

SECTION '2' – Applications meriting special consideration

**Application No :** 11/03536/FULL1

**Ward:**  
**Chelsfield And Pratts  
Bottom**

**Address :** 52 High Street Green Street Green  
Orpington BR6 6BJ

**OS Grid Ref:** E: 545578 N: 163479

**Applicant :** Prizegate Housing (Ltd)

**Objections :** YES

**Description of Development:**

Two storey side and part one/two storey rear extensions with accommodation in roof space to create 3 x one bedroom flats, landscaping, bin storage and cycle store.

Key designations:

Flood Zone 2  
Flood Zone 3  
Local Distributor Roads

**Proposal**

This proposal is for a two storey side and part one/two storey rear extensions with accommodation in the roof space to create 3 x one bedroom flats, landscaping, bin storage and cycle store. The side extension would involve an approximately 3.5m wide 2 storey side/rear extension which would have a maximum depth of 12.25m. The single storey rear element of the proposal would have a maximum depth of 4.8m.

**Location**

The application site is currently comprised of an end of terrace two storey property with accommodation in the roofspace. The property is vacant but appears to have once contained a commercial unit on the ground floor with residential accommodation on the upper floors. The application site is located to the west of High Street and is within a Flood Zone 2 and 3. Properties to the south of the application site along High Street are primarily residential in character with those to the north being of a commercial in nature.

In response to concerns raised by the Highways Division additional information was requested on 4th July 2012 which was subsequently supplied by the applicant on 24th July 2012 to address these concerns.

## **Comments from Local Residents**

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

- the Green Street Green Village Society comments on the application and stated that the existing building is an eyesore which has been painted and as such is not in keeping with the well designed group of cottages. The current proposal would be detrimental to the symmetry of the design. If permission were to be granted a condition should be attached to remove the paint and restore the original appearance. Concerns about parking and traffic implications of a major building project on the site opposite a bus stand and a garage.
- proposed extension will negatively impact on the open character of the street scene and accentuate terracing effect diminishing historical character of street.
- removal of off street parking at No. 52 will increase demand on parking in the area for Nos. 56 and 54 which is currently limited due to yellow line restrictions and over-congested.
- scale of the proposal is too large. Other flint cottages have previously constructed single storey extensions in keeping with the original character and layout of the buildings. Proposed extension would detrimentally affect visual appearance and character of the cottages and the streetscene.
- other flint cottages are occupied by single families and it is suggested that a maximum of 2 flats with single storey extensions as opposed to 3 flats with two storey side extension would be more appropriate to overall appearance and amenities of the area.
- concerns as there are already issues with blocked drains in the area.
- concerns relating to loss of light and privacy and impact on party wall of No. 54.

## **Comments from Consultees**

The Council's Highways Division were consulted and initially raised concerns in relation to the proposal and stated there appears to be an off-street space adjacent to the property where a vehicle had been parked. However, there is no dropped kerb and one is unlikely to be allowed to install a dropped kerb in this location and as such it is considered that the property has no existing parking. There would a net increase of 2 one-bed flats with the proposal. The existing ground floor use could also generate trips/parking. The increase in vehicles associated with site is therefore likely to be small, probably 1 or 2 at the most.

The site is within a low (2) PTAL area so it is not in a particularly accessible location for public transport and there must be a likelihood that future residents will own a car. It is considered likely that residents would look to park their vehicles as close to the property as possible and the site appears to be in the narrowest part of the High Street.

The area has a high demand for on-street parking and an Accessibility and Parking Study was submitted as part of the application, which included the results of a

number of parking surveys in the area. Concerns were raised by the Highways Division as to the methodology of the study to which the applicant responded. In relation to the revised information the Highways Division state the survey shows there are a number of parking spaces available, well in excess of any vehicles likely to be generated by the development, and that on balance given the small nature of the development it is not considered that there is any sustainable ground of refusal.

The Council's Waste Advisors stated more recycling boxes are required in accordance with the Notes for Developers. No objections are raised to the storage but must be brought to the front of the property on the day of collection.

The Council's Highways Drainage Section was consulted who stated the site is located within the Flood Plain of the River Ravensbourne or one of its tributaries, therefore this application must be registered to the Environment Agency Thames Region. The most likely source of flooding for the site is from groundwater and as such a soakage test is necessary to confirm the suitability of the soil for infiltration.

