

SECTION '2' – Applications meriting special consideration

**Application No :** 15/00664/FULL1

**Ward:**  
**Plaistow And Sundridge**

**Address :** 1 Burnt Ash Lane Bromley BR1 4DJ

**OS Grid Ref:** E: 540380 N: 170394

**Applicant :** Grayson Franks Ltd Stephen Grayson **Objections :** YES

**Description of Development:**

Demolition of existing bungalow and construction of a three storey building comprising 2 one bedroom and 4 two bedroom flats, parking, cycle parking, refuse and landscaping

Key designations:

Biggin Hill Safeguarding Birds Aldersmead Road  
Biggin Hill Safeguarding Area  
London City Airport Safeguarding  
London City Airport Safeguarding Birds  
Local Distributor Roads  
London Distributor Roads  
Smoke Control SCA 7  
Smoke Control SCA 5

**Proposal**

Planning permission is sought for the demolition of the existing bungalow and construction of a three storey building comprising 2 one bedroom and 4 two bedroom flats, parking, cycle parking, refuse and landscaping.

The building is contemporary in design with the principle orientation to the front and rear of the site. The building will be set away from the side boundaries with a side vehicle access to the site to a partial undercroft parking to the rear. Private garden areas are located to the front and side for ground floor flats and a separate communal area for the upper floors with additional balconies facing the streetscene. Materials are indicated as red and yellow London stock brick with rendered elements.

**Location**

The site is located on the east side of Burnt Ash Lane and currently comprises a single storey inter-war bungalow. The site has a wide frontage with a high boundary wall opposite a mini road gyratory and Plaistow Green. Vehicle access

and parking for up to three cars are currently provided on site. To the north and south of the site are two large Victorian properties with the property to the south currently occupied as flats. Opposite the site and nearing completion is a new Tesco store with 8 flats above.

### **Comments from Local Residents**

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

#### Objection

- Building design not in keeping with adjacent properties.
- Gyratory is already busy. Proposal will impact on parking, congestion and highway safety to create further problems.
- Concern regarding height of proposed structure regarding overlooking and loss of privacy.
- Concerns regarding the design to the predominant style of Edwardian properties in the area.
- Impact on safety in area due to new development.
- Concerns raised regarding the extent of notification of the application.
- Access to neighbouring property will be made more dangerous.
- Loss of trees will result due to the application. Concerns raised that it is not possible to protect them during construction.
- Concerns that adjacent property will be overlooked and in shadow.
- Site is unsuitable for this level of development.
- Development insensitive to neighbours. Will dominate and overshadow homes.
- Increased strain on local amenities.
- Ruin front garden to adjacent homes and be less pleasurable to live in.
- Proposal has not considered the amenities of upper floor flats adjacent.
- Concerns regarding noise and disturbance from the construction process.
- A smaller more sensitive development is more appropriate.
- Circumstances are different compared to the reasons for allowing the Tesco development opposite.
- Development is too dense.
- Use of rear area for car parking will increase noise and disturbance to rear of the site.

#### Support

- Support for the new flats in the area. This building will look good in this location opposite the new Tesco building

### **Comments from Consultees**

Environmental Health - Pollution: No objections to permission being granted.

Highways: The site is located in Burnt Ash Lane at the junction with the one-way "square-about". Burnt Ash Lane is a classified road, the A2212, and a London Distribution Route. The proposal is to demolish the existing bungalow and replace it with a block of 6 flats. Vehicular access is from Burnt Ash Lane via a modified arrangement. The access road is approximately 3.0m wide leading to six car parking spaces. Six car parking spaces are indicated on the submitted plan; this is satisfactory. Also six cycle parking would be provided; which is acceptable. Refuse stores are indicated on the submitted plan. No objections.

Transport for London: The site of the proposal is not near to the Transport for London Road Network (TLRN) or Strategic Road Network (SRN), and therefore there are unlikely to be any significant impacts on these roads. The site however is on a busy junction that has a number of bus routes running through it, so your highways colleagues are best placed to advise on the acceptability of the proposals in terms of impacts on the operation of the local road network (and therefore potential impacts on bus services), both during construction and residually; the safety of the access and servicing with more intensive use, and on-site manoeuvring potential being obvious considerations.

