

Section '3' - Applications recommended for PERMISSION, APPROVAL or CONSENT

**Application No :** 13/03307/RECON

**Ward:**  
**Bickley**

**Address :** 64A Hill Brow Bromley BR1 2PQ

**OS Grid Ref:** E: 542019 N: 169787

**Applicant :** Mr Gary Tarrant

**Objections :** YES

**Description of Development:**

Variation of condition 13 of permission reference 12/01201 granted for demolition of existing bungalow and erection of two storey 5 bedroom detached dwelling to allow additional rooflights in the rear elevation.

RETROSPECTIVE APPLICATION

Key designations:

Biggin Hill Safeguarding Birds  
Biggin Hill Safeguarding Area  
London City Airport Safeguarding  
London City Airport Safeguarding Birds

**Proposal**

This two storey detached dwelling is being constructed under permission ref.12/01201 granted in July 2012, and amendments have been made to the approved plans which comprise the addition of habitable rooms in the roof space and the construction of six roof lights within the rear north-facing roof slope.

**Location**

This site is located to the east of Hill Brow, accessed via a driveway between Nos.64 and 66 which also serves No.64B, and was previously occupied by a bungalow. The site is bounded to the west by No.66 Hill Brow, to the north by the rear garden of Stotfold (a large detached property converted into flats), to the east by Nos.2 and 3 Mount Close, and to the south by 64B Hill Brow.

The northern boundary of the site abuts Mavelstone Road Conservation Area, and Stotfold to the north is a Grade II Statutory Listed Building.

**Comments from Local Residents**

Letters of objection have been received from residents of Stotfold and Sundridge Residents' Association, and the main points of concern are summarised as follows:

- permitted development rights were previously removed, and no further building should therefore be allowed
- loss of outlook from flats at Stotfold
- overlooking of rear garden of Stotfold
- detrimental impact on adjacent Conservation Area
- pressure for dormers windows to be provided in the future to allow views from habitable rooms.

Ward Councillors have also expressed concerns about the proposals, and have called the application into committee.

### **Planning Considerations**

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

BE1 Design of New Development  
H7 Housing Density & Design  
BE13 Development Adjacent to Conservation Area

### **Planning History**

A number of outline permissions were granted for a replacement dwelling on this site during the 1980s, and although permissions were refused for a replacement two storey dwelling in 2004 and 2005 (under refs. 04/03288 and 05/00414), permission was granted in 2006 under ref.05/03923 for a replacement two storey 5 bedroom dwelling with attached double garage.

A subsequent application for a replacement dwelling, which included loft storage served by two rear dormers (ref. 12/00153), was refused in March 2012 on the following grounds:

"The proposal would constitute a bulky, overdominant development detrimental to the amenities of adjoining properties in Mount Close, Stotfold and 64B Hill Brow by reason of overlooking and loss of privacy, thereby contrary to Policy BE1 of the Unitary Development Plan 2006."

Permission was then granted for a revised scheme which did not include rear dormers (ref. 12/01201), and this scheme is currently under construction.

### **Conclusions**

The main issues in this case are the impact of the rear-facing roof lights on the amenities of neighbouring properties, on the character and appearance of Mavelstone Road Conservation Area and on the setting of the adjacent Listed Building.

The site has been inspected and the roof lights which have been installed in the rear roof slope facing the rear elevation of Stotfold, have a minimum height above internal floor level of 1.7m to the lower cill, which limits any potential overlooking of the neighbouring property at Stotfold which is over 60m away from the dwelling, or its rear garden which also has a good level of tree screening along this boundary.

With regard to the impact on the adjacent Conservation Area, the dwelling is located in a backland site and is largely screened from public view, therefore any impact on the adjacent Conservation Area is considered to be limited. Similarly, the Listed Building (Stotfold) is located a significant distance away from the new dwelling, and its setting has not been unduly affected by the installation of roof lights in the rear roof slope.

