

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

**Application No : 18/00640/FULL1**

**Ward:  
Bickley**

**Address : 107 Plaistow Lane Bromley BR1 3AR**

**OS Grid Ref: E: 541498 N: 169535**

**Applicant : Robust Developments Ltd**

**Objections : YES**

**Description of Development:**

Demolition of existing property and erection of two five bedroom detached dwellings with garages, parking and associated landscaping.

**Key designations:**

Conservation Area: Sundridge Avenue  
Biggin Hill Safeguarding Area  
London City Airport Safeguarding  
Open Space Deficiency  
Smoke Control SCA 10

**Proposal**

Planning permission is sought for demolition of the existing property and erection of two five bedroom detached dwellings with garages, parking and associated landscaping.

The proposed buildings will have a footprint of approximately 14.16m by 12.6m at their maximum extents and take a two storey format with additional accommodation in the roofspace. Two front dormers are indicated with a hipped roof shown over the main part of the building and a gable feature to the front elevation with side rooflights to enable habitable accommodation in the roofspace. A double garage is shown within each front curtilage attached to the main dwelling.

A separation gap of 2.4m increasing to 2.8m is shown to the west boundary with No105 and 4.5m increasing to 7.225m to the west site boundary with No111. A gap of 4.95m is shown between the main bulk of the dwellings and 2.7m from the garage of Plot 1 to the west elevation of Plot 2.

The proposed houses are of the same design except for their datum levels on site which indicate there will be a 1m difference in ground level siting of the houses.

The principle elevation will face Plaistow Lane. The buildings are accessed via the existing entry/exit point from Plaistow Lane via a shared access area leading to a gated private front curtilage for each dwelling.

A traditional design approach has been undertaken with feature detailing such as stone cills and brick arches. Materials are indicated as traditional red brick and clay tile with sash style upvc windows.

The application was supported by the following documents

- Planning, Design and Access Statement
- Transport Technical Note.
- Arboricultural Report
- Preliminary Ecological Appraisal
- Part M Compliance Statement

### **Location and Key Constraints**

The site is located on the north-eastern side of Plaistow Lane. The application property is a vacant Arts and Crafts style two storey detached Locally Listed Building built in 1902 to designs by Ernest Newton. The area is primarily residential in nature characterised by detached dwellings of varying sizes and architectural styles. Part of the application site to the rear is located within the Sundridge Avenue Conservation Area, which is an Arts and Crafts era suburban development. The site slopes upwards from the highway towards the north-west; the dwelling at number 105 is located on a higher land level and number 111 is on a lower land level.

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

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

#### Support

- Houses are preferable to flats on this site.
- Two detached properties is in keeping with the size, style of the properties on this side of Plaistow Lane.
- Houses are bigger and higher than the current building on the site but not to the extent they will overshadow adjacent property.
- Trees at rear of property will remain retaining privacy.
- Proposed dwellings cause modest increase in the density of housing on the site but does not alter the character of the neighbourhood which is comprised almost exclusively of large detached houses.
- Dwellings unlikely to cause any significant increase in the traffic.
- Houses in Plaistow lane overlook Sundridge Avenue gardens already.

#### Objections

- Demolition and the effect of the proposed development of the existing building will have a negative effect on the area.
- Threat of tree removal will erode the setting of the area.
- Concerns regarding highway safety due to misleading statements.

- Concerns remain due to increased overlooking from the proposed dwellings on a higher land level towards the rear curtilage of No5 Sundridge Avenue
- Concerns regarding overlooking to properties opposite the site on Plaistow Lane.
- Concerns regarding the quality of the proposed design.
- Allowing deterioration of current building is not acceptable.
- Houses will dominate adjacent property. Houses are too large and extensive for the plot size. House not same architectural merit as the existing property. Existing orientation is preferable to that proposed.
- Larger and higher properties will be dominant and tower over residents in Sundridge Avenue. Careful consideration of the topography and gradients involved is required.
- More houses in the same style/design as those at 3 Sundridge Avenue not welcomed.
- Potential for more fitting, less bulky houses should be considered.
- Concerns raised regarding impacts to highway safety due to the increased use of the access.
- Two houses are of similar scale to previously refused flats. Dominance identified by Inspector will remain.
- Oak trees being allowed to grow too big.