Drainage: No objections subject to standard further details regarding drainage.

Housing: General comments regarding unit size compliance with the London Plan, layout of flats and provision of external recreational areas.

Crime Prevention: No reason why this project cannot achieve the physical security requirements of Secured by Design by incorporating the use of tested and accredited products.

Thames Water: No objections

### **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 Density and Design
- H9 Side Space
- NE7 Development and Trees
- ER7 Contaminated Land
- ER10 Light pollution
- T3 Parking
- T7 Cyclists
- T18 Road Safety

SPG No.1 - General Design Principles  
SPG No.2 - Residential Design Guidance

London Plan (July 2011)

- 3.3 Increasing Housing Supply.
- 3.4 Optimising Housing Potential
- 3.5 Quality and design of housing developments
- 3.8 Housing choice
- 5.1 Climate change mitigation
- 5.2 Minimising carbon dioxide emissions
- 5.3 Sustainable design and construction
- 5.7 Renewable energy
- 5.9 Overheating and cooling
- 5.10 Urban greening
- 5.11 Green roofs and development site environs
- 5.12 Flood risk management
- 5.13 Sustainable drainage
- 5.14 Water quality and wastewater Infrastructure
- 5.15 Water use and supplies
- 5.16 Waste self-sufficiency
- 5.17 Waste capacity
- 5.18 Construction, excavation and demolition waste
- 5.21 Contaminated land
- 6.5 Funding Crossrail and other strategically important transport infrastructure
- 6.9 Cycling
- 6.13 Parking
- 7.2 An inclusive environment
- 7.3 Designing out crime
- 7.4 Local character
- 7.6 Architecture
- 8.2 Planning obligations
- 8.3 Community infrastructure levy

London Plan Supplementary Planning Guidance (SPG)

Housing: Supplementary Planning Guidance. (November 2012)

### **Planning History**

94/01334/FUL: Single storey front/side and single storey side extensions. Approved 18.08.1994.

08/03022/FULL1: Demolition of existing bungalow and erection of a four storey block comprising 1 three bedroom and 5 two bedroom flats with 4 car parking spaces. Refused 04.11.2008

PREAPP/14/00293: re-application enquiry - Demolition of existing bungalow and erection of 5 two bedroom and 2 one bedroom flats with associated car parking and refuse storage. Response sent 18.11.2014

### **Conclusions**

The main issues to be considered in respect of this application are:

- Principle of Development
- Design
- Standard of Residential Accommodation
- Highways and Traffic Issues
- Impact on Adjoining Properties
- Sustainability and Energy
- Ecology and Landscaping

The application site was visited by the case officer and the aims and objectives of the above policies, national and regional planning guidance, all other material planning considerations including any objections, other representations and relevant planning history on the site were taken into account in the assessment of the proposal.

### Principle of Development

Housing is a priority use for all London Boroughs and the Development Plan welcomes the provision of small scale infill development 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. The National Planning Policy Framework (NPPF) states in Paragraph 49 that housing applications should be considered in the context of the presumption in favour of sustainable development.

The NPPF sets out in paragraph 14 a presumption in favour of sustainable development. In terms of decision-making, the document states that where a development accords with a local plan, applications should be approved without delay. Where a plan is absent, silent or relevant policies are out of date, permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits or specific policies in the Framework indicate development should be restricted.

The document 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.

Policy 3.4 Optimising housing potential of the London Plan seeks to optimise housing potential, taking into account local context and character, the design principles and public transport capacity.

Policy H7 of the UDP sets out criteria to assess whether new housing developments are appropriate subject to an assessment of the impact of the proposal on the appearance/character of the surrounding area, the residential amenity of adjoining and future residential occupiers of the scheme, car parking and traffic implications, community safety and refuse arrangements.

The site is currently developed as a single family dwellinghouse. Residential dwellings are situated on all sides of the property including flatted development. In this location the Council will consider residential redevelopment to a greater density 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. Any adverse impact on neighbouring amenity, conservation and historic issues, biodiversity or open space will need to be addressed. Therefore, the provision of a new residential block on the land is acceptable in principle subject to an assessment of the impact of the proposal on the appearance/character of the surrounding area, the residential amenity of adjoining and future residential occupiers of the scheme, car parking and traffic implications, sustainable design and energy, community safety and refuse arrangements.

