

Committee Date	10 th December 2020	
Address	St Michaels, Bickley Park Road Bickley Bromley BR1 2BE	
Application Number	20/01398/FULL1	Officer - Lawrence Stannard
Ward	Bickley	
Proposal	Demolition of existing dwelling and construction of a part one/two storey building with accommodation in roofspace to provide 8 residential flats (5 no. two bedroom, 2 no. one bedroom and 1 no. three bedroom). Retained vehicular access with front boundary wall; Formation of car parking area at front comprising 6 no. car parking spaces; Refuse and recycling and cycle storage with hard and soft landscaping across the site, including boundary enclosures to side and rear.	
Applicant	Agent	
Mr Adem Adewoyin	Mr Duncan Clendenan	
Brownstack Beeches Close Kingswood KT20 6QA Surrey	40 De Frene Road London SE26 4AG	
Reason for referral to committee	Councillor call in	
Call-In	Yes	

RECOMMENDATION	Permission
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<p>KEY DESIGNATIONS</p> <p>Adjacent – Conservation Area Adjacent – Listed Building Area of Special Residential Character Biggin Hill Safeguarding Area London City Airport Safeguarding Open Space Deficiency Smoke Control SCA 10</p>

Residential Use					
	Number of bedrooms per unit				
	1	2	3	4 Plus	Total
Market	2	5	1	0	8
Affordable (shared ownership)					N/A
Affordable (social rent)					N/A
Total	2	5	1	0	8

Vehicle parking	Existing number of spaces	Total proposed including spaces retained	Difference in spaces (+ or -)
Standard car spaces	2	5	+3
Disabled car spaces	0	1	+1
Cycle	0	17	+17

Representation summary	<ul style="list-style-type: none"> • Neighbour notification letters were originally sent on the 1st May 2020 • Addition neighbour notification letters were sent out on the 26th October following the submission of revised plans.
Total number of responses	19
Number in support	0
Number of objections	19

1 SUMMARY OF KEY REASONS FOR RECOMMENDATION

- The development would not result in a harmful impact on the character and appearance of the area, the ASRC, or the adjacent Conservation Area.
- The development would not adversely affect the amenities of neighbouring residential properties.
- The development would not impact adversely on highways safety and would provide sufficient parking.
- The proposal would not have an adverse arboricultural or biodiversity impact.

2 LOCATION

- 2.1 The application site lies within the Bickley Area of Special Residential Character and immediately adjacent to the Bickley Park Conservation Area. To the west of the site is the Vicarage associated with St George's Church. To the east is the curtilage of Silver Springs (a pair of link detached dwellings constructed following the grant of planning permission under reference 14/04805/FULL1).
- 2.2 The site is currently occupied by a two storey residential dwelling with some accommodation within the roof space.
- 2.3 The site fronts onto Bickley Park Road (a London Distributor Road). The church hall and church adjacent to the site are statutory Grade II listed buildings. The site backs onto the residential curtilage of Athelstan, Woodlands Road.

