

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

**Application No :** 15/05285/FULL1

**Ward:**  
Cray Valley West

**Address :** Havencroft Sevenoaks Way Orpington  
BR5 3JE

**OS Grid Ref:** E: 547056 N: 169933

**Applicant :** Mr Tommy McNally

**Objections :** NO

**Description of Development:**

Demolition of existing dwellinghouse and construction of a replacement two storey five bedroom dwellinghouse (PART RETROSPECTIVE APPLICATION)

Key designations:

Areas of Archaeological Significance  
Biggin Hill Safeguarding Area  
Green Belt  
London City Airport Safeguarding  
Open Space Deficiency  
Smoke Control SCA 20

**Proposal**

Planning permission is sought for the demolition of existing dwellinghouse and construction of a replacement two storey five bedroom dwellinghouse. From visiting the site, the works on the replacement building have commenced but have not been completed.

Amended plans were received 07/01/16 which show changes to the proposed roof, including the introduction of two gable features. Material samples have also been submitted (email dated 10/02/16) as part of the application.

The application is being reported to committee due to the technical breach in side space policy due to the single storey store room being constructed within 1m of the boundary.

**Location**

The site previously comprised a detached bungalow which has now been demolished and works have commenced on the construction of the replacement house. The site is located on the eastern side of Sevenoaks Way, opposite the junction with Midfield Way.

## **Consultations**

### **Comments from Local Residents**

Nearby owners/occupiers were notified of the application and no representations were received.

### **Comments from Consultees**

Environmental Health- no objections subject to suggested informatives

Drainage/Thames Water- no objections subject to suggested informatives

Environmental Health (Housing)- No objections raised subject to the applicant being aware of the relevant housing acts.

Highways- No objections subject to suggested 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  
H7 Housing Density and Design  
H9 Side Space  
T3 Parking  
T18 Road Safety

Supplementary Planning Guidance 1 and 2  
Supplementary Planning Guidance: Farnborough Park Conservation Area

London Plan:  
3.3 Increasing housing supply  
3.4 Optimising housing potential  
3.5 Quality and design of housing developments  
3.8 Housing choice  
3.9 Mixed and balanced communities  
5.3 Sustainable Design and Construction  
7.4 Local Character

The Mayor's Supplementary Planning Guidance: Housing

The National Planning Policy Framework (NPPF) is also a consideration.

### **Planning History**

Planning History of the site is summarised as follows:

- 14/04374- Planning permission granted for Enlargement of roof to provide first floor accommodation and single storey front /side extension
- 91/00945- Planning permission granted for the provision of an enlarged roof and single storey side/rear extension
- 87/03595- planning permission was refused for a detached bungalow
- 83/00785- planning permission granted for a single storey rear extension to bungalow.

## **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.

This application seeks permission for a replacement house, resulting in a similar construction as permitted under ref. 14/04374. The main differences between the applications include; the removal of the previously permitted front dormer extensions and their replacement with two gable fronted additions, and the enclosure of the porch area. The remaining elements of the previously proposal are retained but this would involve the total re-construction of the property rather than simply extensions as previously granted under ref. 14/04374.

The principle of converting the existing bungalow into a two storey dwelling was established by way of planning permission granted under ref. 14/04374. From visiting the site, there appears to be other examples of two storey developments along this row of properties, in particular Whitecot which is adjacent to the site and Donnybrook which is to the north. The proposal would result in a gable roof added to the existing dwelling with 2 additional gable features at the front of the building. The rear of the property would appear two storey in design with a rear gable featuring a Juliet balcony. It is considered that the proposed dwelling would not differ greatly from the previously approved extensions at the site and would not appear out of character with this section of the streetscene.

The host dwelling maintains generous separation to the northern flank boundary, however the proposed single storey store room would be constructed up to the southern boundary (two storey part of the dwelling is set approximately 2.5m from the boundary). Given that the proposal is now for a replacement dwelling, this part of the scheme is in technical breach of Policy H9, however it is not considered to result in an overbearing addition to the adjoining residents and Members may consider that adequate space will be retained to the boundaries.

There is a flank window proposed in each flank elevation, however these will serve bathrooms and as such a condition has been suggested for these to be obscure glazed and fixed shut below 1.7m to prevent any overlooking as previous.

On balance, having had regard to the above, Members may agree the siting, size and design of the proposed dwelling 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.

**RECOMMENDATION: PERMISSION**

as amended by documents received on 10.02.2016 and 07.01.2016

Subject to the following conditions:

- 1 The development to which this permission relates must be begun not later than the expiration of 3 years, beginning with the date of this decision notice.

Reason: Section 91, Town and Country Planning Act 1990.

- 2 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 before any part of the development hereby permitted is commenced 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 5.12 of the London Plan

- 3 Before commencement of the use of the land or building hereby permitted parking spaces and/or garages and turning space shall be completed in accordance with the approved details and thereafter shall be kept available for such use and no permitted development whether permitted by the Town and Country Planning (General Permitted Development) Order (England) 2015 (or any Order amending, revoking and re-enacting this Order) or not shall be carried out on the land or garages indicated or in such a position as to preclude vehicular access to the said land or garages.

Reason: In order to comply with Policy T3 of the Unitary Development Plan and to avoid development without adequate parking or garage provision, which is likely to lead to parking inconvenient to other road users and would be detrimental to amenities and prejudicial to road safety.

- 4 Before the development hereby permitted is first occupied the proposed window(s) in the first floor flank elevation shall be obscure glazed to a minimum of Pilkington privacy Level 3 and shall be non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed and the window (s) shall subsequently be permanently retained in accordance as such.

**Reason: In the interests of the amenities of nearby residential properties and to accord with Policies BE1 and H8 of the Unitary Development Plan**

- 5 The materials to be used for the external surfaces of the building shall be as submitted on 10/02/16 unless otherwise agreed in writing to the Local Planning Authority.**

**Reason: In order to comply with Policy BE1 of the Unitary Development Plan and in the interest of the appearance of the building and the visual amenities of the area.**

- 6 The development hereby permitted shall not be carried out otherwise than in complete accordance with the plans approved under this planning permission unless previously agreed in writing by the Local Planning Authority.**

**Reason: In order to comply with Policy BE1 of the Unitary Development Plan and in the interest of the visual and residential amenities of the area.**

- 7 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order amending, revoking and re-enacting this Order) no building, structure or alteration permitted by Class A, B, C, or E of Part 1 of Schedule 2 of the 2015 Order (as amended), shall be erected or made within the curtilage(s) of the dwelling(s) hereby permitted without the prior approval in writing of the Local Planning Authority.**

**Reason: In order to comply with Policies H7 and BE1 of the Unitary Development Plan and to prevent overdevelopment of the site.**

**You are further informed that :**

- 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 The proposed building will be over a public sewer. The Applicant is advised to contact Thames Water.**
- 3 Before works commence, 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.**
- 4 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.**