

<b>Committee Date</b>	14.05.2020	
<b>Address</b>	Crown Hotel School Road Chislehurst BR7 5PQ	
<b>Application Number</b>	19/04233/FULL1	<b>Officer</b> - Nicholas Trower
<b>Ward</b>	Chislehurst	
<b>Proposal</b>	Erection of orangery, alteration to location of fire escape staircase, removal of front lobby, replacement of extraction unit, addition of two roof lanterns, elevational alterations and landscaping.	
<b>Applicant</b>	<b>Agent</b>	
Mr Martin Godden	Mr Karim Mezeli	
The Faversham Brewery 17 Court Street Faversham ME13 7AX	Unit 114 Screenworks 22 Highbury Grove London N5 2EF	
<b>Reason for referral to committee</b>	Call-In	<b>Councillor call in</b> Yes

<b>RECOMMENDATION</b>	Application Permitted
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<p>KEY DESIGNATIONS</p> <p>Conservation Area: Chislehurst Biggin Hill Safeguarding Area Green Belt London City Airport Safeguarding Smoke Control SCA 16</p>
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<b>Land use Details</b>		
	Use Class or Use description	Floor space (GIA SQM)

Existing	Classes A4 and C1	904sqm
Proposed	No change proposed to existing use	904.5sqm

<b>Vehicle parking</b>	Existing number of spaces	Total proposed including spaces retained	Difference in spaces (+ or -)
Standard car spaces	7	7	0
Disabled car spaces	0	0	0
Cycle	0	0	0

<b>Electric car charging points</b>	0
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<b>Representation summary</b>	Neighbour letters were sent on 28.10.2019 and again on 06.01.2020 and 26.03.2020. Two site notices were displayed on 05.12.2019 A press advert was published on 30.10.2019	
Total number of responses	28	
Number in support	0	
Number of objections	28	