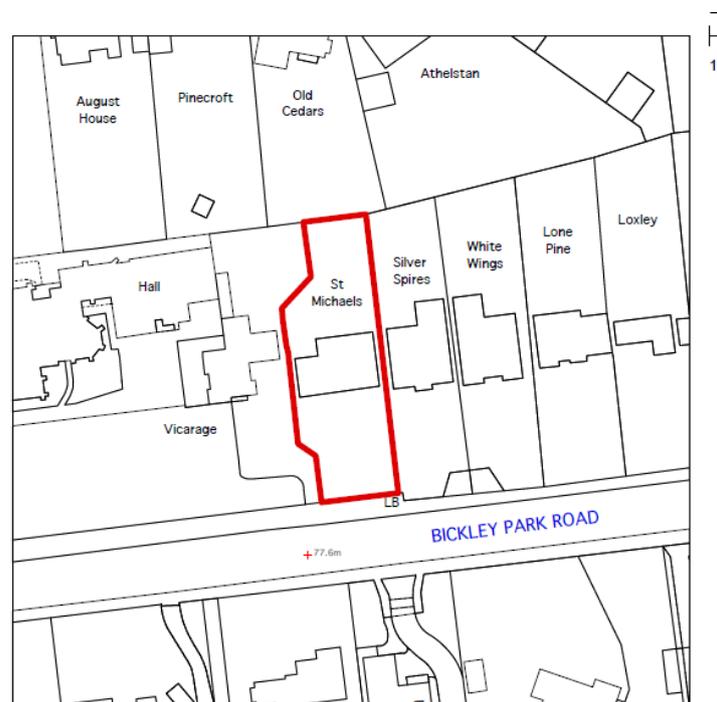


Figure 1: Site Location Plan

3 PROPOSAL

- 3.1 The application seeks permission for the demolition of the existing dwelling and construction of a part one/two storey building with accommodation in roofspace to provide 8 residential flats (5 no. two bedroom, 2 no. one bedroom and 1 no. three bedroom).
- 3.2 The application would include the retention of the existing vehicular access with a front boundary wall, the formation of car parking area to the front to provide 6 spaces (including one disabled space), refuse and recycling and cycle storage with hard and soft landscaping across the site, including boundary enclosures to side and rear.
- 3.3 The proposed building would feature a crown roof design with a maximum height of approx. 8.7m and eaves of 6.4m.

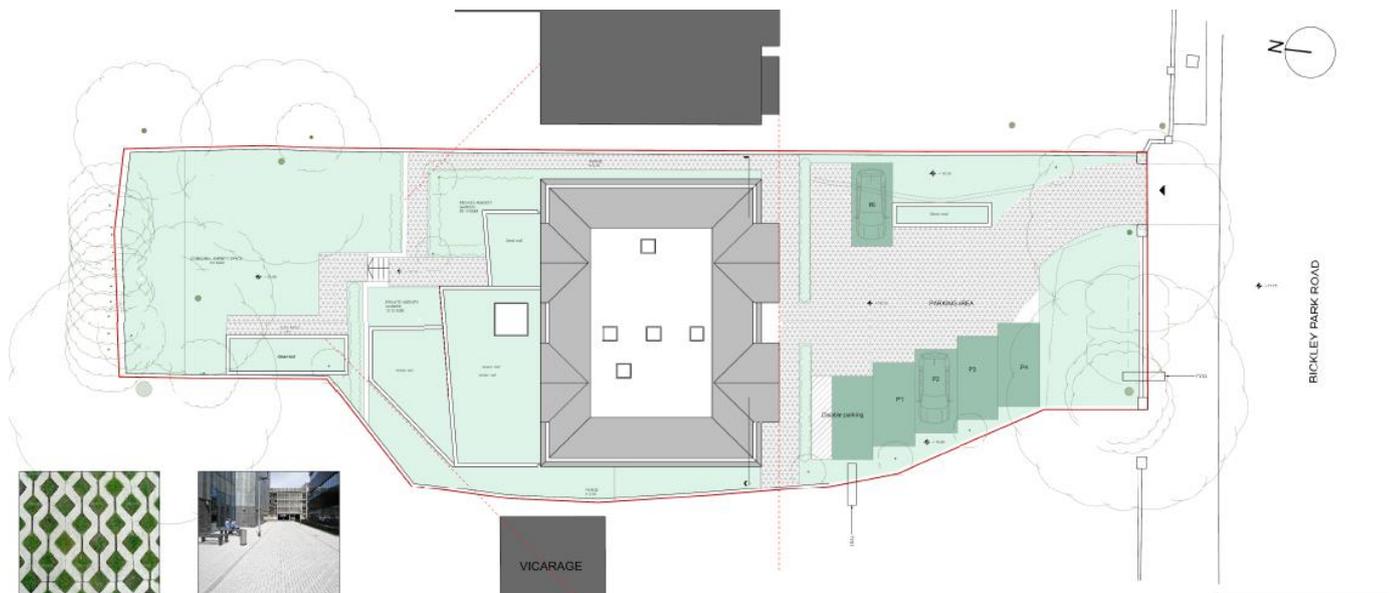


Figure 2: Proposed Block Plan



Figure 3: Proposed Front Elevation / Street Scene

4 RELEVANT PLANNING HISTORY

4.1 The relevant planning history relating to the application site is summarised as follows;

- 87/01002/FUL - Front extension to existing attached garage - Permitted
- 99/01702/FULL1 Single storey rear extension for conservatory - Permitted
- 04/04683/FULL6 - Two front dormers and first floor rear extension with balcony - Permitted
- 06/03913/FULL6 - Two storey side extension and detached double garage at front with accommodation over - Refused
- 07/01526/FULL6 - Two storey side extension and elevational alterations - Permitted
- 07/03639/FULL6 - Two storey side extension and elevational alterations – Permitted

5 CONSULTATION SUMMARY

A) Statutory

No Statutory Consultations were received.

