

Committee Date	1 st September 2022	
Address	1 Maple Leaf Close Biggin Hill TN16 3JW	
Application Number	21/00847/FULL1	Officer - Lawrence Stannard
Ward	Biggin Hill	
Proposal	Alterations to roof of both blocks (1-12-& 13-22 Maple Leaf Close) consisting of addition of third floor mansard roof extensions with dormer windows at third floor level to provide additional residential units consisting of a total of 2x1 bedroom flats and 2x2 bedroom flats (1x1 bedroom and 1x2 bedroom per block), with associated provision of additional parking, sheltered cycle storage and refuse/recycle storage.	
Applicant	Agent	
Southern Territory	Ms Tuba Korkmaz	
Atlantic House 1 The Green Chingford E4 7ES	30 Shacklewell Lane London E8 2EZ	
Reason for referral to committee	Call-In	Councillor call in
	Call-In	Yes

RECOMMENDATION	Permission
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<p>KEY DESIGNATIONS</p> <p>Biggin Hill Safeguarding Area London City Airport Safeguarding Smoke Control SCA 24 TPO 609 Urban Open Space</p>
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Representation summary	<ul style="list-style-type: none"> Neighbour notification letters originally sent on the 29th March 2021, with additional consultation letters sent out on the 28th May 2021 and 14th January 2022 following revised plans.
Total number of responses	53
Number in support	0
Number of objections	53

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

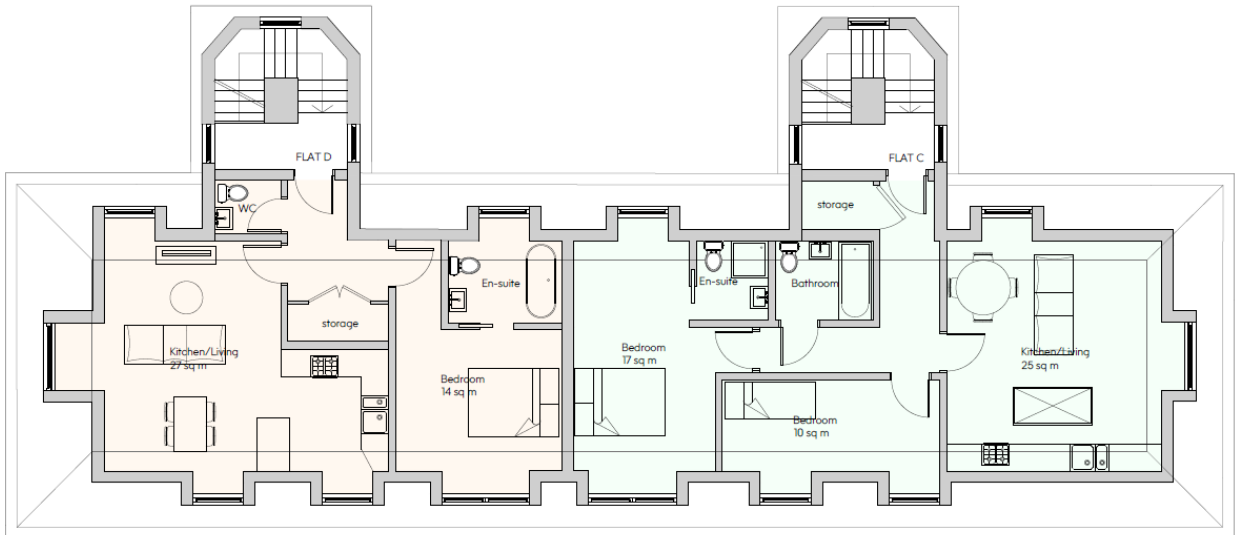
Vehicle parking	Existing number of spaces	Total proposed including spaces retained	Difference in spaces (+ or -)
Standard car spaces	28	29	+1
Disabled car spaces	0	0	0

