

## **SECTION '2' – Applications meriting special consideration**

**Application No :** 17/05931/FULL1

**Ward:**  
**Bickley**

**Address :** 144 Blackbrook Lane Bickley Bromley BR1  
2HP

**OS Grid Ref:** E: 543084 N: 168941

**Applicant :** Mr Howard White

**Objections : YES**

### **Description of Development:**

Demolition of existing 3 bedroom bungalow and garage and erection of 2 no. detached 3 bedroom dwellings with associated car parking, associated driveways for each dwelling, creation of new crossover, refuse and recycling storage, cycle storage, and front boundary treatments.

### **Key designations:**

Biggin Hill Safeguarding Area  
London City Airport Safeguarding  
Open Space Deficiency  
Smoke Control SCA 13  
Smoke Control SCA 12

### **Proposal**

It is proposed to demolish the existing buildings on the site and to erect 2 two storey detached dwellings. Each dwelling would provide 3 bedrooms.

The proposed dwellings would each have their own vehicular access, with the southern dwelling (No. 144) utilising the retained existing crossover and the northern dwelling (No. 144a) accessed via a new vehicular crossover. The front boundary of the site would be formed of railings, with the accesses open, ranging from 1.2m high to 1.8m high. 2 no. car parking spaces would be provided for each dwelling, along with a refuse/recycling store positioned towards the front of the site and separate secure cycle stores. The separate parking hardstandings would be separated by soft landscaping between them and between the hardstanding and the boundaries of the site.

The proposed houses would utilise traditional materials and would be brick faced at ground floor level with the first floor being rendered. The dwellings would incorporate a deeply pitched roof with hipped front gable elements, barn hips to the side and a largely single storey appearance at the rear.

In terms of separation, a minimum of 3m space would be retained between the rear elevation of No. 144 and the eastern boundary of the site with the end of the rear garden at No. 2 Wellsmoor Gardens, increasing to 3.75m. A minimum space of 4.84m would be retained between the rear elevation of No. 144a and the eastern boundary, with the rear elevation of that dwelling being set at an angle to the rear (eastern) boundary with No. 2 Wellsmoor Gardens.

Approx. 4.84m increasing to 6.44m side space would be retained between the southern dwelling (No. 144) and the southern boundary with No. 142 Blackbrook Lane. The separation between the proposed dwellings would be 6.5m, and 4.06m space would be retained towards the front of the northern flank elevation of the dwelling and the boundary with Wellsmoor Gardens, decreasing to 2.34m towards the rear.

The application was supported by the following documents:

- Design and Access Statement
- Trees and Construction BS5837 Survey

### **Location and Key Constraints**

The site is located on the corner of Blackbrook Lane and Wellsmoor Gardens and is occupied by a detached bungalow with a detached garage to the south. The site measures 0.07ha and lies adjacent to 142 Blackbrook Lane to the south, and 2 Wellsmoor Gardens to the east.

The surrounding area is generally characterised by a mixture of dwelling types including bungalows and two storey dwellings, with three storey town houses in Reynard Close on the opposite side of Blackbrook Lane and further to the east in Wellsmoor Gardens.

The site is covered by a blanket Tree Preservation Order made in 1959.

### **Comments from Local Residents and Groups**

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

#### Objections

- The site is near to the mini-roundabout at the end of Blackbrook Lane and next to the entrance to the Elms Estate. The proposal will be detrimental to traffic flow
- Potential that access to adjacent land will be required (and not granted) and detrimental impact on security during the course of the application.
- The size of the development would dominate the small site and create an unsuitable living environment for future owners/tenants
- Proposal would dominate the adjacent property resulting in a loss of privacy. Proposed screening and building would be overly high in relation to the site levels at the neighbouring property
- Loss of light
- Proposal would be out of character with the area and would have a detrimental impact on the aesthetics of the road and the adjacent Elms Estate
- Increase in traffic detrimental to safety
- Overdevelopment
- Previous applications have been refused and dismissed at appeal.
- Impact on quality of life of neighbouring residents
- Stag beetles have been found in adjacent garden - impact of development on protected species
- Cramped amenity for prospective occupants
- Parking seems cramped and there is no parking for visitors, delivery vans and emergency vehicles. Parking on the highway would affect visibility to cars leaving Wellsmoor Gardens
- The surrounding area is characterised by detached dwellings with sufficient space around each house. The proposed development's mass and bulk would be an overdevelopment and there is a much greater footprint than the existing building

## Support

- The bungalow that is currently at 144 Blackbrook Lane is rather shambolic and run-down and replacing it with a pair of modern houses would smarten up this corner and add to the very limited housing stock in Bromley.