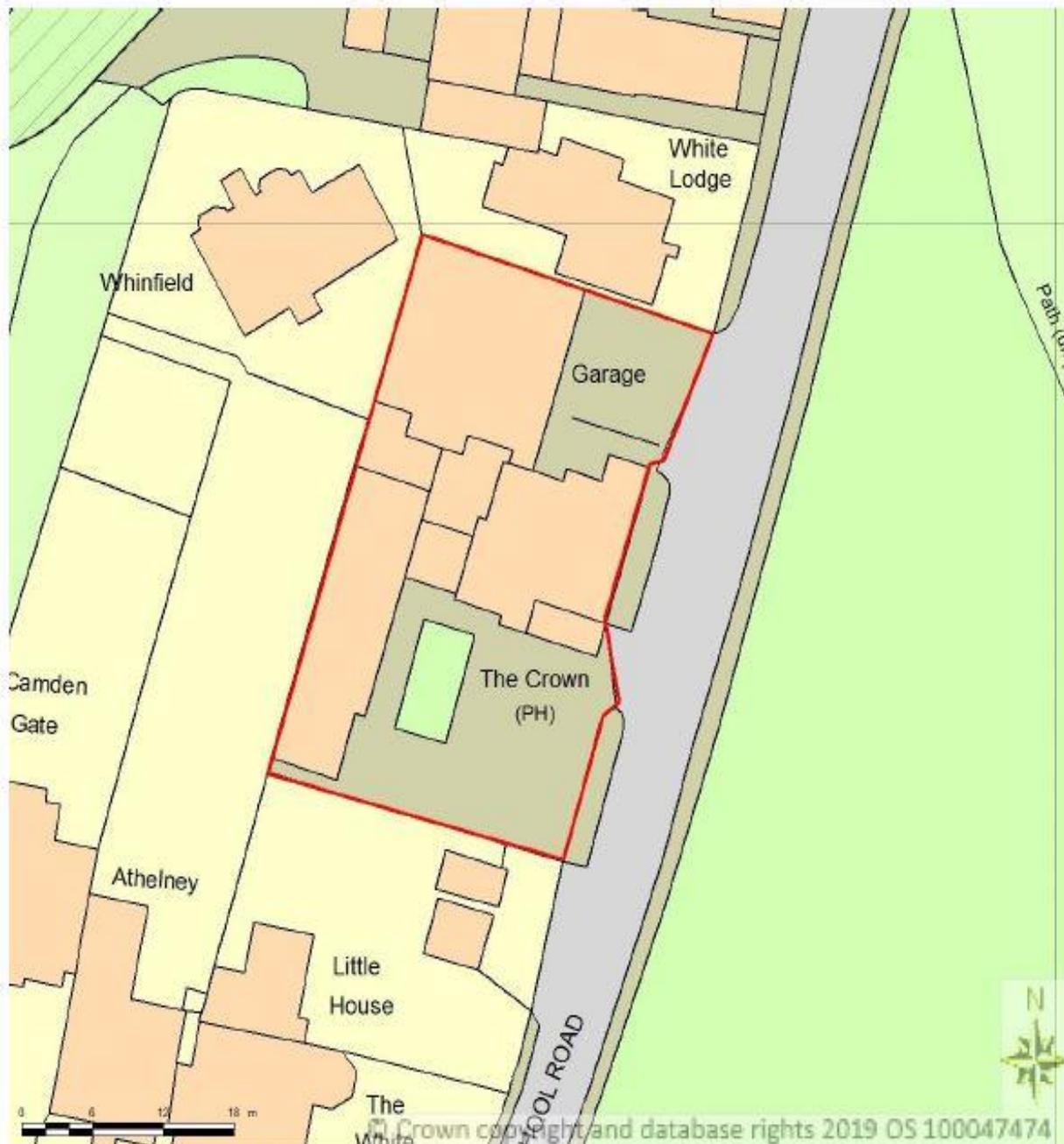
## 1 SUMMARY OF KEY REASONS FOR RECOMMENDATION

- Proposed extension and alterations would not have a detrimental impact on design of host building and would not overdevelop the site;
- No unacceptable impact on Conservation Area or Green Belt;
- No unacceptable impact would arise to neighbouring occupiers; and
- No unacceptable Highways or Environmental Health impacts would arise.

## 2 LOCATION

2.1 This site is occupied by a public house and hotel which is located on the western side of School Road. The building is not listed and sits within the Green Belt and Chislehurst Conservation Area. Directly opposite the site is Chislehurst Common which is a designated Site of Importance for Nature Conservation. The public house is boarded to the north, south and west by dwellinghouses while further to the north along School Road is St Nicholas School.

2.2 Site Location Plan:



### 3 PROPOSAL

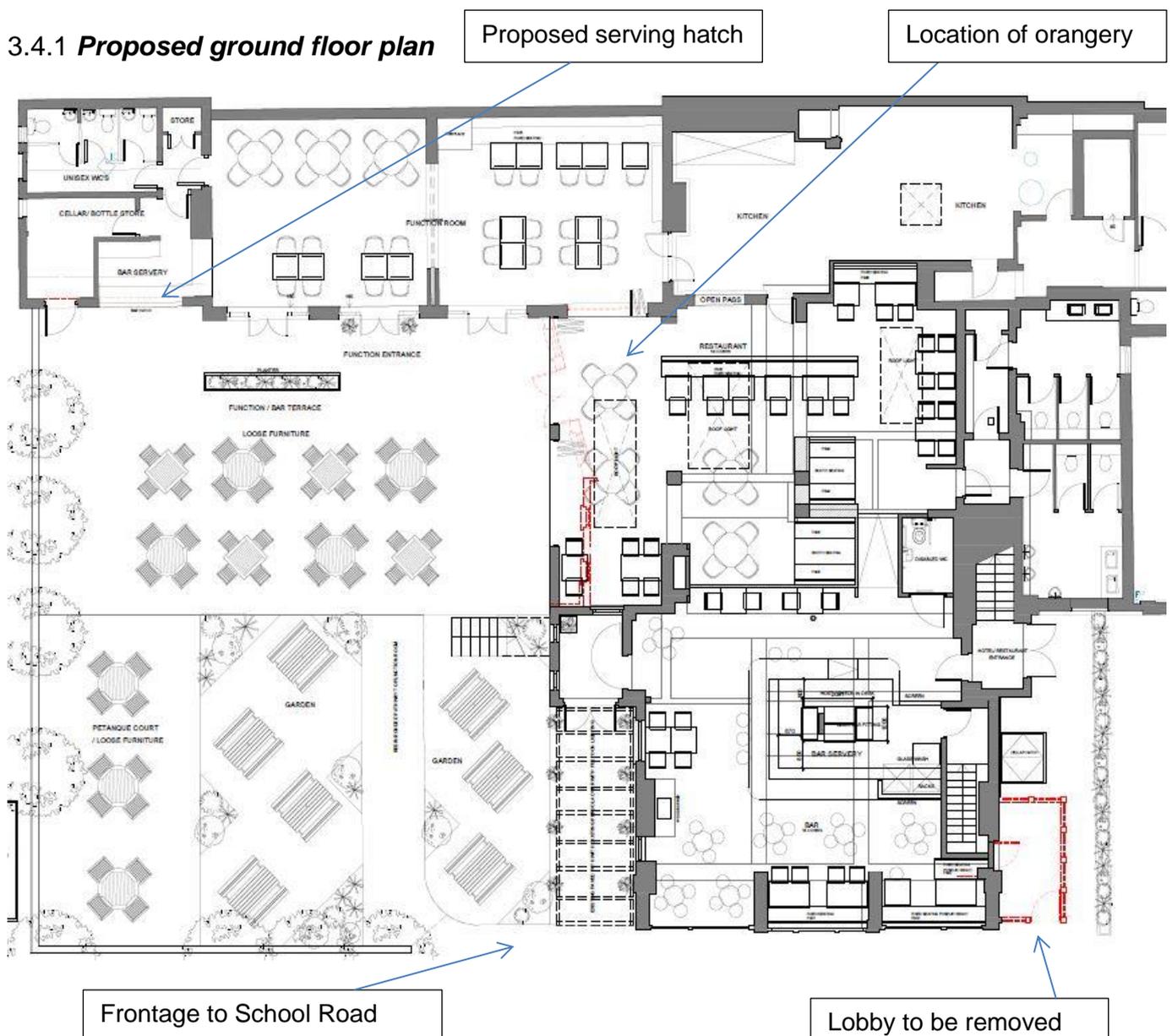
3.1 The application seeks planning permission for the erection of an orangery, alteration to the location of the fire escape staircase, removal of the front lobby, replacement of an extraction unit, addition of two roof lanterns, provision of additional outdoor seating, elevational alterations and landscaping.