B) Local Groups

No Comments from Local Groups were received.

C) Adjoining Occupiers

Impact on Neighbouring Amenity (addressed in para 7.7)

- Loss of privacy.
- Loss of light.
- Concern the height of dormer windows will result in overlooking. Should be reduced by 300mm.
- Roof garden will enable overlooking.
- Concerns over safeguarding implications of a new building overlooking the rear Vicarage garden which is use by the pre-school.
- Negatively impact school catchment areas for other residents.
- Concerns over security and safety impacts.
- Bin store location to the front will impact on residential amenity (noise and odour) of neighbouring property.
- Query whether the entire site is owned solely by the applicant given boundary discrepancies identified on the submitted drawings.

Impact on Character of Area (addressed in para. 7.1 and 7.2)

- Overdevelopment / too large for the plot.
- Out of keeping with neighbouring properties / appears like a block of flats rather than a single dwelling which is much more imposing.
- Road remains predominately a community of detached family houses.
- Would result in the loss of a large family house that is occupied.
- Rear of proposed first floor exceeds the building line of all neighbouring houses.
- Unsightly and out of character.
- Blocks views of St Georges Church (and has unacceptable impact upon its character and setting).
- Number of flats should be reduced.

Standard of Residential Accommodation (addressed in para 7.4)

- Habitable room windows with no view and obscure glazed would be unacceptable on residential amenity grounds and provide poor environment for proposed residents.

Highways Impact (addressed in para. 7.6)

- Parking ratio also reflects overdevelopment too with only 7 spaces for 8 flats.
- Other recent permitted flats on Bickley Park Road have included more parking spaces.
- Concerns over impact on traffic / on-street parking due to number of flats on an already very busy street.
- Inadequate turning circles.
- Application is not supported by a road safety audit to demonstrate its acceptability.
- Parking Stress Survey undertaken on a Tuesday & Wednesday but is more evident at weekends / bank holidays.

- Would not include any provision for electric charging vehicles.
- Increase in visitors, postal services and deliveries etc. will further lead to highways issues.
- Cycle parking to the rear is unlikely to be used due to difficulty accessing it to the rear.

Trees (addressed in para 7.8)

- Trees shown on the plans do not exist.
- Significant number of trees being removed along with overall reduction of green space.
- Arboricultural report relates to 9 flats and not the 8 flats proposed – is therefore inconsistent and invalidates the contents of the report.

Biodiversity (addressed in para 7.9)

- Concern over impact on local animal population (owls / kestrels in neighbouring trees) and lack a note of any wildlife survey. / Phase 1 Habitat Survey should be undertaken to ascertain if breeding birds / bats will be affected.

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. 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.

6.5 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 was version of the London Plan which the Mayor intended to publish, having considered the report and recommendations of the panel of Inspectors.

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 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.

6.8 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.

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

6.10 **National Policy Framework 2019**

6.11 **The London Plan**

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

5.9 Overheating and cooling

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 net self-sufficiency

5.17 Waste capacity

5.18 Construction, excavation and demolition waste

6.5 Funding Crossrail and other strategically important transport infrastructure

6.9 Cycling

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

8.2 Planning obligations

8.3 Community infrastructure levy

6.12 Draft London Plan

- D1 London's form and characteristics
- D4 Delivering good design
- D5 Inclusive design

6.13 Bromley Local Plan 2019

- 1 Housing Supply
- 4 Housing Design
- 8 Side Space
- 37 General Design of Development
- 30 Parking
- 42 Development Adjacent to a Conservation Area
- 43 Trees in Conservation Areas
- 44 Areas of Special Residential Character
- 73 Development and Trees
- 123 Sustainable Design and Construction