## Comments from Consultees

### Drainage Engineer:

While the applicant states in the Design and Access Statement that it is not anticipated that any additional provision of on-site surface water management would be required due to the area of hardstanding from the existing built footprint and landscaping, it is considered that surface water design must be carried out to demonstrate that the use of SUDS techniques are maximised to restrict surface water run-off. A condition is recommended to be imposed to achieve this.

### Highways:

Blackbrook Lane is a Local Distributor road in the UDP.

This road is subject to part time waiting restrictions (Mon-Fri 10.00 - 11.00am) in the vicinity of the application site. Outside of these times the road is capable of accommodating on-street parking without significant detriment to the free flow of traffic or conditions of safety in the highway.

The site location has a PTAL rating of 2 (low) where car ownership can be expected to be associated with occupiers of the properties and where 2 parking spaces per unit are desirable. Two off street parking spaces with manoeuvring space per unit are proposed.

This time the applicant is proposing separate vehicular access to each of the two proposed plots and parking at the front of each plot. Plot 144 makes use of an existing crossover with an additional crossover formed north along the frontage with Blackbrook Lane by some 10 metres for plot 144A. Although the new crossover has moved closer to Wellsmoor Garden it is still some 25 metres away.

Two parking spaces have been provided for each dwelling with an additional 6 metres in front of each parking space to allow 180 degree turning on site and the ability to enter and leave in forward gear.

Previously the application had also applied for a front boundary gate and we had concerns that it might interfere with visibility and possibly the free flow of traffic whilst vehicles wait for them to open. It appears this time the applicant is not applying for gates which is good. Conditions are recommended should planning permission be granted

### Designing out Crime

It was noted in respect of the previous application that there was no reason why the project could not achieve the physical security requirements of Secured by Design

### Trees

No objections were raised in respect of the previous proposal on the basis of impact upon trees, subject to conditions. The relationship between the current scheme and the previous scheme and trees on/adjacent to the site is substantially similar.

## Environmental Health (Pollution)

No objections are raised to the proposals.

### **Policy Context**

Section 70(2) of the Town and Country Planning Act 1990 (as amended) sets out that in considering and determining applications for planning permission the local planning authority must have regard to:

- (a) the provisions of the development plan, so far as material to the application,
- (b) any local finance considerations, so far as material to the application, and
- (c) any other material considerations.

Section 38 (6) of the Planning and Compulsory Purchase Act (2004) makes it clear that any determination under the planning acts must be made in accordance with the development plan unless material considerations indicate otherwise.

According to paragraph 216 of the NPPF decision takers can also give weight to relevant policies in emerging plans according to:

- The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- The degree of consistency of the relevant policies in the emerging plan to the policies in the NPPF, the greater the weight that may be given).

The Council is preparing a Local Plan. The submission of the Draft Local Plan was subject to an Examination in Public which commenced on 4th December 2017 and the Inspector's report is awaited. These documents are a material consideration. The weight attached to the draft policies increases as the Local Plan process advances.

The development plan for Bromley comprises the Bromley UDP (July 2006), the London Plan (March 2016) and the Emerging Local Plan (2016). The NPPF does not change the legal status of the development plan.

## London Plan Policies

- 3.3 Increasing Housing Supply
- 3.4 Optimising Housing Potential
- 3.5 Quality and Design of Housing Developments
- 5.3 Sustainable Design and Construction
- 5.13 Sustainable Drainage
- 6.9 Cycling
- 6.13 Parking
- 7.21 Trees and Woodlands
- 7.3 Designing out Crime
- 7.4 Local Character
- 7.6 Architecture

## Unitary Development Plan

BE1 Design of New Development

H1 Housing Supply  
H7 Housing Density & Design  
H9 Side Space  
T3 Parking  
T18 Road Safety  
NE7 Development and Trees

