

<b>Committee Date</b>	31 <sup>st</sup> March 2022	
<b>Address</b>	2 Bromley Avenue Bromley BR1 4BQ	
<b>Application Number</b>	21/04122/FULL1	<b>Officer</b> - Stephanie Gardiner
<b>Ward</b>	Bromley Town	
<b>Proposal</b>	Demolition of existing 2-storey dwelling house and construction of 3-storey building including accommodation in the roofspace comprising of 5 apartment units with associated parking, amenity space & cycle storage for 14 bikes.	
<b>Applicant</b>	<b>Agent</b>	
Mr Ian Dollamore Urban Infill Ltd 33 Newman Street London W1T 1PY United Kingdom	Mr Ian Dollamore 33 Newman Street London W1T 1PY United Kingdom	
<b>Reason for referral to committee</b>	Call-In	<b>Councillor call in</b> Yes

<b>RECOMMENDATION</b>	Application Permitted
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<p>KEY DESIGNATIONS</p> <p>Biggin Hill Safeguarding Area London City Airport Safeguarding Open Space Deficiency Smoke Control SCA 3</p>
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<b>Land use Details</b>
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	Use Class or Use description	Floor space (GIA SQM)
Existing	Residential	164
Proposed	Residential	379.5

<b>Vehicle parking</b>	Existing number of spaces	Total proposed including spaces retained	Difference in spaces (+ or -)
Standard car spaces	2	6	4
Disabled car spaces	0	0	0
Cycle	0	14	14

<b>Electric car charging points</b>	0
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<b>Representation summary</b>	Local neighbours were notified of the development by letter.
Total number of responses	106
Number in support	0
Number of objections	106

## 1. SUMMARY OF KEY REASONS FOR RECOMMENDATION

- The development would provide 5 residential units
- The development would have an acceptable impact on neighbouring amenities.

## 2. LOCATION

2.1 The site is located on the north side of Bromley Avenue and currently has a two-storey detached property offset to the eastern side of a large plot. The building dates to the 1960's period of architecture. To the east are further two storey detached properties of a similar period, situated in large plots with generous spatial standards.

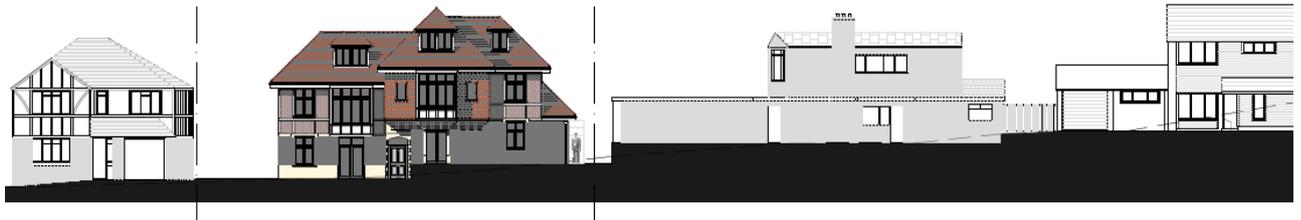
To the west are a line of large two storey 1930's era detached properties of a period mock Tudor design with side garages.

- 2.2 The topography of the streetscape slopes upwards from west to east. Properties opposite the site appear to be on a higher grounds level.
- 2.3 The site is not in a conservation area nor is the building listed. A blanket TPO exists (Ref BB 9 1960) covering the application site and much of the local area. The site is located in Flood Zone 1.



### 3. PROPOSAL

- 3.1 The application seeks permission for the demolition of existing 2-storey dwelling house and construction of 3-storey building which includes accommodation in the roof space, comprising 5 apartment units with associated parking, amenity space & cycle storage.
- 3.2 Amendments have been made to the design of the original submission. These amendments include removing the bulk of the chimney to the west of the proposal and dormer area behind it. This has resulted in unit 3 changing from a 3-bed unit to a 2-bed unit. The parking area to the front also been modified to allow for more planting.