3.2 The proposed orangery will measure approximately 8.4m in width and 1.2m in depth at its maximum. The orangery will measure approximately 2.6m in height with a roof lantern that projects approximately 0.6m from the flat roof.

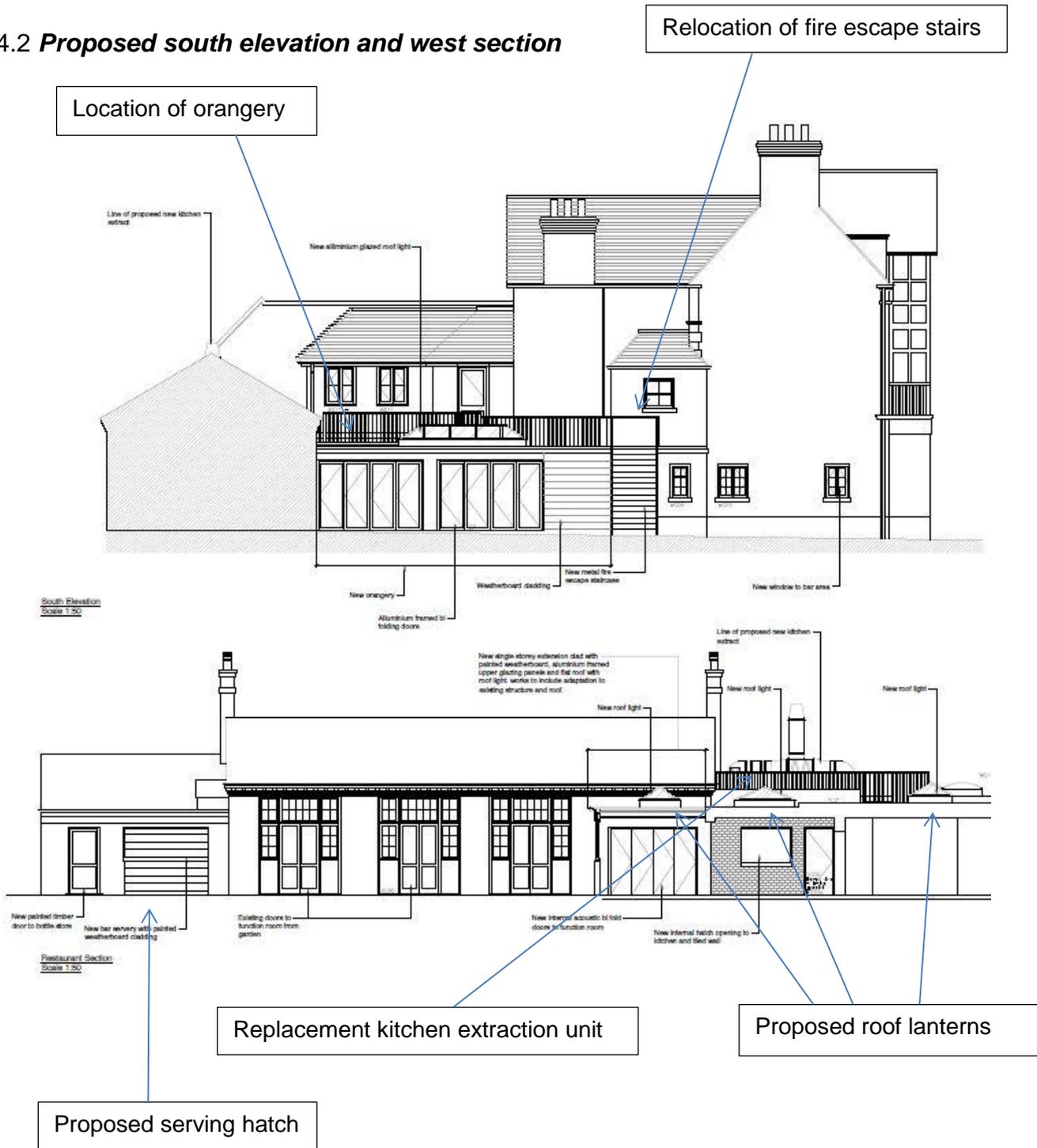
3.3 The elevational alterations consist of the addition of a window to the ground floor south elevation, addition of a door and bar servery and the blocking up of one window to ground floor east elevation, blocking up of door to the ground floor north elevation. The two rooflanterns proposed to the restaurant will measure approximately 0.6m in height.