The revisions to the permitted scheme are not, therefore, considered to have a detrimental impact on the amenities of adjoining residents, nor on the character and appearance of the adjacent Mavelstone Road Conservation Area, and would not adversely affect the setting of the Listed Building.

With regard to concerns raised by Sundridge Residents' Association, the installation of dormer windows in the roof slope would require planning permission due to the removal of permitted development rights, and any application submitted would be assessed on its planning merits.

Background papers referred to during production of this report comprise all correspondence on files refs. 04/03288, 05/00414, 05/03923, 12/00153, 12/01201 and 13/03307, excluding exempt information.

## **RECOMMENDATION: APPROVAL**

subject to the following conditions:

- 1     ACA07         Boundary enclosure - no detail submitted  
       ACA07R       Reason A07
- 2     ACH04         Size of parking bays/garages  
       ACH04R       Reason H04
- 3     ACI02         Rest of "pd" Rights - Class A, B,C and E  
       ACI03R       Reason I03
- 4     ACI11         Obscure glaz'g/details of opening (1 in)     to the first floor  
       flank elevations  
       ACI11R        Reason I11 (1 insert)             BE1
- 5     ACI17         No additional windows (2 inserts)     first floor flank     dwelling  
       ACI17R        I17 reason (1 insert)     BE1
- 6     ACK01         Compliance with submitted plan  
       ACK05R        K05 reason
- 7     Details of a scheme of landscaping, which shall include the materials of paved areas and other hard surfaces, shall be submitted to and approved in writing by the Local Planning Authority within 1 month of the date of this decision. The approved scheme shall be implemented in the first planting season following the first occupation of the buildings or the substantial completion of the development, whichever is the sooner. Any trees or

plants which within a period of 5 years from the substantial completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species to those originally planted.

**Reason:** In order to comply with Policy BE1 of the Unitary Development Plan and to secure a visually satisfactory setting for the development.

8 Details of a surface water drainage system (including storage facilities where necessary) shall be submitted to and approved in writing by the Local Planning Authority within 1 month of the date of this decision and the approved system shall be completed before any part of the development hereby permitted is first occupied, and permanently retained thereafter.

**Reason:** To ensure satisfactory means of surface water drainage and to accord with Policy ER13 of the Unitary Development Plan.

9 Details of a foul water drainage system shall be submitted to and approved in writing by the Local Planning Authority within 1 month of the date of this decision and the approved system shall be completed before any part of the development hereby permitted is first occupied, and permanently retained thereafter.

**Reason:** To ensure satisfactory means of foul water drainage and to accord with Policy ER13 of the Unitary Development Plan.

10 Details of arrangements for storage of refuse and recyclable materials (including means of enclosure for the area concerned where necessary) shall be submitted to and approved in writing by the Local Planning Authority within 1 month of the date of this decision, and the approved arrangements shall be completed before any part of the development hereby permitted is first occupied, and permanently retained thereafter.

**Reason:** In order to comply with Policy BE1 of the Unitary Development Plan and in order to provide adequate refuse storage facilities in a location which is acceptable from the residential and visual amenity aspects.

11 Surface water from private land shall not discharge on to the highway. Details of the drainage system for surface water drainage to prevent the discharge of surface water from private land on to the highway shall be submitted to and approved in writing by the Local Planning Authority within 1 month of the date of this decision. Before any part of the development hereby permitted is first occupied, the drainage system shall be completed in accordance with the approved details and shall be retained permanently thereafter.

**Reason:** To ensure a satisfactory means of surface water drainage and to accord with Policy ER13 of the Unitary Development Plan.