### Emerging Local Plan

Policy 1	Housing Supply
Policy 3	Backland and Garden Development
Policy 4	Housing Design
Policy 8	Side Space
Policy 30	Parking
Policy 32	Road Safety
Policy 37	General Design of Development
Policy 73	Development and Trees

### Supplementary Planning Guidance

The Council's adopted Supplementary Planning Guidance (SPG) documents are also a consideration in the determination of planning applications. These are:

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

### **Planning History**

The relevant planning history relating to the application site is summarised as:

15/00427 Demolition of existing dwelling and outbuildings and erection of detached two storey building with accommodation in roofspace comprising 5 two bedroom flats with 5 car parking spaces, cycle and bin stores, and balconies and roof terrace. REFUSED

Permission was refused on the grounds:

"1 The proposal would, by reason of its size, height and bulk, and excessive site coverage with buildings and hard surfaces, result in a cramped overdevelopment of the site and would be lacking in amenity space for future occupiers, which would be detrimental to the visual amenities and spatial standards of the street scene, and out of character with the surrounding area, thereby contrary to Policies H7, H9 and BE1 of the Unitary Development Plan.

2 The proposals do not demonstrate that the parking and manoeuvring space would allow vehicles to egress the site in forward gear, and in the absence of evidence to show otherwise, the proposals would be detrimental to the free flow of traffic and conditions of safety in the highway, thereby contrary to Policies T3 and T18 of the Unitary Development Plan."

15/03488 Demolition of existing dwelling and outbuildings and erection of detached two storey building with accommodation in roofspace comprising 5 two bedroom flats with 5 car parking spaces, cycle and bin stores, and balconies and roof terrace. REFUSED

"1 The proposal would, by reason of its size, height and bulk, and excessive site coverage with buildings and hard surfaces, result in a cramped overdevelopment of the

site and would be lacking in amenity space for future occupiers, which would be detrimental to the visual amenities and spatial standards of the street scene, and out of character with the surrounding area, thereby contrary to Policies H7, H9 and BE1 of the Unitary Development Plan."

A subsequent appeal against the Council's refusal of planning permission was dismissed.

In the decision notice the Inspector noted that character of the area being of an open landscaped nature with low level houses set back from the road. The importance of several large trees which visually dominate the corner area was acknowledged.

The Inspector reasoned that the proposed building would have been significantly higher than the existing bungalow and surrounding houses, with massing to the roof appearing large and bulky. The building was noted to be sited closer to Wellsmoor Gardens than the existing building, which in conjunction with its massing was considered to add to a substantial presence on a prominent corner.

The previous application incorporated dormer features on the roof and Juliette balconies which were considered to reinforce the obtrusiveness and incongruity of the development in relation to the surroundings. The footprint of the building with car park, driveway and paths was noted to cover a larger proportion of the site, leaving only a small garden area.

The trees along the roadside and T6 were considered to make a positive contribution to the area and even though the appellant had stated that they may have been retained, the canopy of the trees was likely to interfere with the building and would require pruning to facilitate construction. Thereafter, the proximity of the building to the trees was considered likely to result in pressure for the removal of the trees (shading to garden areas and bedrooms). The extent of the development was considered to result in limited opportunity for replacement trees which in any case would take time to establish. The resultant largely developed plot would not be characteristic of the surrounding area. While the Inspector noted a residential development at Bickley Park Road, it was considered that this example was siting adjacent to houses of a similar scale within an area of different character to that surrounding the appeal site.

The development was not considered to provide a high level of sustainability which might have mitigated the concerns regarding incompatibility with the existing townscape if the proposal had been of good design. With regards to living conditions, the Inspector in particular expressed concern that flats 3, 4 and 5 would share a small communal garden to the side of the building which would be small and congested with the shared requirements for 3 flats. The amenity space was immediately adjacent to the bedroom window of a ground floor flat which was considered to impact on privacy and being adjacent to large trees it was likely that the area would be in shadow for much of the time. Overall, the Inspector considered that the quality of the space would be poor.

16/02750 Demolition of existing dwelling and outbuildings and erection of a two storey block comprising four two bedroom flats with four car parking spaces, cycle and bins stores. REFUSED

Permission was refused on the grounds:

"1. The proposal would, by reason of its size, height and bulk and excessive site coverage with buildings and hard surfaces, result in a cramped over development of the site and would be lacking in amenity space for future occupiers which would be detrimental to the visual amenities and spatial standards of the street scene and out of character with

the surrounding area thereby contrary to Policies H7, H9 and BE1 of the Unitary Development Plan."

