

Committee Date	25/11/21	
Address	Pucks Cottage Hazel Grove Orpington BR6 8LU	
Application Number	21/03075/FULL1	Officer - Catherine Lockton
Ward	Farnborough And Crofton	
Proposal	Demolition of existing dwelling and erection of replacement 5 bedroom detached dwelling with integral garage.	
Applicant Mr & Mrs Rohilla	Agent Mr John Escott Robinson Escott Planning	
Pucks Cottage Hazel Grove Orpington BR6 8LU	Downe House 303 High Street Orpington BR6 0NN	
Reason for referral to committee	Called-in	Councillor call in YES

RECOMMENDATION	PERMISSION BE REFUSED
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KEY DESIGNATIONS Conservation Area: Farnborough Park Biggin Hill Safeguarding Area London City Airport Safeguarding Area Open Space Deficiency Smoke Control SCA 11

Land use Details		
	Use Class or Use description	Floor space (GIA SQM)
Existing	One residential dwelling (and associated curtilage)	324sq.m.

Proposed	One residential dwelling (and associated curtilage)	610sq.m.
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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	0	0	0	1	1
Affordable (shared ownership)	0	0	0	0	0
Affordable (social rent)	0	0	0	0	0
Total	0	0	1	0	1

Vehicle parking	Existing number of spaces	Total proposed including spaces retained	Difference in spaces (+ or -)
Standard car spaces	4	4	0
Disabled car spaces	0	0	0
Cycle	0	0	0

Electric car charging points	1 Passive
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Representation summary	<i>Adjoining neighbours were consulted by letter on 26.07.21. A Site Notice was displayed at the property on 11.08.21. A Press Advert was published on 28.07.21 in the News Shopper.</i>	
Total number of responses	9	
Number in support	9	
Number of objections	0	

UPDATE

This application was deferred from Plans Sub-Committee 1 on 30.09.21 to allow Members to see the Appeal Inspector's report and to ask the applicant to look at the design of the proposed new dwelling in terms of the size of the roof and side space. The appeal decision is attached as a supplementary document.

Revised documents were received on 19.10.21 (Drawing No. 7487-PD-003 REV A Proposed Floor Plans; Drawing No. 7487-PD-004 REV A Proposed Elevations; Drawing No. 7487-PD-005 REV A Proposed Site Plan; Document No. 7487-DA Rev A Design and Access Statement).

The width of the proposed new dwelling has been reduced by 1m so that a side space of 2.6m at the front building line and 2.1m at the rear would be provided to the north-western boundary shared with Marchurst. The side space provided to Shanklin to the south-east is the same as that previously proposed. The ridge height of part of the dwelling has also been lowered by 0.3m; however, the design of the roof remains the same as previously proposed.



PREVIOUSLY PROPOSED STREETSCENE ELEVATION



REVISED PROPOSED STREETSCENE ELEVATION

Paragraphs 3.4, 5, 7.2.10, 7.2.11, 7.3.4, 7.4.5 of, and images within, the original report have been updated to reflect these changes.

The Council's Conservation Officer has advised that the changes shown within the drawings received 19.10.21 are minor and the previous Conservation objections still apply. Whilst the proposed new dwelling would achieve a greater degree of side space, it would still include the overly large crown roof design. In addition, the loss of the existing dwelling is still considered to be unacceptable for the reasons outlined within the original report. The application is therefore still recommended for refusal for the reasons summarised below. It should be noted that the second reason for refusal has been amended to remove the reference to the lack of side space.

1 SUMMARY OF KEY REASONS FOR RECOMMENDATION

- The application would result in the demolition and loss of the existing dwelling which is located within the Farnborough Park Conservation Area, causing less than substantial harm to the designated heritage asset (the Conservation Area) to which there would be no public benefits.
- The proposed replacement dwelling would include an overly large crown roof and this roof design would neither preserve or enhance the character and appearance of the Farnborough Park Conservation Area within which it lies.
- The proposal is therefore contrary to the aims and objectives of Section 16 of the National Planning Policy Framework (2021), Policy HC1 and D4 of the London Plan and Policies 4, 8, 37 and 41 of the Bromley Local Plan, as well as the Farnborough Park Conservation Area SPG.