1 SUMMARY OF KEY REASONS FOR RECOMMENDATION

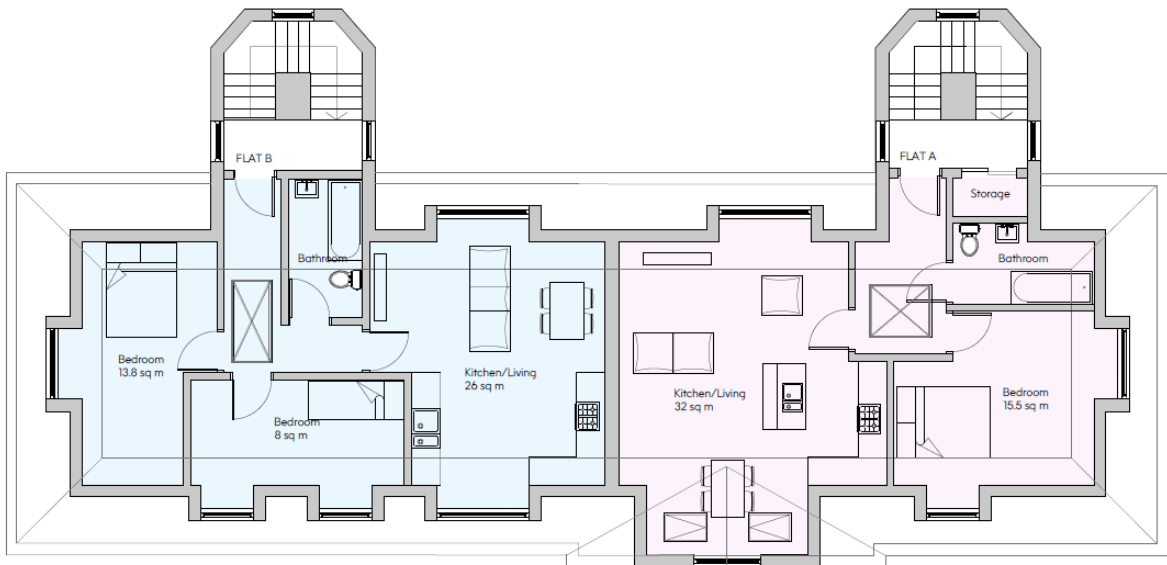
- The development would not result in a harmful impact on the appearance of the host building or the visual amenities of the street scene.
- The development would not adversely affect the amenities of neighbouring residential properties.
- The development would provide a suitable standard of residential accommodation for future occupiers of the proposed dwellings.
- The development would provide adequate off-street parking and would not adversely impact upon highways matters.
- The development would contribute towards the housing supply within the Borough.

2 LOCATION

- 2.1 The application site hosts two blocks of flats with 22 residential units on Maple Leaf Close, located on the eastern side of Main Road, Biggin Hill.
- 2.2 The block comprising 1-12 Maple Leaf Close is sited to the rear of the site, with the block containing flats 13-22 located to the front of the site.



4 Proposed Third Floor Plan (Rear Block)
Scale 1:100



4 Proposed Third Floor Plan (Front Block)
Scale 1:100

Figure 2: Proposed Floor Plans

4 RELEVANT PLANNING HISTORY

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

- 89/02359/FUL – 2x three storey blocks comprising a total of 21 one bedroom flats with 3 semi-basement and 25 uncovered parking - Permitted
- 90/00888/OTH – Revision to 89/02359 for alteration to layout and external appearance of the buildings and revised parking layout - Permitted

- 90/02112/FUL – 2x three storey blocks comprising a total of 22 one bedroom flats with 3 semi-basement and 25 uncovered parking spaces – Refused

5 CONSULTATION SUMMARY

A) Statutory

Drainage Officer:- No objection

- No comments / Objection.

Highways Officer – No Objection

- The required measurement of a parking bay is 2.4m x 5m with a clear manoeuvring space of 6m.
- There is a gap of 6m between the two rows of parking i.e 16, 17, 18 and the 2 proposed and 3, 4, 5 and 6. So this is satisfactory.
- If the car parking bays (16, 17, 18 and the 2 proposed) are slightly moved towards the corner i.e. in line with the (13, 14 and 15 plus proposed) then it will make the last proposed parking space to be in line with No 3 and the driver will have more manoeuvrability .
- There is a bit of reversing for cars in bay 1 and 2 but this is acceptable.
- Following the revised plan submitted on the 25th February, it is considered that this would be satisfactory from a highways perspective.

B) Local Groups

No comments were received from local groups.

C) Adjoining Occupiers

The following comments were received from local residents;

Design (Addressed in Para 7.2)

- Overdevelopment of the site.
- Overbearing.
- Out of keeping with the surrounding area.