#### Local Groups

- The Sundridge Residents Association.

Members have commented that the development must respond to local character and reflect identity of local surroundings and materials, ensuring it is visually attractive as a result of good architecture and appropriate landscaping.

The proposed houses are not considered to be of sufficiently high architectural quality to be sited adjoining the Sundridge Avenue Conservation Area or as a replacement for the existing house.

Two or more dwellings would exacerbate road safety.

Concerns that the development if allowed would lead to future scheme for more houses on the site.

#### **Comments from Consultees**

##### *Conservation Officer:*

Given the appeal decision on the previous application we must accept the principle that consent has been granted for demolition of the locally listed building under the demolition notice. That leaves this proposal as falling under BE13 (development adjacent CAs). Given the elevated nature of the site in regards to Plaistow Lane, and the reasonable separation to the rear of the properties with the Sundridge Ave Conservation Avenue I would conclude that no adverse impact would occur from development of the scale proposed. In conclusion I raise no objection.

*Environmental Health Pollution Officer:*

No objections within the grounds of consideration.

*Tree officer:*

The submitted Arboricultural Method Statement has addressed the tree constraints and implements satisfactory protection measures. Providing the adopted methods are applied, the development can proceed with the retention of trees illustrated on the tree protection plan.

The existing site contains an area of unmaintained grassland around a single detached dwelling. The roof tiles are in a poor condition and could provide entry points for foraging and roosting bats. To ensure the development site has not become used by any protected species, it is recommended that the Ecological Appraisal is updated to reflect the current species composition.

*Drainage Engineer:*

There is no public surface water sewer near the site. As such the applicant is required to make his own arrangement as how to dispose of surface water run-off.

*Highways:*

The site is located to the north of Plaistow Lane. Plaistow Lane is a Local Distributor road (LD). The development is in an area with low Public Transport Accessibility Level (PTAL) rate of 1b (on a scale of 1 - 6, where 6 is the most accessible).

Vehicular access. The applicant is proposing to utilise the existing access arrangement. The access will be widened to 4.8 metres to allow the two-way movement of traffic on the driveway and to reduce queues on Plaistow Lane.

Car Parking. Each dwelling will have three off-street car parking spaces at the front of the property, of which two spaces will be provided within the garage and one space on the driveway.

Four cycle parking spaces will be provided which is acceptable and refuse is area acceptable.

The Proposed development of two 5-bedroom houses would only result in an increase of one additional house on site when compared the existing use of the site. The refusal for the erection of a part two/three storey building to include nine 2-bedroom apartments would have resulted in a higher number of vehicle trips to the site and analysis of this refused proposal proved that it could not be accommodated on the local highway. In comparison, the development would only result in a negligible increase in vehicle movements and therefore I raise no objection to the proposal.

APCA:

Objection: The proposed development is of poor design and too bulky on the site such that it is detrimental to the neighbouring conservation area.

### **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
- 3.6 Children and young people's play and informal recreation facilities
- 3.8 Housing Choice
- 3.9 Mixed and Balanced Communities
- 5.1 Climate change mitigation

- 5.2 Minimising Carbon Dioxide Emissions
- 5.3 Sustainable Design and Construction
- 5.7 Renewable Energy
- 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
- 6.3 Assessing Effects of Development on Transport Capacity
- 6.5 Funding Crossrail and other strategically important transport infrastructure
- 6.9 Cycling
- 6.12 Road Network Capacity.
- 6.13 Parking
- 7.1 Lifetime Neighbourhoods
- 7.2 An Inclusive Environment
- 7.3 Designing Out Crime
- 7.4 Local Character
- 7.5 Public Realm
- 7.6 Architecture
- 7.8 Heritage Assets and Archaeology
- 7.14 Improving Air Quality
- 7.15 Reducing and Managing Noise, Improving and Enhancing the Acoustic Environment and Promoting Appropriate Soundscapes.
- 7.19 Biodiversity and Access to Nature
- 8.3 Community Infrastructure Levy