The Council's Environmental Health Housing Division have assessed the application in terms of its compliance with the Housing Act 2004 Part 1 (Housing Health and Safety Rating System) and raise concerns that in terms the ventilation and lighting to be provided for ground floor flat bedroom. The ventilation requirement for this room is 0.8 m<sup>2</sup>. External doors are not included when calculating a room's natural ventilation provision. Unlike an external window an external door can not be left open to provide natural ventilation without compromising the property's security and in winter time allowing excessive heat loss. The French doors/window complex will need to include opening windows with an area of 0.8 m<sup>2</sup>. In terms of proposed ground/first floor flat lounge with a floor area of approximately 14 sq m the ventilation requirement for this room is 0.7 m<sup>2</sup>. The French doors/window complex will need to include opening windows with an area of 0.7 m<sup>2</sup>. The proposed first/second floor flat lounge is approximately 14 sq m and the casement window to the lounge is approximately 1 sq m of which 0.5 m<sup>2</sup> is openable. The requirement is 1.4 sq m of which 0.7 sq m is openable. This does not provide adequate natural light or ventilation to the room.

In terms of the space to be provided the proposed ground floor kitchen floor area is approximately 5.75 sq m while the recommended minimum floor area for a kitchen is 6.5 m<sup>2</sup>. The proposed ground/first floor flat kitchen would have a floor area of 4 sq m which again is less than the 6.5 sq m as advocated by the Housing Act 2004.

In terms of the bedroom to be provided in the roofspace for flat 2 a bedroom or living room in an attic or loft conversion must have at least half the floor area with a ceiling height of at least 1.9m. Whilst there is no minimum ceiling height for the room's remaining floor area, any ceiling height below 1.5m will not be included as part of a space assessment (is not useable floor area). In this instance the useable floor area is approximately 5.25 sq m (discounting the floor area with a ceiling height below 1.5 m high). It is reasonable to assume the intended and future occupation of the one bedroom flat is likely to include cohabiting adults who will share a bedroom. The bedroom should, therefore, have a floor area of at least 10 m<sup>2</sup> so as to avoid overcrowding.

In addition, concerns were raised as the proposed flats appear to lack internal facilities for drying clothes (i.e. tumble drier or drying cabinet) which are considered to be hazardous in terms of damp and mould, personal hygiene and fire.

The Environment Agency have been consulted and state the proposed development will only meet the requirements of the National Planning Policy Framework if the measures outlined in the accompanying Flood Risk Assessment are complied with, which should be secured by way of a condition.

Thames Water raise no objections in relation to water or sewerage infrastructure.

The Metropolitan Police Crime Prevention Design Advisor states no records can be found that the applicant or agent consulted the Metropolitan Police in connection with the application and no details appear to have been provided for plans to incorporate measures that will be employed to meet the Secure By Design (SBD) Standards to reduce and prevent criminality. The application should however, be able to achieve SBD accreditation in respect of part 2, within the guidance of 'SBD New Homes 2010' and by incorporating accredited, tested, certified products, subject to conditions.

## **Planning Considerations**

The application falls to be determined in accordance with the following policies of the Unitary Development Plan:

- BE1 Design of New Development
- H1 Housing Supply
- H7 Housing
- H9 Sidespace
- H12 Conversion of Non-Residential Buildings to Residential Use
- S5 Local Neighbourhood Centres, Parades and Individual Shops
- T3 Parking
- T18 Road Safety

Supplementary Planning Guidance (SPG) 1 General Design Principles  
Supplementary Planning Guidance (SPG) 2 Residential Design Guidance

and the London Plan:

- 3.3 Increasing Housing Supply
- 3.4 Optimising Housing Potential
- 3.5 Quality and Design of Housing Developments
- 5.12 Flood Risk Management

The National Planning Policy Framework is also a key consideration in the determination of this application.

## **Planning History**

In 2003 under planning ref. 03/04004/ADV, advertisement consent was refused for 2 internally illuminated fascia signs.

## **Conclusions**

The main issues relating to the application are the effect that it would have on the character of the area and the impact that it would have on the amenities of the occupants of surrounding residential properties.

In terms of the design of the proposal Nos. 52 – 58 are a row of flint finished terrace properties which have an established uniform design. While the addition of the two storey side extension will alter the rhythm of the design, the proposal would have a lower roof height than the existing property and would be set back 1m from the principle elevation at a ground floor level, 2m at a first floor level, which results in the extension appearing subservient to the host property. As such it is not considered that the proposal would be unduly detrimental to the overall appearance of No. 52 nor appear incongruous in the streetscene.