Impact on neighbouring property (Addressed in Para 7.4);

- Will result in loss of important storage space for existing upper floor flats.
- Additional staircases will cause health and safety issues for residents.
- Loss of light.
- Increase noise and traffic on stairwell.

Highways (Addressed in Para 7.5);

- Not enough car parking space at present / issue with parking on site.
- Traffic and parking in Biggin Hill is getting ridiculous.
- Road is always flooding outside.

- Parking spaces will decrease turning circles for other cars.
- Access for Emergency Services / Fire Brigade should be considered.
- Drawings suggest there is more space at the site than there is.
- Not enough parking spaces being provided and not enough space for them.
- Parking spaces are not big enough.
- Would result in the loss of visitor spaces.
- Would lead to additional parking on road, which is already congested and would cause difficulties for passing traffic / busses.
- The two bedroom properties are likely to have more than 1 car.
- No reasonable way to add more parking to the development.

Other Matters

- Foundations along with structure of the building will not be sufficient.
- Loss of trees, shrubs and garden areas.
- No spare capacity for bin / recycling areas.
- Not enough room to combine refuse and recycling areas.
- Errors with the drawings (flats labelled incorrectly, existing floor plans not accurate).
- Can someone apply for planning without freeholder knowledge?

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 2021) and the Bromley Local Plan (2019). The NPPF does not change the legal status of the development plan.

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

6.5 National Policy Framework 2021

6.6 The London Plan

- 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
- H1 Increasing housing supply
- H2 Small sites

6.7 Bromley Local Plan 2019

1 Housing Supply
4 Housing Design
6 Residential Extensions
8 Side Space
30 Parking
32 Road Safety
37 General Design of Development
123 Sustainable Design and Construction

6.8 Bromley Supplementary Guidance

Supplementary Planning Guidance 1 - General Design Principles
Supplementary Planning Guidance 2 - Residential Design Guidance

7 ASSESSMENT

7.1 Principle - 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 2nd November 2021. The 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.

7.1.2 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.

7.1.3 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 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.

7.1.5 This application includes the provision of four residential dwellings and would represent a minor 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.

7.2 Design, Layout and Scale – Acceptable

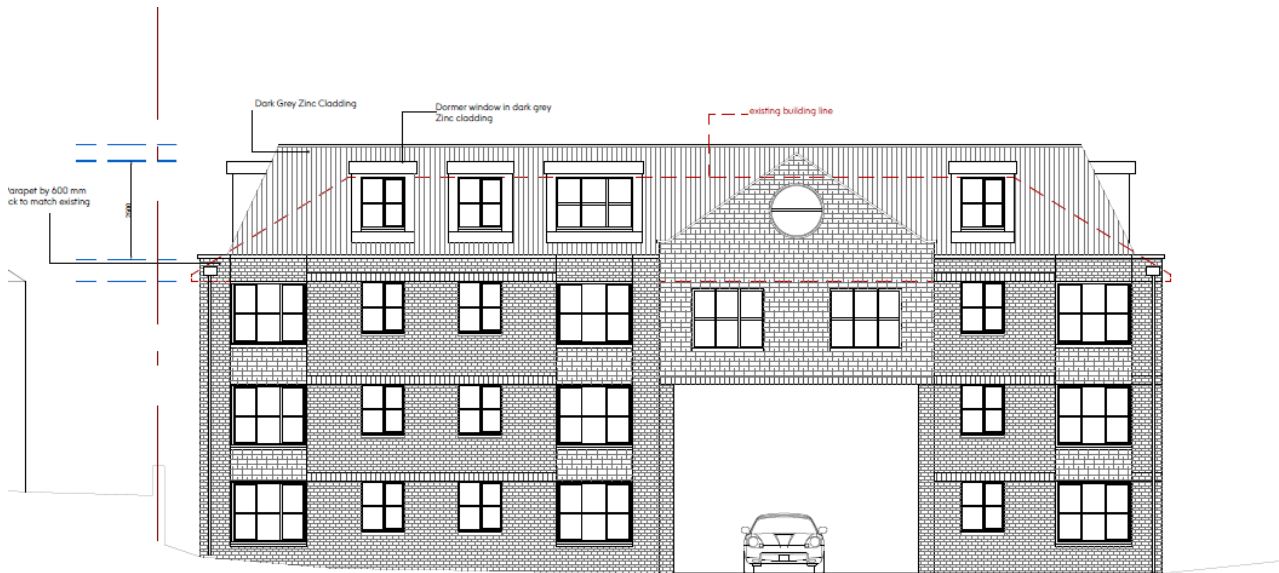
7.2.1 The proposed roof alterations would consist of the erection of a mansard roof extension to each block, which would result in the increase in ridge height of approx. 0.81m to each block.