6.14 Bromley Supplementary Guidance

- SPG1 – General Design Principles
- SPG2 – Residential Design Guidance

7 ASSESSMENT

7.1 Principle of Development – Acceptable

- 7.1.1 The current position in respect of Bromley's Five Year Housing Land Supply (FYHLS) was agreed at Development Control Committee on 24th September 2020. The current position is that the FYHLS (covering the period 2020/21 to 2024/25) is 2,690 units, or 3.31 years supply. This is acknowledged as a significant undersupply and for the purposes of assessing relevant planning applications means that the presumption in favour of sustainable development will apply.
- 7.1.2 The NPPF (2019) sets out in paragraph 11 a presumption in favour of sustainable development. In terms of decision-making, the document states that where a development accords with an up to date local plan, applications should be approved without delay. Where a plan is out of date, permission should be granted unless the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.
- 7.1.3 According to paragraph 11(d) of the NPPF in the absence of a 5 year Housing Land Supply the Council should regard the Development Plan Policies for the supply of housing including Policy 1 Housing Supply of the Bromley Local Plan as being 'out of date'. In accordance with paragraph 11(d), for decision taking this means where there are no relevant development plan policies or the policies which are most important for determining the application are out-of-date, granting permission unless:

i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or

ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

7.1.4 Policy 3.3 Increasing housing supply, Policy 3.4 Optimising housing potential and Policy 3.8 Housing choice in the London Plan 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.

7.1.5 Policies including 3.3 of The London Plan 2016 and Policy 1 of the Bromley Local Plan have the same objectives. The London Plan's minimum target for Bromley is to deliver 641 new homes per year until 2025. The new/intended to published London Plan's minimum target for Bromley will be increased to 774 new homes a year.

7.1.5 This application includes the provision of eight additional dwellings, which would represent a modest contribution to the supply of housing within the Borough. This aspect of the proposal will be considered in the overall planning balance set out in the conclusion of the report having regard to the presumption in favour of sustainable development.

7.2 Design – Layout, scale – Acceptable

7.2.1 The application site lies within the Bickley Area of Special Residential Character and adjacent to the Bickley Park Conservation Area.

7.2.2 Guidance on development within an ASRC states that developments likely to erode the individual quality and character of the area will be resisted. The residential density should accord with that existing in the area and spatial standards shall also generally accord with the general pattern in the area. The height of existing buildings in general shall not be exceeded, and the space between development and the boundary should accord with that prevailing in the area. Existing front and rear building lines shall be taken into account. Proposals that are likely to significantly increase the proportion of hard surfacing in front of existing properties will be resisted unless accompanied by satisfactory landscaping proposals. Material shall match or complement those in adjoining existing developments.

7.2.3 There are some flatted developments along Bickley Park Road and therefore flatted development is not uncharacteristic of the surrounding area, though it is noted that the area is predominantly characterised by single residential dwellings.

7.2.4 In heritage terms the existing building is considered of low significance and due to established greenery and the setback, any views in conjunction with either the adjacent conservation area or the adjacent listed building will be limited.

7.2.5 The proposed building would follow the established building line of the road with regards to its front elevation, and the height would match the existing dwelling. The overall scale and bulk of the building is not considered excessive, and having regard

to the scale of the development and the size of the plot it is not considered that the proposal would result in an overdevelopment of the site.

7.2.6 The materials proposed to be used would not appear out of character with the immediately neighbouring development at Silver Wings and in view of the varied palette of materials in the locality the proposed external finish of traditional weathered brick and dark grey slate roof to the front it is considered the development would appear in keeping with surrounding developments and would not harm the character of the ASRC.

7.2.7 The proposed dwelling would retain in excess of 1m side space to the flank boundary and would retain similar separation distances to the flank boundary as the existing dwelling. It is therefore considered that the development would comply with Policy 8 and would not harm the spatial standards of the ASRC.

7.2.8 Having regard to the *form, scale, siting and proposed materials* it is considered that the proposed development would complement the host property and would not appear out of character with surrounding development or the area generally.

7.3 Density - Acceptable

7.3.1 The site has a PTAL rating of 3 and is within a suburban setting. In accordance with Table 3.2, the recommended density range for the site as a whole would be between 150-250 habitable rooms per hectare / 50 – 95 units per hectare.

7.3.2 The site area is approximately 1032m². The cumulative density of the building would be approximately 225 habitable rooms per hectare and 78 units per hectare. This is therefore considered acceptable in principle.