#### 4. RELEVANT PLANNING HISTORY

- 4.1 85/01132/FUL: Single storey side and rear extension to detached house. Approved 13.06.1985

#### 5. CONSULTATION SUMMARY

##### A) Statutory

##### Highways – No objection

- The site is in an area with PTAL rate of 1b on a scale of 0 – 6b, where 6b is the most accessible.  
 Vehicular access- via a modified access from Bromley Avenue leading to the front car parking area which is acceptable.  
 Car parking – six spaces are indicated; however only 5 spaces are required. The applicant should remove one space.  
 Cycle parking – 12 spaces indicated which is satisfactory.  
 Bin store- indicated; however please also consult the Waste Management Team.  
 No objection in principle. if minded to approve please include the following with any permission:  
 CONDITION  
 OC03 (5 Car Parking are required)  
 OC11 (Provision of sightline ...43m x 2.4m x 43m.. ..1m.. )  
 AG11 (Refuse storage)  
 AG12 (Cycle parking)  
 AG24 (Highway Drainage)  
 PC17 (Construction Management Plan)  
 INFORMATIVE  
 Nonstandard informative – Street furniture/ Statutory Undertaker’s apparatus “Any repositioning, alteration and/ or adjustment to street furniture or Statutory

Undertaker's apparatus, considered necessary and practical to help with the modification of vehicular crossover hereby permitted, shall be undertaken at the cost of the applicant

### **Environmental Health - No objections.**

- No objections subject to conditions relating to Air Quality and standard informative relating to Bromley's code of Construction and contaminated land.

### **Drainage – No objections**

- Request surface water drainage condition.

### **B) Adjoining Occupiers (addressed in Para 7 - 8)**

Objections:

- Out of keeping with the detached single houses of the area which have architectural interest
- Higher than neighbouring properties
- Additional parking problems and pressure on a busy road
- Misleading application
- Inappropriate for the road
- Additional housing density would add to problems of parking, noise and pollution
- Development would diminish unique character of Bromley Avenue
- Scale of the building would make it largest on the street and would dominate view.
- Scale of development large relative to the size of the plot and too big. It would be out of character with other properties which are typically smaller properties with bigger plots.
- The street only has detached and semi-detached houses. A flatted development would be out of character.
- Parking has no screening and would be an eyesore and further out of character.
- Accommodation at the rear is north facing and looking at a steep slope with retaining walls. Those flats will be very dark, with a poor outlook and living conditions.
- Loss of privacy and overshadowing.
- Substantial intensification.
- Bulk and mass would dominate street scene.
- The first floor footprint would overhang the existing building line by approx. 1m rising to 1.5m, serves to further impose the bulk and mass on the street scene.
- The building would be less than 1m to boundary to the west. For such a large building a larger side space is appropriate.
- Frontage given over almost entirely to car parking. No meaningful room for soft landscaping. It would appear as a car park.
- Detrimental in character and close to Shortland's Conservation Area.
- Will set a precedent.
- Inappropriate in scale and usage.

- Properties within the area are for single families. Also only three storey building. Both mean the development is out of character.
- Dominate the whole road, particularly as it is located right at the top of the hill.
- The Avenue consists of detached and semi-detached, single-family residences of a pleasing variety of architectural and period designs, with gardens and many trees making it a desirable and attractive suburban environment.
- New and alien presence. Three-storey bulk would occupy most of the frontage of the current plot.
- Road is a cut through. The already concerning combination of traffic density and on-street parking can only be exacerbated by the proposed overdevelopment.
- Twice as dense as present house and has little merit except.
- The pretence of a 'mock' Tudor makes the façade ridiculous.
- Close to rear and will cause a loss of privacy.
- The size of the development will be overbearing, dominant and cause overlooking.
- Will 'loom over' neighbours and will impact well-being.
- Overlooking from balconies.
- Quotes from an Inspector of a dismissed appeal at Oaklands Road re. the introduction of a large expanse of hardstanding being out-of-character and unacceptable.
- The steep gradient provides little opportunity for external amenity space.
- Concerns about the assessment of the impact on garden G2 (4a Bromley Avenue) regarding amenity sunlight. Unclear whether the assessment covered the whole of G2 or just part which is not under the tree canopy.
- Could be a significant reduction in sunlight.
- Minimal detail regarding soft landscaping.
- Concerns about build time and disruption during construction.
- Beauty of area is one of green, with birds and animals. Consideration needs to be given to TPO across site.
- Only flat 1 would allow access by a wheelchair. Concerns about fire access to certain flats.
- Entrance lobby has no waiting space. Easy access to gardens only from ground floor flats.
- Noise
- Traffic congestion
- The streets character is mixed, with renewal being an inherent part of its character, however the scale and proportion of individual houses is broadly consistent as it ratio of building to plot size.
- The scale, height and mass of building is incongruous. Cannot be likened to any building locally.
- Complicated mansard roof, dormer windows, jetting features and broad chimney breast are all features not present locally. Disregards local character.
- Contrary to policy 4. Space left open around building is significantly smaller than others. This plot is wider and unlike others the proposals sprawl full width spanning two levels. Rather than complimenting the qualities of surrounding areas, the