### Unitary Development Plan

- BE1 Design of New Development
- BE7 Railings, Boundary Walls and Other Means of Enclosure
- BE10 Locally Listed Buildings
- BE13 Development Adjacent to a Conservation Area
- ER7 Contaminated Land
- H1 Housing Supply
- H7 Housing Density and Design
- H9 Side Space
- NE5 Protected Species
- NE7 Development and Trees
- T3 Parking
- T5 Access for People with Restricted Mobility
- T6 Pedestrians
- T7 Cyclists
- T16 Traffic Management and Sensitive Environments
- T17 Servicing of Premises
- T18 Road Safety

## Emerging Local Plan

- 1 Housing supply
- 4 Housing design
- 8 Side Space
- 30 Parking
- 32 Road Safety
- 33 Access for All
- 34 Highway Infrastructure Provision
- 37 General design of development
- 39 Locally Listed Buildings
- 40 Other Non-Designated heritage Assets
- 43 Development Adjacent to a Conservation Area
- 73 Development and Trees
- 77 Landscape Quality and Character
- 79 Biodiversity and Access to Nature
- 112 Planning for Sustainable Waste management
- 113 Waste Management in New Development
- 115 Reducing flood risk
- 116 Sustainable Urban Drainage Systems (SUDS)
- 117 Water and Wastewater Infrastructure Capacity
- 118 Contaminated Land
- 119 Noise Pollution
- 120 Air Quality
- 122 Light Pollution
- 123 Sustainable Design and Construction

## Supplementary Planning Guidance

Supplementary Planning Guidance 1: General Design Principles

Supplementary Planning Guidance 2: Residential Design Guidance

Housing: Supplementary Planning Guidance. (March 2016)

Technical housing standards - Nationally Described Space Standard (March 2015)

## **Planning History**

12/02650/FULL6: Increase in roof height, part one/two storey side/rear extension with accommodation in roofspace and balcony to rear, creation of lower ground floor level, single storey front/side extensions, single storey side extensions; raised terrace, landscaping and steps to rear, replacement chimney and elevational alterations. Approved 12.02.2013

12/02650/AMD: Non Material Amendment: Alterations to gable on Northern elevation. Refused 16.08.2013

14/02184/FULL6: Part one/two storey extension to rear (north elevation), accommodation in roofspace with terrace/balcony to rear, creation of lower ground floor level, single storey front/side extension, raised terrace, landscaping and steps

to side (east elevation) and elevational alterations (amendment to permission ref. 12/02650) Approved 07.11.2014

15/01173/DEMCON: Demolition of dwelling (Consultation under Part 31 of the Town and Country Planning (General Permitted Development) Order 1995/as amended) Approved 22.06.2015.

16/03176/FULL1: Proposed demolition of existing property and the erection of a part two/ three storey building to host 9x two bedroom apartments, 14 parking spaces, bin and cycle storage. Refused 14.07.2017.

The application was subsequently appealed and dismissed by the Planning Inspectorate on the grounds that the replacement building would harm the character and appearance of the area and on the grounds of highway safety due to the intensified access for the number of potential users for 9 flats.

However, it is prudent to point out that the Inspector gave significantly reduced weight to the loss of the Locally Listed building commenting thus:

"A material consideration is that Prior Approval was given by the Council in 2015 for the demolition of the building. I appreciate the Council's point that the appeal proposal includes the demolition of the building and that it should therefore be considered at this time, and I am aware that the parties differ as to the nature of the considerations which led to that decision. Whatever the position, no party has suggested that there is any current impediment to the building being demolished. The appellant has explained that this has not happened to date so that demolition and redevelopment can be undertaken at the same time. The existence of this consent is a significant material consideration which reduces the weight which I can afford to this issue."

## **Considerations**

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

- Principle
- Design
- Standard of residential accommodation
- Highways
- Neighbouring amenity
- Sustainability
- Trees
- Other (drainage/flooding/noise/pollution)
- CIL

### Principle

Housing is a priority use for all London Boroughs. Policy 3.3 Increasing housing supply, Policy 3.4 Optimising housing potential and Policy 3.8 Housing choice in the London Plan (2015) generally encourage the provision of redevelopment in previously developed residential areas 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 NPPF at paragraph 53 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.

