this could be significantly harmful to the character of the area and/or the amenities of neighbouring properties and therefore it would be prudent to remove the permitted development rights through planning condition.
- 7.6.11 The NPPF and Bromley Local Plan Policies 4 and 37 encourage all new housing developments to include appropriate measures to maximise security and prevent crime and in terms of security and crime prevention measures the development has the potential to achieve the physical security requirements of Secured by Design incorporating the use of tested and accredited products this development will be safer and more secure and providing a more resilient and attractive development overall including: approved doors, windows and locks, post boxes, robust/secure cycle store and the Developer can be reminded of this by planning informative.

## **7.7 Heritage Assets – Acceptable**

- 7.7.1 NPPF Section 16 sets out the tests for considering the impact of a development proposal upon designated and non-designated heritage assets. The test is whether the proposed development will lead to substantial harm to or total loss

of significance of a designated heritage asset and whether it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits. A range of criteria apply.

- 7.7.2 NPPF paragraphs 207-208 state where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.
- 7.7.3 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a requirement on a local planning authority in relation to development in a Conservation Area, to pay special attention to the desirability of preserving or enhancing the character or appearance of that area.
- 7.7.4 Interpretation of the 1990 Act in law has concluded that preserving the character of the Conservation Area can not only be accomplished through positive contribution but also through development that leaves the character or appearance of the area unharmed.
- 7.7.5 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.
- 7.7.6 The Appeal Inspector noted the location of the site within the Chislehurst Conservation Area summarising that its significance visually and in terms of character is in still retaining the atmosphere and character of a traditional village or small market town, enhanced by elegant street trees and the visual immediacy of the commons. The Inspector observed that in the Sub-Unit 5 Royal Parade the parade itself, also comprising locally listed buildings, is its key feature comprising a retail and service node with a strong range of facilities and particularly specialist shops, and that the parade provides the area with a substantially different character from most other parts of Chislehurst. The Inspector also noted the statutorily listed buildings including Gravetts Cottage and Ivy Cottage, and Walton Lodge at the entrance to Royal Parade Mews contributing towards this group of heritage assets. Notwithstanding this, the Inspector observed that the application site itself forms part of a rear courtyard area behind the key Royal Parade section and that Royal Parade Mews is not historic and does not contribute significantly towards the wider Conservation Area and notwithstanding the Inspectors objection in pure design terms, did not consider that the appeal scheme harmed the key attributes of Royal Parade as a focal point, nor the visual setting and importance of the heritage assets or its relationship with the adjacent commons. As such the Inspector noted that the proposal would not be prominent within the streetscene and would be separated from the listed buildings and did

no object to the loss of some attractive historic patina from the application site as it is not itself a designated heritage asset. As mentioned, the current proposal; seeking to address the Inspectors objections in design terms and residential amenity terms would have a smaller roof formation and mass and as such this would have a neutral if not a reduced impact in heritage terms compared with the appeal scheme considered by the Inspector.

## **7.8 Neighbourhood Amenity – Acceptable**

7.8.1 Policies 4, 6 and 37 of the Bromley Local Plan seek 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.

7.8.2 The Appeal Inspector; observing that the roof formation was the main difference between the appeal scheme and the extant scheme, noted that the length/width, height and overall massing of the appeal scheme and its proximity would have a harmful effect on the outlook of No. 12A Royal Parade Mews. However, the Inspector did not consider that the roof formation in the appeal scheme would adversely affect The Studio. As mentioned, the current proposal would amend the roof formation separating it into two individual roofs and set in from each side, and this would reduce the impact on the outlook of the neighbouring properties including No. 12A.

7.8.3 The existing building beneath No. 1 Royal Parade Mews is an existing office space, its southern elevation forms the boundary with No. 9 Church Row, which does not appear to have another boundary or form of screening in between, and it has two windows in the ground floor south elevation facing into No. 9 Church Row. However those windows are higher level and obscure glazed and the application details confirm that they would remain as such, in order to preserve neighbouring privacy amenity, whilst maintaining a suitable standard of accommodation for the future of occupants of this proposed residential part of the building (compared with the existing office part of the building and the undercroft parking area in the previously approved scheme 19/00216/FULL1), and this could be managed by planning condition.

## **7.9 Highways – Acceptable**

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

7.9.2 The NPPF states that all developments that will generate significant amounts of movement should be required to provide a travel plan, and the application should

be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed.

- 7.9.3 London Plan and Bromley Local Plan Policies encourage sustainable transport modes whilst recognising the need for appropriate parking provision. Car parking standards within the London Plan and Bromley Local Plan should be used as a basis for assessment.
- 7.9.4 The Council's Highway Department raised concern over the nature of the access into the site; its narrow width, absence of a pedestrian footpath, and the limited turning space within it particularly to accommodate larger vehicles such as emergency services, refuse vehicles or delivery vehicles. However, notwithstanding this, the current scheme and the appeal scheme did not alter the red edged application site area from the and would not encroach further into the highway of Royal Parade Mews than the extant scheme and it would therefore have the same access and turning space than in the extant scheme. The proposal would provide 8 parking spaces for the new units and one space for the existing maisonette, exceeding the London Plan maximum standard of 4.5 spaces and the Bromley Local Plan minimum standard of 6.5 spaces. The layout and allocation of the bays is unclear however this could be confirmed if necessary. The proposed cycle store is not ideally located, obstructed by a proposed parking space, and located in a remote corner overall not as encouraging to cyclists as it could be however again this would not differ significantly from the extant scheme. If planning permission is granted it will require a detailed CEMP, refuse storage/collection and delivery and serving plan. Neither the Council nor the Appeal Inspector objected to this part of the appeal scheme and the current proposal would not differ in this regard.

## **7.10 Climate change, sustainable construction and energy saving**

- 7.10.1 The NPPF requires Local Planning Authorities to adopt proactive strategies to mitigate and adapt to climate change. London Plan and the Bromley Local Plan Policies advocate the need for sustainable development. All new development should address climate change and reduce carbon emissions.
- 7.10.2 The London Plan encourages the highest standards of sustainable design and construction should be achieved in London to improve the environmental performance of new developments and to adapt to the effects of climate change over their lifetime. Policy SI2 Minimising greenhouse gas emissions of the London Plan states that development should make the fullest contribution to minimising carbon dioxide emissions in accordance with the hierarchy; Be Lean: use less energy; Be Clean: supply energy efficiently, Be Green: use renewable energy and Be Seen: monitor those renewable energy measures.
- 7.10.3 Local Plan Policy 123 states that all applications for development should demonstrate how the principles of sustainable design and construction have been taken into account.
- 7.10.4 The proposal would involve existing and new building elements offering the opportunity for some modern construction; energy efficiency measures, and the

opportunity to incorporate renewable energy generating technology such as air source heat pumps and/or solar panels, thereby contributing towards carbon dioxide emissions savings. Neither the Council nor the Appeal Inspector objected to this part of the appeal scheme and the current proposal would not differ in this regard.

## **7.11 Drainage Flooding**

7.11.1 There is no objection from the Council's Drainage Engineer or Thames Water regarding drainage matters. Neither the Council nor the Appeal Inspector objected to this part of the appeal scheme and the current proposal would not differ in this regard.

## **7.12 Ecology**

7.12.1 Although the site is not a designated site for nature conservation given the age and condition of the existing buildings and proximity to trees and areas of woodland it could nonetheless potentially offer suitable habitat and/or commuting/foraging habitat and any demolition and site clearance should be undertaken in accordance with the Natural England precautionary approach and could be managed by planning condition/informative.

## **8. CIL**

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

## **9. CONCLUSION**

9.1 The NPPF (2023) sets out in paragraph 11 a presumption in favour of sustainable development. 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 terms of decision making, where a plan is out of date, permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies within the NPPF taken as a whole.

9.2 As mentioned, the application site is designated land protected by policies in the Framework [NPPF], which may provide a clear reason for refusing the development, however in this particular case they do not provide a clear reason for refusing the development and as such the presumption in favour of sustainable development in NPPF 11 d) does apply.

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

- 9.4 There are also no other adverse impacts of the scheme that are considered to significantly and demonstrably outweigh the economic, social and environmental benefits of the scheme when considering the objectives of the NPPF as a whole. The balance test is therefore tilted towards granting planning permission and the scheme is considered to be acceptable overall. Subject to compliance with the approved drawings and documents and implementation of the recommended works undertaken where necessary, it is concluded that the application should be approved.
- 9.5 Background papers referred to during production of this report comprise all correspondence on the files set out in the Planning History section above, excluding exempt information.

**RECOMMENDATION: Application Permitted**

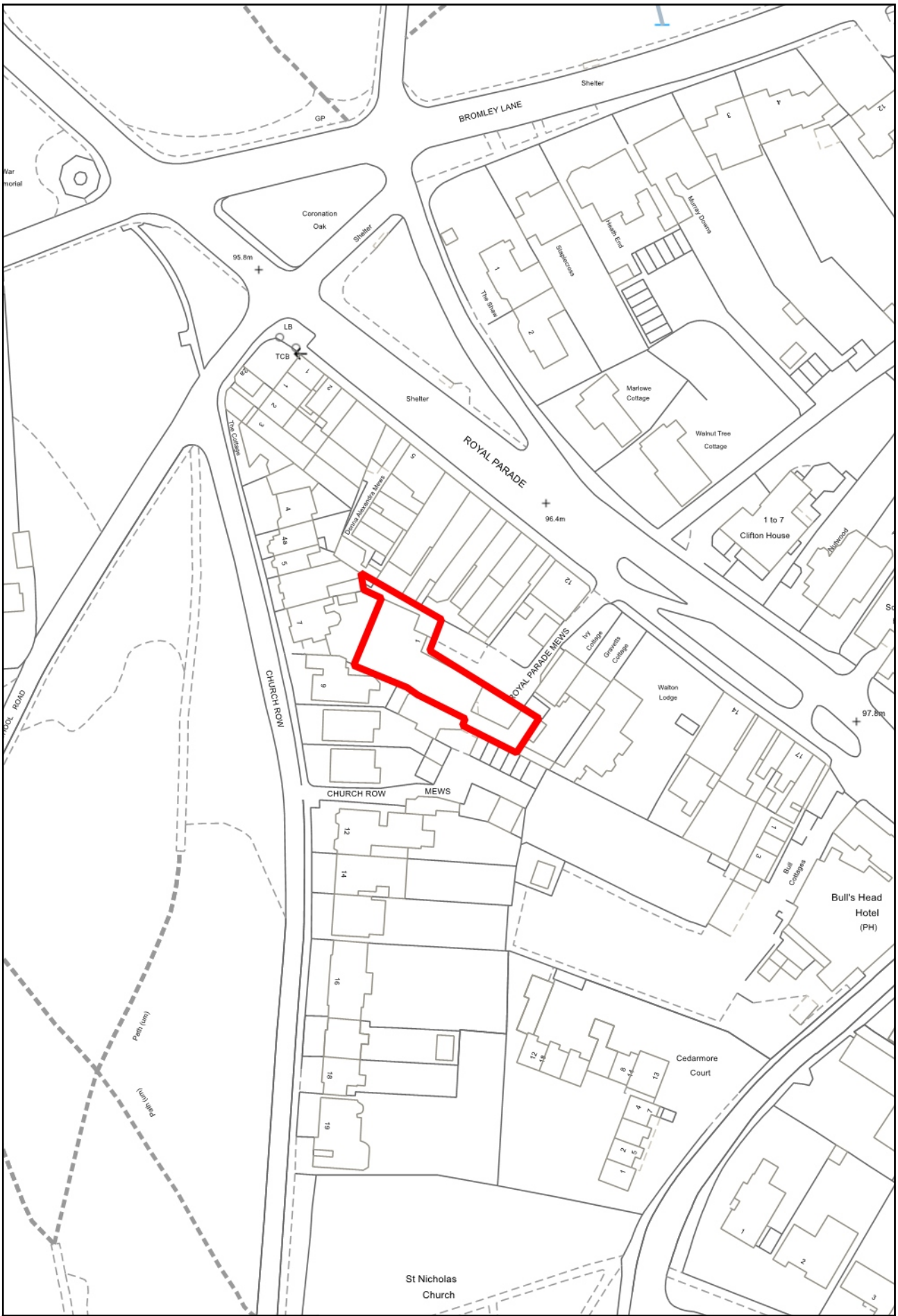
Subject to the following conditions:

1. Statutory time limit
2. Accordance with the approved plans/details
3. Existing site ground levels and proposed slab levels
4. Scheme for Surface Water Drainage
5. Contaminated Land Assessment and Mitigation
6. Sound insulation
7. Construction and Environmental Management Plan
8. External materials
9. Landscaping (soft and Hard)
10. Refuse Storage Details
11. Cycle parking Details
12. Obscure glazing/restricted opening windows (ground floor southern boundary)
13. Balcony privacy screening
14. Provision of parking/turning spaces
15. Restricted permitted development rights (extensions/alterations)
16. Restricted upward extensions
17. Wheel wash facility
18. Electric vehicle charging points
19. Accessible adaptable dwellings
20. Low NOx gas boilers
21. Non-road mobile machinery emissions
22. Ecology precautionary approach


**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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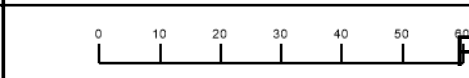
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23/03457/FULL1



31 January 2024

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# Agenda Item 4.2

<b>Committee Date</b>	07.03.2024		
<b>Address</b>	54 Lubbock Road, Chislehurst, BR7 5JX		
<b>Application Number</b>	23/03687/FULL1	<b>Officer</b> - Amy Jenner	
<b>Ward</b>	Chislehurst		
<b>Proposal</b>	Construction of a 4 bedroom two storey dwellinghouse including integral open fronted garage and cycle parking to land r/o 54 Lubbock Road		
<b>Applicant</b> Dr A MacDonnell	<b>Agent</b> Mr James Sharp		
54 Lubbock Road Chislehurst Bromley BR7 5JX	2 Pickering Lane Orpington BR5 1FA		
<b>Reason for referral to committee</b>	Call in	<b>Councillor call in</b>  Cllr Mark Smith - Concerns of local residents at loss of amenity and over-densification in a conservation area. Ward Councillors have had requests from both objectors and applicant to call in this application.	