proposals height, scale, massing complicated mansard, dormers are in stark contrast.

- Share amenity space for number of residents is questionable.
- No clarification on whether they meet building regulations M4(2 and or 3).
- Contrary to Policy 37.
- Will demolish an attractive historical building.
- Contrary to Policy 3 of the Local Plan.
- Only building with three obvious storeys.
- Substantial intensification of small irregular site.
- Site has a sloping hillside but there is no topographical survey. This suggests design is compromised.
- Failed to consider impact on the area and neighbours.
- There are no purpose built flats in Bromley Avenue. Only house conversions, which match the size and proportions of nearby buildings.
- Significant areas of hardstanding.
- Loss of greenery
- Run-off increase and flooding in wet weather.
- No measurements and no indication of electric vehicle charging points.
- Extension of crossover will lead to loss of the grass verge.
- Unsafe highway impact due to proximity with Grasmere Road. Add to queues and pollution.
- The existing building should be preserved.

Please note the above is a summary of objections received and full text is available on the Council's website.

The agent has provided a response to the objections raised.

## **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, the London Plan (March 2021) and Bromley Local Plan (Jan 2019).

#### London Plan (March 2021)

- SD1 Opportunity Areas
- D1 London's form and characteristics
- D2 Infrastructure requirements for sustainable densities
- D3 Optimising site capacity through the design-led approach
- D4 Delivering good design
- D5 Inclusive design
- D6 Housing quality and standards
- D7 Accessible housing
- D11 Safety, security and resilience to emergency
- D12 Fire safety
- D13 Agent of change
- D14 Noise
- H1 Increasing Housing Supply
- H2 Small sites
- H5 Threshold Approach to application
- H8 Loss of existing housing and estate redevelopment
- H9 Ensuring the best use of stock
- H10 Housing Size Mix
- S4 Play and informal recreation
- G5 Urban greening
- G6 Biodiversity and access to nature
- G7 Trees and woodlands
- SI1 Improving air quality
- SI4 Managing heat risk
- SI5 Water infrastructure
- SI7 Reducing waste and supporting the circular economy
- SI12 Flood risk management
- SI13 Sustainable drainage
- T2 Healthy Streets
- T3 Transport capacity, connectivity and safeguarding
- T4 Assessing and mitigating transport impacts
- T5 Cycling
- T6 Car parking
- T6.1 Residential Parking
- T7 Deliveries, servicing and construction

#### Bromley Local Plan (January 2019)

- 1 Housing supply
- 4 Housing design
- 8 Side Space
- 30 Parking
- 32 Road Safety
- 33 Access for All
- 34 Highway Infrastructure Provision

- 37 General design of development
- 77 Landscape Quality and Character
- 112 Planning for Sustainable Waste management
- 113 Waste Management in New Development
- 115 Reducing flood risk
- 116 Sustainable Urban Drainage Systems (SUDS)
- 117 Water and Wastewater Infrastructure Capacity
- 118 Contaminated Land
- 119 Noise Pollution
- 120 Air Quality
- 121 Ventilation and Odour Control
- 122 Light Pollution
- 123 Sustainable Design and Construction
- 124 Carbon dioxide reduction, Decentralise Energy networks and Renewable Energy

#### Supplementary Planning Guidance

Housing: Supplementary Planning Guidance. (March 2016)

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

SPG1 General Design Principles

SPG2 Residential Design Guidance

National Design Guide - (September 2019)

## 7. ASSESSMENT

The main issues relating to the application are:

- Principle - Housing Supply
- Design
- Standard of residential accommodation
- Neighbouring Amenity
- Highways
- Trees
- Other
- CIL

### Principle - Housing Supply

- 7.1 The current position in respect of Bromley's Five Year Housing Land Supply (FYHLS) was agreed at Development Control Committee on 2<sup>nd</sup> November 2021. 7.3The current position is that the FYHLS (covering the period 2021/22 to 2025/26) is 3,245 units, or 3.99 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.
- 7.2 The NPPF (2021) 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.