3.4 Proposed plans and elevations:

#### 3.4.1 Proposed ground floor plan



### 3.4.2 Proposed south elevation and west section



## **4 RELEVANT PLANNING HISTORY**

- 4.1 The relevant planning history relating to the application site is summarised as follows:
- 4.2 88/00879/FUL – Provision of a petanque court – Application Permitted.
- 4.3 Under 91/01412/FUL – Retention of four 15 foot high floodlight columns for petanque court – Application Permitted.
- 4.4 94/00405/FUL – Construction of additional petanque pitch (retrospective) – Application Permitted.
- 4.5 96/01103/FUL – Retention of additional petanque pitch – Application Permitted.
- 4.6 96/02000/FUL – Change of use from commercial garage to storage and distribution depot – Application Refused.
- 4.7 98/03016/FUL – Change of use from car repairs to covered car parking area, new kitchen and bedroom accommodation ancillary to adjacent public house with elevational alterations including front dormers – Application Permitted.
- 4.8 99/02624/FULL1 - New patio area, outside function room and formation of petanque pitch (Retrospective) – Application Permitted.
- 4.9 02/04223/FULL1 - Single storey front extension for entrance porch, first floor side and rear extensions to provide link, first floor use as hotel rooms, second floor use as manager's flat, screen at first floor around existing trunking together with elevational alterations – Application Permitted.
- 4.10 03/02497/ADV - Externally illuminated fascia signs/letters on flank elevations, non-illuminated signs/letters on front elevation and non-illuminated free-standing 'pub' sign – Advertisement Consent Granted.
- 4.11 03/03272/FULL1 - Single storey front extension for entrance porch, first floor side and rear extensions to provide link, first floor use as hotel rooms, second floor use as manager's flat, screen at first floor around existing trunking together with elevational alterations – Application Permitted.
- 4.12 03/03603/ADV - Externally illuminated lettering at first floor level at front – Advertisement Consent Granted.
- 4.13 08/00216/FULL1 - Timber smoking shelter/pergola to side elevation – Application Permitted.

## **5 CONSULTATION SUMMARY**

### **A) Statutory**

Highways: No Objection.

A parking stress survey has been provided. Parking standards from the UDP are referred to but these have now been superseded by the London Plan. However there are no standards for pubs in the London Plan. Given the increase in floor space of 13m<sup>2</sup> the old UDP standards would have required 2 extra car parking spaces.

In order to be able to make an assessment of whether nearby roads could take additional parking, parking stress surveys were carried out on a Friday evening and Saturday lunchtime when the pub is likely to have a high demand.

The presentation of the results of the parking survey in the Technical Note supplied is slightly confusing but looking at the roads nearest to the pub, School Road and Church Row, they are well parked but there are spaces available. There are also always other spaces available nearby.

Although the area has a high demand for on-street parking the additional requirement of spaces with the proposal is relatively small and the surveys provided show there are spaces available. Consequently I would have no objection to the application.

- Please note that internal Observation when not statutory will only be addressed in the body of the report to avoid repetition e.g conservation.

## **B) Local Groups**

### The Chislehurst Society (addressed in para. 7.2, 7.3 and 7.5):

- Increased numbers of customers using the Common even without antisocial behaviour can damage the fragile local ecology.
- Despoliation of grass with litter or broken glass can inhibit use of the grass areas by the wider community and visitors.
- Children from the neighbouring primary school use the Commons for active play. Their safety from the detritus of antisocial drinkers is important.
- The expansion of facilities of The Crown will generate an increase in traffic movements by service lorries and cars of customers.
- The business model adopted by The Crown overlooks the responsibilities that business must retain the special qualities of the Commons and the character and appearance of the Conservation Area.
- The TN ignores the core of the proposal that seeks to expand the restaurant and increase seating capacity within the garden bar.
- No attempt has been made to assess the impact of increased bar and restaurant trade and how this would be reflected in increased demand for car parking.
- Students attending Coopers School frequently park cars in the area covered by the applicant's survey.
- If students were not in attendance the TN survey results would not be typical and they may have under recorded the normal levels of car parking.
- We consider the focus of the parking survey was misdirected and failed to consider the impact of increased patronage of the pub and restaurant.

### Trustees of Chislehurst Commons (addressed in para. 7.3, 7.4 and 7.5):

- We note that with the Council's permission some trees have been felled on the property impacting the sylvan atmosphere of this side of the Commons.
- Whilst not directly related to the pub we are already experiencing invasion of the Commons by vehicles and unauthorised parking caused by congestion.
- We have concerns that the plans may exacerbate the existing level of overspill of pub customers with their drinks onto the Commons.
- Any overspill has the potential to result in damage to the Commons and inhibit its use by other people.
- Broken glass, litter and late dwelling customers detract from use by the wider community.
- Should the Council be inclined to grant permission we would request that it be conditioned with sufficient protections against the concerns raised.
- The transport note does not show any comment on other pubs in the area using the parking.
- No reference is made to the Tigers Head, the 3 public houses very close to each other, or the restaurants whose clients are also using the parking.
- The Lambeth standards seem to bear no relevance to the changes and consequential increase in visitor numbers.
- To justify planning approval in the belief that only 2 extra parking spaces within a 400m radius from the property are required would be contrary to common sense.