<b>RECOMMENDATION</b>	Application Refused
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<p><b>KEY DESIGNATIONS</b></p> <p><b>Conservation Area: Chislehurst</b>  <b>Article 4 Direction</b>  <b>Biggin Hill Safeguarding Area</b>  <b>London City Airport Safeguarding</b>  <b>Open Space Deficiency</b>  <b>Smoke Control</b>  <b>Locally Listed Building</b></p>
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<b>Representation summary</b>	<p><i>Neighbours were notified of the application by letters dated 3<sup>rd</sup> October 2023.</i></p> <p><i>A statutory site notice was displayed on 6<sup>th</sup> October 2023</i></p> <p><i>Press advert was published in the News Shopper on 11<sup>th</sup> October 2023</i></p>	
Total number of responses		12
Number in support		0
Number of objections		11

## 1. SUMMARY OF KEY REASONS FOR RECOMMENDATION

- The development would result in a harmful impact on the character of the Chislehurst Conservation Area.
- The development would result in a harmful impact on the appearance and setting of the locally listed host dwelling.
- The development would have a significantly harmful impact on the amenities of neighbouring residents.

## 2. LOCATION

- 2.1 The application site hosts a large detached dwellinghouse on the south-western side of Lubbock Road and is located within the Chislehurst Conservation Area. The host property (No.54) is a large impressive double fronted Victorian house (Neo-classical style) which is Locally Listed.
- 2.2 The area is predominantly residential in nature. The surrounding properties comprise predominantly detached dwellings with some flatted developments. To the rear of the site lies properties in Abbey Gardens. The site as present forms part of the rear garden of No.54 Lubbock Road. The land at the rear of the house slopes steeply downwards towards the rear gardens in Abbey Gardens.
- 2.3 The site does not fall within a designated Flood Zone.

**Figure 1: Site location plan:**



### 3 PROPOSAL

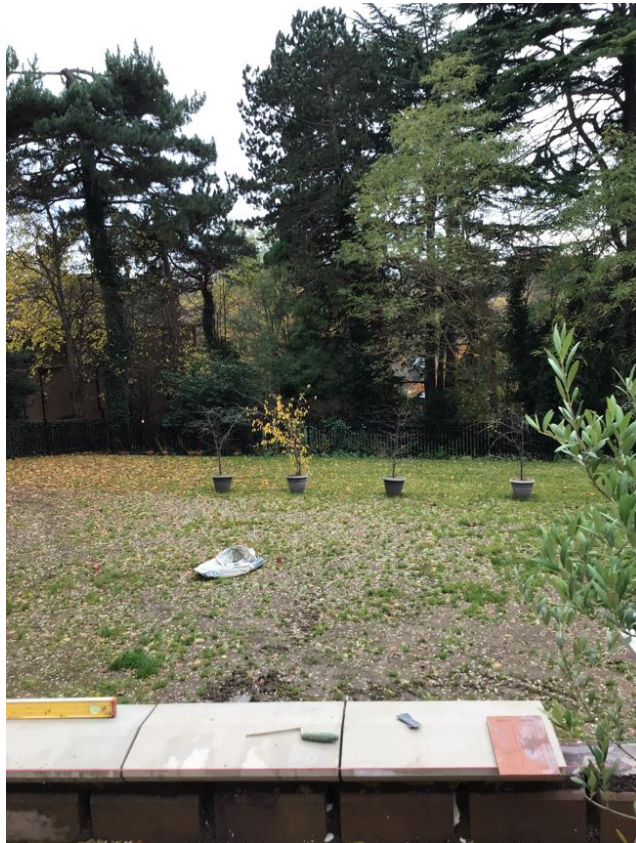
- 3.1 Planning permission is sought for the construction of an additional dwellinghouse on the land to the rear of the existing site at No.54 Lubbock Road (proposed floor area of 266sqm as stated by Agent). The proposed dwelling would be two storey in height, with 4 bedrooms at first floor level. The property design is referred to a 'coach house'. The dwelling would have an attached open fronted double garage to provide parking for 2 cars. A private garden is proposed for the new dwelling with a cycle storage for 4 bicycles on the submitted plans.
- 3.2 The development is arranged with the rear elevation of the proposed dwelling facing onto the existing boundary with No.3 Abbey Gardens and the front elevation facing back onto the donor property at No. 54.
- 3.3 The new property would be accessed via an access road which would runs alongside No.54 and rear garden of No. Abbey Gardens / Enderfield Court.
- 3.4 The detached house would be located approximately 2.5m to the boundary with No.4 Abbey Gardens and would retain a minimum of approximately 7.5m to the boundary with No.3 Abbey Gardens (when scaled from the electronic drawings).
- 3.5 The application is accompanied by the following documents:
  - Tree Survey
  - Planning Statement
  - Heritage Statement
  - Design and Access Statement

**Figure 2: Rear of the site looking back onto No.54:**





**Figure 3: Photograph toward the rear of the site:**



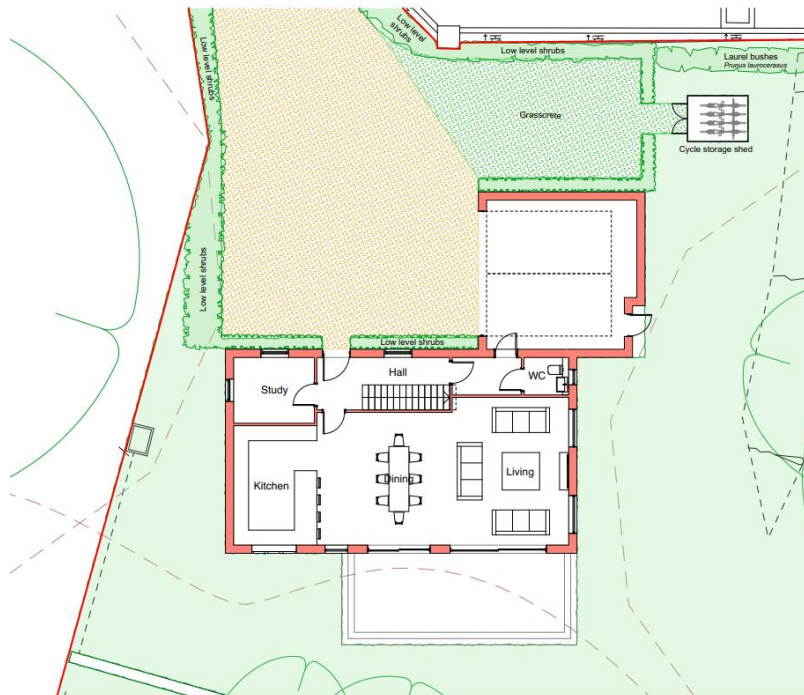
**Figure 4: Photograph of No.54:**



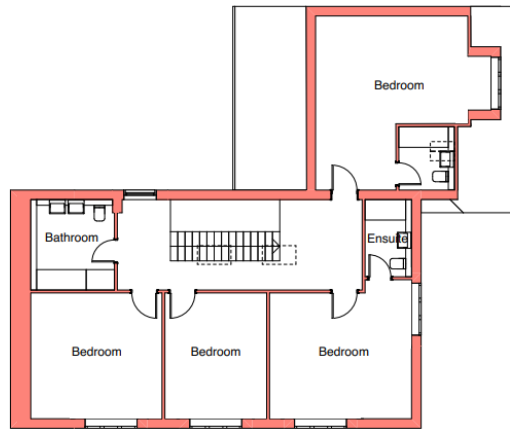
**Figure 5: Proposed block plan:**



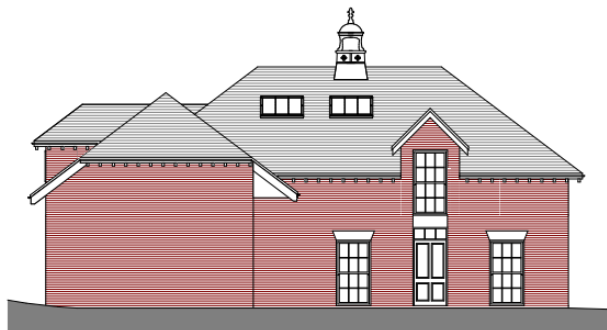
**Figure 6: Proposed ground floor plans:**



**Figure 7: Proposed first floor plans:**



**Figure 8: Proposed front and rear elevations:**



Front Elevation



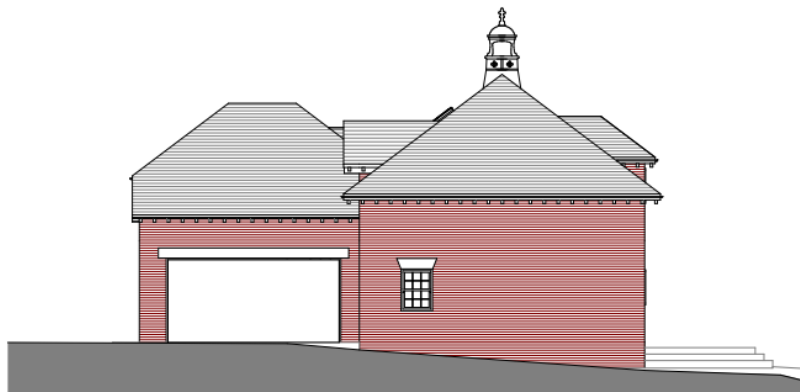
Rear Elevation



**Figure 9: Proposed side elevations:**



Side Elevation - Left



Side Elevation - Right

## **4 RELEVANT PLANNING HISTORY**

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

- 21/01514/FULL6 - Rear and side terrace, with an under-croft parking area/Garage and additional storeroom to the basement. Levelling of the rear garden beyond the terrace, with retaining walls to the rear (2.7m) and side. New balustrades. Underground rainwater storage tank, one repaired manhole and one relocated manhole. (PART RETROSPECTIVE) – Permission
- 21/00269/PLUD - Single storey side extension (Lawful development certificate Proposed) – Withdrawn
- 07/04342/FULL2 - Temporary change of use of lower ground floor of residential dwelling to provide church hall facilities in association with Christ Church Lubbock Road – Permission

- 07/02105/FULL2 - Temporary change of use of lower ground floor of residential dwelling to provide church hall facilities in association with Christ Church Lubbock Road – Refused
- 01/01124/FULL1 - 2 metre high front boundary railing and entrance gates; formation of first floor balcony at rear – Permission
- 01/00806/FULL1 - Single storey rear extension for swimming pool building with balcony/balustrading over; regrading of levels in rear garden – Permission
- 01/00187/FULL1 - Installation of roof lights and french doors to rear elevation and erection of retaining wall in front garden – Permission
- 00/01664/FULL1 - 4 detached five bedroom houses each with detached garage and access road (enlargement of garage on Plot 3 to provide first floor storage area together with external staircase) – Permission
- 00/00789/ELUD - Use as four self-contained flats CERTIFICATE OF LAWFULNESS FOR AN EXISTING USE – LEUD
- 00/00612/CAC - Demolish existing garages and outbuildings CONSERVATION AREA CONSENT – Conservation Area Consent Granted
- 00/00611/FULL1 - Two detached double garages and a detached quadruple garage – Permission
- 00/00025/FULL1 - 4 detached five bedroom houses each with detached garage and access road from Porrington Close; Land at Petra, Porrington Close and rear of 54 Lubbock Road – Permission
- 98/01938/CON – Demolition of existing garages - Refused
- 98/01772/FUL - LAND R/O ABBEY LODGE 54 LUBBOCK ROAD CHISLEHURST – 3 Detached 5 bedroom houses and 3 detached triple garage association parking and access road – Refused – Appeal withdrawn

## **5 CONSULTATION SUMMARY**

### **A) Statutory**

Conservation Officer – Objections raised

Highways - No objections subject to suggested conditions

Trees – No objections subject to suggested conditions

Drainage Officer - Although no public surface water sewer exist near the site, first indications of BGS Data show soil to be favourable to infiltration. We ask for SUDS options to be incorporated on site. Standard condition suggested.