### Density

The density of the proposal would be 114 units per hectare (u/ha). Table 3.2 of the London Plan sets out the appropriate density range for a site with a PTAL of 2 in an urban area as 55-145 u/ha. The density of the proposal is within that guideline by this measure and is therefore considered to be acceptable.

### Design, Siting and Layout

Policy 3.4 of the London Plan 2011 specifies that Boroughs should take into account local context and character, the design principles (in Chapter 7 of the Plan) and public transport capacity; development should also optimise housing output for different types of location within the relevant density range.

Policy BE1 states that development should be imaginative and attractive to look at, should complement the scale, form, layout and materials of adjacent buildings and areas. Development should not detract from the existing street scene and/or landscape and should respect important views, skylines, landmarks or landscape features. Space about buildings should provide opportunities to create attractive settings with hard or soft landscaping and relationships with existing buildings should allow for adequate daylight and sunlight to penetrate in and between buildings.

Policy H9 requires that new residential development for a proposal of two or more storeys in height a minimum of 1m side space from the side boundary is maintained.

The site, which sharply tapers towards the rear, is currently occupied by a bungalow set between 2-storey and 3-storey houses of the Victorian/Edwardian period and as such is relatively constrained by the close proximity of these traditional residential buildings. In the vicinity of Plaistow Green there are many original buildings of a similar period, as well as examples of more modern development, including the medical centre, Purelake House (7 Plaistow Lane) and the three storey block nearing completion at 1 Plaistow Lane.

In terms of scale, design, materials and massing, the three storey building proposed would appear in keeping with the height of surrounding development and references for its design can be found in the surrounding area around Plaistow Green. In terms of the proposed elevational treatments involving a mix of brick and rendered areas with a predominance of brick over render is considered a

sympathetic design approach to the appearance of the building within the adjacent context of buildings.

The proposed building would occupy a similar position within the site to the existing bungalow which projects forward of the front of No3. However, whereas the existing bungalow is staggered at the front, away from No3, the proposed block would be wider at the front, resulting in more site coverage than the existing building. At the rear, the first floor would also project further back than the existing building. Due to the tapered nature of the site, the building narrows towards the rear and side spaces to between 1.7m from the boundary to the north flank elevation and 3m to the south elevation respectively. The building would also be set back from the highway boundary by a minimum of approximately 3m and soft landscaping in the form of private gardens and communal amenity space would be provided in the surrounding spaces.

While a greater separation between the development and No.3 Burnt Ash Lane would be preferred on this corner/tapered site, given the more generous gaps to the flank boundaries which would be retained towards the front of the building, on balance, the impact on the spatial standards of the area are considered acceptable. The setting for the development is also softened through soft landscaping and planting, in particular, adjacent to the front and side boundaries and around the bin store to minimise its visual impact.

As such it is considered that the proposal represents a high quality design that will make a positive contribution to the streetscene provided that it is suitably detailed. To ensure this, conditions are recommended to secure the materials shown on the submitted elevation plans and require details and samples (including on site brick panels as necessary) of facing materials to be submitted and approved by the Local Planning Authority.

### Residential Amenity

#### Standard of Residential Accommodation

Policy 3.5 of the London Plan (2011) Quality and Design of Housing Developments states the minimum internal floorspace required for residential units on the basis of the level of occupancy that could be reasonably expected within each unit.

Policy BE1 in the Adopted UDP states that the development should respect the amenity of occupiers of future occupants.

The floor space size of the six units is as detailed below:

Unit No.	No. Bedrooms	Occupancy	Floor Area m <sup>2</sup>	London Plan Requirements m <sup>2</sup>	
1	1	2	52	50	√
2	1	2	51	50	√
3	2	4	73	70	√
4	2	3	66	61	√
5	2	4	73	70	√

6	2	2	66	61	√
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On this basis the floorspace provision is considered acceptable.

The shape, room size and layout of the rooms in the proposed building is considered satisfactory. None of the rooms would have a particularly convoluted layout which would limit their use. All habitable rooms would have satisfactory levels of light and outlook.

The applicant has provided an annotated floorplan which confirms that the proposed units would meet Lifetime Homes.