Paragraph 129 details that local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. Paragraphs 131 and 132 details how applications affecting heritage assets should be assessed.

Paragraph 135 sets out that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

Local Plan Draft Policy - Other Non-Designated Heritage Assets sets out that where non-designated heritage assets are highlighted as at risk of harm from a planning application, clearly demonstrable reasons or evidence of their significance will be required. Where the Council agrees that such assets are worthy of protection, proposals to replace such buildings will be assessed against paragraph 135 of the NPPF, taking into account the scale of harm or loss and the significance of the heritage asset.

Local Plan Draft Policy - Development Adjacent to a Conservation Area sets out that a development proposal adjacent to a conservation area will be expected to preserve or enhance its setting and not detract from views into or out of the area.

Policy H7 of the UDP advises that new housing developments will be expected to meet all of the following criteria in respect of; density; a mix of housing types and sizes, or provides house types to address a local shortage; 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; off street parking is provided; the layout is designed to give priority to pedestrians and cyclists over the

movement and parking of vehicles; and security and crime prevention measures are included in the design and layout of buildings and public areas.

The existing dwelling is Locally Listed and it is considered that the building makes a positive contribution to the heritage of the local area. The dwelling dates from 1902 and was designed by well-known Arts and Crafts architect Ernest Newton. Comments from neighbours suggest this is the only house in the road by this architect and the building has a rough cast render finish which is unusual for this architect. The dwelling is also sited adjacent to Sundridge Avenue Conservation Area to the rear. The building has been deliberately neglected by both the current and previous owners.

The NPPF affords protection to such buildings and they are referred to as "undesigned heritage assets". Paragraph 135 states that the effect of an application of the significance of an undesigned heritage asset should be taken into account in determining the application.

Paragraph 130 of the NPPF states that where there is evidence of deliberate neglect of or damage to a heritage asset the deteriorated state of the heritage asset should not be taken into account in any decision.

Under application ref: 15/01173/DEMCON, prior approval was granted under Part 31 of the Town and Country Planning (General Permitted Development) Order 2005 as amended (now Schedule 2, Part 11 (2015)). The purpose of this control is to give local planning authorities the opportunity to regulate the details of demolition in order to minimise the impact of that activity on local amenity, and does not allow Officers to make a judgement as to the merit of the building and its status as locally listed.

The Appeal Decision dated 8/3/2018 as detailed above is also a material consideration regarding Locally Listed status of the building with the Planning Inspector apportioning significant weight to the granted Prior Approval in relation to the weight to be afforded to the criteria of Policy BE10.

The building has not been demolished currently albeit in a poor state of repair, and the applicant within their description of the development has included the demolition of the building. Therefore, despite the granting of prior approval with now significant weight in the planning balance, the demolition of the building should also still be assessed against Policy BE10. The policy details that permission will only be granted for the replacement of locally listed buildings where it has been demonstrated that all reasonable options for the retention of the building have been considered and the proposed new building is of an exceptionally high standard of design.

In determining the acceptability of demolition, the significance of a locally listed building needs to be assessed and its contribution identified. The Council's Conservation officer has reviewed the application and given the appeal decision on the previous application has accepted the principle that consent has been granted for demolition of the locally listed building under the demolition notice. Therefore, it

is viewed that the main issue relates to the effect on the adjacent conservation area to which no objection is raised.

It is noted that the proposal submission has not demonstrated that all reasonable options for the retention of the existing building has been considered. However, this requires a balanced judgement in accordance with paragraph 135 of the NPPF.

In this case given the minimal weight that can be afforded to the historical significance of the existing building following the Planning Inspectorate decision and the replacement development being of a generally good standard in terms of design approach using traditional design references and materials (discussed further below), on balance the scale of harm of the loss of the heritage asset is considered acceptable in terms of paragraph 135 of the NPPF.

Therefore, the provision of a replacement development of two residential houses on the land appears acceptable in principle subject to the further 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 which are assessed below in greater detail.

### Design

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.