### **C) Adjoining Occupiers**

#### Parking and Road Safety (addressed in para. 7.5):

- The Crown Hotel does not have sufficient parking and an increase in the capacity of the premises will also increase congestion along School Road.
- School Road is narrow and already reduced to a single lane as a result of the high level of parking.
- Increased congestion will lead to safety issues for pedestrians and other road users.
- Increased deliveries to the site will cause safety issues to children of the nearby school and other pedestrians.
- Delivery lorries damage the road surface and cause problems to the water mains.
- Conditions included in previous planning permissions required the beer garden to be used for parking. This has not been adhered to or enforced.
- Previous planning permissions identified the issues with parking and highway safety. The traffic and parking situation has not changed.
- Customers drive to the pub. Existing parking restrictions are ignored and not enforced. The traffic situation has led to damage to property and parked cars.
- An increase in traffic would expose school children to pollution which could cause health problems.
- Lorries currently park on the pavement completely blocking a safe means of passage for pedestrians.
- There are no road signs to warn drivers that there is a school in close proximity to the Crown.
- The Technical Note (TN) does not take into account the intensified use of the garden, outside bar or covered seating area.

- An events business designed to attract large groups will also attract a substantial number of cars at peak times.
- It seems inappropriate for the TN to use the same metrics for analysing parking space requirements for an office in this instance.
- The TN does not address road safety issues which have been pointed out by the school and its parents.
- Using the TN metrics there should be 43 spaces meaning 38 spaces have to be absorbed by the road even before taking account of the extension.
- The period chosen for the TN is not the relevant time of year.
- The TN is based upon the parking standards of the UDP. This was replaced by the Local Plan in 2019 and has no relevance to the current application.
- The London Plan emphasises that the level should be consistent with the objectives of reducing traffic congestion and traffic levels.
- The TN states that there are footpaths on both sides of School Road. There is a substantial length of road which has no footpath and is a hazard.
- It is not possible for a new traffic survey to be completed at this time.
- A new survey needs to be conducted once the country moves out of the current situation.

Neighbouring Amenity, Noise and Disturbance (addressed in para. 7.3 onwards):

- The development will lead to increased instances of glasses and bottles being left on the common. These can be broken creating a safety risk.
- The garden area and people spilling onto the Common currently generates a considerable amount of noise which will increase with the development.
- The alterations will increase the capacity of the beer garden with accompanying noise both day and night and disturbance to neighbours.
- I am concerned by the remodelling, increased visibility and new direction of exhaust fumes/noise of the extractor fans from the Crown's kitchen.
- The development will seriously affect the ambience of the Common through noise pollution directly from the Crown.
- The proposed location and dimensions of the extractor fan will encourage noise and fumes to flow directly into my garden/house.
- The increased activity will create unacceptable and intrusive disturbance to the use and enjoyment of my own house and garden.
- The plans do not show any of the existing trees which shield the beer garden from the road and act as a sound barrier. What is proposed for them?
- Residents directly besides and behind the Crown already put up with intrusive noise and antisocial behaviour of pub goers which will become worse.
- The construction of the covered booths immediately adjacent to the boundary will bring the disturbance closer to our garden and more often.
- The booths will extend above the height of the existing fence and will be an intrusive and dominating feature when viewed from our garden.
- Patrons drinking and smoking in an area used by children to play after school could expose them to potentially inappropriate behaviour and waste.
- I fear the Crown will become similar to the Bulls Head with fighting, noise and dangerous drivers around School Road.
- The removal of the front porch will encourage people to loiter in the car park area saying goodbye and smoking. The resulting noise and pollution will be directly adjacent to our property.

- The venting should be required to remain where it is or be redesigned to use the existing chimney infrastructure.

Design and Impact on the Conservation Area (addressed in paras. 7.2 and 7.4):

- The large double doors are out of keeping with the architecture of the current building and indicate the opportunity for customers to spill out into the garden.
- The development would have a severe, permanent and detrimental impact on the Conservation Area.
- The extractor fans will be a general eyesore when viewed not only from my house but also from the Common and School Road.
- Resulting noise, rubbish, antisocial behaviour, traffic and parking demands are not compatible with a requirement to enhance and preserve the area.
- The design, location and extent of the kitchen extractor piping and fans will fail to be in keeping with the Conservation Area.
- We do not think the pursuit of commercial interests should be permitted to outweigh and fundamentally damage the historic piece of land.
- The extension will adversely affect the appearance of School Road when viewed from the Common, as will the covered booths.
- The nature and size of the development is such that the built construction does not preserve or enhance the characteristics of the Conservation Area.
- There is no indication as to how the existing mature trees on the south boundary will be affected or protected, nor those on the east boundary.
- The applicants have already applied for and obtained permission to fell two of the trees on the east boundary and to prune others.
- The trees are an important aspect of the amenity of School Road and the Conservation Area. Any danger to the trees would be unacceptable.
- The applicant will need to demonstrate that the intensification will not adversely impact the special wildlife present including a population of Owls.
- By felling two mature trees in a Conservation Area the appearance of the commons deteriorates.

Other Concerns (addressed in para. 7.6):

- Due to the current crisis we are unable to gather as a community to discuss the proposal.
- The amendment and overall decision should be paused and resubmitted at a more appropriate time giving the community time to fully respond.
- Some objections received earlier in the process are from people who are not able to review the plans due to personal situations caused by COVID-19.
- The application should not be considered during a national emergency and I urge the council to give a pause to this application.

## **6 POLICIES AND GUIDANCE**

6.1 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.