7.3.3 However, a numerical calculation of density is only one aspect in assessing the acceptability of a residential development. Policy 3.4 is clear that in optimising housing potential, developments should take account of local context and character, design principles and public transport capacity, which are assessed below.

7.4 Standard of outlook and amenity for future occupiers - Acceptable

7.4.1 The application would provide a total of 8 flats all set over one floor, consisting of 1x 3 bedroom 5 persons flat, 5x 2 bedroom three person flats and 2x 1 bedroom 2 persons flats. The normal expected space standards for the above dwellings would be 50sqm, 61sqm and 86sqm respectively.

7.4.2 The proposed flats would provide a 58.5sqm GIA for the one bedroom units, between 63.58 and 69sqm for the two bedroom units and 102.6sqm for the three bed unit. The proposed units would therefore exceed the minimum required space standards expected and would provide an adequate standard of residential accommodation in terms of internal space.

7.4.3 The indicated shape, room size and layout of the rooms in the proposed building are considered satisfactory. None of the rooms would have a particularly convoluted layout which would limit their use and each flat has a dual aspect outlook (when

including the front rooflights to the top floor flat) aside from one flat to the rear at first floor level which has been provided with an additional large rooflight to provide additional light. The internal layouts are therefore considered acceptable.

7.4.4 The relationship between the proposed units are considered acceptable in that the fenestration and balcony layout would not result in any significant mutual overlooking between proposed units. Subject to a condition to ensure the balustrade in the rear first floor unit is obscure glazed to prevent overlooking to the private amenity space of the ground floor flat below, it is considered that the relationship between the units is acceptable in terms of the amenity of future occupants of the development.

7.5 Amenity space - Acceptable

7.5.1 In terms of the access to amenity space, the larger 3 bedroom unit is situated on the ground floor level with access to its own private garden. The two 2 bedroom units at ground floor also have access to a small private garden area. The three flats located on the first floor would have access to private balconies of between 6 – 6.4sqm. The 1 bedroom units on the top floor would not benefit from private amenity space, however, would have access to the 155sqm communal amenity space to the rear of the building.

7.5.2 Having regard to the above, it is considered that the development would provide adequate amenity space to each residential unit.

7.6 Highways - Acceptable

7.6.1 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.

7.6.2 Bickley Park Road is a classified road, a London Distributor Route, and part of the A222. The site is within a moderate (3) PTAL area on Bickley Park Road, which is a classified road, London Distributor Route and part of the A222.

7.6.3 The proposed scheme would provide 6 car parking spaces for the 8 units. The existing access is being used and there are no gates proposed.

7.6.4 Highways Officers have confirmed that the parking provision would meet the minimum standards in the Local Plan (5.9 spaces would be required for units proposed). Furthermore, additional kerbside parking is available on Bickley Park Road and Highways Officers have raised no concerns relating to the impact on the free flow of traffic resulting from this,

7.6.5 The cycle storage is sited to the rear of the building. The revised plans provided an external walkway that links the front of the site with the cycle store to the rear to ensure there is no need to pass through the building to reach the cycle storage area. It is considered that the bike storage area would provide sufficient cycle parking provision and access to it would be satisfactory. Subject to a condition to seek further details of the cycle storage structure, it is considered acceptable in principle

7.6.6 The revised plans also altered the siting of the refuse / recycle provision to ensure that it would provide a single collection within 18m of the highway. The positioning and size of the bin storage area is considered acceptable in principle.

7.6.7 Having regard to the above, Highways Officers considered that the development would provide adequate parking, cycle and refuse storage provision.

7.7 Neighbourhood Amenity – Acceptable

7.7.1 The flank wall adjacent to the neighbouring dwelling at Silver House would not project beyond its front or rear elevation and there would be a separation distance between the flank wall of the adjacent dwelling of approx. 2.1m which would partially mitigate any impact. Furthermore, the first floor flank windows of this neighbour are obscure glazed and serve bathrooms and therefore any impact on these are not considered acceptable. The parts of the development projecting beyond the rear of this neighbour would be set a significant distance from the shared boundary and the development would not project beyond the 45 degree line from the rear windows of this neighbour. It is therefore considered it would not result in an unacceptable loss of light, outlook or visual amenity to this neighbour.