Policies 3.4 and 3.5 of the London Plan reflect the same principles. Policy 3.4 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. This reflects paragraph 58 of the National Planning Policy Framework, which requires development to respond to local character and context and optimise the potential of sites.

Policy BE1 and H7 of the UDP set out a number of criteria for the design of new development. With regard to local character and appearance 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 of the UDP 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 and where higher standards of separation already exist within residential areas. Proposals will be expected to provide a more generous side space.

The Planning, Design and Access Statement briefly explains the rationale that has led to the current proposed design. It details that the scheme proposes to redevelop the site for two dwellings and is commensurate in scale in terms of their individual qualities with other properties that can be seen along this part of Plaistow Lane.

The predominant character in the vicinity of the site in this part Plaistow Lane is of similarly sized and scaled forms of detached dwelling houses with good levels of spatial separation between boundaries. This has resulted in a cohesive character to the Plaistow Lane area that it is considered desirable to conserve within the locality.

In this case, the proposed dwellinghouses are substantial. However they are effectively two storey in height and keep a traditional design approach in terms of style, materials, mass and scale with pitch roofs as well as maintaining regular front and rear building alignments, ridge heights and landscaped rear garden areas.

The impact of the subdivision of the plot on the character, appearance and spatial standards of the area needs also to be considered and any adverse effect on the locality of the bulk and mass of the replacement buildings, appearing as overdevelopment needs to be considered.

The justification paragraph in respect of Policy H9 details that the retention of space around residential buildings is essential to ensure adequate separation and to safeguard the privacy and amenity of adjoining residents. This is to prevent a cramped appearance and unrelated terracing from occurring. It is also necessary

to protect the high spatial standards and level of visual amenity which characterise many of the Borough's residential areas.

In this case the siting of the large detached dwellings at sufficient distances from the flank boundaries with good levels of separation from adjacent dwellings and between the proposed dwellings has greatly improved the spatial standards and relationships of the dwellings from the previous scheme to be within the context of the pattern of development within the immediate locality.

The detached houses will also have eave and ridge heights comparable to other dwellings locally. The datum levels of the dwellings within Plot 2 at a lower level to Plot 1 also responds to the sloping topography of the site reducing the scale of the buildings within the streetscene to follow a responsive dialogue to the topographic restraints of the site.

The reorientation of the principal elevations to face Plaistow Lane within the site, maximises separation distances to surrounding property rear elevations and view distances of the site. It is acknowledged that surrounding property views of the site will alter in terms of outlook. However, the siting of the houses at the distances away from surrounding buildings will not be overbearing. The mass, scale and design style of the houses will also be comparable to surrounding similar property in Plaistow lane with regard to the height, building proportions, roofscape and window proportions considered to echo the adjacent context. The proposed design indicated with detailing and traditional features is also now considered to be of an exceptionally high standard to satisfy the criteria of Policy BE10.

Therefore, the impact of the houses within this revised scheme in terms of mass, scale and design is considered minimal representing a suitable infill development.

#### Standard of residential accommodation

Policy H7 of the UDP sets out the requirements for new residential development to ensure a good standard of amenity. The Mayor's Housing SPG sets out guidance in respect of the standard required for all new residential accommodation to supplement London Plan policies. The standards apply to new build, conversion and change of use proposals. Part 2 of the Housing SPG deals with the quality of residential accommodation setting out standards for dwelling size, room layouts and circulation space, storage facilities, floor to ceiling heights, outlook, daylight and sunlight, external amenity space (including refuse and cycle storage facilities) as well as core and access arrangements to reflect the Governments National Housing Standards.

The London Plan makes clear that ninety percent of new housing should meet Building Regulation requirement M4 (2) 'accessible and adaptable dwellings' and ten per cent of new housing should meet Building Regulation requirement M4 (3) 'wheelchair user dwellings', i.e. is designed to be wheelchair accessible, or easily adaptable for residents who are wheelchair users. The relevant category of Building Control Compliance should be secured by planning conditions.

A Part M compliance statement has been submitted that details compliance with this criteria.

Policy 3.5 of the London Plan and the Housing SPG (2016) Standard 24 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 should comply with Technical housing standards - nationally described housing standard (2015).