## **B) Local Groups**

APCA - *The ground floor treatment is strangely bland, incongruous and out of character with the quality of the interesting treatment of the upper storey and roofscape and should be much improved to reflect the quality of the proposed upper storey and that of the locally listed main house and its setting.*

Chislehurst Society – *Although the proposed house is a sympathetic design to the host property and would not be visible from the road, loss of amenity space to 54 Lubbock Road seems disproportionate and should the house be used for other purposes could be wholly inadequate. While 54 sits in a large plot – the majority of the space is given over to the hard landscaping of the front car park. The proposal would intensify development and hard landscaping in the area potentially resulting in the loss of habitat. In addition the new dwelling would be dwarfed by the existing property. The officer should check tree cover and should perhaps require an arboricultural report.*

## **C) Adjoining Occupiers**

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

### Character and Conservation Area (addressed in paragraphs 7.2 and 7.3)

- siting and design of the development
- squeezes a large four-bed two-story two-garage house, together with an access drive and patio, onto what used to be the rear garden of 54 Lubbock Road
- plot size is small relative to the size of the proposed property
- loss of green space
- unacceptable impact on character, appearance and context of area
- cramped
- does not preserve or enhance Conservation Area
- out of character with the beautiful surroundings
- poor design
- locally listed

### Neighbouring Amenity (addressed in paragraph 7.4)

- impact on privacy
- overlooking (windows facing onto Abbey Gardens)
- majority of windows facing rearwards (south-westerly), away from No. 54
- proposed siting of the new property minimises the privacy impact on the owners of No.54, no regard to neighbours
- elevated position of proposed development provides clear sight lines to adjoining properties
- concerns regarding proposed patio – impact on privacy

- impact upon privacy of future and existing occupiers
- traffic disturbance from access road
- light pollution

Other comments (addressed in sections 7.8, 7.9 and 7.10 )

- contrary to planning policies
- impact on local nature, green space and biodiversity
- loss of landscaping and natural habitats, and play space
- fails to provide sufficient external, private amenity space
- "existing" coach house referred to does not exist on the site of No.54
- planning history 00/00611/FULL relating to the replacement of these garages by new garages – condition added to restrict use (not for living accommodation)
- is not a "compromised" site in need of development
- works to garden process of being prepared on the presumption that planning permission for a new 4 -bed house
- garden destroyed
- coach house would not have been sited on formal grounds
- concerns about impact on trees
- Chislehurst Caves – lack of reference (not assessed properly)
- Site specific historical mining investigation and risk assessment should be undertaken
- concerns about rainfall and removal of natural soakaway
- flood risk assessment should be submitted
- additional flood impact on neighbouring properties
- damage to adjoining property
- no proposed site levels
- no site sections with adjoining sites
- lack of ecological survey
- no pre-planning advice
- no display of site notice

## **6 POLICIES AND GUIDANCE**

### **6.1 National Planning Policy Framework 2023**

### **6.2 NPPG**

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

D1 London's form and characteristics

D2 Infrastructure requirements for sustainable densities

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  
H9 Ensuring the best use of stock  
H10 Housing Size Mix  
S4 Play and informal recreation  
HC1 Heritage conservation and growth  
G6 Biodiversity and access to nature  
G7 Trees and woodlands  
SI1 Improving air quality  
SI2 Minimising greenhouse gas emissions  
SI3 Energy infrastructure  
SI4 Managing heat risk  
SI5 Water infrastructure  
SI7 Reducing waste and supporting the circular economy  
SI13 Sustainable drainage  
T2 Healthy Streets  
T3 Transport capacity, connectivity and safeguarding  
T4 Assessing and mitigating transport impacts  
T5 Cycling  
T6 Car parking  
T6.1 Residential Parking  
T7 Deliveries, servicing and construction

#### 6.4 Bromley Local Plan (2019)

1 Housing supply  
3 Backland and Garden Land Development  
4 Housing design  
8 Side Space  
30 Parking  
32 Road Safety  
33 Access for All  
34 Highway Infrastructure Provision  
37 General design of development  
39 Locally Listed Buildings  
41 Conservation Areas  
70 Wildlife Features  
72 Protected Species  
77 Landscape Quality and Character  
112 Planning for Sustainable Waste management  
113 Waste Management in New Development  
115 Reducing flood risk  
116 Sustainable Urban Drainage Systems (SUDS)  
117 Water and Wastewater Infrastructure Capacity  
118 Contaminated Land  
119 Noise Pollution

- 120 Air Quality
- 121 Ventilation and Odour Control
- 122 Light Pollution
- 123 Sustainable Design and Construction
- 124 Carbon dioxide reduction, Decentralise Energy networks and Renewable Energy

## 6.5 Bromley Supplementary Guidance

Housing Design Standards - London Plan Guidance (June 2023)  
National Design Guide (September 2019)  
Urban Design Supplementary Planning Document (July 2023)  
Supplementary Planning Guidance for Chislehurst Conservation Area

## 7 ASSESSMENT

### 7.1 Principle of Development – Unacceptable

- Housing supply

7.1.1 The current published position is that the FYHLS (covering the period 2021/22 to 2025/26) is 3,245 units or 3.99 years supply. This position was agreed at Development Control Committee on the 2nd of November 2021 and acknowledged as a significant undersupply. Subsequent to this, an appeal decision from August 2023 (appeal ref: APP/G5180/W/23/3315293) concluded that the Council had a supply of 3,235 units or 3.38 years. The Council has used this appeal derived figure for the purposes of assessing this application. This is considered to be a significant level of undersupply.

7.1.2 The Housing Delivery Test 2022 results (published in December 2023) indicate that housing delivery against Bromley's housing requirement has fallen below 85% over the HDT period; this requires the addition of a 20% buffer to the Council's housing requirement over the FYHLS period (in accordance with Footnote 8 of the NPPF). Applying this buffer to the appeal derived figure noted above gives a supply of 2.96 years. The Council acknowledges this amended appeal derived figure for the purposes of determining this application, and considers this to be a very significant level of undersupply.

7.1.3 The Council is in the process of preparing an updated FYHLS position, reflecting changes since the last published position in November 2021.

7.1.4 The NPPF (2023) sets out in paragraph 11 a presumption in favour of sustainable development. In terms of decision-making, the document states that where a development accords with an up to date local plan, applications should be approved without delay. Where a plan is out of date, permission should be granted unless the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

7.1.5 Whilst this proposal would provide 1 new dwelling representing a minor contribution to the supply of housing within the Borough, the site is located within Chislehurst Conservation Area, which is an area or asset of importance for the purposes of Paragraph 11(d). In the event that the policies protecting this area or asset of importance provide a clear reason for refusal, the presumption in favour of sustainable development may not apply.

- Land Use and Optimising Sites:

7.1.6 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.

7.1.7 Policy H2 Small Sites of the London Plan states that Boroughs should proactively 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.

7.1.8 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.

7.1.9 Local Plan Policies 4 and 37 accord with paragraph 130 of the National Planning Policy Framework, which requires development to be sympathetic to local character whilst optimising the potential of sites

7.1.10 Policy 3 of the Bromley Local Plan in respect of 'Backland and Garden Land Development' states new residential development will only be considered acceptable on backland or garden land if all of the following criteria are met; there is no unacceptable impact upon the character, appearance and context of an area in relation to the scale, design and density of the proposed development; there is no unacceptable loss of landscaping, natural habitats, or play space or amenity space; there is no unacceptable impact on the residential amenity of future or existing occupiers through loss of privacy, sunlight, daylight and disturbance from additional traffic; and a high standard of separation and landscaping is provided.

7.1.11 The supporting text states that in the past the role of small sites in providing additional housing within the Borough has been significant. It is important to also consider the value of backland and garden land in helping to define local

character. There is a risk that inappropriate development of these small sites over time could adversely impact upon local character, especially as the availability of sites diminishes.

## 7.2 Design, Scale and Layout – Unacceptable

- 7.2.1 Design is a key consideration in the planning process. Good design is an important aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.
- 7.2.2 Paragraph 131 of the NPPF (2023) states the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.
- 7.2.3 Paragraph 135 of the NPPF (2023) requires Local Planning Authorities to ensure that developments: a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development; b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities); d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit; e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and f) create places that are safe, inclusive and accessible and which promote health and wellbeing, with a high standard of amenity for existing and future users<sup>52</sup>; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.
- 7.2.4 London Plan and Bromley Local Plan policies further reinforce the principles of the NPPF
- 7.2.5 Policy D3 of the London Plan relates to ‘Optimising site capacity through the design-led approach’ and states that all development must make the best use of land by following a design-led approach that optimises the capacity of sites. Form and layout should enhance local context by delivering buildings and spaces that positively respond to local distinctiveness through their layout, orientation, scale, appearance and shape. The quality and character shall respond to the existing character of a place by identifying the special and valued features and characteristics that are unique to the locality and respect, enhance and utilise the heritage assets and architectural features that contribute towards the local character.



- 7.2.6 Policy D4 of the London Plan outlines the various methods of scrutiny that assessments of design should be based on depending on the level/amount of the development proposed for a site.
- 7.2.7 Policy D5 of the London Plan relates to 'Inclusive Design' and states that development proposal should achieve the highest standards of accessible and inclusive design.
- 7.2.8 Policy H2 of the London Plan states that Boroughs should also recognise in their Development Plans that local character evolves over time and will need to change in appropriate locations to accommodate additional housing on small sites.
- 7.2.9 Policy 3 of the Bromley Local Plan details in that new residential development will only be considered acceptable on backland or garden land if there is no unacceptable impact upon the character, appearance and context of an area in relation to the scale, design and density of the proposed development; there is no unacceptable loss of landscaping, natural habitats and a high standard of separation and landscaping is provided.
- 7.2.10 Policy 4 of the Local Plan details that all new housing developments will need to achieve a high standard of design and layout whilst enhancing the quality of local places respecting local character, spatial standards, physical context and density. To summarise the Council will expect all of the following requirements to be demonstrated: The site layout, buildings and space around buildings be designed to a high quality, recognising as well as complimenting the qualities of the surrounding areas; compliance to minimum internal space standards for dwellings; provision of sufficient external, private amenity space; provision of play space, provision of parking integrated within the overall design of the development; density that has regard to the London Plan density matrix whilst respecting local character; layout giving priority to pedestrians and cyclists over vehicles; safety and security measures included in the design and layout of buildings; be accessible and adaptable dwellings.
- 7.2.11 Policy 8 of the Local Plan details that when considering applications for new residential development, including extensions, the Council will normally require for a proposal of two or more storeys in height, a minimum 1 metre space from the side boundary of the site should be retained for the full height and length of the building or where higher standards of separation already exist within residential areas, proposals will be expected to provide a more generous side space.
- 7.2.12 The proposed dwelling would be located to the rear part of the garden currently belonging to No.54. The existing garden would be sub-divided with the donor property retaining only the higher raised garden permitted under ref. 21/01514/FULL6 and garden to the front. Whilst it is acknowledged that the proposed dwelling may not be at odds with the prevailing pattern of development in the area given the scattered nature of dwellings in this part of Chislehurst, the development in the manner proposed is not readily comparable to these adjoining sites given its relationship to the main dwelling and access

along the side of the site. The proposed dwelling and associated landscaping would occupy a large proportion of the external amenity space to the rear of the existing locally listed building. The spatial quality (openness) of the original plot is considered to be commensurate with the scale of the large Victorian property, which together make a positive contribution to the wider setting. Only a relatively small area of external amenity space (to the rear) would remain for the occupiers of the existing dwelling which is considered to be disproportionately small for a property of its size and heritage status/value.