A subsequent appeal against the refusal of planning permission was dismissed. The Inspector identified the main issues as being the impact of the proposal on the character and appearance of the area and the effect of the proposal on the living conditions of future occupiers with specific reference to privacy, noise, disturbance and amenity space.

It was considered that the site contributes to the spacious and verdant nature of the area. The Inspector noted that the scheme under consideration reduced the number of flats, the dormers in the roof and the height was reduced to a two storey building. A parking space was omitted from the scheme and the communal garden was enlarged to serve flats 3 and 4, resulting in the amount of hardstanding being visible at the front of the site being reduced in comparison with the previous scheme. It was further noted that the footprint of the proposal would be similar to that of the existing structures on the site, although it was acknowledged that the existing house is single storey with a low pitched roof and a very modest single storey garage. The Inspector noted at Para. 11 that the proposal would be significantly higher than the existing building and buildings on Wellsmoor Gardens which were noted to be of a more domestic scale.

With regards to the relationship with development on the Blackbrook Lane elevation, it was noted that the building would be significantly higher than the existing building, notwithstanding its siting slightly further from the boundary. The limited footprint and height of neighbouring houses and their location within generally deeper plots and set back further from the road at the front and with separation between properties was considered by the Inspector to combine to reduce the mass and bulk of existing properties and lessen their visual impact on the street scene. In contrast the appeal proposal was considered to appear as a single block of significant mass and bulk in a shallower plot in close proximity to both Blackbrook Lane and Wellsmoor Gardens. The proposal was considered to have a substantial presence on the street scene on a prominent corner, dominating the street scene and reducing the openness of the area.

With regards to trees the Inspector noted that while additional planting would soften the appearance of the development to a degree, there was no guarantee that this would remain in perpetuity. Limited weight was therefore placed on the value of vegetation in screening the development during its lifetime. The proposal included the removal of trees T2, T3, T6 and T7, retaining trees T4 and T8.

Concern was also expressed by the Inspector regarding the poor outlook, lack of privacy and amenity space as well as noise and disturbance associated with the siting of the bike stores in relation to the windows of one of the flats.

17/02655 Demolition of existing bungalow and garage and erection of 2 no. detached two storey 4 bedroom dwellings with associated car parking, landscaping, refuse and recycling storage, front boundary pedestrian gates and railings with formation of vehicular access to replace existing vehicular access. REFUSED

Permission was refused on the grounds:

"1. The proposal, by reason of the size, height, bulk and excessive site coverage with buildings and hard surfaces, would result in a cramped development of the site which would be detrimental to the visual amenities of the area, out of character with the pattern and grain of surrounding development and undermining the contribution that the site makes to the character of the area, thereby contrary to Policies H7 and BE1 of the Unitary

Development Plan, Policies 37 and 4 of the Draft Local Plan and Policies 7.4 and 7.6 of the London Plan.

2. The siting, height and design of the proposal would have a detrimental impact on the residential amenities of adjoining and prospective residents by reason of visual impact and overdominance along with a lack of reasonable outlook from the bedrooms at the rear of the dwellings, thereby contrary to Policies BE1 and H7 of the Unitary Development Plan, Policies 37 and 4 of the Draft Local Plan and Policies 7.4 and 7.6 of the London Plan."

## **Considerations**

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

- Resubmission
- Highways
- Impact on residential amenity
- Impact on the visual amenities of the area
- CIL

### Resubmission

This application has been submitted in an attempt to address the grounds for refusal in respect of the last case 17/02655 where planning permission was refused for the erection of 2 detached 4 bedroom houses.

The principal issues in that case related to the height, size, bulk and site coverage of development along with the impact of the proposal on residential amenity (of both existing and prospective occupants).

