

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

**Application No :** 16/00753/FULL1

**Ward:**  
**Bromley Common And  
Keston**

**Address :** 123A Southborough Lane Bromley BR2  
8AP

**OS Grid Ref:** E: 542214 N: 167586

**Applicant :** Mr Jim Sperring

**Objections :** YES

**Description of Development:**

Replacement part one/two storey detached building for A1 (retail) use to ground floor and C3 (residential) use to first floor, with balcony to front.

Key designations:

Biggin Hill Safeguarding Area  
London City Airport Safeguarding  
Open Space Deficiency  
Smoke Control SCA 19

**Proposal**

The site is a detached, single storey commercial building located to the north side of Southborough Lane. There are a cluster of local shops to the south and maisonettes to the north of the site both of which are two storey development. There is a staggered front building line to existing development. This application proposes a replacement part one/two storey detached building for A1 (retail) use to ground floor and a one bedroom C3 (residential) use to first floor, with balcony to the front.

**Consultations**

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

- Concerns with damage to neighbours wall/pathway and any unsightly repairs
- Concern with scaffolding affecting access to rear garden
- Object to balcony and overlooking into property & being erected on neighbours property
- Loss of light/block light to side windows - increase in need for electric lighting during daylight hours
- Concerned a fence will be re-erected between the two properties
- Noise and disruption & effect on business

Revised plans have been received in response to neighbour and planning concern. Any further neighbour response will be reported verbally to committee.

Highways comments note that the site is located in an area with a low PTAL rate of 1b (on a scale of 1 - 6b, where 6b is the most accessible). No car parking is offered for the development. The proposal is for one 1 bed flat which is unlikely to generate significantly more trips. Furthermore there are free on street spaces available St Augustine's Avenue. Given the scale of the development no highway objections are raised to the application.

## **Planning Considerations**

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

- BE1 Design of New Development
- H1 Housing Supply
- H7 Housing Density and Design
- H9 Side Space
- T3 Parking
- T7 Cyclists
- T18 Road Safety
- IMP1 Planning Obligations

SPG 1 - General Design Principles

SPG 2 - Residential Design Guidance

London Plan (2015)

- 3.3 Increasing Housing Supply
- 3.4 Optimising Housing Potential
- 3.5 Design and Quality of Housing Developments
- 3.8 Housing Choice
- 5.1 Climate Change
- 5.2 Minimising Carbon Dioxide Emissions
- 5.3 Sustainable Design and Construction
- 6.9 Cycling
- 6.13 Parking

Adoption of Minor Alterations to London Plan (MALP) and Housing SPG (2016)

## **Conclusions**

Key planning considerations include principle of development, the design and appearance of the scheme and the impact of these alterations on the character and appearance of the area and locality, impact on the amenities of neighbouring properties (i.e. relationship to existing buildings, overlooking, noise, disturbance etc.) and impact on the character of the area, the quality of living conditions for future occupiers, highways and traffic issues and sustainability.

## Principle of development

Paragraph 14 of the National Planning Policy Framework (NPPF) sets out the presumption in favour of sustainable development, it is, however, necessary to assess whether or not particular development can be successfully assimilated into its surroundings. In principle the development is acceptable subject to compliance with other policies as assessed below.

## Design and Appearance

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 H7 requires that 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.

Policy H9 requires for a proposal for two or more storeys in height, a minimum of 1 metre space from the side boundary of the site should be retained for the full height and length of the flank wall of the building. The policy seeks to prevent a cramped appearance and unrelated terracing from occurring.

Two storey development will be introduced to the site which allows a full 1m side space to the west boundary but is set in 1m only for the first floor element to the east boundary. In respect of impact on the street scene, taking into account policy requirements given relationship to existing development the design and siting of the proposed two storey development may not be considered to result in a cramped appearance or impact to such detriment to the street scene as to raise planning concern.

The street scene offers a number of design approaches which include flat roof, side gables, and hipped roof. The proposed design of the scheme offers an approach considered to be broadly in character with surrounding development and will complement the scale of adjacent buildings. Materials proposed include Thermowood wooden cladding board, lead grey (zinc) coloured standing seam metal roof and brick work to ground floor front elevation. A conventional shop front is detailed to the front elevation. On balance, it is considered that two storey development will not result to the detriment of the area and that the proposed design will combine continuity and creativity to provide a positive contribution to the street scene and not harm the character and appearance of the area.

## Impact on the amenities of neighbouring properties

In terms of the impact of the development on neighbouring amenities the staggered building line in the vicinity is noted. Initial concerns were raised by neighbours (summarised above) and revised plans have now been received.

The site is currently solely commercial and that use will remain with the introduction of residential use above. The principle of the introduction of a residential element is not unacceptable and it is not considered that the scheme will result in such a significant element of overlooking as to raise planning concern. Of greatest consideration is how the increased footprint and height of the building will impact on neighbouring amenity.

The existing building is flat roof with an overall height of c 4.5m, with a side space of just over 1m to the west boundary and nil to the east boundary. The footprint of this building is 5.4m wide x 12.6m deep. That of the proposed will be the same width but increased to a depth of c 20.3m.