7.2.13 The proposed layout of the dwelling would sit within close proximity to the adjoining boundaries (in particular No.4) and would appear visually prominent when viewed from the west particularly given the change in levels between the respective plots. With reference to Policy 3, backland or garden land development would only be compliant if there is no unacceptable impact upon the character, appearance and context of an area. In this case, it is considered that there would be unacceptable impact upon the character and appearance of the area given the excessive scale, layout and design of the proposed dwelling. The proposal would result in a detrimental impact upon the existing spatial quality of the site and wider area, the generosity of landscape and would be harmful to the sense of openness of the site.

7.2.14 In terms of design and appearance, the application proposes a 'converted coach house' inspired design which may be appropriate in terms of style but is considered that proposed the bulk and scale of the new building would not result in a subservient addition to the original Victorian house. The dovecoat element on the roof would appear as a particularly prominent feature at odds with the design intent for the new dwelling to appear as a low-key modest addition to the site, with other design issues outlined below within the 'Heritage' section of the report.

7.2.15 The proposed design of the new dwelling house is also of concern with its sizable dormer windows, large window openings with expansive glazing at ground floor level and significant areas of blank brickwork with limited design detailing, which would cumulatively result in an unrelieved appearance of poor design quality.

7.2.16 On balance, the proposed design, scale and layout of the proposed dwelling is not considered to be acceptable and would result in a detrimental impact to the appearance of the host property and would appear out of character with surrounding development or the area generally.

### 7.3 Heritage Impact – Unacceptable

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

- 7.3.2 Paragraph 207/208 state where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.
- 7.3.3 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a requirement on a local planning authority in relation to development in a Conservation Area, to pay special attention to the desirability of preserving or enhancing the character or appearance of that area.
- 7.3.4 Interpretation of the 1990 Act in law has concluded that preserving the character of the Conservation Area can not only be accomplished through positive contribution but also through development that leaves the character or appearance of the area unharmed.
- 7.3.5 Policy HC1 of the London Plan states that development proposals affecting heritage assets, and their settings, should conserve their significance, by being sympathetic to the assets' significance and appreciation within their surroundings. The cumulative impacts of incremental change from development on heritage assets and their settings should also be actively managed. Development proposals should avoid harm and identify enhancement opportunities by integrating heritage considerations early on in the design process.
- 7.3.6 Policy 41 of the Bromley Local Plan states that proposals for development in Conservation Areas should preserve and enhance its characteristics and appearance by respecting or complementing the layout, scale, form and materials of existing buildings and spaces; respecting and incorporating in the design existing landscape or other features that contribute to the character, appearance or historic value of the area; and using high quality materials.
- 7.3.7 Policy 39 of the Bromley Local Plan states that buildings on the Local List are considered to be non-designated heritage assets in the NPPF and that proposals to alter or extend a locally listed building should be sympathetic to the character, appearance and special local interest of the building and should respect its setting.
- 7.3.8 As the application site forms part of the Chislehurst Conservation Area and the host dwelling is locally listed, the Council's Conservation Officer was consulted regarding the proposal. Objections have been raised on the basis that the proposal would disrupt the important open nature of the site which is referred to specifically in the local listing description which make specific reference to the mature garden setting. The description is unusually detailed and specific

about the setting of the building in terms of both the historic and architectural importance of the building and the Conservation Area.

- 7.3.9 Heritage concerns have also been raised given that the proposed dwelling would be visible from street level on Lubbock Road and that the additional domestic clutter (such as additional hard standing, sheds, fences and gates) is not conducive to the open nature of the site. The additional hardstanding may also have a negative and harmful effect on surrounding greenery which is important in this case to the character of the Conservation Area.
- 7.3.10 It is considered that the proposal would be harmful to both the designated heritage asset which is the Conservation Area and the non-designated heritage asset which is the locally listed building. The site is considered a sensitive heritage setting and that under the heritage definition in the NPPF this harm would be less than substantial to which no particular justification has been made. The proposal would also be harmful to the setting of the locally listed building, contrary to Policy 39 of the BLP.
- 7.3.11 Paragraph 3.57 of the Chislehurst SPG indicates that topography is an important part of the character of this area, with the sizes of plots and grandeur of residents generally increasing with altitude. This character is integrally intertwined with the dominant Arts and Crafts style of the buildings and architecture and therefore a large scale development within a private garden of a very prominent and architecturally important house is considered unacceptable in this delicate heritage context.
- 7.3.12 In terms of design, the specific design of the proposed dwelling house is also of heritage concern with the design, size and siting of the dormer windows, large and unarticulated areas of glazing at ground floor level and sizeable areas of blank brickwork resulting in quite significant parts of the elevations having an unrelieved and unbalanced appearance.
- 7.3.13 Having regard to the above, the proposed dwelling would impact detrimentally upon the character and appearance of the Chislehurst Conservation Area, and impact upon the open setting of the Locally Listed building and would cause less than substantial harm to these designated and non-designate heritage assets. This harm would also need to be assessed against paragraph 208 of the NPPF, but in heritage terms no public benefit is seen which would outweigh this harm.

#### 7.4 Residential Amenity – Unacceptable

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

- 7.4.2 Policy 4 of the Bromley Local Plan also seeks to protect existing residential occupiers from inappropriate development. Issues to consider are the impact of a development proposal upon neighbouring properties by way of overshadowing, loss of light, overbearing impact, overlooking, loss of privacy and general noise and disturbance.
- 7.4.3 In determining any application, a key consideration is the impact of the development on the amenities of neighbouring properties.
- 7.4.4 As summarised within Section 5 of this report, concerns have been raised by nearby neighbours, including the adjacent neighbours to the rear, in particular overlooking, loss of privacy and noise and disturbance. Full copies of the representations are available to view on the electronic file.
- 7.4.5 The proposed dwelling would be sited at the rear of the existing garden serving No.54 and would be accessed via an access road which would run alongside the boundary with Enderfield Court and No.4 Abbey Gardens. Having visited the site, the ground level differs significantly within the plot with the lower part of the garden at a lower ground level than the main house. Beyond the site, the ground level further falls downwards towards the properties within Abbey Gardens. The photographs included within the report clearly demonstrate that the application site is at a higher level than properties to the rear.
- 7.4.6 The proposal seeks to introduce a two storey dwelling house onto garden land at the rear of No.54. There are a number of concerns regarding the potential of overlooking and loss of privacy of adjoining properties, with large windows to the rear and south-eastern elevations, facing onto Abbey Gardens, Merripit and Orchard House. However, it is noted that these boundaries do benefit from dense tree screening and given the separation distances on balance it is unlikely that significant overlooking would occur. With regards to No.4 Abbey Gardens, given the height and scale of the proposed dwelling and the existing ground levels, it is likely that the proposal would result in a dominant building close to the shared boundary. The intensified use of the site would also involve increased vehicular and pedestrian movements along this boundary which would be detrimental to the current residential amenities this property currently enjoys.

**Figure 10: Photograph towards No. 4 Abbey Gardens:**

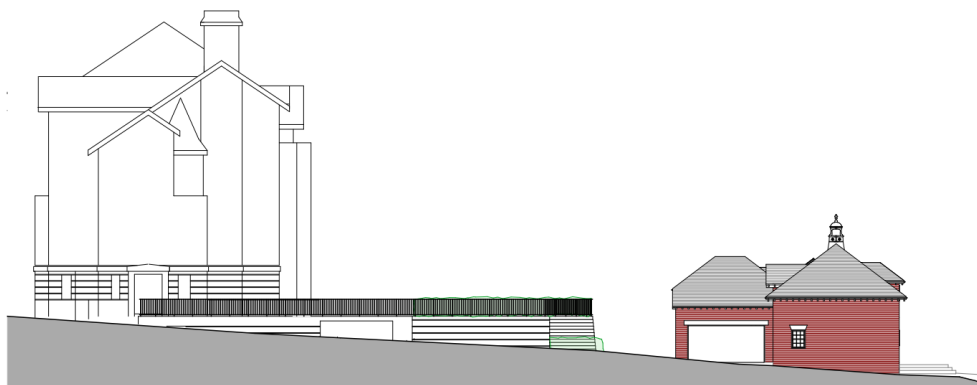


**Figure 11: Photo of boundary between application site and No.4 Abbey Gardens:**



7.4.7 As well as the impact of the proposal on neighbouring properties, it is also considered that the proposal will impact adversely on the amenities of the host (donor) property. The front elevation of the dwelling, including the front dormer would be clearly visible from the retained part of the raised rear garden of the host dwelling, and coming and going to the proposed dwelling, including manoeuvring within the parking and turning area, would be in close proximity of the garden and the main host dwelling. While it is acknowledged that the raising of the rear garden of the host property relative to the proposed severance plot would mitigate some of the immediate impact associated with loss of privacy, the siting of the dwelling would result in the provision of a separate and entirely unconnected residential unit within what is at present a private and secluded rear residential garden.

**Figure 12: Indicative site section showing proposed dwelling in relation to rear of host property:**



7.4.8 Having regard to the scale, height and siting of the proposed dwelling, it is considered that a significant loss of amenity with particular regard to loss of privacy, outlook and noise and disturbance would arise contrary to Policies 4 and 37 of the Bromley Local Plan.

## 7.5 Standard of Residential Accommodation – Acceptable

7.5.1 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 Housing Design Standards.

7.5.2 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 setting out standards for dwelling size, room layouts and circulation space, storage facilities, floor to ceiling heights, outlook, daylight and sunlight, external amenity space (including refuse and cycle storage facilities) as well as core and access arrangements. The standards apply to new build, conversion and change of use proposals.

7.5.3 Policy 4 of the BLP also sets out a number of criteria to ensure that all new housing developments will need to achieve a high standard of design and layout whilst enhancing the quality of local places and ensuring a good standard of amenity for future occupiers.

7.5.4 In terms of the required Gross Internal Area (GIA) in relation to the number of occupants and bedrooms. The gross internal floor space size of the dwellings house is given as 266sqm over two levels as a four bedroom dwelling (number of persons not indicated). The relevant space standards require a Gross Internal Area of 97sqm (5person), 106sqm (6 person), 115sqm (7person) 115sqm (8 person) for a four bedroom dwelling house on two levels. Therefore, the GIA of the house meets (exceeds) these standards and is acceptable.

7.5.5 The shape, room size and layout of the rooms in both the proposed dwellings is considered satisfactory. None of the rooms would have a particularly convoluted layout which would limit their use.

7.5.6 In terms of amenity space, sufficient provision and quality of space is indicated.

## 7.6 Highways – Acceptable

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



prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

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

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

- Car parking

7.6.4 Policy T6 Car Parking in the London Plan advocates that car-free development should be the starting point for all development proposals in places that are (or are planned to be) well connected by public transport, with developments elsewhere designed to provide the minimum necessary parking ('car-lite').

7.6.5 The application form indicates that four car parking spaces will be provided at the site, with the block plan showing two of these within the opened sided garage with parking for other vehicles on the frontage. The proposed dwelling will use one of the existing accesses from Lubbock Road. The Council's Highway Officer has not raised any objections to the level of parking provided at the site or the vehicle access arrangements from the highway. On balance it is considered that there will be minimal impact on parking in the vicinity and the proposal is considered generally acceptable from a highways perspective.

7.6.6 One electrical vehicle charging point is indicated. Further technical details of the installations are recommended to be sought by planning condition if permission were to be granted.

- Cycle parking

7.6.7 London Plan policy T6 seeks the provision of short-stay and long-stay cycle parking spaces in development proposals. Cycle parking should be designed and laid out in accordance with the guidance contained in the London Cycling Design Standards.

7.6.8 Cycle parking is required to be 2 spaces for dwellinghouses as proposed. The applicant has provided details of cycle storage within the garden (4 bicycles on the plans although the application form states 2 spaces) accessed from the proposed front parking area. A planning condition is recommended in this regard for further details of containment structures should permission be granted



- Refuse

7.6.9 All new developments shall have adequate facilities for refuse and recycling. No details of a location for refuse storage for the proposed dwelling has been provided, however the Planning Statement indicates that the refuse bins will be stored within the plot at all times except for on the day of collection, when the bins will be placed at a collection point adjacent to the crossover. A planning condition is recommended in this regard for further details including the containment structures.

- Fire Safety

7.6.10 Policy D12 of the London Plan states that in the interests of fire safety and to ensure the safety of all building users, all development proposals must achieve the highest standards of fire safety and ensure that they identify suitably positioned unobstructed outside space for fire appliances to be positioned on; appropriate for use as an evacuation assembly and are designed to incorporate appropriate features which reduce the risk to life and the risk of serious injury in the event of a fire including appropriate fire alarm systems and passive and active fire safety measures; are constructed in an appropriate way to minimise the risk of fire spread; provide suitable and convenient means of escape, and associated evacuation strategy for all building users; develop a robust strategy for evacuation which can be periodically updated and published, and which all building users can have confidence in; provide suitable access and equipment for firefighting which is appropriate for the size and use of the development.

