

Committee Date	26 th November 2020	
Address	Shirley Holwood Park Avenue Orpington BR6 8NG	
Application Number	20/02453/FULL1	Officer - Louisa Bruce
Ward	Bromley Common And Keston	
Proposal	Demolition of existing dwelling and erection of two storey replacement dwelling with basement car lift, and accommodation in the roofspace.	
Applicant	Agent	
Mr S Osman	Mr John Escott	
Shirley Holwood Park Avenue Orpington BR6 8NG	Downe House 303 High Street Orpington BR6 0NN	
Reason for referral to committee	Councillor call in	
	Call-In	Yes

RECOMMENDATION	Application Refused
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<p>KEY DESIGNATIONS</p> <p>Conservation Area: Keston Park Biggin Hill Safeguarding Area London City Airport Safeguarding Smoke Control SCA 14</p>
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Land use Details		
	Use Class or Use description	Floor space (GIA SQM)
Existing	Dwellinghouse	
Proposed	Dwellinghouse	

Residential Use – See Affordable housing section for full breakdown including habitable rooms					
	Number of bedrooms per unit				
	1	2	3	4 Plus	Total / Payment in lieu
Market					
Affordable (shared ownership)					
Affordable (social rent)					
Total					

Vehicle parking	Existing number of spaces	Total proposed including spaces retained	Difference in spaces (+ or -)
Standard car spaces			
Disabled car spaces			
Cycle			

Electric car charging points	Percentage or number out of total spaces
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Representation summary	A Site Notice was displayed on 27 th July 2020 and neighbours were notified of the application on 23 rd July 2020.	
Total number of responses		8
Number in support		8
Number of objections		0

Section 106 Heads of Term	Amount	Agreed in Principle
Carbon offset		
Health		
Education		
Open Space		
Affordable Housing		
Total		

1. SUMMARY OF KEY REASONS FOR RECOMMENDATION

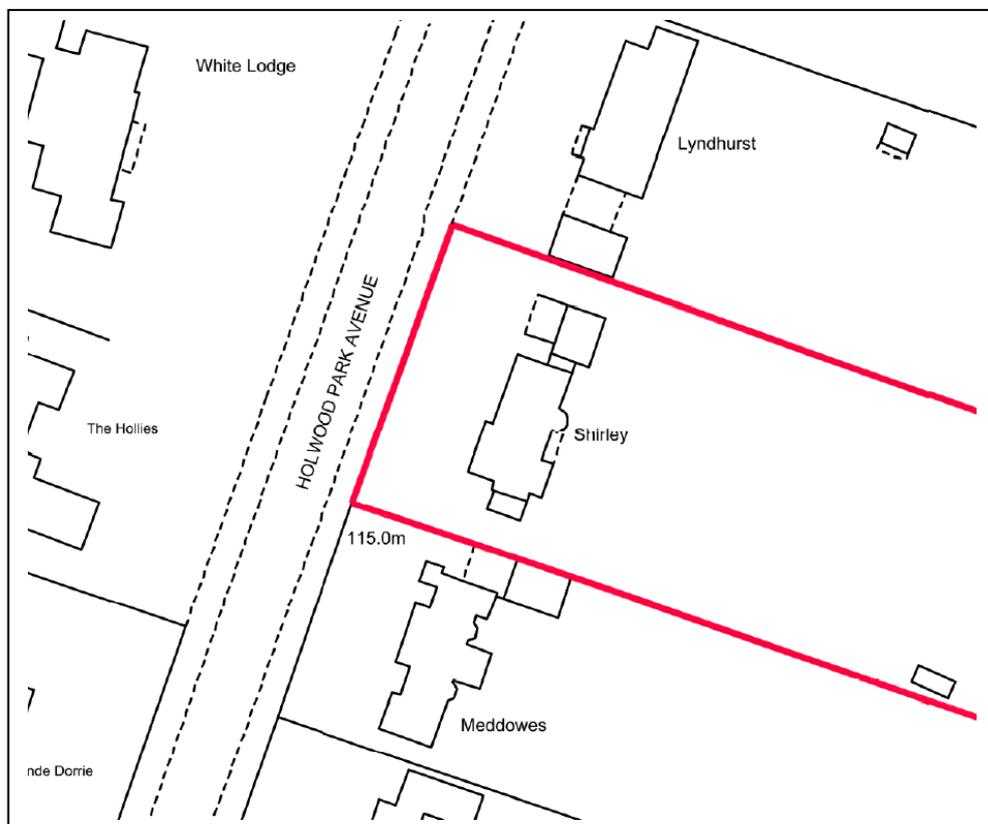
- The existing building is worthy of retention and the new dwelling would be an unacceptable form of development in the Conservation Area.