- 6.2 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.
- 6.3 The development plan for Bromley comprises the London Plan (March 2016) and the Bromley Local Plan (2019). The NPPF does not change the legal status of the development plan.
- 6.4 The 'Intend to Publish' version of draft London Plan (December 2019) is a material consideration in the determination of this planning application.
- 6.5 The draft new London Plan was submitted to the Secretary of State (SoS) on 9 December 2019, following the Examination in Public which took place in 2019. This is the version of the London Plan which the Mayor intends to publish, having considered the report and recommendations of the panel of Inspectors. Where recommendations have not been accepted, the Mayor has set out a statement of reasons to explain why this is.
- 6.6 The London Assembly considered the draft new London Plan at a plenary meeting on 6 February 2020 and did not exercise their power to veto the plan
- 6.7 Ahead of publication of the final plan, the SoS can direct the Mayor to make changes to the plan. This affects the weight given to the draft plan. At this stage, the Council's up-to-date Local Plan is generally considered to have primacy over the draft London Plan in planning determinations.
- 6.8 The application falls to be determined in accordance with the following policies:-

#### **6.9 National Policy Framework 2019**

#### **6.10 The London Plan**

- 2.7 Outer London: Economy
- 4.6 London's Economy
- 5.1 Climate Change
- 5.2 Minimising Carbon Dioxide Emissions
- 5.3 Sustainable Design and Construction
- 5.7 Renewable Energy
- 5.12 Flood Risk Management
- 5.13 Sustainable Drainage
- 5.15 Water Use and Supplies
- 5.16 Waste Self-Sufficiency
- 5.17 Waste Capacity
- 5.18 Construction, Excavation and Demolition Waste
- 6.3 Assessing Effects of Development on Transport Capacity
- 6.9 Cycling
- 6.12 Road Network Capacity
- 6.13 Parking

7.2 An Inclusive Environment  
7.3 Designing Out Crime  
7.4 Local character  
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  
7.16 Green Belt  
7.21 Trees and Woodlands  
8.3 Community Infrastructure Levy

## **6.11 Draft London Plan**

GG2 Making the Best Use of Land  
GG5 Growing a Good Economy  
D1 London's Form, Character and Capacity for Growth  
D4 Delivering Good Design  
D5 Inclusive Design  
D14 Noise  
E2 Providing Suitable Business Space  
HC1 Heritage, Conservation and Growth  
HC6 Supporting the Night-Time Economy  
HC7 Protecting Public Houses  
G2 London's Green Belt  
SI 1 Improving Air Quality  
SI 2 Minimising Greenhouse Gas Emissions  
SI 7 Reducing Waste and Supporting the Circular Economy  
SI 8 Waste Capacity and Net Waste Self-Sufficiency  
SI 12 Flood Risk Management  
SI 13 Sustainable Drainage  
T4 Assessing and Mitigating Transport Impacts  
T5 Cycling  
T6 Car Parking  
T6.5 Non-Residential Disabled Parking  
T7 Deliveries, Servicing and Construction

## **6.12 Bromley Local Plan 2019**

20 Community Facilities  
30 Parking  
31 Relieving Congestion  
32 Road Safety  
33 Access for All  
37 General Design of Development  
41 Conservation Areas  
49 Green Belt  
73 Development and Trees  
77 Landscape Quality and Character  
113 Waste Management in New Development

- 115 Reducing Flood Risk
- 116 Sustainable Urban Drainage Systems (SUDS)
- 123 Sustainable Design and Construction
- 119 Noise Pollution
- 120 Air Quality
- 122 Light Pollution
- 123 Sustainable Design and Construction
- 124 Carbon Dioxide Reduction, Decentralise Energy Networks and Renewable Energy
- 125 Delivery and Implementation of the Local Plan

### 6.13 Bromley Supplementary Guidance

Supplementary Planning Guidance 1 - General Design Principles  
Supplementary Planning Guidance – Chislehurst Conservation Area

## 7 ASSESSMENT

### 7.1 Green Belt - Acceptable

7.1.1 Paragraphs 133 - 147 of the NPPF sets out the Government's intention for Green Belt. The NPPF states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.

7.1.2 The Green Belt is intended to serve five purposes:

- a) to check the unrestricted sprawl of large built-up areas;
- b) to prevent neighbouring towns merging into one another;
- c) to assist in safeguarding the countryside from encroachment;
- d) to preserve the setting and special character of historic towns; and
- e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

7.1.3 Paragraphs 143 - 147 deal specifically with development proposals in the Green Belt. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

7.1.4 As set out in para 143 of the NPPF, where a proposal is inappropriate development in the Green Belt, it is by definition harmful and should not be approved except in very special circumstances. Para 144 of the NPPF advises that LPAs should give substantial weight to any harm to the Green Belt. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness and any other harm, is clearly outweighed by other considerations.