7.6.11 The application does not include a Fire Statement although the Planning Statement states that the proposal accords with appropriate guidance with for the provision of safe and convenient means of access for emergency and service vehicles. A plan has been included within the submission to show swept path analysis for Fire Appliance.

## 7.7 Trees and Landscaping – Acceptable

7.7.1 London Plan Policy G7 focuses on London's urban trees, setting out that development proposals shall ensure that, wherever possible, existing trees of value are retained. If the removal of trees is necessary, there should be adequate replacement based on the existing value of the benefits of the trees removed.

7.7.2 Policy 73 of the Bromley Local Plan states that proposals for new development will be required to take particular account of existing trees on the site and on adjoining land, which in the interests of visual amenity and/or wildlife habitat, are considered desirable to be retained.

7.7.3 Policy 77 of the Bromley Local Plan states that development proposals will seek to safeguard the quality and character of the local landscape and seek the appropriate restoration and enhancement of the local landscape through the use of planning obligations and conditions.

7.7.4 The Council's Tree Officer was consulted as part of the application process on the basis that the application site has a number of trees and is located within a Conservation Area.

7.7.5 An indicative landscaping layout has been submitted as shown on the proposed site plan drawing that details the areas given over to garden and hard landscaping for external amenity for future occupiers. Further details are recommended to be sought by planning condition if planning permission is granted.

## 7.8 Sustainability – Acceptable

7.8.1 The NPPF requires Local Planning Authorities to adopt proactive strategies to mitigate and adapt to climate change. London Plan and Local Plan Policies advocate the need for sustainable development. All new development should address climate change and reduce carbon emissions.

7.8.2 Paragraph 9.2.3 of the London Plan states that Boroughs should ensure that all developments maximise opportunities for on-site electricity and heat production from solar technologies (photovoltaic and thermal) and use innovative building materials and smart technologies. This approach will reduce carbon emissions, reduce energy costs to occupants, improve London's energy resilience and support the growth of green jobs.

7.8.3 Local Plan Policy 123 states that all applications for development should demonstrate how the principles of sustainable design and construction have been taken into account.

7.8.4 An informative should be added to any approval to ensure that the development strives to achieve sustainability objectives. For a non-major scheme, energy and water efficiency can only be secured under the building regulation regime as standard, in order to meet the requirements of Policies 123 and 124 of the Local Plan and Policy SI 2 of the London Plan

## 7.9 Sustainable Drainage – Acceptable

7.9.1 Policy SI 13 Sustainable Drainage of the London Plan states that development proposals should aim to achieve greenfield run-off rates and ensure that surface water run-off is managed as close to its source as possible.

7.9.2 Policy 116 of the Local Plan details that all developments should seek to incorporate sustainable Urban Drainage Systems (SUDS) or demonstrate alternative sustainable approaches to the management of surface water as far as possible.

7.9.3 It is stated in the design and access statement that the permeable driveway and Grasscrete form a turning head for a Fire appliance and delivery vans. A terrace is provided off the Living area. The Council's Drainage Advisor has asked that SUDs options be incorporated on the site. It is recommended that should permission be granted further detail of a scheme for the provision of surface

water drainage and foul drainage shall be submitted by planning condition with any permission.

#### 7.10 Other matters

7.10.1 A number of other matters were raised by local residents, in particular with regard to flooding, ecology and the impact upon Chislehurst caves.

7.10.2 Policy SI 12 of the London Plan requires development proposals should ensure that flood risk is minimised and mitigated, and that residual risk is addressed. This should include, where possible, making space for water and aiming for development to be set back from the banks of watercourses.

7.10.3 Policy 115 of the Bromley Local Plan states that to minimise river flooding risk, development in Flood Risk Areas (Environment Agency Flood Zones 2 and 3 and surface water flood risk hotspots) will be required to seek opportunities to deliver a reduction in flood risk compared with the existing situation. The site is not located within Flood Zone 2/3 and therefore no information regarding flooding would be required in this instance. The Drainage Officer has recommended the incorporation of SUDs within the site as outlined above which could be dealt with via condition.

7.10.4 In terms of an Ecology report, it is not currently a validation requirement for this type of proposal (not within a designated area or with identified protected species). From visiting the site it consists of a grass lawn with trees surrounding the edge of the site.

7.10.5 With regards to Chislehurst Caves, it is acknowledged that the caves may run underneath the site. Whilst it would be a private matter, further investigation may be required in order to comply with Building Regulations.

## **8 CONCLUSION**

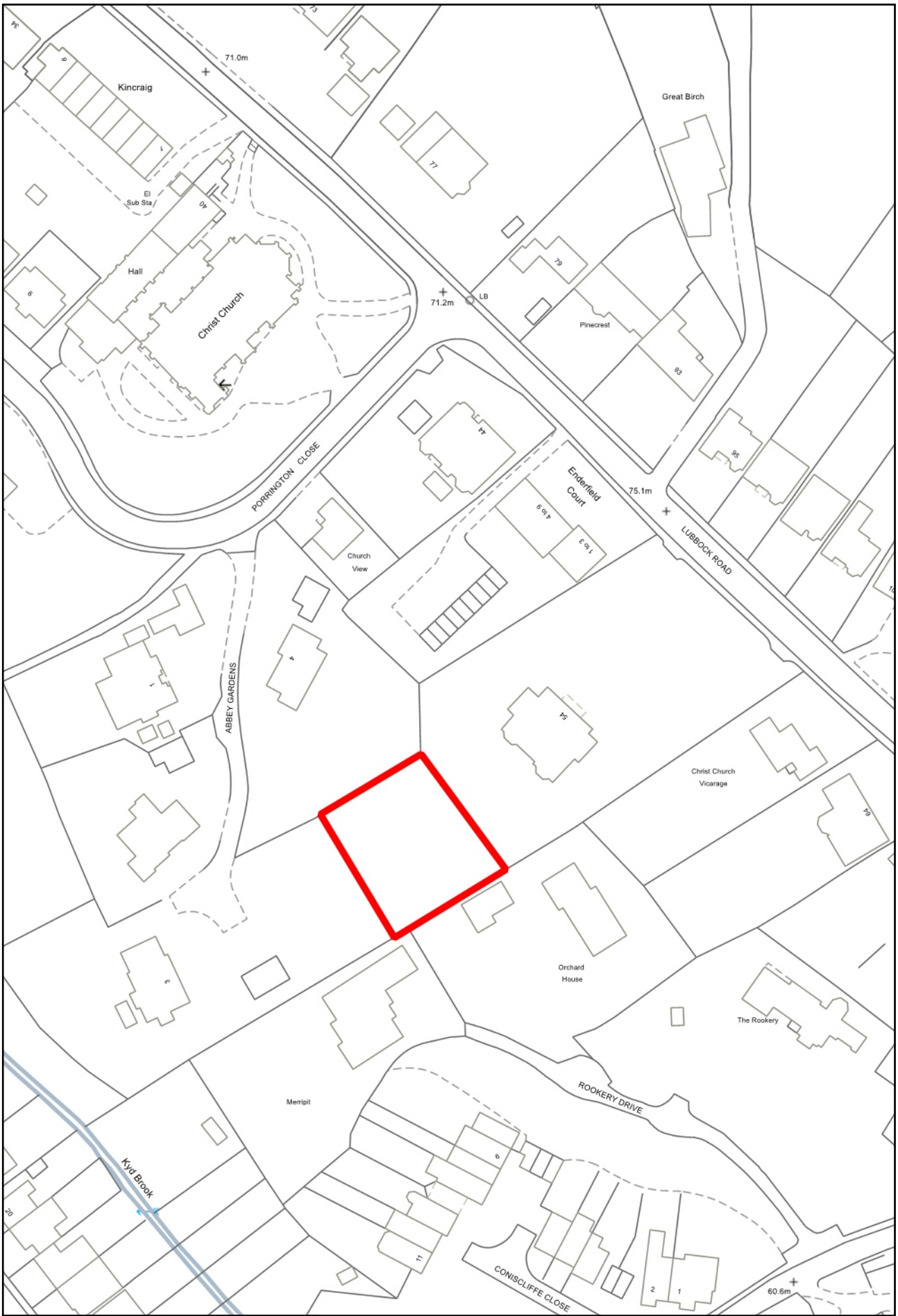
8.1 Having had regard to the above, it is considered that the proposed development is unacceptable.

8.2 The proposed dwelling would impact detrimentally upon the character and appearance of the Chislehurst Conservation Area and upon the open setting of the Locally Listed building, and would result in a significant loss of amenity to neighbouring residents with particular regard to loss of privacy, outlook and noise and disturbance. The proposal is therefore contrary to the aims and objectives of Section 16 of the National Planning Policy Framework (2023), Policies D4 and HC1 of the London Plan and Policies 4, 37, 39 and 44 of the Bromley Local Plan.


- 8.3 While the application proposal would make a minor contribution to housing supply, the application site lies within the Chislehurst Conservation Area which comprises an area or asset of importance as set out in paragraph 11 of the NPPF. As previously stated it is considered that the proposal would harm the character and appearance of the Conservation Area and as such the provisions of paragraph 11d are not engaged.
- 8.4 Background papers referred to during production of this report comprise all correspondence on the files set out in the Planning History section above, excluding exempt information.

#### **RECOMMENDATION: REFUSED**

- 1. The proposed dwelling, by reason of its scale, design and close proximity to No.54 Lubbock Road, would result in an unsatisfactory sub-division of the existing plot and appear disproportionate to the scale of the host dwelling, failing to preserve or enhance the character and appearance of the Chislehurst Conservation Area and the special interest of the locally listed building, being harmful to its setting. The proposal would thereby be contrary to Section 16 of the National Planning Policy Framework, Policies D3 and HC1 of the London Plan and Policies 4, 37, 39 and 41 of the Bromley Local Plan.**
- 2. The proposed dwelling, by reason of bulk, siting and proximity to site boundaries, would result in a dominant form of development, significantly harmful to the residential amenity of existing and future occupants of neighbouring buildings and the host dwelling by reason of impact on outlook, noise and disturbance, thereby contrary to Policy D3 of the London Plan and Policies 4 and 37 of the Bromley Local Plan.**



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 23/03687/FULL1



23 February 2024

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# Agenda Item 4.3

<b>Committee Date</b>	07.03.2024	
<b>Address</b>	51 Sweeps Lane Orpington BR5 3PE	
<b>Application Number</b>	23/04083/FULL6	<b>Officer</b> Jennie Harrison
<b>Ward</b>	St Mary Cray	
<b>Proposal</b>	Reduction of height and depth of existing extension	
<b>Applicant</b>	<b>Agent</b>	
Mr A Soile	Mr A Martin	
51 Sweeps Lane Orpington BR5 3PE	Lyondale Crown House Home Gardens Dartford DA1 1DZ	
<b>Reason for referral to committee</b>	<b>Councillor call in</b>	
Effective enforcement notice at the site	No	

<b>RECOMMENDATION</b>	Permitted
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<p>KEY DESIGNATIONS</p> <p>Area of Archaeological Significance Article 4 Direction Biggin Hill Safeguarding Area London City Airport Safeguarding Renewal Area Smoke Control SCA 20</p>
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<b>Representation summary</b>	Letters to neighbours were sent out on the 26.10.2023 and 15.01.2024
Total number of responses	2
Number in support	0
Number of objections	2

## 1. REPORT UPDATE

1.1. This application was originally considered at Sub-Committee No. 2 on 8<sup>th</sup> February 2024 and was deferred without prejudice to seek a reduction in the size of the extension. The applicant has declined to make any reductions due to the previous history and permissions on the site, as outlined below.

## 2. SUMMARY OF KEY REASONS FOR RECOMMENDATION

- The depth of the extension would be reduced to that which was previously approved from application with reference 04/03570/FULL6
- The height of the extension would be reduced from 4.2m to 3m

## 3. LOCATION

3.1. The site hosts a part two/three storey semi-detached dwelling which is situated on the Northern side of Sweeps Lane, Orpington.

**Figure 1: Location Plan:**



## 4. PROPOSAL

3.1 An enforcement notice under ref: 21/00368/CHANGE, was issued on 26<sup>th</sup> May 2022. An appeal was subsequently submitted and upheld. The notice required:

- Removal unauthorised extension
- Removal from the land all resulting debris and materials as a result of the above.
- The period for compliance with the requirements was 10 months.



- 3.2 To address the enforcement notice planning permission is sought part-retrospectively for a single storey rear extension with a reduced height and depth from that which is currently on site.