2. LOCATION

- 2.1 The application site hosts a large two storey detached dwellinghouse located on the eastern side of Holwood Park Avenue, Orpington. The application site is located within the Keston Park Conservation Area.
- 2.2 Located to the north of Shirley is a property known as Lyndhurst, which is a sizeable detached house. To the south of Shirley is a further substantial detached house known as Meddowes.
- 2.3 The Planning Statement sets out that the existing house appears to have been built in the 1920s shortly after the creation of the Estate in 1922. The house was designed to

take reference from the Arts & Craft Movement of the time. However, the building has been much altered since.

- 2.4 The chief interest of the Keston Park Conservation Area lies in its historical connection with the Holwood House Estate and the way that the landscape from Holwood Park was incorporated into a high quality built environment, allowing scope for the construction of large and individualistic private homes in a manner typical of American suburban development.



3. PROPOSAL

- 3.1 The application seeks planning permission for the demolition of existing 3 bedroom dwelling and replacement with a new two storey 6 bedroom dwelling with basement, car lift and accommodation in the roof space.
- 3.2 The existing dwelling has a square footprint with a width of 18m and a depth of 12m. It has a maximum height of around 9.5m and provides accommodation on the ground and first floors. The existing garage (to the side of the property) has recently been demolished.
- 3.3 The proposed new dwelling would be rectangular in shape and would have a width of 26m and a depth of 23m. The new property would have a hipped roof with a maximum height of 9.5m and would include accommodation within the roofspace served by rooflights to the sides and rear. The property would also have a basement to accommodate underground parking, cinema, games room, gym, pool and jacuzzi.
- 3.4 The existing vehicular access via Holwood Park Avenue would be retained with a new in and out driveway.
- 3.5 The application is supported by the following documents;
 - Covering letter
 - Planning Statement
 - Design and Access Statement
 - Daylight and Sunlight Assessment
 - Arboricultural Report
 - Heritage Statement
 - Landscape Design Statement
 - Landscape Masterplan



RELEVANT PLANNING HISTORY

Under planning application ref: 18/00823/PLUD a Certificate of Lawful Development was granted for the erection of single storey home gym building and provision of outdoor swimming pool within rear garden of house.

Under planning application ref: 18/00281/FULL6 planning permission was granted for demolition of existing double garage and link to main house to allow the introduction of a two storey rear and side extension including integral garage, loft conversion incorporating front roof lights and rear dormers, one inset and one projecting balcony to the rear and elevational alterations. *This permission has been implemented although not completed.

Under planning application ref: 17/04880/PLUD a Certificate of Lawful Development was granted for a single storey rear extension.

5. CONSULTATION SUMMARY

A) Statutory

- 5.1 Advisory Panel for Conservation Areas (APCA) – No objections - no comments received at the time of writing.
- 5.2 Conservation Officer – Objection
 - 5.2.1 In their heritage statement, the agent is very keen to compare this existing building to 30 Forest Ridge. However, 30 Forest Ridge was altered and was therefore of less

significance in my view. (The fact that 30 Forest Ridge has been altered is noted in paragraph 12 of the appeal decision APP/G5180/W/19/3226253)