The current scheme differs from the previous application in the following respects:

- The design of the dwellings has been amended to a more traditional built form including materials found within the local vernacular;
- The height of the dwellings at the rear has reduced, in particular at the rear;
- The rear elevation of the proposed dwellings includes rooflights serving a bathroom and stairwell in the pitched roof rather than high level first floor windows;
- The separation between No. 144 and the rear boundary has increased from 2.6m/3.4m to 3m/3.68m;
- The separation between No. 144a and the rear boundary has increased from 6.6m/4m to 7.4m/5m;
- The separation between the dwellings has increase from 2.8m to 6.5m;
- The proposed dwellings would be positioned slightly closer to the front boundary (approx. 6.8m reduced to 6.59m);
- The parking arrangements involve the provision of two separate parking areas with landscaping between the hardstanding rather than a single hardstanding accessed via one crossover;
- The units have been reduced in size from 4 bedroom houses to 3 bedroom houses with a reduction in first floor accommodation;
- The previous fenestration arrangement has been altered so as to prevent flank facing windows facing each other directly.

### Highways

With regards to the transport and highways impacts of the proposal it is noted that adequate car parking spaces are considered to be provided to serve the needs of the development and that the layout of spaces and parking provision would not have a

significant impact on highways safety or the free flow of traffic. While the concerns of local residents are noted, in view of there being no technical highways objections to the proposal it is not considered that the development would have a detrimental impact on highways safety and the free flow of traffic such that would warrant the refusal of planning permission on this basis.

#### Impact on residential amenity

It is acknowledged that local concern has been raised regarding the impact of the proposal on the residential amenities of the occupiers of neighbouring properties. Objections have consistently been raised with regards to the impact of development proposals on the application site on neighbouring amenity. In refusing applications for development in the past, permission was refused in application 17/02655 on the grounds of impact on neighbouring amenity and the lack of amenity for prospective occupants (resulting from lack of reasonable outlook from the rear bedrooms at the proposed dwellings), and in the case of 16/02750 on the basis of the impact of that scheme on the amenities of prospective occupants alone (on the basis of the poor outlook, lack of privacy and amenity space as well as noise and disturbance associated with the siting of the bike stores in relation to the windows of one of the flats) .

In assessing the merits of the most recently refused application for planning permission (17/02655) it was considered that that proposal would not have resulted in a significant impact on neighbouring properties in terms of loss of privacy or direct overlooking.

While the previous proposal was noted to have been significantly higher than the existing building on the site, in assessing the impact of the proposal it was commented in the previous report that the proposed dwelling at 144a would not have been sited significantly nearer to the flank/rear boundary with that property than the previously refused scheme, in which the grounds for refusal and the appeal dismissal did not raise specific concerns regarding the impact on daylight/sunlight to neighbouring properties and upon residential amenity of existing dwellings in general. However, it was acknowledged that that scheme would have resulted in development being spread over a greater width of the site (when viewed from Blackbrook Lane - and depth when viewed from the rear garden of No. 2 Wellsmoor Gardens) and there had been no significant decrease in the overall height of the proposed buildings in relation to the previously refused scheme (16/02750).

In terms of the impact of the building on the residential amenity of No. 2 Wellsmoor Gardens, the siting of the bulk of the then proposed dwelling at 144 approx. 2.5m from the boundary and its proximity to the boundary was considered to visually dominate the garden at No. 2 and the sense of privacy and seclusion therein. It is acknowledged that the first floor windows in the proposed dwellings would be high level letterbox windows. While realistically there would have been limited overlooking as a consequence of this design, the windows at first floor level would have been appreciable from outside the site from parts of the adjacent garden which would have led to perceived loss of privacy alongside the visual bulk and overdominance of the southern building in relation to the boundary and the adjacent rear garden.

This current proposal has slightly increased the separation between the southern dwelling (No. 144) and the boundary and the first floor bulk of development has been substantially decreased by a reduction in the amount of first floor accommodation and the provision of a substantially pitched roof at the rear in place of the appreciable first floor accommodation. The proposal also includes the planting of 3m high laurel hedging along the boundary between No. 144 and the rear half of the garden at No. 2. This hedging would be positioned in part upon the footprint of the existing garage and shed (to be demolished). The height of the eaves at the rear of the dwellings has reduced from approx. 5m to 3.25m. On balance, it is considered that the cumulative amendments to the previously

refused scheme limit the extent to which the bulk and siting of the development would result in an overdominant visual impact upon the neighbouring dwelling.

With regards to the outlook from the first floor bedrooms, while the sole window to bedroom 3 of No. 144a would be towards the flank elevation of No. 144, the separation of 6.5m is considered acceptable. Bedroom 3 of No. 144 would face towards the boundary with No. 142 but it is not considered that this would result in direct overlooking and unacceptable loss of privacy.