Policy BE1 requires that adequate private or communal amenity spaces are provided to serve the needs of the particular occupants. Private garden areas are provided for the ground floor flats. Balconies and a small communal external area for the upper floor flats to the front elevation facing the streetscene are also provided. While the parameters of the private garden may not be considered to be extensive, on balance it is considered that with the widths indicated and indicative layout illustrated, the proposed amenity of each ground floor unit is acceptable. Similarly the sizes of the upper floor balcony areas are compliant with London Plan standards.

Overall it is considered that the proposed development has been sensitively designed to respond to the constraints of the site and would provide a good standard of accommodation for future occupiers.

#### Car parking

A Technical Note in respect of parking and highways impacts has been submitted with the application. Six car parking spaces have been provided for each unit as detailed above. The Council's Highways Officer has reviewed the submitted information and advised that they are satisfied with the provision and access indicated.

#### Cycle parking

Cycle parking is generally required to be 1:1 for residential development. The applicant has provided details of a location for lockable cycle storage for the units to the rear of the site within the car parking area. Further details can be conditioned in this regard.

#### Refuse

All new developments shall have adequate facilities for refuse and recycling. The applicant has provided details of refuse storage for each of the units within the front curtilage. The location point is considered acceptable. Further details can be conditioned regarding the design of a containment structure with any recommendation for approval.

#### Impact on Adjoining Properties

In terms of outlook, the fenestration arrangement will provide front, rear and flank outlook for each unit overlooking car parking areas and amenity space or overlooking the street. It is noted that representations have been made from neighbouring residents regarding impact to daylighting and outlook.

Concerns have been raised that the flank window at No115 London Lane would look directly onto the first and second floor private balconies of the proposed building. Full height privacy screening has been introduced at the sides of the balconies to prevent any mutual overlooking and loss of amenity to occupiers of No115 and to future occupiers of the proposed flats.

Concerns have also been raised regarding daylighting and a degree of loss of outlook to residents at No3 Burnt Ash Lane. The applicant has provided a Daylight and Sunlight Report in this regard that details that the impact of the block will comply with BRE Guidelines in terms of daylighting and sunlighting results. Officers note that there will also be some alteration to outlook. However, while the concerns are noted and taken account of and it is acknowledged that there will be some impact to the flank windows at No3 it is not considered that this is sufficient to warrant withholding planning permission.

Officers consider the outlook from the new blocks windows to maintain a suitable level of privacy to existing neighbouring property. Windows in the side elevations of the block have also been obscure glazed to maintain levels of privacy to properties to the north and south following concerns raised by neighbours during the application consultations.

Concerns have also been raised regarding noise and disturbance from the proposed rear car parking area. Given the limited number of spaces provided the level of noise in this respect is not considered to be significant to warrant refusal of the application in this respect.

### Sustainability and Energy

Policy 5.3 Sustainable Design and Construction of the London Plan states that 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 5.2 Minimising Carbon Dioxide 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 and Be green: use renewable energy.

The applicant has submitted an Energy and Sustainability Strategy document in respect of the above policies to ensure that the development achieves the policy directives. The measures indicated appear satisfactory and compliant in this respect.

### Ecology and Landscaping

An indicative landscaping layout has been submitted as shown on the proposed site plan drawing that details the areas given over to garden for external amenity for future occupiers. Individual gardens are provided for ground floor flats and these would provide opportunities for landscaping and greening of the site. These would be enclosed by a boundary structure individually and surrounding the site. Notwithstanding, the details shown on this plan, should permission be forthcoming, full details of hard and soft landscaping, boundary treatment and tree protection during construction could be sought by condition.

### Community Infrastructure Levy

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

#### Summary

It is considered that the proposal would bring forward additional much needed dwelling units by intensifying the use of the site. The development would have a high quality design and would not have an unacceptable impact on the amenity of neighbouring occupiers, subject to suitable conditions. It is considered that the density and tenure of the proposed housing is acceptable and that the standard of the accommodation that will be created will be good. The proposal would not have an adverse impact on the local road network or local parking conditions. The proposal would be constructed in a sustainable manner and would achieve good levels of energy efficiency. It is therefore recommended that planning permission is granted subject to the imposition of suitable conditions.