- 5.2.2 The Conservation Area is a designated heritage asset under NPPF guidelines and I consider that the current building “Shirley” is a non-designated heritage asset under NPPF guidance and I consider that this proposal causes substantial harm to both heritage assets.
 - 5.2.3 Shirley has not been much altered since it was first built in the 1930s. It retains its characteristic asymmetric design with a prominent hipped roof with large barge boards splayed corners and deep eaves. The windows are typical and attractive mullion style with leaded lights. There is a prominent staircase window above the porch with the small round window below and an attractive small bay window and first floor level timber brackets.
 - 5.2.4 Paragraph 2.3 in the conservation area SPG says that although the Arcadian estate that resulted is similar to estates that were produced by developers within the Arts & Crafts or Garden City movements, it appears that it also paid reference to early 20th century suburban developments in the United States. In my view, the Arts & Crafts design of this particular house is of significance in the conservation area context and this house makes a positive contribution. As in my view the SPG says that both types of development be it the Arts and Crafts or more United States style development and their relationship with the landscape are important in this Conservation Area.
 - 5.2.5 In appeal APP/G5180/W/19/3226253, the inspector says that regarding 30 Forest Ridge that the property is not the work of a particular architect, although I would add that no particular architect has been identified for either 30 Forest Ridge or Shirley.
 - 5.2.6 I consider that the proposed new design is overly wide and has to incorporate a crown or flat roof area. I consider that this is an unacceptable form in the Conservation Area where the design of new buildings should be an appropriate form in the Conservation Area.
 - 5.2.7 In my view, the cumulative aspect of this proposal would also be harmful as the existing building is a feature worthy of retention. Many of these 1920s houses have already been demolished and this is harmful to the Conservation Area. The Historic England document the setting of heritage assets says on page 6: “When assessing any application for development which may affect the setting of a heritage asset, local planning authorities may need to consider the implications of cumulative change.”
- 5.3 Drainage Engineer – No objections – no comments received at the time of writing.

5.4 Highways – No objections

5.4.1 The proposed development is on a private road. Applicant should satisfy themselves that they have right of way over as Holwood Park Avenue.

5.4.2 The access and parking arrangements appear satisfactory and I would have no comments on the proposal.

5.4.3 Tree Officer: No objection. I would recommend the following condition:

Tree Protection

Prior to the commencement of the development hereby approved (including demolition and all preparatory work) an Arboricultural Method Statement and a schedule of supervision visits by an Arboricultural Consultant shall be submitted to the Local Planning Authority for approval. The development shall be carried out in accordance with the approved Arboricultural Method Statement and schedule of supervision visits. Within 1 week of each visit a report with photographs shall be sent to the Local Planning Authority.

Prior to the commencement of the development hereby approved (including demolition and all preparatory work, the tree protection measures as detailed in the approved Tree Protection Plan shall be installed. Such measures shall not be moved or removed, but shall be retained in situ until completion of the development and all materials and machinery have been removed from the site, unless otherwise agreed in writing by the LPA. Within one week of the installation of the tree protective measures, photographic evidence shall be submitted to trees@bromley.gov.uk .

Reason: Required prior to the commencement of development in order that the Local Planning Authority may be satisfied that the trees to be retained will not be damaged during development works and to ensure that, as far as is possible, the work is carried out in accordance with the approved details pursuant to section 197 of the Town and Country Planning Act 1990 in accordance with Policies 37, 73 and 74 of the Bromley Local Plan Thames Water:

5.5 Thames Water – No objection

On the basis of information provided, Thames Water would advise that with regard to water network and water treatment infrastructure capacity, we would not have any objection to the above planning application. Thames Water recommends the following informative be attached to this planning permission. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9

litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

B) Local Groups

Keston Park Residents Association

- Keston Park (1975) Ltd Planning Committee has considered this application and is in favour of granting approval. We understand immediate neighbours have not raised any objections in this regard.