While the concerns expressed regarding the construction period and its impact in terms of noise and disturbance are noted, this would not constitute a ground for the refusal of planning permission as all building works have the potential to generate noise during the implementation of development schemes. If permission is granted an informative could be attached to the permission to draw the applicant's attention to the environmental health guidance regarding construction sites and noise.

#### Impact on the visual amenities of the area

Design is a key consideration in the planning process. Good design is an important aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. The NPPF states that it is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes.

The NPPF requires Local Planning Authorities to undertake a design critique of planning proposals to ensure that developments would function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development. Proposals must establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit; optimise the potential of the site to accommodate development, create and sustain an appropriate mix of uses and support local facilities and transport networks. Developments are required to respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation. New development must create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion; and are visually attractive as a result of good architecture and appropriate landscaping.

London Plan and UDP policies further reinforce the principles of the NPPF setting out a clear rationale for high quality design.

The height of the proposed dwellings has been reduced overall and the amendments to the design result in a less bulky first floor appearance, with first floor accommodation having a more modest visual impact. Furthermore, the separation between the buildings has increased alongside a reduction in the visual impact of the hardstanding, with the previously proposed expansive area of joint parking/manoeuvring space being replaced in this current scheme by two parking areas separated by an area of landscaping.

In dismissing the previous appeal with regards to application 16/02750 the Inspector referred to "the broad consistency in terms of layout with dwellings set in spacious plots set well back from the road with large gardens/driveways to the front with mature planting" stating that this factor in combination with large trees which dominate the corner, contributed to the creation of the spacious and verdant character of the area. Where the proposals dismissed under reference 16/02750 reduced the amount of hardstanding to the front of the building, this was then increased considerably in the scheme for two detached dwellings refused under reference 17/02655. This current application improves the

appearance of the front of the development by providing separate parking and manoeuvring areas which, along with the pattern of detached development with generous space to the side of plots, is considered to be sufficiently consistent with the pattern of development in the locality. While the plot sizes are somewhat constrained in direct comparison with immediately neighbouring sites, it is not considered that this would be readily visible from the public realm and as such would not undermine the prevailing character of the area. There is adequate space to the front of the site and between buildings/hardstandings to provide meaningful landscaping to soften the appearance of the development.

In terms of the appearance of the dwellings, the design detailing of the buildings including materials is more closely complementary to the local vernacular which was assessed in the previous application as incorporating generously deep roof slopes and appreciable hipped roofs.

### Sustainability

The NPPF requires Local Planning Authorities to adopt proactive strategies to mitigate and adapt to climate change. London Plan and Draft Local Plan Policies advocate the need for sustainable development. All new development should address climate change and reduce carbon emissions.

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.

### CIL

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

### **Conclusion**

It is considered that in terms of the highways and trees impacts of the proposal the impact of the proposal would be acceptable. On balance it is considered that the application scheme would successfully address the previous grounds for refusal in respect of application 17/02655 and that the bulk and size of the dwellings and their design and siting would complement the general character and pattern of development in the locality and would not undermine the visual amenities of the area to such an extent as to warrant the refusal of planning permission.

The proposed dwellings would like on somewhat constrained plots but in terms of the space retained about the buildings, the provision of private amenity space and the internal amenity of the individual houses, the development would provide accommodation of a satisfactory standard of amenity for prospective occupants.

The reduction in the bulk of the dwellings at the rear in tandem with the increased separation to the rear boundary would limit the impact of the proposed dwellings upon the outlook and privacy of neighbouring residential dwellings to a satisfactory degree.