Background papers referred to during production of this report comprise all correspondence on the file ref(s) set out in the Planning History section above, excluding exempt information.

### **RECOMMENDATION: PERMISSION**

Subject to the following conditions:

- |   |                 |  |
|---|-----------------|--|
| 1 | ACA01<br>ACA01R | Commencement of development within 3 yrs<br>A01 Reason 3 years |
| 2 | ACK01<br>ACK05R | Compliance with submitted plan<br>K05 reason                   |
| 3 | ACA04<br>ACA04R | Landscaping Scheme - full app no details<br>Reason A04         |
| 4 | ACA07<br>ACA07R | Boundary enclosure - no detail submitted<br>Reason A07         |
| 5 | ACB01<br>ACB01R | Trees to be retained during building op.<br>Reason B01         |
| 6 | ACB02<br>ACB02R | Trees - protective fencing<br>Reason B02                       |
| 7 | ACB03<br>ACB03R | Trees - no bonfires<br>Reason B03                              |
| 8 | ACB04<br>ACB04R | Trees - no trenches, pipelines or drains<br>Reason B04         |

- 9 ACC08 Satisfactory materials (all surfaces)  
ACC08R Reason C08
- 10 ACH03 Satisfactory parking - full application  
ACH03R Reason H03
- 11 ACH18 Refuse storage - no details submitted  
ACH18R Reason H18
- 12 ACH22 Bicycle Parking  
ACH22R Reason H22
- 13 ACH29 Construction Management Plan  
ACH29R Reason H29
- 14 ACD02 Surface water drainage - no det. submitt

**Reason:** To ensure satisfactory means of surface water drainage and to accord with Policy 5.13 of the London Plan (2011).

- 15 (a) Prior to occupation of the development a scheme for any external lighting that is to be installed at the site, including measures to prevent light spillage shall be submitted to and approved in writing by the local planning authority.

(b) Any such external lighting as approved under part (i) shall be installed in accordance with BS 5489-1:2003 and the approved drawings and such directional hoods shall be retained permanently.

(c) The applicant should demonstrate that the proposed lighting is the minimum needed for security and working purposes and that the proposals minimise pollution from glare and spillage.

**Reason:** In order that the local planning authority may be satisfied that the lighting is installed and maintained in a manner which will minimise possible light pollution to the night sky and neighbouring properties and to comply with Policy ER10 in the Unitary Development Plan.

- 16 Before the development hereby permitted is first occupied, the proposed window(s) to the first and second floor north and south facing flank walls of the building shall be obscure glazed in accordance with details to be submitted to and approved in writing by the Local Planning Authority and shall subsequently be permanently retained as such.

ACI12R I12 reason (1 insert) BE1 and H7

#### INFORMATIVE(S)

- 1 The applicant is advised that any works associated with the implementation of this permission (including the demolition of any existing buildings or structures) will constitute commencement of development. Further, all pre commencement conditions attached to this permission must be discharged, by way of a written approval in the form of an application to the Planning Authority, before any such works of demolition take place.
- 2 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)

- 3 You should consult the Land Charges and Street Naming/Numbering Section at the Civic Centre on 020 8313 4742 or e-mail: [address.management@bromley.gov.uk](mailto:address.management@bromley.gov.uk) regarding Street Naming and Numbering. Fees and application forms are available on the Council's website at [www.bromley.gov.uk](http://www.bromley.gov.uk)
- 4 Before the use commences, the Applicant is advised to contact the Pollution Team of Environmental Health & Trading Standards regarding compliance with the Control of Pollution Act 1974 and/or the Environmental Protection Act 1990. The Applicant should also ensure compliance with the Control of Pollution and Noise from Demolition and Construction Sites Code of Practice 2008 which is available on the Bromley web site.
- 5 If during the works on site any suspected contamination is encountered, Environmental Health should be contacted immediately. The contamination shall be fully assessed and an appropriate remediation scheme submitted to the Local Authority for approval in writing.
- 6 Street furniture/Statutory Undertaker's apparatus: Any repositioning, alteration and/ or adjustment to street furniture or Statutory Undertaker's apparatus, considered necessary and practical to help with the modification of vehicular crossover hereby permitted, shall be undertaken at the cost of the applicant.