C) Adjoining Occupiers

Support

- The rear of my garden is adjacent to the rear of the garden of the property. I support this application and think that the plans are in keeping with similar properties in the surrounding vicinity.
- The plans are sympathetic to plot width and depth.
- We support the principle of the redevelopment of the property subject to the inclusion of two conditions. We would like to see full height obscure glazing to both of the windows on the southwest elevation. At present the Design and Access statement (page 16) suggests obscure glazing to a height of 1700mm, or 5 foot 7 inches. That is below the average height of a male in the UK and thus overlooking is likely to occur. In order to avoid overlooking from the development, or following subsequent alterations, we would support the proposal if the following two conditions could be included with the grant of planning permission.
 1. Notwithstanding the provisions of Classes A, B and C of the Town and Country Planning (General Permitted Development) Order 2015 (or within any order revoking and re-enacting that Order with or without modifications) no windows or dormer windows shall be constructed at or above first floor level in the dwelling unless non-opening and fitted with obscure glass (to a minimum level of obscurity to conform to Pilkington Glass level 3 or equivalent).
 2. Notwithstanding the details submitted with the planning application, prior to the occupation of the dwelling all windows on the southwest elevation of the building must be fitted with full height obscure glazing. The windows should be maintained with obscure glazing while the property is used as a dwellinghouse.

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 National Planning Policy Framework was published on 24 July 2018 and updated on 19 February 2019.
- 6.4 The development plan for Bromley comprises the Bromley Local Plan (Jan 2019) and the London Plan (March 2016) and Draft London Plan (2019). The NPPF does not change the legal status of the development plan.

Draft New London Plan

- 6.5 The 'Intend to Publish' version of draft London Plan (December 2019) is a material consideration in the determination of this planning application. Paragraph 48 of the NPPF states that decision makers may give weight to relevant policies in emerging plans according to: (1) the stage of preparation of the emerging plan; (2) the extent to which there are unresolved objections to relevant policies in the emerging plan; and (3) the degree of consistency of relevant policies to the policies in the Framework.
- 6.6 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 was version of the London Plan which the Mayor intended to publish, having considered the report and recommendations of the panel of Inspectors.
- 6.7 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.
- 6.8 After considering the 'Intend to Publish' Plan, on 13 March 2020 the Secretary of State for Housing, Communities and Local Government wrote to the Mayor identifying directed changes to a number of policies in the draft plan. The SoS considered these changes were necessary to address concerns regarding inconsistencies with national policy. The Mayor cannot publish the New London Plan until the directed changes have

been incorporated, or until alternative changes to address identified concerns have been agreed with the SoS. This could affect the weight given to the draft plan with regard to the directed policies.

6.9 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. However, where no modifications have been directed the draft London Plan policies are capable of having significant weight (as seen in a recent SoS call-in decision in the Royal Borough of Kensington and Chelsea). Where specific draft London Plan policies have been given particular weight in the determination of this application, this is discussed in this report.

6.10 The application falls to be determined in accordance with the following policies:

Draft London Plan

- Policy D4 Delivering good design
- Policy H8 Loss of existing housing and estate redevelopment
- Policy HC1 Heritage conservation and growth

London Plan Policies

- 3.3 Increasing housing supply
- 3.4 Optimising housing potential
- 3.5 Quality and design of housing developments
- 3.8 Housing choice
- 5.1 Climate change mitigation
- 5.2 Minimising carbon dioxide emissions
- 5.3 Sustainable design and construction
- 5.7 Renewable energy
- 5.13 Sustainable drainage
- 5.14 Water quality and wastewater infrastructure
- 5.15 Water use and supplies
- 5.16 Waste net self-sufficiency
- 5.17 Waste capacity
- 5.18 Construction, excavation and demolition waste
- 6.3 Assessing effects of development on transport capacity
- 6.5 Funding crossrail and other strategically important transport infrastructure
- 6.9 Cycling
- 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
- 7.21 Trees and woodlands
- 8.2 Planning obligations
- 8.3 Community infrastructure levy

Bromley Local Plan

- 1 Housing Supply
- 4 Housing Design
- 30 Parking
- 32 Road Safety
- 33 Access for All
- 37 General Design of Development
- 41 Conservation Areas
- 43 Trees in Conservation Areas
- 73 Development and Trees
- 77 Landscape Quality and Character
- 113 Waste Management in New Development
- 116 Sustainable Urban Drainage Systems
- 117 Water and Wastewater Infrastructure Capacity
- 123 Sustainable Design and Construction