2 LOCATION

- 2.1 The application site hosts a large two storey detached dwellinghouse located on the northern side of Hazel Grove, Orpington.



- 2.2 The application property is set back from the highway and includes a front garden with front driveway area.



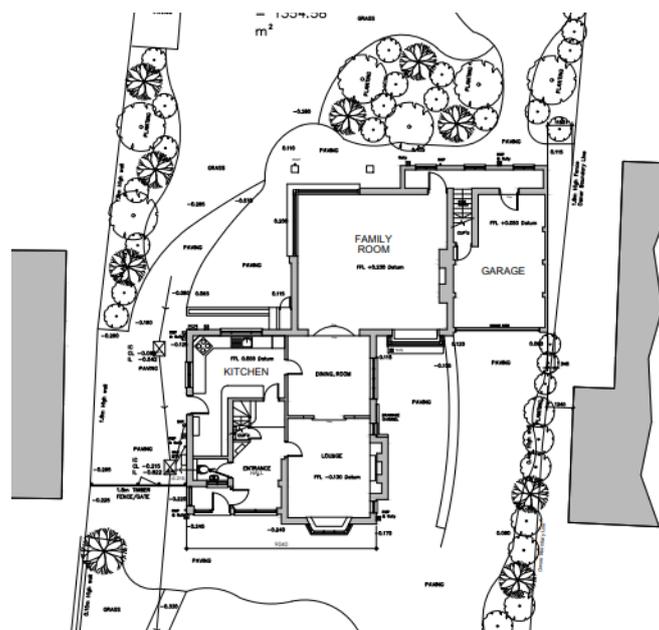
2.3 Hazel Grove is a cul-de-sac comprising 18 large detached dwellings.

2.4 The application site is located within the Farnborough Park Conservation Area. The chief interest of Farnborough Park Conservation Area lies in the innovative way that the Rogers family incorporated pre-existing landscape into a high quality built development, allowing scope for the construction of large and individualistic private homes in a manner more typical of American suburban development than of development of a similar age in England. Developed to a slightly higher density than adjacent Keston Park, both buildings and landscape play a strong role in establishing the character of the park.

3 PROPOSAL

3.1 Planning permission is sought for the demolition of existing dwelling and erection of replacement 5 bedroom detached dwelling with integral garage.

3.2 The existing dwelling has an 'S shaped' footprint with a width of 17.2m at its widest point and a maximum length of approximately 17.2m. It has a maximum height of around 8.7m and provides accommodation on the ground and first floors.



EXISTING SITE PLAN



EXISTING FRONT ELEVATION

- 3.6 The new dwelling is shown to be finished with a mix of brick and rendered walls with a clay tiled roof and crittall style leaded light windows.
- 3.7 The existing vehicular access via Hazel Grove would be retained and a new access also proposed to create an In-Out drive.
- 3.8 The application is supported by the following documents;
- Design and Access Statement
 - Heritage Impact Assessment
 - Planning Statement
 - Planning History Reports

4 RELEVANT PLANNING HISTORY

- 4.1 The relevant planning history relating to the application site is summarised as follows:
- 4.2 Under ref: 73/02924, planning permission was granted for a first floor extension at rear for bedroom and bathroom.
- 4.3 Under ref: 73/03564, planning permission was granted for a first floor rear extension for bathroom and bedroom.
- 4.4 Under ref: 84/02307/FUL, planning permission was granted for an attached car port.
- 4.5 Under ref: 19/02682/FULL1, planning permission was refused for the demolition of existing 5 bedroom dwelling and replacement with a new 5 bedroom dwelling with integrated garage for the following reasons;

“1 The existing building is a fine two-storey Arts and Crafts style dwelling and its historic appearance makes a positive contribution to the Farnborough 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.