7.3 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.

7.4 London Plan Policy H1 sets Bromley's housing target at 774 homes per annum. In order to deliver this target, boroughs are encouraged to optimise the potential for housing delivery on all suitable and available brownfield sites. This approach is consistent with Policy 1 of the Bromley Local Plan, particularly with regard to the types of locations where new housing delivery should be focused.

7.5 Policy H2 requires Boroughs to pro-actively support well-designed new homes on small sites (below 0.25 hectares in size). Policy D3 requires all development to make the best use of land by following a design led approach.

7.6 This application includes the provision of 5 residential dwellings, which is an uplift of 4 units. This represents a modest contribution to the supply of housing within the Borough. This will be considered in the overall planning balance set out in the conclusion of this report, having regard to the presumption in favour of sustainable development.

#### Optimising Sites

7.7 Policy H1 Increasing Housing Supply of the London Plan states that to ensure housing targets are achieved boroughs should optimise the potential for housing delivery on all suitable and available brownfield sites through their Development Plans and planning decisions. Policy 1 of the Local Plan and Policy H1 of the London Plan set the context in the use of sustainable brownfield sites for new housing delivery.

7.8 Policy H2 Small Sites of the London Plan states that Boroughs should pro-actively support well-designed new homes on small sites (below 0.25 hectares in size) through both planning decisions and plan-making in order to significantly increase the contribution of small sites to meeting London's housing needs.

- 7.9 The London Plan does not include a prescriptive density matrix and promotes a design-led approach in Policy D3 to optimise the capacity of sites. The design-led approach requires consideration of design options to determine the most appropriate form of development that responds to a site's context and capacity for growth, and existing and planned supporting infrastructure capacity. Policies D2 and D4 are also relevant to any assessment of development proposals, including whether the necessary infrastructure is in place to accommodate development at the density proposed.
- 7.10 Local Plan Policies 4 and 37 accord with paragraph 130 of the National Planning Policy Framework, which requires development to be sympathetic to local character whilst optimising the potential of sites.
- 7.11 Therefore, in this location, the Council will consider a higher density residential development 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. Any adverse impact on neighbouring amenity, conservation and historic issues, biodiversity or open space will need to be addressed.

#### Design

- 7.12 The site is occupied by an existing 1950s/1960s style dwelling, which appears as a standalone property separate from its predominantly traditional mock Tudor neighbours. It is of limited architectural merit, and it is considered that its loss would have limited impact on the overall character and appearance of the street scene. Therefore, the principle of demolition is considered unobjectionable.
- 7.13 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.
- 7.14 Policy 4 of the Local Plan details that all new housing developments will need to achieve a high standard of design and layout whilst enhancing the quality of local places respecting local character, spatial standards, physical context and density. To summarise the Council will expect all of the following requirements to be demonstrated: The site layout, buildings and space around buildings be designed to a high quality, recognising as well as complimenting the qualities of the surrounding areas; compliance to minimum internal space standards for dwellings; provision of sufficient external, private amenity space; provision of play space, provision of parking integrated within the overall design of the development; density that has regard to the London Plan whilst respecting local character; layout giving priority to pedestrians and cyclists over vehicles; safety and security measures included in the design and layout of buildings; be accessible and adaptable dwellings.
- 7.15 Policy 8 of the Local Plan details that when considering applications for new residential development, including extensions, the Council will normally require 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.