Supplementary Planning Guidance

Bromley Supplementary Planning Guidance 1 General Design Principles
Bromley Supplementary Planning Guidance 2 Residential Design Guidance
Bromley Supplementary Planning Guidance Keston Park Conservation Area

Mayor's Housing Supplementary Planning Guidance (March 2016)
Technical housing standards - Nationally Described Space Standard (March 2015)

7. ASSESSMENT

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

- o Principle of demolition of existing dwelling and Impact on Conservation Area
- o Design and Scale
- o Standard of residential accommodation

- o Neighbouring amenity
- o Highways
- o Trees
- o CIL

7.1.2 Principle of demolition of existing dwelling and Impact on Conservation Area - Unacceptable

7.1.3 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.

7.1.4 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

7.1.5 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.

7.1.6 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.

7.1.7 Policy 41 of the Bromley Local Plan states that proposals for development in Conservation Areas should 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. This Policy is supported by Policy 7.8 of the London Plan.

7.1.8 The property lies within the Keston Park Conservation Area, which until the beginning of the 20th century Keston Park was an area of woodland traversed by picturesque rides, within the parkland of the Holwood House Estate. The land was purchased by a father

and son, Frederick Howard Rogers and Eric Rogers. Development commenced in 1922. Frederick Rogers had a long-term ambition to create a low density and high quality residential area at Holwood. He was also determined to ensure that the best elements of the parkland would be maintained during the development process. He conceived a layout that allowed the landscape of the park to be appreciated and many of the mature trees to be retained. Detached houses could be developed by individual purchasers, using the designs of their own architects.

- 7.1.9 Paragraph 3.2 of the SPG states that the Council will expect all proposals for new development to conform with the highly dispersed and wooded character of the conservation area, and with the approach taken by surrounding dwellings, especially in regard to the scale and height of construction, location within a plot (where material), design and materials used. It is hoped that all improvement works will take account of the character of original buildings and alter them as little as possible.
- 7.1.10 The application seeks to demolish the existing dwelling at Shirley and replace it with a new larger dwelling of differing design. Concerns have been raised by the Council's Conservation Officer with regards to the loss of the original dwelling as it is considered that the house makes a positive contribution to the conservation areas streetscene, and that given the reducing number of positive contribution buildings within the area over the years it is essential to retain those which are left.
- 7.1.11 Keston Park has developed from 1922, although it is noted that some of the plots are later additions to the road. At present, it comprises 23 detached dwellings which are predominantly two storeys in height. The Design and Access Statement submitted by the agent makes reference to a number of applications for replacement dwellings within Holwood Park Avenue which have been granted by the Council or allowed by The Planning Inspectorate, which have resulted in modest houses being replaced by larger dwellings of a more modern design. It is also noted that some other original dwellings within the road have been substantially extended and altered.
- 7.1.12 Accordingly, Shirley is one of the original dwellings within the road and whilst it has been previously altered and extended, its many Arts and Crafts features are considered worthy of retention and make a positive contribution to the conservation area. Whilst it is noted that there are a number of examples of replacement dwellings within the road and that it could be argued that the overall character and appearance of the streetscene within Holwood Park Avenue has been substantially altered from that which was originally developed, it is considered that it is this cumulative change that has occurred from the loss of these original dwellings which further adds weight to the importance of retaining the application dwelling and the negative impact that its loss would cause to the conservation area. This harm would also need to be assessed against Para 196 of the NPPF, but in heritage terms no public benefit is seen which would outweigh this harm.

7.1.13 The Planning Inspectorate recently allowed a similar argument at a property; Pucks Cottage, Hazel Grove, Orpington which lies in the Farnborough Park Conservation Area. The Council refused planning permission on 02.12.19 for “demolition of existing 5 bedroom dwelling and replacement with a new 5 bedroom dwelling with integrated garage” (Application Ref: 19/02682/FULL1). The main issue was the effect of the proposed development on the character and appearance of the Farnborough Park Conservation Area. In dismissing the appeal the Inspector stated that the property was one of the original dwellings which makes an attractive feature of the site and surrounding area which makes a positive contribution to the character and appearance of the Conservation Area. The new dwelling would have been larger, modern and more formal in its appearance than the current building and would have had a neutral contribution to the Conservation Area. Overall, the proposed development failed to preserve the character and appearance of the Farnborough Park Conservation Area and conflicted with Policies 7.4, 7.6 and 7.8 of The London Plan (2016) and Policies 4, 37 and 41 of the London Borough of Bromley Local Plan (2019).