2 The proposed replacement building by reason of its uncharacteristically symmetrical design and lack of architectural distinction would be completely at odds with the overwhelming asymmetrical character of the wider Farnborough 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.”

- 4.6 This application was subsequently dismissed at appeal. The Appeal Inspector stated that; “The dwelling has undergone some more modern additions to the side and rear, however this does not significantly harm its character and this original dwelling still makes a positive contribution to the character and appearance of the Conservation Area, particularly in the context of the many contrasting larger more modern neighbours in Hazel Grove. Although the dwelling does not carry separate heritage status, the loss of the existing building and its arts and crafts elements would eliminate the positive contribution of the site to the Conservation Area where this style of architecture is widely featured.”
- 4.7 The Appeal Inspector also stated that; “The area features a variety of styles of dwelling and it has been highlighted by the appellant that nine dwellings on Hazel Grove have previously been replaced, some with dwellings similar in design to what is proposed. However, the circumstances of these sites, particularly the nature of the original dwellings, are mostly unknown, and for those examples where images of the original houses are provided, the appellant suggests those properties had no architectural merit. In any case, these developments would not justify the resultant harm to the character and appearance of the Conservation Area which has been identified. Therefore the proposed development would fail to preserve the character and appearance of the Farnborough Park Conservation Area and conflicts 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)”.

5 CONSULTATION SUMMARY

A) Statutory

Advisory Panel for Conservation Areas (APCA): Objection.

Conservation: This new proposal is an improvement on the previous proposal however it is still overly large with a large crown roof and covers almost the entire width of the plot. It also seems a lost opportunity not to retain any of the historic parts of the existing building and therefore the objections to both the demolition of the existing building and the new replacement building made on the previous 2019 are still relevant and are continued. It is considered that this proposal still causes less than substantial harm to the designated heritage asset which is the Conservation Area and no particular justification for this proposal has been provided.

The planning inspector said: “Nevertheless, although it is likely that the dwelling post-dated the arts and crafts period, it is one of the original dwellings and its design has been influenced by the other arts and crafts dwellings within the area. These include its modest, informal and unsymmetrical appearance with tall chimneys, a cat slide roof, sprocketed eaves, timber boarded front gable and traditional fenestration, located on a spacious site, which make it an attractive feature on the site and in the surrounding area.....

The dwelling has undergone some more modern additions to the side and rear, however this does not significantly harm its character and this original dwelling

still makes a positive contribution to the character and appearance of the Conservation Area, particularly in the context of the many contrasting larger more modern neighbours in Hazel Grove. Although the dwelling does not carry separate heritage status, the loss of the existing building and its arts and crafts elements would eliminate the positive contribution of the site to the Conservation Area where this style of architecture is widely featured...

Overall, the public benefits of the scheme do not outweigh the less than substantial harm to the heritage asset..”

Under the NPPF paragraph 196, the poor state of the heritage asset is not an issue. Paragraph 196 states; “Where there is evidence of deliberate neglect of, or damage to, a heritage asset, the deteriorated state of the heritage asset should not be taken into account in any decision.”

UPDATE: The changes shown within the drawings received 19.10.21 are minor and the previous Conservation objections still apply.

Drainage: Please impose a surface water drainage condition.

Highways: Hazel Grove is shown in the Council’s records as a private road. The proposal includes a second access. There is a good sized single garage and other parking on the site. No comments on the application.

Trees: In line with comments on the previous application, no objections are raised but would recommend a condition similar to that below to ensure replacement tree planting at the front of site:

Prior to first occupation of the development hereby approved, a planting plan indicating the positions, size and species of a minimum of 3 new trees shall be submitted to the Local Planning Authority for approval. The trees shall be of species with at least a medium ultimate height (i.e. not small ornamental tree species.) Once approved and prior to first occupation of the development hereby approved, the new trees shall be planted in accordance with the approved plan. Any tree planted as a requirement of this condition which is damaged or becomes non-viable within 5 years of planting shall be immediately replaced with another of same size and species.