7.7.2 With regards to the impact on the adjacent vicarage, there would be a similar 2m separation distance between the flank walls. The development would not project significantly beyond the rear of the closest part of the vicarage (approx. 2m) and there would be a greater separation to the two storey part of the vicarage. Having regard to the overall scale of the development and the separation distance it is not considered it would result in an unacceptable impact by way of loss of light, outlook or visual amenity.

7.7.3 The proposed building would incorporate windows in its flank elevations at ground floor level, though would be blank at first floor level. The ground floor windows would be screened to some extent by the flank boundary treatments and would not provide any significant opportunities for overlooking.

7.7.4 The first floor bedrooms located to the flank boundaries would benefit from front and rear facing windows located in the first floor flank overhang projections, though these would not provide direct views towards neighbouring properties and on balance would not result in any unacceptable harm to the privacy of nearby residents. The rear facing windows would also not provide any direct views into adjacent neighbouring properties, and the separation distance between the properties to the rear would be considered sufficient to prevent any unacceptable harm to their privacy.

7.7.5 The concerns are noted given the use of the rear of the vicarage which is used as a pre-school, however it is not considered that the development would result in any unacceptable harm to privacy which would impact upon the use of the vicarage.

7.7.6 Furthermore, it is not considered that the proposed balconies would be of sufficient size to result in any significant noise and disturbance, particularly given their siting from the flank boundaries and that they are in-set from the flank walls.

7.7.7 Having regard to the *scale, siting, separation distance and existing boundary treatment* of the development, it is not considered that a significant loss of amenity with particular regard to light, outlook, prospect and privacy would arise.

7.8 Trees – Acceptable

- 7.8.1 The application site is free of tree restrictions with the existing trees not protected by a TPO, though they do contribute towards the character of the area.
- 7.8.2 The application is accompanied by an Arboricultural Method Statement which outlines that efforts are being made to retain significant trees at the site as part of the development. A detailed protection plan has been outlined to ensure the development would be implemented without causing detrimental harm to the retained trees.
- 7.8.3 The trees which would be felled all fall within category C in accordance with British Standard 5837. They are therefore considered to be insignificant and would not act as an opposable constraint. Subject to follow up landscaping and supervision schedules no objection has therefore been raised by Tree Officers.
- 7.8.4 A further condition is also recommended to seek full details of all proposed tree planting prior to the commencement of above ground works. Subject to this condition which will ensure that adequate tree planting is included as part of the development it is considered acceptable.

7.9 Biodiversity – Acceptable

- 7.9.1 It is noted that the representations received have raised some concerns relating to the impact on wildlife, in particular birds. A Wildlife Assessment Check indicates that there may be a potential impact on birds and therefore a condition is recommended to ensure that clearance and demolition works are not undertaken during nesting season.
- 7.9.2 The site does not fall within a GiGL Biodiversity Hotspot and does not contain any GiGL protected species records. It is therefore considered the ecological value of the site may be limited.
- 7.9.3 In addition to this, a further condition to seek a scheme of biodiversity enhancements is also recommended to ensure that the development would result in an overall biodiversity net gain.
- 7.9.4 Subject to the above conditions, it is considered that the development would be acceptable from a biodiversity perspective.

8. CONCLUSION

- 8.1 Having had regard to the above it is considered that the development in the manner proposed 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 of Special Residential Character. In addition to this, the development would also contribute positively to the supply of housing within the Borough by way of a modest contribution of 8 dwellings.
- 8.2 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: PERMISSION

Subject to the following conditions and any other planning condition(s) considered necessary or require amendment by the Assistant Director of Planning

- 1. Time limit of 3 years**
- 2. Materials as per the submitted plans**
- 3. In accordance with approved plans**
- 4. Surface Water Drainage should not discharge to Highway**
- 5. Scheme for Surface Water Drainage**
- 6. Tree Planting**
- 7. Arboricultural Site Supervision**
- 8. In accordance with Arboricultural Report**
- 9. Parking in accordance with plans**
- 10. Hardstanding for wash down facilities**
- 11. Cycle Parking**
- 12. Construction Management Plan**
- 13. Biodiversity Enhancements**
- 14. Demolition and vegetation removal work outside of main bird nesting season**
- 15. No additional flank windows**

Informatives

- 1. Contact Pollution Team of Environmental Health and Trading Standards**
- 2. If suspected contamination if encountered, contact Environmental Health.**