The floor space size of each of the houses is 447m<sup>2</sup> each respectively. The nationally described space standards require a GIA of 134m<sup>2</sup> for a five bedroom eight person dwelling in relation to the number of persons, floors and bedrooms mix. On this basis, the floorspace size provision for both of the houses is compliant with the required standards and is considered acceptable.

The shape and room size in the proposed units is generally considered satisfactory for the units where none of the rooms would have a particularly convoluted shape which would limit their specific use.

In terms of amenity space the depth and width of the rear gardens are of sufficient proportion to provide a usable space for the purposes of a family dwellinghouse and is representative of the proportions of rear gardens in the vicinity.

### Highways

The NPPF recognises that transport policies have an important role to play in facilitating sustainable development but also in contributing to wider sustainability and health objectives. The NPPF clearly states that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

London Plan and UDP Policies encourage sustainable transport modes whilst recognising the need for appropriate parking provision. Car parking standards within the London Plan, UDP and emerging draft Local Plan should be used as a basis for assessment.

### *Car parking*

The Council's Highway Officer has reviewed the current application and not raised any objection to the level of parking provided off road at the site and the access onto Plaistow Lane.

It is noted that in the previous scheme concerns were raised with respect to highway safety due to the intensification of the access point for the number of potential users in the light of the adequacy of the visibility splays at the proposed access. It was found that the inadequacy of the access due to limited visibility was harmful to highway safety.

In comparison, the revised scheme would only result in a negligible increase in vehicle movements due to the nature of the proposed development type. It is

therefore considered that there will be minimal impact on parking in the vicinity and the proposal is considered generally acceptable from a highway safety perspective.

### *Cycle parking*

Cycle parking is required to be 2 spaces for dwellinghouses as proposed. The applicant has provided not specific details of a location for cycle storage. However double garages are provided which would provide a place that is secure and lockable for such purposes.

### *Refuse*

All new developments shall have adequate facilities for refuse and recycling. The applicant has provided details of a refuse storage area and refuse collection point adjacent to front curtilage boundary of the access way area. A planning condition is recommended in this regard for further details of a containment structure and capacity.

### Neighbouring amenity

Policy BE1 of the UDP seeks to protect existing residential occupiers from inappropriate development. Issues to consider are the impact of a development proposal upon neighbouring properties by way of overshadowing, loss of light, overbearing impact, overlooking, loss of privacy and general noise and disturbance.

In terms of outlook, the fenestration arrangement will provide front and rear outlook for each unit overlooking amenity space or overlooking the street and the vehicle access way primarily. Non habitable flank windows to ground and first floor bathrooms are proposed in all units. Ground floor flank habitable room windows to a study will be below fence level and will not overlook.

Concerns have been raised regarding the detached houses directly overlooking properties to the rear of the site to gardens of properties that front Sundridge Avenue causing loss of privacy to neighbouring property and visual impairment of outlook from neighbouring property. This is related to the topography of the land which slopes down to the rear (north) and flank (east) of the site. As opined by the Planning Inspector in the recent Appeal Decision although there would be significant overlooking of the gardens, this would largely affect the rearmost part of the long gardens in Sundridge Avenue. In an urban area some degree of overlooking is to be expected, and there would remain substantial garden areas at the neighbouring properties which would be much less affected. It was concluded that the proposal would not harm the living conditions of the residents of Sundridge Avenue in relation to overlooking. Officers are of the same view in the current scheme which will also have a significantly less intensity of occupiers with views in this direction.

## 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.

An informative is recommended with any approval to ensure that the development strives to achieve these objectives.

## Trees

Policy NE7 states that proposals for new development will be required to take particular account of existing trees on the site and on adjoining land, which in the interests of visual amenity and/or wildlife habitat, are considered desirable to be retained.

A landscaping layout has been submitted as shown on the proposed site plan drawing that details the areas given over to landscaping.

Trees to be retained including a large cypress hedgerow to the east side of the site are indicated. The Council's Arboricultural Officer has reviewed the scheme and not raised any objections in this respect subject to compliance conditions.

## Ecology

London Plan Policy 7.21 states that development proposals should wherever possible, make a positive contribution to the protection, enhancement, creation and management of biodiversity.