- 7.16 Policy 37 of the Local Plan details that all development proposals, including extensions to existing buildings, will be expected to be of a high standard of design and layout. To summarise developments will be expected to meet all of the following criteria where they are relevant; be imaginative and attractive to look at, of a good architectural quality and should complement the scale, proportion, form, layout and materials of adjacent buildings and areas; positively contribute to the existing street scene and/or landscape and respect important views, heritage assets, skylines, landmarks or landscape features; create attractive settings; allow for adequate daylight and sunlight to penetrate in and between buildings; respect the amenity of occupiers of neighbouring buildings and those of future occupants; be of a sustainable design and construction; accessible to all; secure; include; suitable waste and refuse facilities and respect non designated heritage assets.
- 7.17 The site is located on the north side of Bromley Avenue. It has a low Public Transport Accessibility Level (PTAL 1) but is within walking distance of the Metropolitan Bromley Town Centre (less than a mile). It is also less than a mile to Bromley North Station, various bus routes and other shops/services. It is therefore considered to be site which is relatively well connected and sustainable.
- 7.18 The site itself slopes upwards from west to east. The topography of the land also steps upwards to the rear of the site. On the south side of the road there are residential properties which are set significantly higher than the highway.
- 7.19 Bromley Avenue is residential in character, comprising various two-storey detached and semi-detached dwellings, which are set behind landscaped frontages and a number benefit from off-street parking. The spatial standards within the street vary but it is noted that the spacing between properties is less generous to the west of the site.
- 7.20 Generally, the road has a pleasant suburban character. Purpose built flatted developments are noted on surrounding roads, but such development is not typical of Bromley Avenue.
- 7.21 The proposed development would be notionally two storeys in height, but additional accommodation would be in the roof with the inclusion of front facing dormers. Front facing dormers are not a characteristic feature within the road. The property would, however, be traditional in terms of its form and the architectural approach seeks to respond to the local vernacular with a red brick finish, projecting bays and mock Tudor detailing, which is considered appropriate within this context.
- 7.22 The proposed building footprint is larger than neighbouring properties and existing building, extending deep into the rear garden and to within proximity with the boundary. Nevertheless a c. 1.2m space would be retained to the western flank at its narrowest point and c.1.5 would be retained east. It would have a width of c.17.8m across the plot, but the site tapers inwards to the rear and the spacing is more generous between the side boundary and development towards the frontage. The elevated ridge height also steps down to the west in response to the site topography

and neighbouring properties, and this, together with a varied front building line, would help break-up the overall massing of the development from the street scene. The spacing to the side boundaries and general separation between the development and neighbours would not be out-of-character with the pattern of the development to the west.

- 7.23 Additionally, the principle building line varies but the spacing (c.8m) to the front boundary would not be too dissimilar to the immediate neighbours, which have a setback ranging between c.6 - 7.5m.
- 7.24 The proposal would include parking on the frontage, which can accommodate 6 vehicles. The amount of hardstanding required for the above, together with refuse and bicycle storage represents a notable contrast to the existing green character of the site. Additionally, the proposal represents a considerable amount of built development which extends deep into the plot, which tapers inwards to the rear and has a steep topography. This would also be at odds with layout and appearance of the immediate neighbours, this would result in development which is more cramped than the existing situation. Although there are flats in the wider area, the replacement of this house in the manner proposed would run contrary to the established pattern of development in the road. In this respect the proposal would result in some harm to the character and appearance of the road by introducing an uncharacteristic denser development of small flats.
- 7.25 In summary, the proposal would result in some harm to the character and appearance of the area due to the introduction of a denser form of development both in terms of its flatted nature, scale, and amount of built development on site relative to the size of the plot. It is also however, considered to be within a sustainable location, close to the Bromley Town Centre and other local services. Flats and other higher density developments are situated on surrounding roads. The proposal does also respond to the local site characteristics with its traditional form, complimentary materials, and stepped massing.

#### Standard of residential accommodation

- 7.26 Policy 4 of the BLP sets out the requirements for new residential development to ensure a good standard of amenity. The Mayor's Housing SPG sets out guidance in respect of the standard required for all new residential accommodation to supplement London Plan policies. The standards apply to new build, conversion and change of use proposals. Part 2 of the Housing SPG deals with the quality of residential accommodation setting out standards for dwelling size, room layouts and circulation space, storage facilities, floor to ceiling heights, outlook, daylight and sunlight, external amenity space (including refuse and cycle storage facilities) as well as core and access arrangements to reflect the Government's National Technical Housing Standards.
- 7.27 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.