As the proposal would result in the loss of a commercial unit Policy S5 is considered to be a key consideration in the determination of the application, it states:

“In local neighbourhood centres and shopping parades change of use from Class A1 (Shops) to other uses will be permitted provided that:

- (i) the use proposed contributes to the range of local services or the provision of local community facilities: and contributes to the vitality of the centre by providing a service or attracting visitors during shopping hours; or
- (ii) it can be demonstrated that there has been a long term vacancy and a lack of demand for Class A1 (Shops) use, as well as a lack of demand for service or community use before other uses are proposed”.

In this instance it has not been demonstrated that there is a lack of demand for Class A1 (Shops) or for service or community uses at the site, with no marketing information received. The accompanying Design and Access statement states “the property has been vacant and derelict for a substantial period of time. At one point, ground floor premises were in commercial use but they have been redundant for in excess of four years and have become more and more dilapidated during this period of vacancy”. The application site is an end of terrace property within a row of residential dwellings with this section of the high street being primarily residential in nature. The application site is neither primary nor secondary shopping frontage and as such the loss of a commercial unit is considered to be acceptable in this instance.

The proposal would involve a single storey rear extension with a maximum depth of 4.75m which would be 4.08m closest to the boundary with No. 54. No. 52 is located to the south of the application site and has an existing single storey rear element, which may be original, and conservatory extension. The proposal would involve the removal of a single storey element with a greater depth than that proposed (approximately 6.2m in depth) and as such this element of the proposal

is not anticipated to result in a significant impact on the residential amenities of No. 54. The first floor element of the proposal would be a minimum of 3.85m and maximum of 5m in depth and would be set back from the boundary with No. 54 by approximately 4.3m and as such is not anticipated to appear unduly dominant or result in a significant loss of prospect for No. 54.

The proposal would be sited a minimum of 1m from the flank boundary with 50, which satisfies the requirements of Policy H9. No. 50 is a commercial premise which has previously constructed a 'wrap around' single storey side/rear extension. The first floor element of the proposal would project approximately 5m beyond the rear elevation of the main building at No. 50 with a 1m side space provided to the flank boundary. The main property at No. 50 would be sited a further 3m from the boundary resulting in a total separation some 4m. Given this distance between the flank elevations, on balance the proposal is not anticipated to result in a significant impact for the first floor of No. 50 to such an extent as to warrant refusal.

A minimum distance of 8.2m would be retained from the rear elevation of the proposal to the rear boundary which is less than the 10m generally required. Members are asked to consider with this would be acceptable given the relationship with adjoining properties.

The proposal would provide approximately 90.75 of amenity space (including space provided for bin storage and secure cycle store) which is considered to be satisfactory for the type of accommodation proposed, with future occupants likely to be individuals or couples as opposed to families.

In terms of the residential amenities proposed for future occupants Flat 1 would provide 53.8 sq m of internal floorspace which is above the minimum space standards of 50 sq m for a 1 bedroom 2 person flat as required by Policy 3.5 of the London Plan. Flat 2 is proposed to be 65.8 sq m and Flat 3 would be 59.3 sq m which again meets the London Plan requirements for a 1 bedroom 2 person flat. Additional concerns are raised as to the quality of accommodation to be provided by the Environmental Health Housing Division, however, it is not considered that the application could be refused solely on this basis. Were Members to consider it appropriate a condition could be attached requiring the submission of details and where necessary revised internal plans to be submitted to an approved in writing by the Local Planning Authority prior to work commencing on site to overcome these concerns.

On balance and having had regard to the above it was considered that the development in the manner proposed is acceptable in that it would not result in a significant loss of amenity to local residents nor impact detrimentally on the character of the area. In addition, it is considered that the loss of a commercial unit is acceptable in this instance.