Reason: In order to comply with Policies 37, 73 and 74 of the Bromley Local Plan and in the interest of the visual amenities of the area.

B) Local Groups

No comments received.

C) Adjoining Occupiers

Support (address in section 7.1 and 7.2)

- The present structure does need to be knocked down as it is run down and derelict.
- It will enhance the beauty and value of properties on Hazel Grove.
- Support the knock down of the property as it is a bit of an eye sore and not in keeping with the rest of the street.
- It will add value to the street.
- It will be environmentally friendly and in keeping with the current government requirements of future housing.
- It is a very odd looking house compared to the properties and so support this application to demolish and build a new house.
- Many properties have been built/upgraded in the park and it is felt this has increased the beauty of the Farnborough Park.
- The plans are a great improvement of what is there as the current property looks outdated and has a mismatch of different style windows and extensions which is not in keeping with the other houses in the road.
- The new plans would significantly enhance the outlook of Bracken Hazel Grove and those of other properties in the road.
- The existing property is extremely run down and looks very derelict.
- The proposed structure will add value to the neighbourhood and will be a huge improvement on the current building.
- The dwelling as present is not particularly in keeping with other properties along the road and has a number of additions at the rear which has resulted in a mix of styles.
- The proposal will result in a much more coherent form of development that is in keeping with the character of other properties along the road and will enhance the conservation area.
- Will enhance the scenery of Hazel Grove.
- Will make a desirable family dwelling.
- The plans show a beautiful family home which is much more in keeping with the Park now and significantly more attractive to look at compared to Pucks Cottage in its current form.

If any late representations are received they will be reported verbally at the committee meeting.

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 revised on 20th July 2021.
- 6.4 The development plan for Bromley comprises the London Plan (March 2021) and the Bromley Local Plan (2019). The NPPF does not change the legal status of the development plan.
- 6.5 The application falls to be determined in accordance with the following policies:-

6.6 National Policy Framework (2019)

6.7 The London Plan (2021)

- D1 London's form and characteristics
- D3 Optimising site capacity through the design-led approach
- D4 Delivering good design
- D5 Inclusive design
- D6 Housing quality and standards
- D7 Accessible housing
- D12 Fire safety
- HC1 Heritage conservation and growth
- G6 Biodiversity and access to nature
- G7 Trees and woodlands
- SI1 Improving air quality
- SI4 Managing heat risk
- SI5 Water infrastructure
- SI13 Sustainable drainage
- T5 Cycling
- T6 Car parking
- T6.1 Residential Parking
- T9 Funding transport infrastructure through planning

6.8 Bromley Local Plan (2019)

- 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

6.9 Bromley Supplementary Guidance

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

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

7 ASSESSMENT

7.1 Demolition of existing dwelling and Impact on Conservation Area – Unacceptable

- 7.1.1 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.
- 7.1.2 Paragraph 202/203 states 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.
- 7.1.3 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.
- 7.1.4 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.
- 7.1.5 Policy HC1 of the London Plan states that development proposals affecting heritage assets, and their settings, should conserve their significance, by being sympathetic to the assets' significance and appreciation within their surroundings. The cumulative impacts of incremental change from development on heritage assets and their settings should also be actively managed. Development proposals should avoid harm and identify enhancement opportunities by integrating heritage considerations early on in the design process.

- 7.1.6 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.
- 7.1.7 The property lies within the Farnborough Park Conservation Area, which is a private estate developed on land that historically lay within the Royal Manor of Farnborough, beside Farnborough Lodge and close to the historic hamlet known as Brasted Green.
- 7.1.8 Paragraph 3.2 of the Farnborough Park Conservation Area SPG states that the Council will expect all proposals for new development to conform with the 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.
- 7.1.9 Hazel Grove appears to have been developed in the middle of the 20th Century, although it is noted that some of the plots are later additions to the road. At present, it comprises 18 detached dwellings of predominantly two storeys in height. The supporting statements submitted by the applicant makes reference to a number of applications for replacement dwellings both within Hazel Grove and with other roads within Farnborough Park which have been granted by the Council. In Hazel Grove, in particular, these 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.
- 7.1.10 Accordingly, Pucks Cottage is one of the only remaining 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.
- 7.1.11 The application seeks to demolish the existing dwelling at Pucks Cottage and replace with a new larger dwelling.
- 7.1.12 Under a previous application at this site (ref: 19/02682/FULL1), planning permission was refused for both the demolition of the existing dwelling and the proposed replacement dwelling. During the Council's assessment of this previous application, concerns were raised by both the Council's Conservation Officer and APCA with regards to the loss of the original dwelling as it was 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.