- 7.28 The applicant confirms within the design and access statement that 4 of the units would comply with requirements of Part M (2). The remaining unit flat 1 will be able to be converted. A condition could be imposed to ensure this standard is met.
- 7.29 The proposal includes 5 residential units comprising four 2-bedroom units and 1 three-bedroom unit. The proposed units would comply with the minimum technical floor space standards.
- 7.30 The shape, room size and layout of the rooms in the proposed building is considered satisfactory. Neighbouring concerns have been raised with regards to the outlook/light from the lower flats due to their proximity with a steep bank and retaining wall to the rear. However, this retaining wall appears to be c.3m away from the rear ground windows. It is not considered that the arrangement would lead to units within an unacceptable level of light or outlook.
- 7.31 The shape, room size and layout of the rooms in the proposed building is considered satisfactory. Neighbouring concerns have been raised with regards to the outlook/light from the lower flats due to their proximity with a steep bank and retaining wall to the rear. However, this retaining wall appears to be c.3m away from the rear ground windows. It is not considered that the arrangement would lead to units within an unacceptable level of light or outlook.
- 7.32 In terms of amenity space, a communal rear amenity area is provided at the rear.
- 7.33 The standard of accommodation is therefore considered acceptable.

#### Highways

- 7.34 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.
- 7.35 In terms of parking 5 parking spaces are required in line with Policy requirements, however 6 off-street spaces would be provided. The existing vehicular access will be widened to facilitate the parking area.
- 7.36 The Council's Highways Officer has not raised objection in this regard or raised concerns about the impact from a road safety perspective.
- 7.37 A sufficient level of cycle parking would be provided. An area has also been allocated for refuse storage on the frontage. A condition could be imposed to ensure their means of enclosure are satisfactory.

## Neighbouring amenity

- 7.38 Policy 37 of the BLP 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.
- 7.39 Policy 4 of the Bromley Local Plan also 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.
- 7.40 Kynance is located to the east of the site and this detached property is set at a higher ground level. The main residential building is set away from the common boundary by c.10m. Habitable windows appear to be situated within the side elevation and these face the development site. There is also a garage structure, which is set forward of the current application property and this also extends up the boundary. This neighbour benefits from a generous garden which is considered to be both wide and deep, but the rear of the garden also appears to have a higher ground level with various trees and shrubs. There is large dense hedge running along the shared boundary between the properties. The existing application property already extends partially beyond the rear of this neighbour. There is also single storey structure, which is extends to the boundary within the application site, but this is also at a lower ground level. The roof of the existing building has a shallow hipped roof which pitches away from this neighbour.
- 7.41 The proposal development would be c. 2.2 deeper than the existing building adjacent to the shared boundary. The proposed building would be setback by c. 1.5m at ground floor level and a c.2.7m at first floor level. Whilst the development would be larger in scale and visually bulkier, given the site characteristics, arrangement of the building and it is not considered that it would be unacceptably intrusive or overbearing due to the above.
- 7.42 In terms of the fenestration arrangement, main windows are situated to the front and rear of the building. Two roof lights serving bathrooms are located within the western roof slope, these could be conditioned to be obscured. There are projecting rear bay windows and the side facing panels could also be obscured. When considering the layout of the proposal and fenestration it is not considered that there would be an unacceptable level of overlooking or loss of privacy.
- 7.43 The application is accompanied by a daylight and sunlight report, which does not identify significant harm for this neighbour. Together with the site characteristics and orientation it is not considered that there would be an unacceptable loss of light or overshadowing.
- 7.44 The impact on the visual and residential amenities of Kynance is therefore considered to be acceptable.
- 7.45 To the west of the site is 4A Bromley Avenue. This is a detached residential property which is located at a lower ground level. This neighbour also benefits from a garden

which is both wide and deep, but again is also partially constrained by the rising topography towards the rear. At present the existing building is set away by c.11m from this neighbour. The proposal would extend the built form significantly closer to the above property, with a separation of c. 4.3m between the two flank walls. It would project beyond the rear of Number 4A by c.2.9m and this would be set back from the boundary by c.1.2m at its narrowest point. The building then steps back again and with a depth of 5.6m beyond the rear of 4A. The boundary line however tapers away from the rear elevation of 4A and the ridge height of the development steps down towards this neighbour to reduce its massing and subsequent visual prominence. Visually, the greater proximity to the boundary would mean that the proposed building would be more prominent and intrusive for this neighbour. However, it is considered that the lower roof height and staggered rear elevation immediately adjacent to boundary, together with the tapering nature of the plot, generous gardens and detached nature of the properties would go a significant way to alleviate the visual harm and would not result in unacceptable overbearing impact, significant visual dominance or a materially harmful loss of outlook.