An ecology appraisal including an internal/external bat survey has been submitted. The report has concluded that there are no setts or badger activity on the site or evidence of bats using the roof voids for roosts. Officers are satisfied that there is no ecological harm in this respect. It is however recommended that an updated report is provided prior to commencement of any works on site. A planning condition is recommended in this regard.

## 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**

The development would have a high quality design and would not have an unacceptable impact on the amenity of neighbouring occupiers. It is considered that the proposed scheme is acceptable and that the development would not be detrimental to the character and appearance of the locality. 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) 18/00640/FULL1 and any other applications on the site 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 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 UDP and in the interests of visual and residential amenity.**

- 3 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.**

- 4 The landscaping scheme as shown on the submitted drawings shall be implemented in the first planting season following the first occupation of the buildings or the substantial completion of the development whichever is the sooner. Any trees or plants which within a period of 5 years from the substantial completion of the development die, are removed or become**

seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species to those originally planted. Furthermore any boundary treatments shall be retained in perpetuity.

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

- 5** Before any part of the development hereby permitted is first occupied boundary enclosures of a height and type to be approved in writing by the Local Planning Authority shall be erected in such positions along the boundaries of the site(s) as shall be approved and shall be permanently retained thereafter.

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

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

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

- 7** 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.

- 8** The development permitted by this planning permission shall not commence until a surface water drainage scheme, details of general drainage works for the site and prevention of the discharge of surface water from private land on to the highway 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 reduce the impact of flooding both to and from the proposed development and third parties and to accord with Policy 5.13 of the London Plan.**

- 9 (a) Notwithstanding the submitted Preliminary Ecological Appraisal hereby approved, an updated report shall be submitted to the Local Planning Authority for approval 2 months prior to the commencement of any works on site including demolition. This report shall include details of a resurvey of the site and updated survey data and photographs of the roof space and ingress points for bat entry.**

**(b) The development shall be implemented in accordance with the approved details.**

**Reason. In order to protect biodiversity and protected species in accordance with Policy NE5 of the Unitary Development Plan and Policy 7.19 of the London Plan.**

- 10 The development shall be implemented in accordance with the Arboricultural Report (15/12/17) approved as part of the planning application, under the supervision of a retained arboricultural specialist in order to ensure that the correct materials and techniques are employed.**

**Reason: To ensure that works are carried out according to good arboricultural practice and in the interests of the health and amenity of the trees to be retained around the perimeter of the site and to comply with Policy NE7 of the Unitary Development Plan.**

- 11 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.**

- 12 No additional windows shall at any time be inserted in the flank elevations of all of the detached houses hereby permitted without the prior approval in writing of the Local Planning Authority.**

**Reason: In order to comply with Policy BE1 and H7 of the Unitary Development Plan and in the interest of the amenities of the adjacent properties.**

- 13 The development hereby permitted shall be built in accordance with the criteria set out in Building Regulations M4(2) 'accessible and adaptable dwellings' and shall be permanently retained thereafter.**

**Reason: To comply with Policy 3.8 of the London Plan and the Mayors Housing Supplementary Planning Guidance 2016 and to ensure that the development provides a high standard of accommodation in the interests of the amenities of future occupants.**

- 14 No extensions or alterations to the building(s) hereby approved, whether or not permitted under Article 3 to Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking, re-enacting or modifying that Order) of that Order, shall be carried out without the prior written permission of the local planning authority.**

**Reason: In order that, in view of the nature of the development hereby permitted, the local planning authority may have the opportunity of assessing the impact of any further development and to comply with Policies BE1 and H7 of the Unitary Development Plan.**

**You are further informed that:**

- 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 should consult the Street Naming and 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)**
- 3 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)**
- 4 Conditions imposed on this planning permission require compliance with Part M4 of the Building Regulations. The developer is required to notify Building Control or their Approved Inspector of the requirements of these conditions prior to the commencement of development.**
- 5 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.

- 6 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 2017 which is available on the Bromley web site.
- 7 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.
- 8 The applicant is advised that the development shall strive to achieve 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 of Policy 5.2 of the London Plan.