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

**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: To comply with Section 91, Town and Country Planning Act 1990.**

- 2 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.**

- 3 Before any part of the development hereby permitted is first occupied, parking space and turning spaces and secure bicycle storage shall be provided at the site in accordance 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 indicated or in such a position as to preclude vehicular access to the said land.**

**Reason: In order to comply with Policies T3 and T7 of the Unitary Development Plan and Policy 6.9 of the London Plan and in order to provide adequate bicycle parking facilities at the site in the interest of reducing reliance on private car transport while avoiding development without adequate car and cycle parking which is likely to lead to parking inconvenient to other road users and prejudicial to road safety.**

- 4 Before commencement of the development hereby permitted details of (a) turning area(s) within the site shall be submitted to and approved in writing by the Local Planning Authority. The turning area(s) shall be provided before any part of the development is first occupied and shall be permanently retained thereafter.**

**Reason: In order to comply with Policies T3 and T18 of the Unitary Development Plan and to enable vehicles to enter and leave the site in a forward direction, in the interest of pedestrian and vehicular safety.**

- 5 No wall, fence or hedge on the front boundary or on the first 2.5 metres of the flank boundaries shall exceed 1m in height, and these means of enclosure shall be permanently retained as such.**

**Reason: In order to comply with Policy T18 of the Unitary Development Plan and in the interest of pedestrian and vehicular safety.**

- 6** While the development hereby permitted is being carried out a suitable hardstanding shall be provided with wash-down facilities for cleaning the wheels of vehicles and any accidental accumulation of mud of the highway caused by such vehicles shall be removed without delay and in no circumstances be left behind at the end of the working day.

**Reason:** In the interest of pedestrian and vehicular safety and in order to comply with Policy T18 of the Unitary Development Plan.

- 7** 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.

- 8** Prior to the commencement of the development hereby permitted a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall include measures of how construction traffic can access the site safely and how potential traffic conflicts can be minimised; the route construction traffic shall follow for arriving at and leaving the site and the hours of operation, but shall not be limited to these. The Construction Management Plan shall be implemented in accordance with the agreed timescale and details.

**Reason:** In order to comply with Policy T5, T6, T7, T15, T16 & T18 of the Unitary Development Plan and in the interest of the amenities of the adjacent properties.

- 9** No loose materials shall be used for surfacing of the parking and turning area hereby permitted.

**Reason:** In the interest of pedestrian and highways safety and to accord with Policy T18 of the Unitary Development Plan.

- 10** No demolition, site clearance or building works shall be undertaken, and no equipment, plant, machinery or materials for the purposes of development shall be taken onto the site until an arboricultural method statement detailing the measures to be taken to construct the development and protect trees is submitted to and approved in writing by the Local Planning Authority.

The statement shall include details of:

- Type and siting of protective fencing, and maintenance of protective fencing for the duration of project;
- Type and siting of scaffolding (if required);
- Details of the method and timing of demolition, site clearance and building works
- Depth, extent and means of excavation of foundations and details of method of construction of new foundations

- Location of site facilities (if required), and location of storage areas for materials, structures, machinery, equipment or spoil, and mixing of cement or concrete;
- Location of bonfire site (if required);
- Details of the location of underground services avoiding locating them within the protected zone
- Details of the method to be used for the removal of existing hard surfacing within the protected zone
- Details of the nature and installation of any new surfacing within the protected zone
- Methods proposed for the watering of the trees during the course of the project

The method statement shall be implemented according to the details contained therein until completion of building works, and all plant, machinery or materials for the purposes of development have been removed from the site.

**REASON:** To ensure that all existing trees to be retained are adequately protected and to comply with Policy NE7 of the Unitary Development Plan.

- 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 prior to commencement of works. 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 satisfactory implementation of the surface water drainage proposals and to accord with to London Plan Policy 5.13 Sustainable Drainage

- 12 The development permitted by this planning permission shall not commence until a surface water drainage scheme for the site based on sustainable drainage principles, and an assessment of the hydrological and hydro geological context of the development has been submitted to, and approved by, the Local Planning Authority. The surface water drainage strategy should seek to implement a SUDS hierarchy that achieves reductions in surface water run-off rates to Greenfield rates in line with the Preferred Standard of the Mayor's London Plan.

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

- 13 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 the interest of the residential and visual amenities of the area and to accord with Policies H7 and BE1 of the Unitary Development Plan.

**You are further informed that:**

- 1 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.**

**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.**

- 2 You should contact extension 4621 (020 8313 4621 direct line) at the Environmental Services Department at the Civic Centre with regard to the laying out of the crossover(s) and/or reinstatement of the existing crossover(s) as footway. A fee is payable for the estimate for the work which is refundable when the crossover (or other work) is carried out. A form to apply for an estimate for the work can be obtained by telephoning the Highways Customer Services Desk on the above number.**
- 3 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.**