- 7.1.13 This 2019 application was subsequently dismissed at appeal and it was agreed by the Appeal Inspector that whilst the dwelling has undergone some more modern additions to the side and rear, this does not significantly harm its character and appearance and that the original dwelling does make a positive contribution to the character and appearance of the Conservation Area. The Appeal Inspector also noted that the positive contribution that this existing dwelling makes is particularly important in the context of the many contrasting larger more modern neighbours within Hazel Grove. Accordingly, the Appeal Inspector concluded that although the dwelling does not carry separate heritage status, the loss of the existing building and its arts and crafts element would eliminate the positive contribution of the site to the Conservation Area where this style of architecture is widely featured.
- 7.1.14 Whilst it is noted that in summary the Appeal Inspector stated that the harm to the significance of the Conservation Area would be less than substantial in the wider context, there were no public benefits of the scheme which outweighed this less than substantial harm, as outlined within the NPPF.
- 7.1.15 This current application still seeks to demolish the existing dwelling and has been accompanied by a number of documents which seek to support this demolition including a Heritage Impact Assessment, Planning Statement and Planning History Report which outlines the planning history of other properties within Hazel Grove and also on other roads within Farnborough Park. These are additional documents which weren't provided within the 2019 application.
- 7.1.16 In terms of the examples of replacement dwellings within the road, this was considered in detail during the Council's assessment of the previous 2019 application. However, it was considered that whilst it could be argued that the overall character and appearance of the streetscene within Hazel Grove 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. As highlighted above, this statement was also supported by the Appeal Inspector during his subsequent assessment. The supporting information provided by the applicant during this current application does not change the Council's view in this regard.
- 7.1.17 It is also noted that this current application has received a number of supporting comments from other residents within the road. These support the general demolition of the existing dwelling and its replacement. Some of these comments refer to the current state of the property which it is said is run-down. However, paragraph 196 of the NPPF does state that where there is evidence of deliberate neglect of, or damage to, a heritage asset, the deteriorated state of the heritage asset should not be taken into account in any decision.
- 7.1.18 The submitted Heritage Impact Assessment argues that there would be no intrinsic loss of heritage significance arising from the demolition of Pucks Cottage and that there would be no harm to the significance of Farnborough Park Conservation Area as a designated heritage asset.

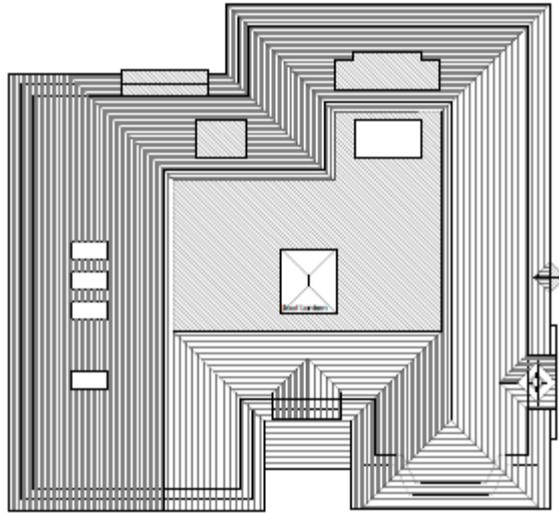
- 7.1.19 Whilst the comments raised within this additional document are noted, the Council's Conservation Officer and APCA both still raise objections to the demolition of the dwelling and that the objections raised to the previous 2019 application are still relevant and are continued. Notably, the Council's Conservation Officer has advised that it seems a lost opportunity not to retain any of the historic parts of the existing building and that this proposal is considered to cause less than substantial harm to the designated heritage asset, which is the Conservation Area, and there are no public benefits that would outweigh that harm.
- 7.1.20 Moreover, the previous Appeal Decision is also a material consideration in the determination of this current application and the Appeal Inspector's assessment in regard to the harm that the demolition of the application dwelling would result to the Conservation Area was clear in this regard.
- 7.1.21 Having regard to the above, the existing building and its many Arts and Crafts features are considered worthy of retention and make a positive contribution to the Farnborough 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 Farnborough Park Conservation Area.
- 7.1.22 The proposal is therefore contrary to the aims and objectives of Section 16 of the National Planning Policy Framework (2021), Policy HC1 of the London Plan and Policy 41 of the Bromley Local Plan, as well as the Farnborough Park Conservation Area SPG.