7.3 Design and Scale - Unacceptable

7.3.1 Notwithstanding the above, in terms of the unacceptable loss of the existing dwelling and its harmful impact on the conservation area, the design and scale of the replacement dwelling must also be assessed.

7.3.2 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.

7.3.3 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.

7.3.4 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).

7.3.5 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.

- 7.3.6 London Plan and Bromley Local Plan policies further reinforce the principles of the NPPF setting out a clear rationale for high quality design.
- 7.3.7 London Plan Policy 3.5 which refers to the quality and design of housing developments requires the design of all new housing developments to enhance the quality of local places. In addition, Policy 7.4 requires developments to have regard to the form, function, and structure of an area, place or street and the scale, mass and orientation of surrounding buildings.
- 7.3.8 Policy 7.6 of the London Plan also relates to architecture and how buildings should be of the highest architectural quality, be of a proportion, composition, scale and orientation that enhances, activates and appropriately defines the public realm and comprise details and materials that complement, not necessarily replicate, the local architectural character.
- 7.3.9 Policy 4 of the Bromley Local Plan seeks to ensure that all new housing developments achieve a high standard of design and layout whilst enhancing the quality the quality of Local Places, and Policy 37 of the Bromley Local Plan requires a high standard of design in all new development, and states that the scale and form of new residential development should be in keeping with the surrounding area. Policy 41 states that new developments should preserve and enhance the characteristics and appearance of the conservation area within which it lies.
- 7.3.10 It is proposed to demolish Shirley and to erect a replacement detached house. The new dwelling would sit on the footprint of the existing dwelling and whilst wider and deeper than the existing house it would still preserve similar side space to Meddowes.
- 7.3.11 The proposed new dwellinghouse would be of a neo-classical design with a strongly influenced palladian design and would be built using classic materials including natural biomicrite limestone, natural slate roof tiles and original sash box windows. A number of other recent dwellings in Keston Park have been of a similar neo-classical/palladian design including the house currently nearing completion at Woodlands.
- 7.3.12 The footprint of the proposed dwelling is considered to be in keeping with other properties located in the road; namely Woodlands. Whilst the property would be wider,

deeper and higher it would be commensurate to its surroundings. A side space of approximately 8m would exist to Meaddowes and 5.8m to Lyndhurst helping to ensure that the spatial characteristics of the area are maintained. As such, the overall scale of the proposed new dwelling may be considered acceptable.

7.3.13 However, with regards to its design, concerns have been raised by the Council's Conservation Officer in respect of the overly wide design and crown roof which the Conservation Officer considers an unacceptable form in the Conservation Area.

7.3.14 Overall, the Conservation Officer considers the existing building worthy of retention. Accordingly, taking into account the above, it is considered that the unsympathetic design of the proposed new dwelling is unacceptable in that it fails to respect the modest nature and Arts and Crafts character of the existing house and its uncharacteristic design would fail to preserve or enhance the character of the wider Keston Park Conservation Area.

7.4 Standard of residential accommodation - Acceptable

7.4.1 In March 2015 the Government published The National Technical Housing Standards. This document prescribes internal space within new dwellings and is suitable for application across all tenures. It sets out requirements for the Gross Internal (floor) Area of new dwellings at a defined level of occupancy as well as floor areas and dimensions for key parts of the home, notably bedrooms, storage and floor to ceiling height. The Gross Internal Areas in this standard will not be adequate for wheelchair housing (Category 3 homes in Part M of the Building Regulations) where additional internal area is required to accommodate increased circulation and functionality to meet the needs of wheelchair households.