Revised plans and increased sidespace to the west flank address any concern with impact to the first floor flank window to No. 123 and balcony screening can be introduced to safeguard against any undue degree of overlooking. At the time of the site visit the ground floor flank window to this building was obscured glazed, situated beneath a covered canopy to the side access and had the appearance of being unused.

Due to the staggered building line the scheme will result in a considerable depth of development beyond No 123. The rear yard to No 123 although has an unkempt, rather unused appearance could provide valuable amenity for the residential use to that site as well as access and unloading provision for the commercial use. On balance, it is not considered that the depth and bulk of development proposed, given the mixed commercial/residential nature of the site and the surrounding context, will result in such an undue impact on neighbouring amenity to the west of the site as to warrant a planning refusal ground.

There are maisonettes to the east of the site which have flank windows some of which are primary windows to kitchen areas. Smaller windows to the rear elevation also serve the kitchen areas. The single storey element of the scheme will project c 4m beyond the rear building line of the adjacent maisonettes and the two storey element by c 2.1m; the height of the wall to the boundary reduces from 4.2m to 2.6m for the 8m rear section of the building. A pitch roof over this single storey element, with maximum height of 3.2m, adjoins to the first floor element. Height to the eaves of the two storey element is 5.6m and to the top of the ridge and additional 2m. Although the extent of projection beyond the rear building line of the maisonettes may not be considered unacceptable, the scheme will result in some feeling of enclosure given the sensitive relationship of the flank windows to the proposed development. A separation of 3.4m from the upper maisonette flank window to the proposed first floor flank wall and 2.4m for the ground floor maisonette to the ground floor element with further separation to the first floor element of 1m. The ground floor maisonette, in addition to the secondary window to the rear, has a part glazed (obscure) back door to the kitchen. The garden areas for the maisonettes are split; there is a shed and pedestrian access (for the upper maisonette) leading through to the rear garden area and this is directly adjacent

the boundary with the application site. This results in the garden area for the lower maisonette set away from that boundary. Whilst there is a sensitive relationship, particularly in respect of the flank windows, the impacts, on balance, may not be considered to be so great as to result in a planning ground of refusal.

#### Quality of living conditions for future occupiers

Policy 3.5 of the London Plan 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 scheme proposes a one bed, two person flat a GIA of 52.91m<sup>2</sup>. Table 3.3 of the London Plan requires a Gross Internal Area of 50m<sup>2</sup> for one bedroom two person flats. With regard to the above it appears that the size of the flat for its intended occupancy would comply with the minimum standards contained in the London Plan unit size standards. On balance this is considered acceptable.

London Plan Policy 3.8 requires for 90% of new housing to meet Part M4 (2) 'accessible and adaptable dwellings' for compliance with Building Regulations Part M. This replaces the previous requirement for 'Lifetime Homes' compliance and wheelchair housing.

The proposed flat has a proposed balcony area. On the basis of the likely occupancy of the flat and the proximity of nearby parks and amenities the lack of on-site outside amenity area may not be considered unacceptable in this particular instance.

#### Highways and traffic issues

No parking provision is provided on site but given Highways comments (above) no objection is raised in this respect.

#### Refuse

All new developments shall have adequate facilities for refuse and recycling. The applicant has provided details of the location of refuse storage for the units.

#### Sustainability and Energy

Limited information has been supplied in this regard except to indicate a range of energy efficiency measures will be incorporated into the construction. However, further information is not mandatory for this type of small development.

#### Summary

Having had regard to the above, and subject to consideration of any further neighbour comments, it is considered, on balance, that the proposed development 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 nor have an adverse impact on highway and local parking conditions.

**as amended by documents received on 19.07.2016**

**RECOMMENDATION: PERMISSION**

**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 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 appearance of the building and the visual amenities of the area**

- 3 Before the development hereby permitted is first occupied details of balcony screening to the west flank shall be submitted and approved in writing by or on behalf of the Local Planning Authority and the approved details shall be fully implemented before first occupation and permanently maintained as such thereafter.**

**Reason: In order to comply with Policy of the Unitary Development Plan and in the interest of the amenities of the adjacent properties.**

- 4 The arrangements for storage of refuse (which shall include provision for the storage and collection of recyclable materials) and the means of enclosure shown on the approved drawings 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.**

- 5 No structure, plant, equipment or machinery shall be placed erected or installed on or above the roof or on external walls without the prior approval 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 appearance of the building and the visual amenities of the area.

**6** The proposed new housing should meet Part M4 (2) 'accessible and adaptable dwellings'. The requirements should be met and completed before any part of the development hereby permitted is first occupied and shall be permanently maintained thereafter

**:** In order to comply with London Plan Policy 3.8 and in the interest of amenities for future occupiers

**7** The materials to be used for the external surfaces of the building shall be as set out in the planning application forms and / or drawings unless otherwise 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 appearance of the building and the visual amenities of the area.