- 7.46 The accompanying daylight and sunlight report does not identify significant harm for this neighbour.
- 7.47 In terms of the fenestration arrangement, main windows are situated to the front and rear of the building. A single secondary roof light serving a bedroom is located within the western roof slope. As this is a secondary window this could be conditioned to be obscured. When considering the layout of the proposal and fenestration it is not considered that there would be an unacceptable level of overlooking or loss of privacy.
- 7.48 The impact on the visual and residential amenities of 4A is therefore considered to be acceptable.
- 7.49 In relation to other surrounding properties, including those opposite the site and to the rear it is not considered that there would be unacceptable harm to their residential or visual amenities due the degree of separation, site topography and layout of the development.

#### Drainage

- 7.50 Policy SI 13 Sustainable Drainage of the London Plan states that development proposals should aim to achieve greenfield run-off rates and ensure that surface water run-off is managed as close to its source as possible. Policy 116 of the Local Plan details that all developments should seek to incorporate sustainable Urban Drainage Systems (SUDS) or demonstrate alternative sustainable approaches to the management of surface water as far as possible.
- 7.51 The Councils Drainage Officer has reviewed the scheme and raised no objections and has recommended a surface water drainage condition.

## Trees

- 7.51 Policy 73 of the Bromley Local Plan states that proposals for new development will be required to take particular account of existing trees on the site and on adjoining land, which in the interests of visual amenity and/or wildlife habitat, are considered desirable to be retained.
- 7.52 The site is subject to a blanket Tree Preservation Order; however the Council's tree officer has confirmed that the trees within the development boundary are not subject to the TPO and are replaceable. Retained trees and off-site trees should be protected during demolition and construction and accordingly a pre-commencement condition could be imposed to ensure any retained/off-site trees are protected for the duration of the works.
- 7.53 Basic details of landscaping have been submitted for the areas given over to planting in the front and rear curtilages of each dwelling. The Council's tree officer has indicated further tree planting could be introduced to the front of the site. Notwithstanding this point, full details of hard and soft landscaping including species details can be sought by condition with any permission.

## CIL

- 7.54 The Mayor of London's CIL and Bromley Local CIL is a material consideration. CIL is payable on this application.

## 8. CONCLUSION

- 8.1 The proposal would provide 5 good sized residential units, within this relatively sustainable location. The building has been designed to account for the site topography and the local vernacular. The impact on neighbouring residential amenities is considered acceptable and the development would provide vehicular and cycle parking which meets and exceeds the minimum requirements. However, the proposal would also result in some harm to the character and appearance of the street because of its scale, along with the introduction of a denser flatted development within this lower density residential road.
- 8.2 In respect of the Council's 5-year housing land supply and the current position outlined within the 'principle' section above, paragraph 11d (ii) of the Framework would be applicable. In this case, when weighing up benefits of the development and the current undersupply of housing, it is considered that the identified harm arising from the proposal would not significantly and demonstrably outweigh the benefits of the development. Therefore, in the planning balance the proposal is considered to be acceptable.
- 8.3 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.

**As amended by docs received on 08.12.2021**

**RECOMMENDATION: Application Permitted**

**Subject to the following conditions:**

**SUMMARY OF CONDITIONS AND INFORMATIVES**

**Standard Condition(s)**

1. Time limit of 3 years
2. Drawing number

**Prior to commencement Condition(s)**

3. Surface Water Drainage details
4. Construction Management Plan
5. Tree Protection Plan

**Prior to commencement of Groundwork**

6. Materials
7. Landscaping
8. Refuse storage details
9. Cycle Parking details

**Prior to Occupation**

10. Parking Space Arrangements
11. Sight Lines
12. Window details with Obscured Glazing

**Compliance Conditions**

13. M4(2) Compliance.

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

**Informatives**

CIL