7.4.2 Policy 4 of the Bromley Local Plan sets out the requirements for new residential development to ensure a good standard of amenity and refers to Policy 3.5 and Table 3.3 of the London Plan and the London Plan Housing Supplementary Planning Guidance. 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 Technical Housing Standards.

7.4.3 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.

- 7.4.4 The proposed new dwelling is two storey with several habitable rooms built in the roof with the drawings illustrating a total of 6 bedrooms over the first and second floors; all of which would be capable of accommodating a double bed and would comply with the minimum standards as set out within the National Technical Housing Standards. The minimum space standard as outlined within Table 3.3 of the London Plan for a 6-bedroom two storey dwelling for 7 persons is 123sq.m. The proposed dwelling has been calculated to have a total GIA of 965sqm (1394sqm including the basement) and as such it would exceed the minimum standard required.
- 7.4.5 The National Technical Housing Standards states that the minimum internal floor to ceiling height of any new dwelling should be 2.3m for at least 75% of the Gross Internal Area. The sectional drawings provided indicate that the proposed dwelling would also comply with this requirement.
- 7.4.6 The shape, room size and layout of the rooms are considered satisfactory and all habitable rooms would contain at least one window; although it is noted that the two studies, hobby room and utility would be served by rooflights only. However, given its use this is considered to be acceptable.
- 7.4.7 Amenity space is provided by way of the existing garden space to the rear which would provide an acceptable amount of private amenity space in accordance with the Mayors Housing SPG.
- 7.4.8 Having regard to all the above, the proposal would meet the minimum standards as outlined within Policy 3.5 of the London Plan, Policy 4 of the Bromley Local Plan, the Mayors Housing SPG and The National Technical Housing Standards.
- 7.5 Neighbouring amenity - Acceptable
- 7.5.1 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.
- 7.5.2 No letters of objection have been received from neighbours only support. One neighbour (Meaddowes) has asked that all new windows on the south-west elevation be obscure glazed and that permitted development is restricted.

- 7.5.3 In terms of the relationship with Meddowes which lies to the south of the application the proposed new dwelling would not be sited any further to the shared boundary than the existing property. A separation of a minimum of 7m would be provided at ground and first floor level from the flank wall of the proposed dwelling and the north side boundary shared with this neighbouring dwelling.
- 7.5.4 In addition, the Council's records indicate that the existing flank windows within Meddowes face the application site. Furthermore, the proposed first floor flank windows within the new dwelling at Shirley would serve en-suite bathrooms and as such could be required by way of a condition on any approval to be obscure glazed and non-opening below 1.7m from internal ground level to prevent any additional overlooking or loss of privacy.
- 7.5.5 Therefore, taking the above all into account, the proposed new dwelling is not considered to give rise to any undue loss of residential amenity to the occupiers of this neighbouring dwelling at Meaddowes
- 7.5.6 With regards to the impact on the occupiers of the neighbouring dwelling to the north Lyndhurst the proposed new dwelling would be sited further to the rear than the existing and closer to the shared boundary. A separation of a minimum of approximately 5m would be provided between the flank walls of the proposed new dwelling and the south side of the boundary shared with this neighbouring dwelling.
- 7.5.7 The new building would be closer than the existing dwelling but an adequate side space would still exist. The separation is considered to mitigate the impact on the proposed new dwelling in terms of light and outlook on the existing side and rear windows of this neighbouring dwelling. The first floor flank windows facing the neighbouring dwelling at Lyndhurst will serve a hallway, bedroom and two en-suites, these again could be required by condition to be obscure glazed and of limited opening to reduce any overlooking or loss of privacy. The bedroom window is the primary window so it would not be able to be obscure glazed however it is only small and it not considered to lead to a loss of privacy or overlooking between neighbours.
- 7.5.8 Due to the location and size of the site there would not be any additional impact to the amenities of the neighbouring properties to the front or rear of the site above those which already exist.
- 7.5.9 Having regard to the above, it is considered that, on balance, no significant loss of amenity with particular regard to light, outlook, prospect and privacy would arise from the proposed development.