**Figure 2: Existing and proposed ground floor plan:**



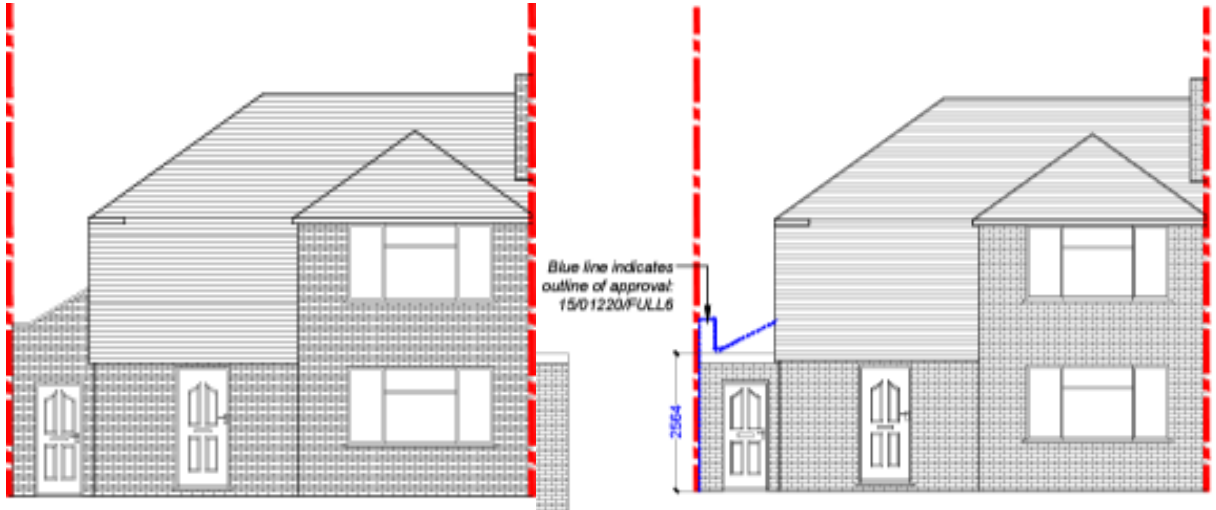
**Figure 3: Existing and proposed rear elevation:**



**Figure 4: Existing and proposed side elevation:**



**Figure 5: Existing and proposed front elevation:**



**Figure 6: Photograph of the site from the front:**



**Figure 7: Photograph of the site from the rear:**



## 5. RELEVANT PLANNING HISTORY

- 5.1. The relevant planning history relating to the application site is summarised as follows:
- 5.2. 03/02216/FULL6 - Single storey rear extension for conservatory – Permitted
- 5.3. 04/03570/FULL6 - Single storey side/rear extension - Permitted
- 5.4. 15/01220/FULL6 - Single storey rear/side extension - Permitted
- 5.5. 21/04728/FULL6 - Single storey rear/side extension (RETROSPECTIVE) - Refused

*For the following reasons:*

1. *The proposed extension, by way of its combined scale, excessive height, depth and siting, would result in a dominant, visually intrusive and overbearing form of development, which overwhelms the rear elevation of the host building and adversely impact the amenities of No. 49 Sweeps Lane by reason of loss of outlook and increased sense of enclosure, contrary to Policies 6 and 37 of the Bromley Local Plan.*

The appeal decision concluded:

“The excessive overall height, depth and scale of the extension has introduced an overly dominant and visually discordant feature, which fails to harmonise with the host building and the surrounding area. Therefore, the development has a harmful effect upon the character and appearance of the host building and the area.”

“The unauthorised rear extension is built along the shared boundary with 49 Sweeps Lane (No 49), which also has a single storey rear and side extension along this boundary. However, the structure at No 49 is relatively small in height and width. The unauthorised rear extension at No 51 is far greater in width and height than the neighbouring rear extension constructed at No 49, and the height of the extension rises well above the existing boundary treatment, which has resulted in a large expanse of the flank wall of the extension, built along this boundary.”

“The unauthorised extension appears as a dominant feature in the outlook from windows in the rear elevation of this neighbouring property at ground floor level and from the garden itself. In this respect the unauthorised rear extension creates an increased sense of enclosure to the neighbouring occupiers of No 49, which harms their living conditions.”

5.6. 23/01327/FULL6 - Reduction of height of existing extension - Refused

For the following reason:

- 1. The proposed extension, by way of its combined scale, excessive height, depth and siting, would result in a dominant, visually intrusive and overbearing form of development, which overwhelms the rear elevation of the host building and adversely impact the amenities of No. 49 Sweeps Lane by reason of loss of outlook and increased sense of enclosure, contrary to Policies 6 and 37 of the Bromley Local Plan.*

## **6. CONSULTATION SUMMARY**

### **A) Statutory**

None were received.

### **B) Local Groups**

None were received.

### **C) Adjoining Occupiers**

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

- Plans do not reflect the existing materials
- Concerns regarding how excessive rainwater will be drained
- Floor plan still extends out excessively relative to the original house
- Would not conform to the look and feel of the other residential houses
- Overly dominant and visually discordant
- Unauthorised developments and repetitive plans are draining for neighbours
- Worse outlook for number 49
- Materials are not in keeping

## 7. POLICIES AND GUIDANCE

### National Planning Policy Framework 2023

#### NPPG

#### The London Plan

- D1 London's form and characteristics
- D4 Delivering good design

#### Bromley Local Plan 2019

- 6 Residential Extensions
- 37 General Design of Development

#### Bromley Supplementary Guidance

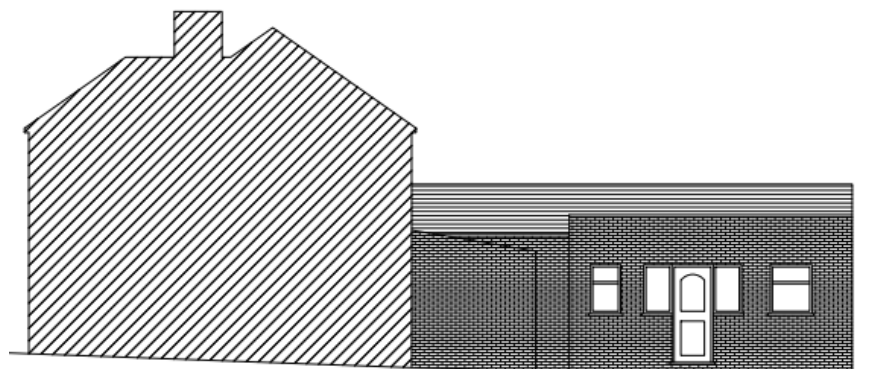
- Urban Design Supplementary Planning Document (July 2023)

## 8. ASSESSMENT

### 7.1 Resubmission

- 7.1.1 Under reference 23/01327/FULL6 for 'Reduction of height of existing extension' where the pitched roof remained and was reduced to a maximum height of 3.8m. The floor plans and depth of the extension remained unchanged.

**Figure 8: Existing elevations from 23/01327/FULL6**







**Figure 9: Proposed elevations from 23/01327/FULL6**



**8.1. Design - Acceptable**

8.1.1. Design is a key consideration in the planning process. Good design is an important aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. The NPPF states that it is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes.

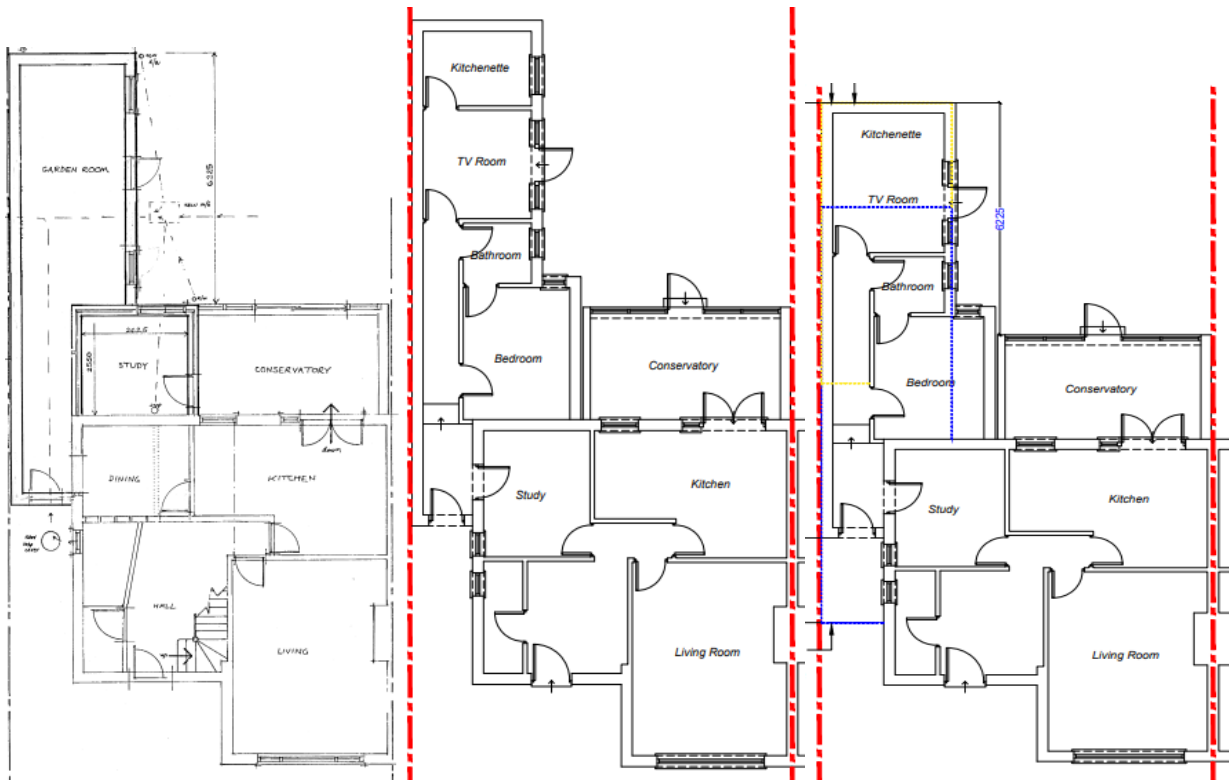
- 8.1.2. London Plan and BLP policies further reinforce the principles of the NPPF setting out a clear rationale for high quality design.
- 8.1.3. Policies 6 and 37 of the Bromley Local Plan and the Council's Supplementary Planning Guidance seek to ensure that new development, including residential extensions are of a high quality design that respect the scale and form of the host dwelling and are compatible with surrounding development.
- 8.1.4. The alterations to the extension would introduce a significant expanse of flat roof, and whilst this would not reflect the character and appearance of the existing dwelling, this would not have any significantly detrimental impact on the character and appearance of the host dwelling.
- 8.1.5. A small part of the extension would be visible from the front of the property, however the alterations to the roof would not have any significant impact on the character and appearance of the street scene.
- 8.1.6. The extension is proposed to be reduced in depth by 0.9m, whilst this is a small alteration to the overall depth, this would comply with the permission that was granted in 2004 and would have a height of 2.9m. It is considered that this reduction in bulk would, on balance, help to maintain the character and appearance of the host dwelling and street scene.
- 8.1.7. 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.

### 7.3 Neighbourhood Amenity – Acceptable

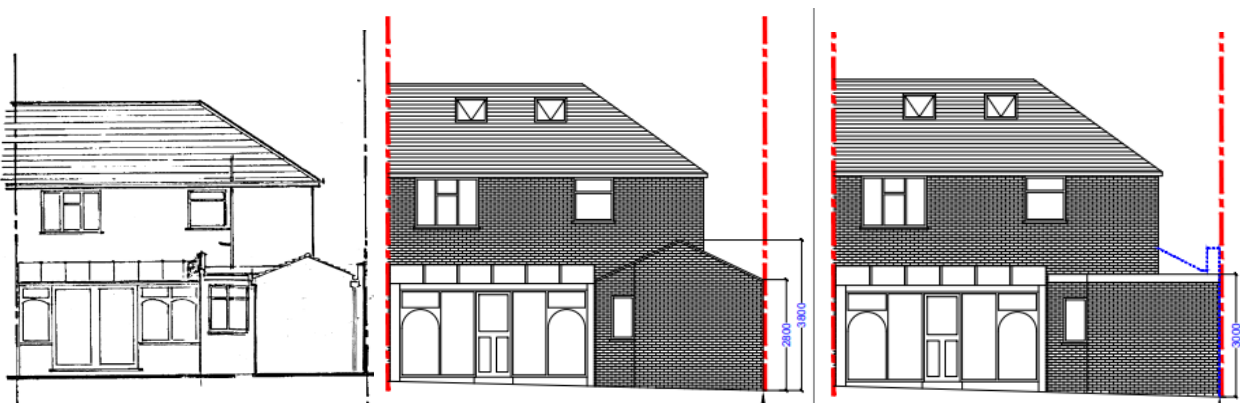
- 7.3.1 Policy 37 of the BLP seeks to protect existing residential occupiers from inappropriate development. Issues to consider are the impact of a development proposal upon neighbouring properties by way of overshadowing, loss of light, overbearing impact, overlooking, loss of privacy and general noise and disturbance.
- 7.3.2 The proposed alterations to the extension would significantly reduce the bulk of the development and would be similar in scale to the proposal that was permitted under references 04/03570/FULL6 and 15/01220/FULL6.