- 7.1.5 Therefore, the harm in principle to the Green Belt remains even if there is no further harm to openness because of the development. Openness is an essential characteristic of the Green Belt and is different from visual impact. Openness is about freedom from built form. Even if there is absence of harm to openness, there can be harm in principle to the Green Belt from inappropriate development.
- 7.1.6 Paragraph 145 states that the LPA should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building. An additional exception is limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use which would not have a greater impact on the openness of the Green Belt than the existing development.
- 7.1.7 Bromley Local Plan Policies provide the same level of protection to Green Belt as the NPPF.
- 7.1.8 The proposed development involves the addition of an orangery, outdoor seating and elevational alterations. The orangery will provide additional floor area of approximately 7.8m<sup>2</sup> and will be located to the far corner of the court yard effectively infilling the space between the function room and side entrance. The proposed development also involves the removal of the existing entrance lobby which has a floor area of approximately 7.2m<sup>2</sup>, therefore the addition of the orangery is not considered to be disproportionate. The proposed seating and planters to the courtyard will be moveable and it is not considered that they will result in a loss of openness when compared with what currently exists.
- 7.1.9 Taking into account the above it is not considered that the proposed would result in a loss of openness, cause harm to the visual amenities of the Green Belt and the rural landscape in the locality, or conflict with the purposes of including land within it.

## 7.2 Design and Heritage Impact - Acceptable

- 7.2.1 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.
- 7.2.2 Paragraph 124 of the NPPF (2019) states that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.
- 7.2.3 Paragraph 127 of the NPPF (2019) requires Local Planning Authorities to ensure that developments will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development; are visually attractive as a result of good architecture, layout and appropriate and effective landscaping and are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or

discouraging appropriate innovation or change (such as increased densities). New development shall also establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit; optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

- 7.2.4 London Plan and Bromley Local Plan policies further reinforce the principles of the NPPF setting out a clear rationale for high quality design.
- 7.2.5 The NPPF sets out in section 16 the tests for considering the impact of a development proposal upon designated and non-designated heritage assets. The test is whether the proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset and whether it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits. A range of criteria apply.
- 7.2.6 Paragraph 196/197 state where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. 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 directly or indirectly affect 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.
- 7.2.7 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a requirement on a local planning authority in relation to development in a Conservation Area, to pay special attention to the desirability of preserving or enhancing the character or appearance of that area.
- 7.2.8 Interpretation of the 1990 Act in law has concluded that preserving the character of the Conservation Area can not only be accomplished through positive contribution but also through development that leaves the character or appearance of the area unharmed.
- 7.2.9 Policy 41 of the Bromley Local Plan seeks to preserve or enhance the character or appearance of conservation areas. The policy sets out that proposals for new development, for engineering works, alteration or extension to a building or for change of use of land or buildings within a conservation area will need to preserve and enhance its characteristics and appearance by:
- Respecting or complementing the layout, scale, form and materials of existing buildings and spaces;

- Respecting and incorporating in the design existing landscape or other features that contribute to the character, appearance or historic value of the area; and
- Using high quality materials.

7.2.10 The Conservation Area SPG states that the *'commons are the strongest and most important aspect of the character and appearance of Chislehurst, and their continued care and protection must be the utmost priority for the preservation and enhancement of the Conservation Area'*. The buildings within School Road are encircled by common lands and, as the SPG sets out, *'such buildings and their settings project a positive contribution to the commons, being highly visible from many other parts of central Chislehurst'*.

7.2.11 The SPG advises that any extensions or additions *'should reflect the forms, materials, textures and finishes of the host building, along with the design philosophies underlying its style. These vary between individual buildings in this Conservation Area, and will need to respond to the specific building. The proportions, positioning and integration of and addition relative to the host building are important and deserving of significant design effort to safeguard not only the building's contribution to the public realm, but its enduring value to the owner'*.

7.2.12 The proposed orangery will be screened from the public highway by the existing side entrance. The orangery is considered to be subservient to the host building and its size, scale and bulk will not lead to an over development of the site. It is considered that the proposed orangery will not have a detrimental impact on the appearance of the host building and will not have a harmful impact on the streetscene or wider Conservation Area. The Council's Conservation Officer has raised no objection to the proposed development.

7.2.13 The proposed replacement extractor unit will have a greater height than the existing unit but will be sited in a similar position and therefore mostly screened from the public highway. Taking into account its proposed positioning, along with its scale and bulk, it is considered that, on balance, the replacement unit would not have a detrimental impact on the appearance of the host building or the wider Conservation Area. The Council's Conservation Officer has raised no objection to the proposed development.

7.2.14 In terms of design the proposed elevational alterations are in keeping with the design and appearance of the host building. The proposed materials are sympathetic to those of the host building and it is not considered that the alterations would have a detrimental impact on the appearance of the Conservation Area or detract from its general character. The relocated fire escape would sit approximately 8.6m from the front boundary of the site and would be visible from School Road. Taking into account its height, depth and step back from the road it is not considered that its altered location would have a detrimental impact on the appearance of the host building or the character of the Conservation Area. The Council's Conservation Officer has raised no objection to the proposed development.

7.2.15 The proposed seating and planters are typical for the outdoor area of a public house in any location and it is not considered that their addition would result in a detrimental impact upon the spatial standards and visual amenity of the Conservation Area. The Council's Conservation Officer has raised no objection to the proposed development.

### 7.3 Neighbouring Amenity, Noise and Disturbance - Acceptable

7.3.1 Policy 37 of the Bromley Local Plan 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. This is further supported by Policy 7.6 of the London Plan.