#### 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).

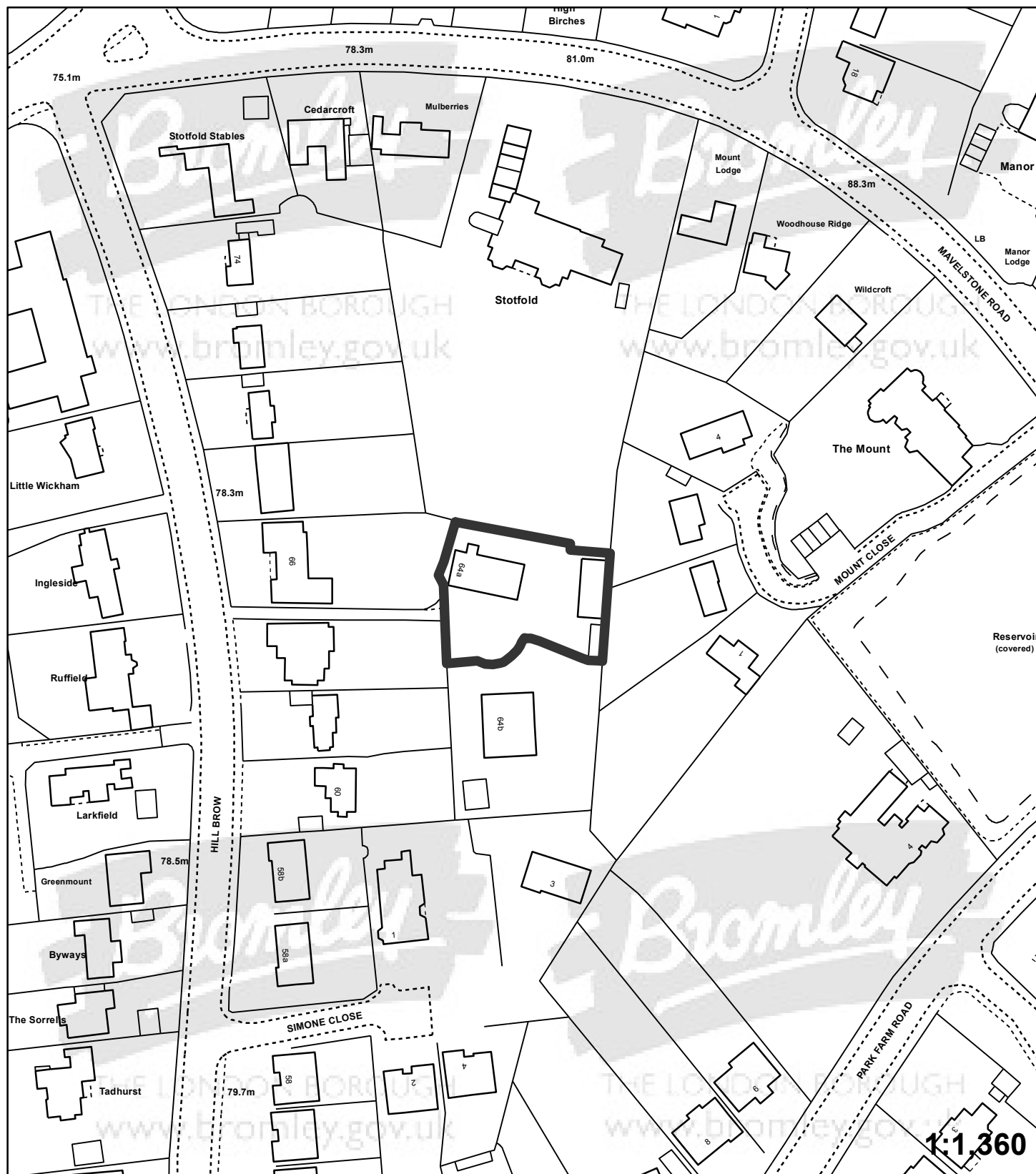
If you fail to follow the payment procedure, the collecting authority may impose surcharges on this liability, take enforcement action, serve a stop notice to prohibit further development on the site and/or take action to recover the debt.

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)

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"This plan is provided to identify the location of the site and should not be used to identify the extent of the application site"