**Figure 10: Proposed plans from 15/01220/FULL6 (permitted), 23/01327/FULL6 (refused) and 23/04083/FULL6 (left to right)**



**Figure 11: Proposed rear elevations from 15/01220/FULL6 (permitted), 23/01327/FULL6 (refused) and 23/04083/FULL6 (left to right)**



7.3.3 The proposal would reduce the height to 3m and would reduce the rear extension in depth, so that it would project 10m from the original rear wall of the host dwelling. The dwelling at number 49 benefits from additions along the boundary, and this would help to provide some screening to the extension.

- 7.3.4 Previous alterations to the proposal under references 21/04728/FULL6 and 23/01327/FULL6, whilst making reductions did not reduce the bulk so significantly as the current proposal. It is considered therefore, that the reductions now proposed would help to lessen the impact on the amenities of the adjoining occupiers.
- 7.3.5 Whilst it is noted that the eaves would be higher than that which was permitted under reference 15/01220/FULL6, this proposal also included a parapet wall which had a height of 3m along the boundary, as can be seen in figure 11.
- 7.3.6 The proposal would incorporate a flat roof with a maximum height of 3m, it is considered therefore that the impact on the amenities of neighbouring properties and No. 49 in particular, would not be over and above that which was permitted under 15/01220/FULL6.
- 7.3.7 The case officer has assessed the proposal against the above mentioned policy in terms of the impact on neighbouring residential properties with specific regard to the above-mentioned criteria. Representations made by local residents have also been taken into account.
- 7.3.8 Having regard to the scale and siting of the development, it is not considered that a significant loss of amenity with particular regard to light, outlook, prospect or privacy would arise.

## **8 CONCLUSION**

- 8.1 Having had regard to the above it is considered that the development in the manner proposed is acceptable in that it would not result in a significant loss of amenity to local residents nor impact detrimentally on the character of the area.
- 8.2 Background papers referred to during production of this report comprise all correspondence on the files set out in the Planning History section above, excluding exempt information.

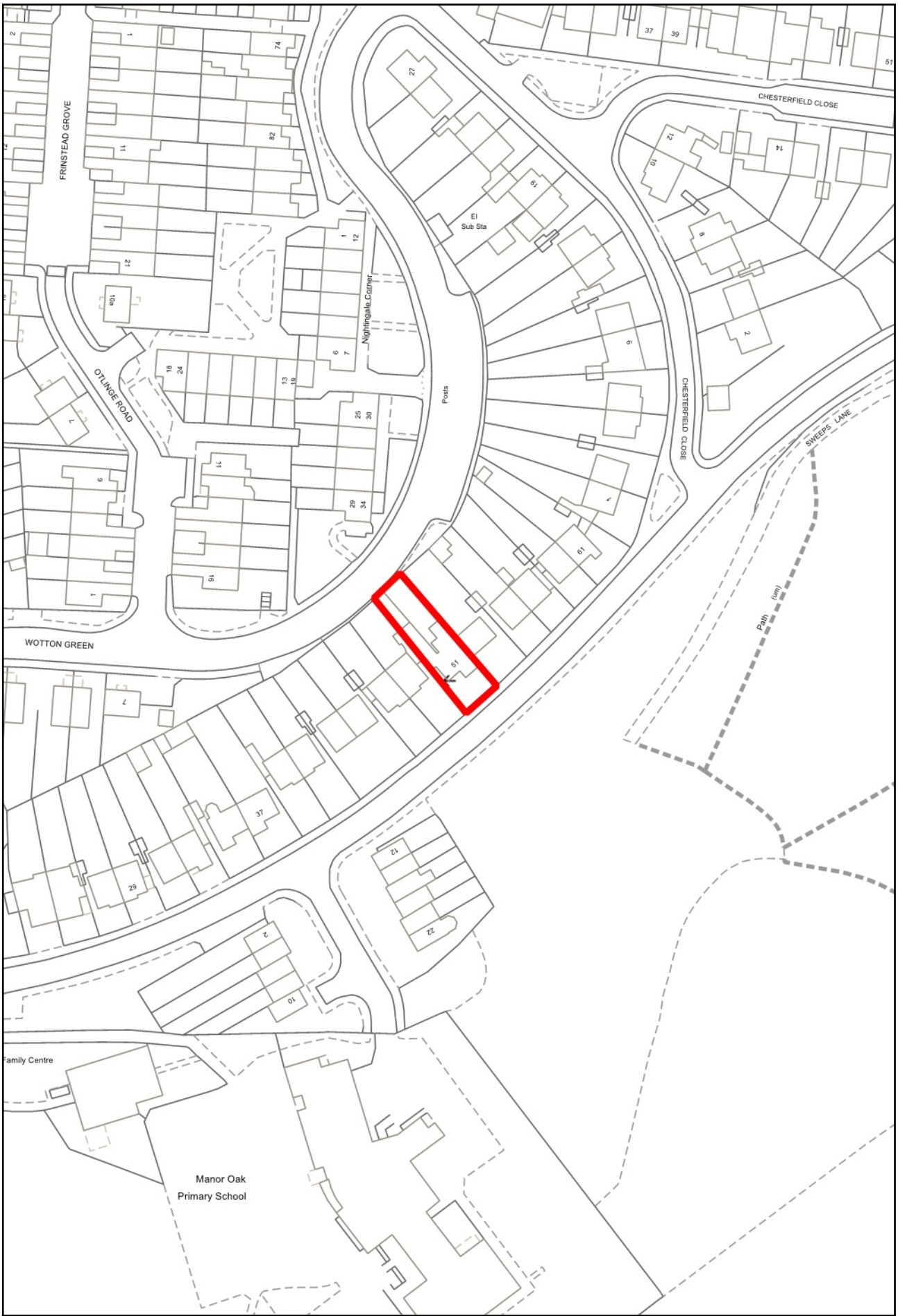
### **RECOMMENDATION:**

#### **Application Permitted**


#### **Subject to the following conditions:**

- 1. Standard Compliance with Plans**
- 2. Alterations to be implemented within 4 months**
- 3. Occupation restricted to members of household at 51 Sweeps Lane**

**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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 23/04083/FULL6  
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31 January 2024

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# Agenda Item 4.4

<b>Committee Date</b>	07.03.2024	
<b>Address</b>	Southborough Library Southborough Lane Bromley BR2 8AP	
<b>Application Number</b>	23/04928/FULL1	<b>Officer</b> - Suzanne Lyon
<b>Ward</b>	Bickley & Sundridge	
<b>Proposal</b>	Renewal and replacement of cladding, windows, ramp, steps and flat roof.	
<b>Applicant</b>	<b>Agent</b>	
Mr David Wright	David Cresswell	
10-12 Alie Street London E1 8DE	Ingleton Wood LLP 874 The Crescent Colchester Business Park Colchester CO4 9YQ	
<b>Reason for referral to committee</b>	<b>Councillor call in</b>	
	Council Application	

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

<p><b>KEY DESIGNATIONS</b></p> <ul style="list-style-type: none"> <li>• Biggin Hill Safeguarding Area</li> <li>• London City Airport Safeguarding</li> <li>• Smoke Control</li> <li>• Statutory Listed Buffer</li> <li>• Flood Zone 2</li> <li>• Area of Open Space Deficiency</li> </ul>
---

<b>Representation summary</b>	Neighbour letters were sent 22 January 2024
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 character of the area would arise

## 2 LOCATION

2.1 The application site is a public library located on the northern side of Southborough Lane, at the junction with St Augustine's Avenue

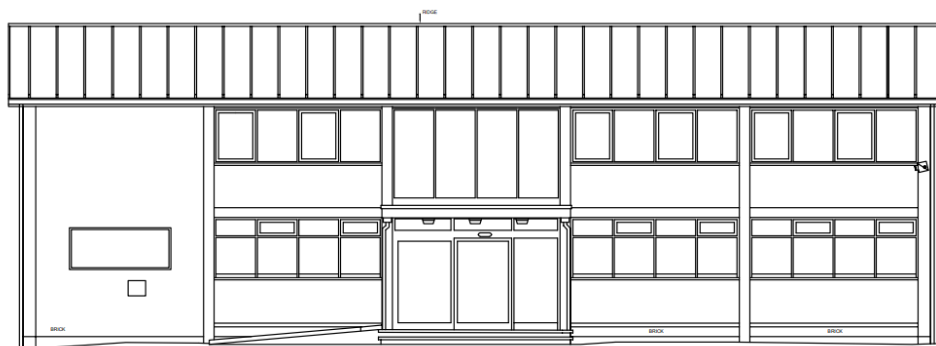
**Figure 1 – OS Map**



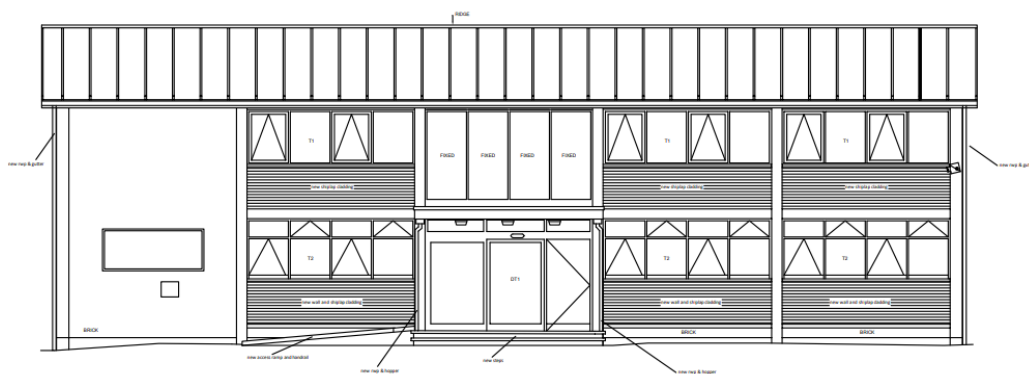
### 3 PROPOSAL

- 3.1 Permission is sought for elevational alterations, including the following:
- Replacement shiplap fibre cement cladding and guttering
  - Replacement aluminium double glazed windows/doors and additional rear door
  - Replacement access ramp, handrail and steps
  - Replacement flat roof (approximately 150mm higher)

**Figure 2 – Front Elevation**



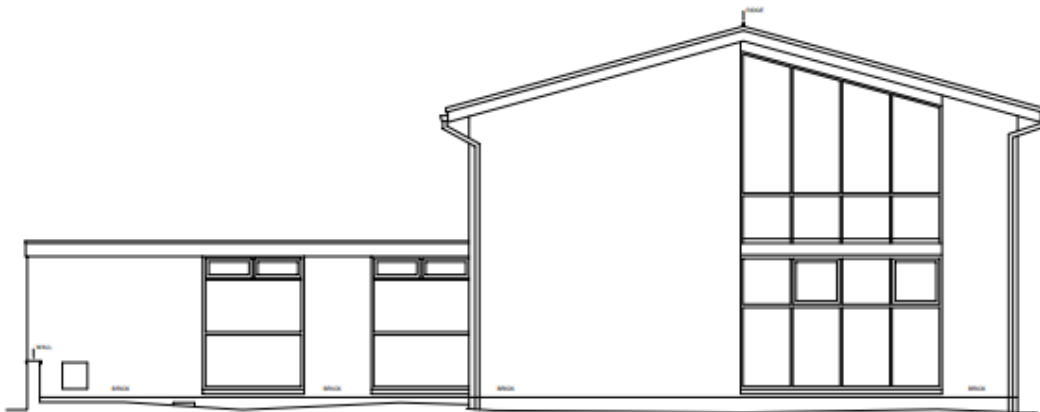
EXISTING ELEVATION E1 (FRONT)