7.3.2 Policy 119 states that in order to minimise adverse impacts on noise sensitive receptors, proposed developments likely to generate noise and/or vibration will require a full noise/vibration assessment to identify issues and appropriate mitigation measures.

7.3.3 In most cases where there is a risk of cumulative impact on background level over time or where an area is already subject to an unsatisfactory noise environment, applicants will be required to ensure that the absolute measured or predicted level of any new noise source is 10dB below the existing typical background LA90 noise level measured at any sensitive receptor.

7.3.4 The proposed orangery will provide a minimal amount of additional floor area to the host building. Concerns have been raised about the doors to the orangery being opened allowing for noise to escape from the public house. This is currently possible from the existing structure and it is not considered that the addition of the orangery would lead to an increase in noise or disturbance over and above the current situation. It is not considered that the development would result in a loss of visual amenity by way of lost outlook or overbearing impact.

7.3.5 It is proposed to alter the existing toilets to the function room in order to provide a bar servery and cellar/bottle store to both the outdoor area and the existing function room. Additional moveable seating and tables are also proposed to the outdoor area. The site is currently used as a public house and the outdoor area already benefits from external seating. There is therefore an established level of noise associated with the existing use. Concerns have been raised that the proposed development could intensify the use of the outdoor area resulting in an increase in noise and disturbance. The addition of the bar and additional seating will facilitate the use of the outdoor area however it is recognised that it is currently possible for customers to take their drinks from the bar outside. The use of the outdoor area would be covered by separate licencing regimes and the Council's Environmental Health Officer has raised no objection to the proposal. Therefore, it is considered that, on balance, the proposed development would not result in significant harm to neighbouring residential properties by way of noise and disturbance which is materially greater than the established arrangement.

7.3.6 The replacement extractor unit will maintain the same separation distance of approximately 0.6m from the boundary with neighbouring occupiers. The unit will have a greater height than the existing unit of approximately 1.3m. The application has been supported by equipment specifications relating to noise and odour mitigation and based on the submitted information the Council's Environmental Health Officer has raised no objection to the proposal. Taking this into account, along with the unit's height and positioning, it is not considered that this element of the proposed would have a detrimental impact on the amenities of neighbouring residential properties.

7.3.7 Concerns have been raised relating to the impact of the proposed on customers taking drinks across to the common. It is not considered that the proposed development would lead to an increased number of customers using the common. In addition it is not possible for the planning process to control the movement of people from the public house onto the common. Customers drinking alcohol outside of the public house and its outdoor area would be a matter that fall to licencing and the police.

#### 7.4 Trees – Acceptable

7.4.1 Policy 73 of the Bromley Local Plan 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. The supporting text to the policy states that trees are important features of the Borough's environment and are a valuable resource for wildlife. The Council places a high priority on their retention and protection.

7.4.2 Representations have been received raising concerns about the impact of the proposed development on trees situated within or adjacent to the application site. Under application reference 19/03860/TREE works were approved by the Council's Tree Officer to a number of trees including the felling of two common lime trees. No works are proposed to the trees under this application and, based on the information submitted, the Council's Tree Officer has not raised an objection to the development.

#### 7.5 Highways – Acceptable

7.5.1 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.

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

- 7.5.3 Following the submission of the application the Council's Highways Officers requested that a parking stress survey be carried out following the Lambeth methodology with survey times which reflect the busy times for the pub.
- 7.5.4 The type of survey submitted, including its methodology, survey times and processes are considered acceptable by the Council's Highways Officers.
- 7.5.5 The survey submitted by the applicants refers to parking standards from the Unitary Development Plan (UDP). The highway standards referred to in the applicants survey from the UDP have now been superseded by the London Plan. The London Plan does not provide standards for pubs however the proposed increase in floor space would have required two additional parking spaces under the old UDP standards.
- 7.5.6 It is recognised that the area has a high demand for on street parking however the submitted survey indicates that there are sufficient parking spaces available for the scale of the development. Based on the information submitted the Council's Highways Officer has not raised an objection to the application in terms of parking or road safety.

## 7.6 Other matters

- 7.6.1 Representations have been received raising concern that the COVID-19 pandemic has not allowed the local community to be able to respond properly to the proposal.
- 7.6.2 Consultation with the local community has been carried out including neighbour letters, site notices and advertisements in the local press. Where revised information has been received additional neighbour letters have been sent out.
- 7.6.3 The application had been received prior to the full effects of the pandemic being felt. Consultation with the local community had also been carried out prior to the current restrictions being put in place.

## 7.7 **CONCLUSION**

- 7.7.1 Having had regard to the above it is considered that the proposed development is acceptable in that it would not result in a significant loss of amenity to local residents nor impact detrimentally on the character of the area. The proposed would not result in a loss of openness or cause harm to the visual amenities of the Green Belt and the rural landscape in the locality. The proposal would not lead to parking inconvenient to other road users and would not be prejudicial to road safety.
- 7.7.2 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:** Application Permitted

**Subject to the following conditions:**

1. Standard time limit of 3 years
2. Standard compliance with approved plans
3. Matching materials

**Any other planning condition(s) considered necessary by the Assistant Director of Planning.**