Background papers referred to during production of this report comprise all correspondence on file ref. 11/03536, excluding exempt information.

as amended by documents received on 24.07.2012

## RECOMMENDATION: PERMISSION

Subject to the following conditions:

- 1 ACA01 Commencement of development within 3 yrs  
ACA01R A01 Reason 3 years
- 2 ACA04 Landscaping Scheme - full app no details  
ACA04R Reason A04
- 3 ACA07 Boundary enclosure - no detail submitted  
ACA07R Reason A07
- 4 ACC01 Satisfactory materials (ext'n'l surfaces)  
ACC01R Reason C01
- 5 ACC03 Details of windows  
ACC03R Reason C03
- 6 ACD02 Surface water drainage - no det. submitt  
ADD02R Reason D02
- 7 ACD04 Foul water drainage - no details submitt  
ADD04R Reason D04
- 8 ACH22 Bicycle Parking  
ACH22R Reason H22
- 9 No windows or doors shall at any time be inserted in the first floor flank elevation(s) and above of the extension hereby permitted, without the prior approval in writing of the Local Planning Authority.  
ACI13R I13 reason (1 insert) BE1
- 10 ACI09 Side space (1 metre) (1 insert) full height and width of the northern  
ACI09R Reason I09
- 11 ACI21 Secured By Design  
ACI21R I21 reason
- 12 ACK01 Compliance with submitted plan

**Reason:** In the interests of the residential amenities of neighbouring properties, and the visual amenities of the area in line with Policy BE1 of the Unitary Development Plan.

- 13 ACK05 Slab levels - no details submitted  
ACK05R K05 reason
- 14 The development hereby permitted shall be carried out in accordance with the approved Flood Risk Assessment (FRA) dated May 2012 by Herrington Consulting Limited and the following mitigation measures detailed with the FRA:

- Finish floor levels shall be set no lower than 150mm above Ordnance Datum (AOD).

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing/phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority.

**Reason:** In order to comply with Policy 5.12 of the London Plan and the National Planning Policy Framework and to ensure that the development does not increase the risk of flooding in the area.

15 Details of the measures taken to address the concerns of the Council's Environmental Health Division in terms of lighting and ventilation; crowding and space shall be submitted to and approved in writing by the Local Planning Authority and the works of conversion and extension shall subsequently be carried out in accordance with the approved details and retained as such thereafter.

**Reason:** To ensure a satisfactory standard of accommodation and to comply with Policy BE1 of the Unitary Development Plan.

**Reasons for granting permission:**

In granting permission the Local Planning Authority had regard to the following policies of the Unitary Development Plan:

BE1 Design of New Development  
H1 Housing Supply  
H7 Housing  
H9 Sidespace  
H12 Conversion of Non-Residential Buildings to Residential Use  
S5 Local Neighbourhood Centres, Parades and Individual Shops  
T3 Parking  
T18 Road Safety

Supplementary Planning Guidance (SPG) 1 General Design Principles  
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and the London Plan:

3.3 Increasing Housing Supply  
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3.5 Quality and Design of Housing Developments  
5.12 Flood Risk Management

The National Planning Policy Framework is also a key consideration in the determination of this application.

The development is considered to be satisfactory in relation to the following:

- (a) the appearance of the development in the street scene;
- (b) the relationship of the development to adjacent properties;
- (c) the character of the development in the surrounding area;
- (d) the impact on the amenities of the occupiers of adjacent and nearby properties;
- (e) the loss of a commercial unit is acceptable in this acceptable in this instance.

and having regard to all other matters raised.

INFORMATIVE(S)



- 1 You are advised that this application may be liable for the payment of the Mayoral Community Infrastructure Levy under the Community Infrastructure Levy Regulations (2010) and the Planning Act 2008. The London Borough of Bromley is the Collecting Authority for the Mayor and this Levy is payable on the commencement of development (defined in Part 2, para 7 of the Community Infrastructure Levy Regulations (2010)). It is the responsibility of the owner and /or person(s) who have a material interest in the relevant land to pay the Levy (defined under Part 2, para 4(2) of the Community Infrastructure Levy Regulations (2010)).

If you fail to follow the payment procedure, the collecting authority may impose surcharges on this liability, take enforcement action, serve a stop notice to prohibit further development on the site and/or take action to recover the debt.

Further information about Community Infrastructure Levy can be found on attached information note and the Bromley website [www.bromley.gov.uk/CIL](http://www.bromley.gov.uk/CIL)

- 2 In order for the Council to fully assess whether the proposed storm water system meets Council requirements the following information is required to be provided when discharging Condition 3:
  - A clearly labelled drainage layout plan showing pipe networks and any attenuation soakaways.
  - Where infiltration forms part of the proposed storm water systems such as soakaways, soakage tests results and test locations are to be submitted in accordance with BRE digest 365.
  - Calculations should demonstrate how the system operates during the 1 in 30 year critical duration storm event plus climate change.

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