7.2 Design, Scale and Layout – Unacceptable

- 7.2.1 Paragraph 126 of the NPPF (2021) states that the creation of high quality, beautiful and sustainable 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.
- 7.2.2 London Plan and Bromley Local Plan policies further reinforce the principles of the NPPF setting out a clear rationale for high quality design.
- 7.2.3 Policy D3 of the London Plan relates to 'Optimising site capacity through the design-led approach' and states that all development must make the best use of land by following a design-led approach that optimises the capacity of sites. Form and layout should enhance local context by delivering buildings and spaces that positively respond to local distinctiveness through their layout, orientation, scale, appearance and shape. The quality and character shall respond to the existing character of a place by identifying the special and valued features and characteristics that are unique to the locality and respect, enhance

and utilise the heritage assets and architectural features that contribute towards the local character.

- 7.2.4 Policy D4 of the London Plan outlines the various methods of scrutiny that assessments of design should be based on depending on the level/amount of the development proposed for a site.
- 7.2.5 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 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.
- 7.2.6 Policy 41 states that new developments should preserve and enhance the characteristics and appearance of the conservation area within which it lies.
- 7.2.7 Policy 8 of the Bromley Local Plan also relates specifically to Side Space and states that for a proposal of two or more storeys in height, a minimum 1 metre space from the side boundary of the site should be retained for the full height and length of the building; or where higher standards of separation already exist within residential areas, proposals will be expected to provide a more generous side space.
- 7.2.8 The previous application for a new dwelling on this site, ref: 19/02682/FULL1, was refused both on the principle of the demolition of the existing building and on the design of the proposed replacement dwelling which, by reason of its uncharacteristically symmetrical design and lack of architectural distinction was considered to be completely at odds with the overwhelming asymmetrical character of the wider Farnborough Park Conservation Area, and would neither preserve or enhance the character and appearance or the visual amenities of the conservation area.
- 7.2.9 In consideration of the subsequent appeal, the Appeal Inspector stated that the proposed dwelling would have a larger, modern and more formal appearance than the current dwelling. Although it is not fully symmetrical, it is more uniform in appearance than the existing dwelling and other similarly original dwellings within the Conservation Area. However, the Appeal Inspector concluded that the contribution of the replacement dwelling to the Conservation Area would be neutral and the basis for the dismissal of the appeal primarily related to the demolition of the existing building.
- 7.2.10 In general, the design of the new dwelling is considered to be an improvement on the dwelling proposed under the 2019 application. It is also noted that a number of supporting comments have been received from other residents within Hazel Grove with regards to the proposal. The height of the new dwelling would also be commensurate to its surroundings. However, it would include a crown roof which is considered to be overly large.