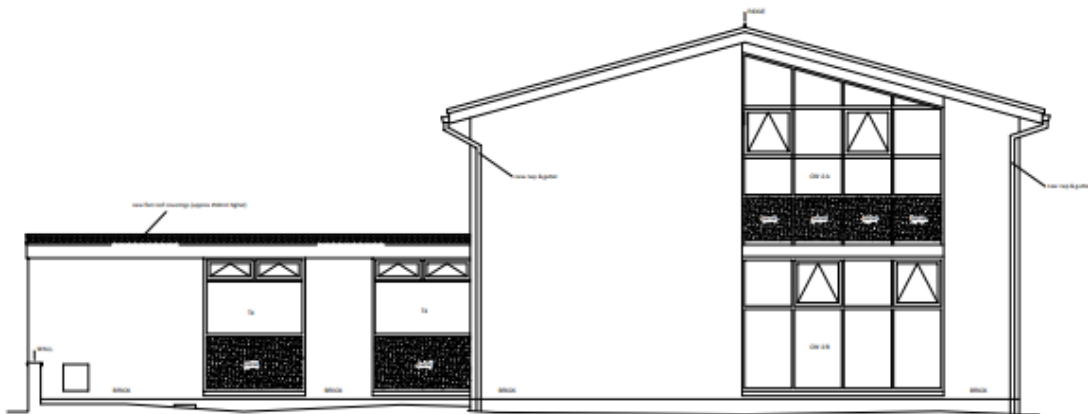
PROPOSED ELEVATION E1 (FRONT)



Figure 3: Left Flank



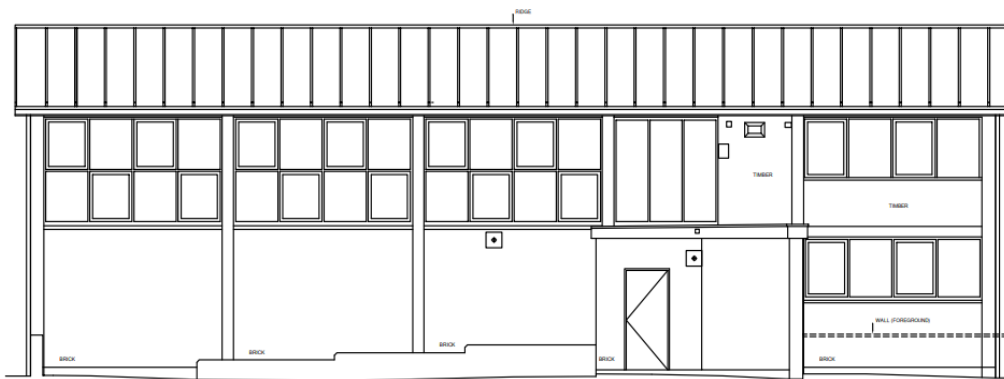
EXISTING ELEVATION E2 (LEFT HAND FLANK)



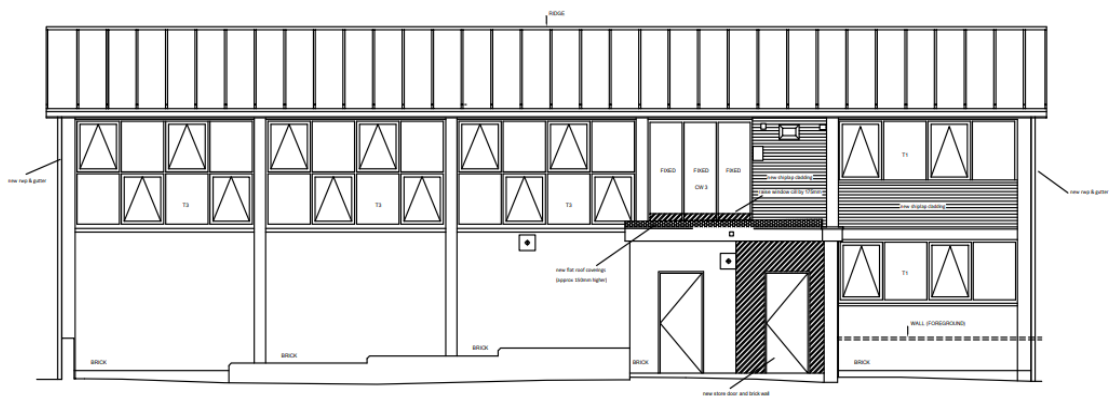
PROPOSED ELEVATION E2 (LEFT HAND FLANK)



Figure 5 - Rear Elevation

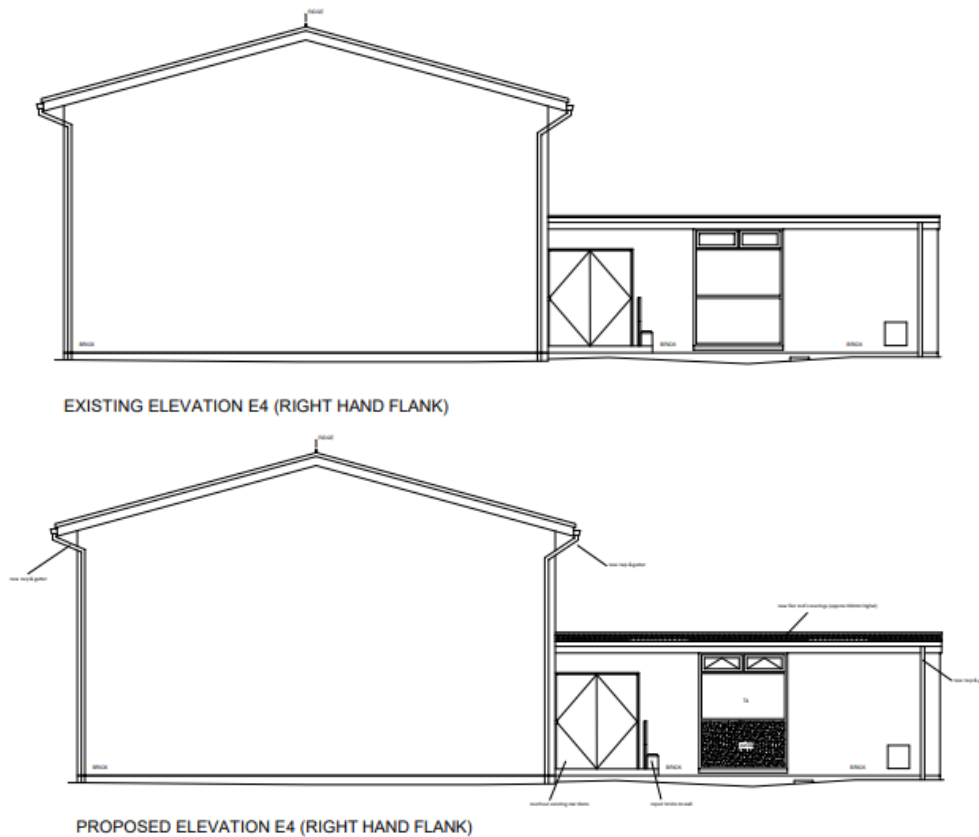


EXISTING ELEVATION E3 (REAR)



PROPOSED ELEVATION E3 (REAR)

**Figure 4 - Right Flank**



## **4 RELEVANT PLANNING HISTORY**

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

- 01/03260/DEEM3 - Replacement entrance doors to provide disabled persons access - Permitted 22.11.2001

## **5 CONSULTATION SUMMARY**

### **A) Statutory**

- N/A

### **B) Local Groups**

- N/A

### **C) Adjoining Occupiers**

- No comments received

## **6 POLICIES AND GUIDANCE**

### **6.1 National Planning Policy Framework 2023**

### **6.2 NPPG**

### **6.3 The London Plan**

D1 London's form and characteristics  
D4 Delivering good design  
D5 Inclusive design

### **6.4 Bromley Local Plan 2019**

20 Community Facilities  
37 General Design of Development

### **6.5 Bromley Supplementary Guidance**

Urban Design Supplementary Planning Document (Bromley, 2023)

## **7 ASSESSMENT**

### **7.1 Design – Layout, scale – Acceptable**

7.1.1 The proposal is for elevational alterations including replacement aluminium double glazed windows/doors, cladding, guttering, access ramp, handrail and steps. The application form states that the cladding will be replaced with shiplap fibre cement cladding, colour anthracite. The proposal also includes an additional rear door and a replacement flat roof that increases the height by approximately 150mm.

7.1.1 Having regard to the form, scale, siting and proposed materials it is considered that the proposal would complement the host building and would not appear out of character with surrounding development or the area generally.

### **7.2 Residential Amenity – Acceptable**

7.2.1 The site is bordered by St Augustine's Avenue to the west and Southborough Lane to the south. It is also noted that the building directly north is currently in use as a dance studio. Given the separation to neighbouring properties and modest scale of the proposal, it is not considered to impact significantly on the amenities of neighbouring properties with regards to loss of light, outlook, or visual amenity, over and above that already existing.

7.2.2 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**

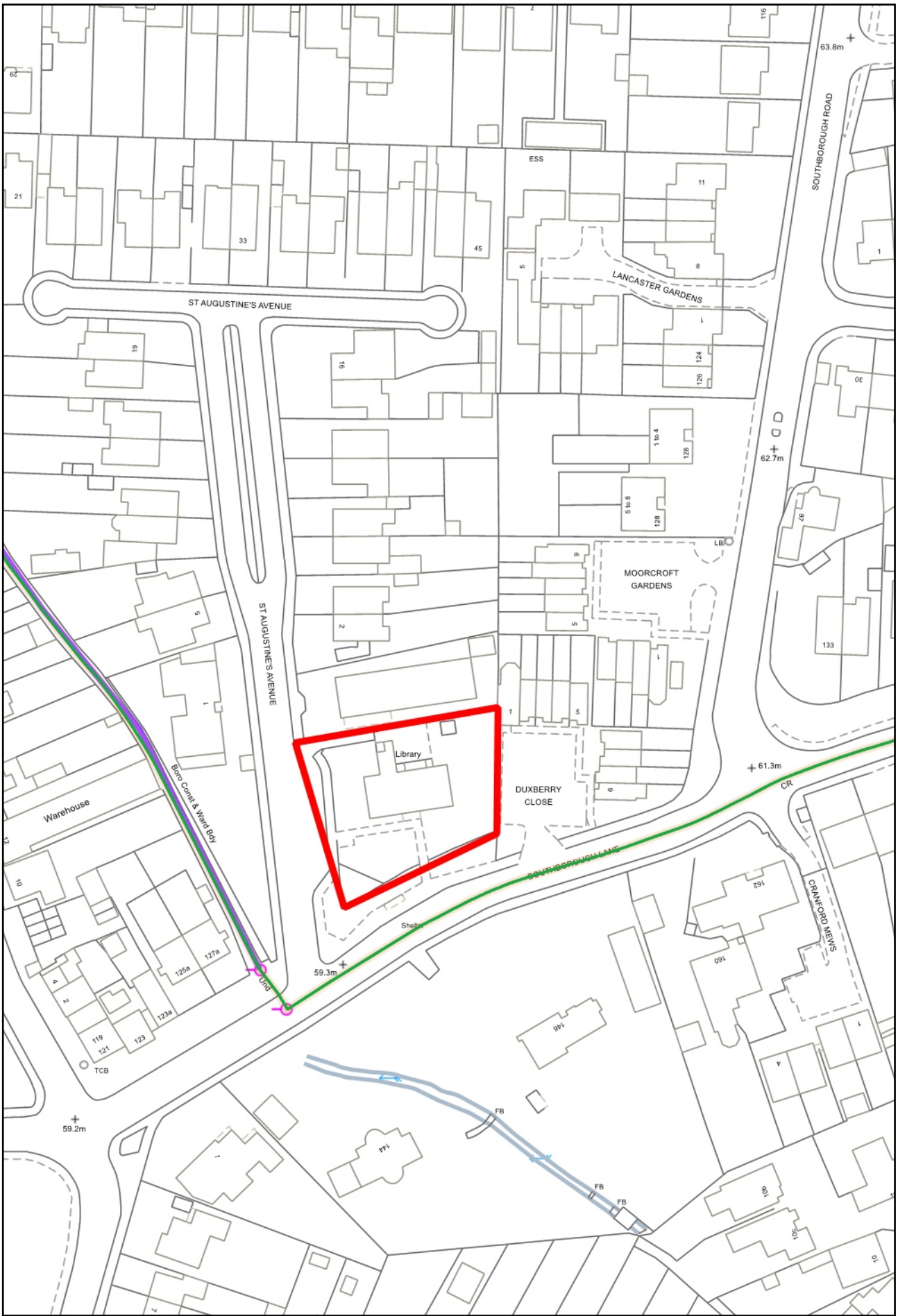
- 8.1 Having regard to the above, the development in the manner proposed is acceptable in that it would not result in a significant impact on the character and appearance of the surrounding area or not harm the amenities of neighbouring residential properties.

### **RECOMMENDATION: Application Permitted**

#### **Subject to the following conditions:**

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

**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.**



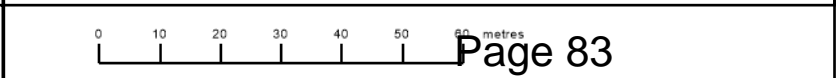
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## Southborough Library

28 February 2024

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