7.6 Highways - Acceptable

- 7.6.1 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 transport issues should be considered from the earliest stage of both plan making and when formulating development proposals and development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.
- 7.6.2 The NPPF states that all developments that will generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed.
- 7.6.3 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.
- 7.6.4 The proposal is for the demolition of the existing single dwellinghouse and construction of a new single dwellinghouse. The application site is located on Holwood Park Avenue which is shown in the Council's records as a private road, located within the Keston Park gated estate. At present, the site has an in and out vehicular access with an area of hardstanding to the front.
- 7.6.5 The proposal would retain the in-out drive with a semi-circular area of grass retained and parking on the front driveway and basement. The site would retain adequate off-street parking and the creation of an in-out drive would allow vehicles to enter and exit the site in forward gear. The Council's Highways Officer has raised no objections to the proposal and it is considered that in terms of highways matters the proposal would be acceptable.

7.7 Trees - Acceptable

- 7.7.1 Policy 73 (Development and Trees) states that proposals for new development will be required to take particular account of existing trees on the site and adjoining land, which in the interests of visual amenity and/or wildlife habitat, are considered desirable to be retained. In addition, Policy 43 of the Bromley Local Plan refers specifically to Trees in Conservation Areas and states that development will not be permitted if it will damage or lead to the loss of one or more significant and/or important trees in a Conservation Area, unless a) the removal of the tree is necessary in the interest of good arboriculture practice, or b) the benefit of the development outweighs the amenity value of the tree.

- 7.7.2 Policy 77 refers more generally to landscape quality and character and seeks to safeguard the quality and character of the local landscape.
- 7.7.3 The application proposes to remove several category C grade trees from the site although a total of 26 trees are to be retained. The Council's Principal Tree Officer has advised that they raise no objection to the proposal subject to a condition regarding Tree Protection.
- 8.0 CIL
- 8.1 The Mayor of London's CIL is a material consideration. CIL is payable on this application and the applicant has completed the relevant form.
- 9.0 Conclusion
- 9.1 Having regard to the above, it is considered that the development in the manner proposed is unacceptable. The existing building and its many Arts and Crafts features are considered worthy of retention and make a positive contribution to the Keston Park Conservation Area and it is considered that the cumulative change that has occurred from the loss of many other original dwellings within the area adds weight to the importance of retaining the application dwelling and the negative impact that its loss would cause to the Conservation Area. Its demolition would deprive the immediate vicinity of an attractive building and be detrimental to the character and appearance of the Keston Park Conservation Area.
- 9.2 Furthermore, the proposed replacement development by reason of its uncharacteristically symmetrical design and lack of architectural distinction would fail to respect the modest nature and Arts and Crafts character of the existing dwelling and would neither preserve nor enhance the character and appearance or the visual amenities of the wider Keston Park Conservation Area within which it lies.
- 9.3 The proposal is therefore considered to be contrary to the aims and objectives of Section 16 of the National Planning Policy Framework, Policies 7.4, 7.6 and 7.8 of the London Plan, Policies 4, 37 and 41 of the Bromley Local Plan, as well as the Keston Park Conservation Area SPG.
- 9.4 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.

10. CONCLUSION

RECOMMENDATION: Application Refused

The existing building is a fine two-storey Arts and Crafts style dwelling and its historic appearance makes a positive contribution to the Keston Park Conservation Area, worthy of retention. Its demolition would deprive the immediate vicinity of an attractive building and negatively harm the character and appearance of the Conservation Area generally, thereby contrary to the aims and objectives of Section 16 of the National Planning Policy Framework, Policy 7.8 of the London Plan and Policy 41 of the Bromley Local Plan.

The proposed replacement building by reason of its design and lack of architectural distinction would be completely at odds with the overwhelming asymmetrical character of the wider Keston Park Conservation Area, and would neither preserve or enhance the character and appearance or the visual amenities of the conservation area, thereby contrary to the aims and objectives of Section 16 of the National Planning Policy Framework, Policies 7.4, 7.6 and 7.8 of the London Plan, Policies 4, 37 and 41 of the Bromley Local Plan, and the Farnborough Park Conservation Area Supplementary Planning Guidance.