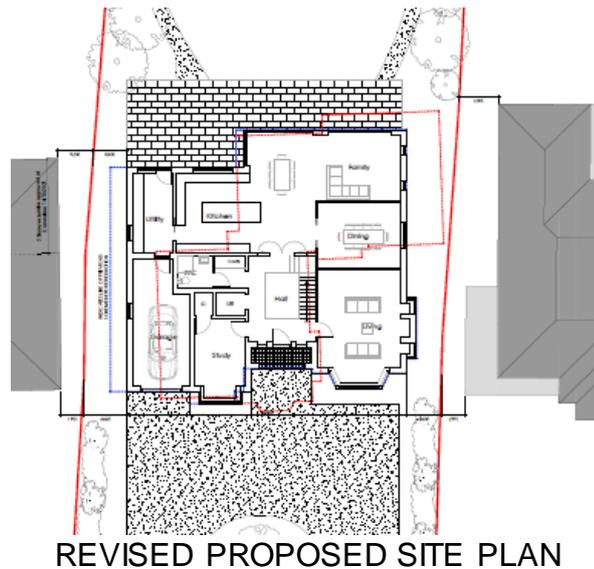


REVISED PROPOSED ROOF PLAN



REVISED PROPOSED ELEVATIONS

7.2.11 The side space to the south-eastern side would be between 1.4m and 3m which is considered acceptable. To the north-western side boundary the side space would be 2.6m at the front reducing to 2.1m to the rear. Whilst this would be a significant reduction in the existing side space, due to the size and siting of the existing dwelling, the spatial characteristic of the area are considered to be maintained. The catslide roof design to this side would also provide additional space between the application dwelling and neighbouring dwelling at Marchurst at first floor and roof level.



7.2.12 Taking into account the above, it is considered that the size and design of the roof to the proposed new dwelling would be unacceptable in that it would fail to preserve or enhance the character of the Farnborough Park Conservation Area.

7.2.13 The proposal is therefore contrary to the aims and objectives of Section 16 of the National Planning Policy Framework (2021), Policy HC1 and D4 of the London Plan and Policies 4, 37 and 41 of the Bromley Local Plan, as well as the Farnborough Park Conservation Area SPG.

7.3 Standard of Residential Accommodation – Acceptable

7.3.1 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.

7.3.2 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 the London Plan Housing Supplementary Planning Guidance. The 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.

7.3.3 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.

- 7.3.4 The proposed new dwelling is two storey and shown to have five bedrooms; 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 the National Technical Housing Standards for a 5-bedroom two storey dwelling for 8 persons is 128sq.m. The proposed dwelling has been indicated as having a GIA of 459sq.m and as such it would greatly exceed the minimum standard required.
- 7.3.5 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. No sectional drawings have been provided to show that proposed dwelling would also comply with this requirement. However, given its height and the number of floors proposed, it is considered that it would be able to meet this requirement.
- 7.3.6 The shape, room size and layout of the rooms are considered satisfactory and all habitable rooms would contain at least one window that would ensure it would achieve a good outlook and light.
- 7.3.7 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.
- 7.3.8 Having regard to all the above, the proposal would meet the minimum standards as outlined within Policy D6 of the London Plan, Policy 4 of the Bromley Local Plan, the Mayors Housing SPG and The National Technical Housing Standards.

7.4 Residential Amenity – Acceptable

- 7.4.1 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.
- 7.4.2 In terms of its relationship with Shanklin which lies to the south-east of the application site, the proposed new dwelling would not be sited any further forward or any further to the rear than this neighbouring dwelling. A separation of a minimum of between 1.4m and 3m would also be provided from the flank wall of the proposed dwelling and the common boundary shared with this neighbouring dwelling, with an additional separation of at least 1.2m provided between the boundary and the existing dwelling at Shanklin.
- 7.4.3 In addition, the Councils records indicate that the existing flank windows within Shanklin which face the application site serve an en-suite at first floor and utility room and garage at ground floor and as such do not serve habitable rooms.

- 7.4.4 The proposed first floor flank windows within the new dwelling at Pucks Cottage would also serve 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.
- 7.4.5 With regards to the impact on the occupiers of the neighbouring dwelling to the north-west at Marchurst, the proposed new dwelling would be sited further to the rear than this neighbouring dwelling and would be located closer to the boundary than that of the existing dwelling at the application site. However, the part of the dwelling that would be closest to this neighbouring dwelling would only project around 1.5m beyond its rear elevation. A separation of a minimum of 3.9m would also be provided between the dwellings, that would increase at first floor and roof level due to the cat slide roof design of the new dwelling to this north-western side.
- 7.4.6 Four first floor flank rooflights are shown which would face the side of Marchurst, these again would serve bathrooms and could be required by condition to be obscure glazed and of limited opening to reduce any overlooking or loss of privacy.
- 7.4.7 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.
- 7.4.8 Having regard to the above, it is considered that no significant loss of amenity with particular regard to light, outlook, prospect and privacy would arise from the proposed development.

7.5 Trees – Acceptable

- 7.5.1 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.
- 7.5.2 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.
- 7.5.3 Policy 77 refers more generally to landscape quality and character and seeks to safeguard the quality and character of the local landscape.
- 7.5.4 The application proposes to remove three birch trees at the front of the site to allow for an in an out driveway access.

7.5.5 The Council's Principal Tree Officer has advised that the trees are of limited amenity value due to the conditions observed and the fact that they are fairly recent additions to the local landscape. Therefore, in this instance as the trees are considered to be replaceable, it would be unreasonable to seek a refusal in line with Council policy on this basis. However, a condition requiring suitable replacement trees is recommended on any approval to protect the visual amenities of the Farnborough Park Conservation Area.

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 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.

7.6.3 The proposal is for the demolition of the existing single dwellinghouse and construction of a new single dwellinghouse. The application site is located on Hazel Grove which is shown in the Council's records as a private road, located within the Farnborough Park gated estate. At present, the site includes a single vehicular access with an area of hardstanding to the front and a single garage attached to the main dwelling.

7.6.4 The proposal includes a second access to create an in-out drive with an area of grass retained between, and parking on the front driveway. The proposed new dwelling would also include a single garage.

7.6.5 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 CIL

7.7.1 The Mayor of London's CIL and Bromley's Local CIL are both a material consideration. CIL is payable on this application and the applicant has submitted the relevant form.

8 CONCLUSION

8.1 Having had regard to the above, it is considered that the proposed development is unacceptable.

- 8.2 It is acknowledged that the proposed development would not give rise to any significant loss of residential amenity to neighbouring occupiers, would not result in adverse harm to trees within and nearby the site and would not result in any harmful impact to levels of on-street parking within the area. It would also provide a good standard of accommodation for prospective occupiers.
- 8.3 However, these matters would not outweigh the harm that the proposed demolition and loss of the existing dwelling, which is located within the Farnborough Park Conservation Area, would cause to the designated heritage asset (the Conservation Area). Whilst the harm would be less than substantial, as stated within paragraph 202 of the NPPF, this harm should be weighed against the public benefits of the proposal, of which there are considered to be none.
- 8.4 The proposed replacement dwelling would also be excessive in width, failing to provide adequate side space given its location within a conservation area and would include an overly large crown roof which would neither preserve or enhance the character and appearance of the Farnborough Park Conservation Area within which it lies.
- 8.5 The proposal is therefore contrary to the aims and objectives of Section 16 of the National Planning Policy Framework (2021), Policy HC1 and D4 of the London Plan and Policies 4, 8, 37 and 41 of the Bromley Local Plan, as well as the Farnborough Park Conservation Area SPG.
- 8.6 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 refused

For the following reasons;

- 1. The existing building is a fine two-storey Arts and Crafts style dwelling and its historic appearance makes a positive contribution to the Farnborough 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 HC1 of the London Plan and Policy 41 of the Bromley Local Plan.**
- 2. The proposed replacement building by reason of its overly large crown roof design would neither preserve nor enhance the character and appearance of the Farnborough Park Conservation Area, thereby contrary to the aims and objectives of Section 16 of the National Planning Policy Framework, Policies HC1 and D4 of the London Plan, Policies 4, 8, 37 and 41 of the Bromley Local Plan, and the Farnborough Park Conservation Area Supplementary Planning Guidance.**