7.2.2 The design of the mansard roof and the dormers within would result in an increase in the overall bulk and scale of the roof of both buildings, with the mansard roof altering the appearance of the buildings significantly given its steeper pitch compared to the existing roof.

7.2.3 However, it is considered that given these alterations would be to both blocks the development would retain the current view of them appearing as a pair of buildings on the site and this would limit its overall visual harm when viewed from the street scene and wider area.

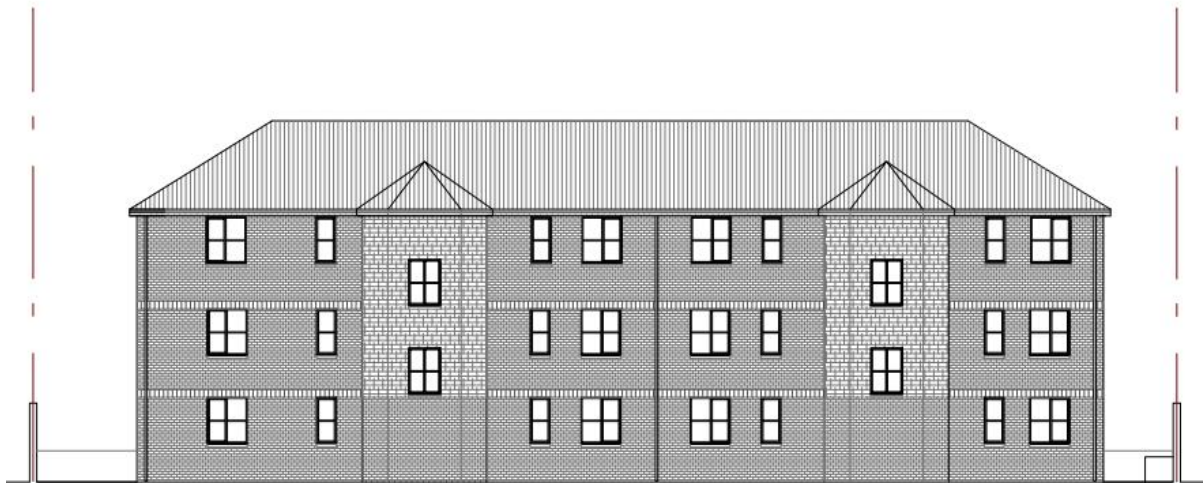


① Existing Front Elevation (Front Block) Main Road



1 Proposed Front Elevation (Front Block)

Scale 1:100



1 Existing Front Elevation (Rear Block)

Scale 1:100



1 Proposed Front Elevation (Rear Block)

Scale 1:100

Figure 5: Existing and Proposed Front Elevations

- 7.2.4 Whilst the mansard roof design and front dormers would differ compared to the buildings immediately adjacent to the site, it is noted that there is a wider variety of roof profiles within the wider street scene and that there are examples of front dormers, albeit at a lower level. The flat roof design of the dormers would appear in keeping with the proposed mansard roof, which itself is not considered to result in an excessive addition of height and bulk to the host buildings.
- 7.2.5 Furthermore, the upper floor extensions to provide the enlargement to the staircases would not appear excessive in their scale and would remain in keeping and subservient to the main buildings.
- 7.2.6 Having regard to the *form, scale, siting and proposed materials* it is considered that the proposed development would not harm the appearance of the host buildings and would not appear out of character with surrounding development or the area generally.

7.3 Standard of Residential Amenity – Acceptable

- 7.3.1 Policy 4 of the Local Plan sets out the requirements for new residential development to ensure a good standard of amenity for future occupiers. Policy 6 of the London Plan sets out guidance in respect of the standard required for all new 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 access arrangements to reflect the Governments National Technical Housing Standards. The standards apply to new build, conversion and change of use proposals.
- 7.3.2 The application proposes 2x two bedroom, 3 person units and 2x one bedroom 2 persons units, all set within one storey (1x two bedroom and 1x one bedroom per block).
- 7.3.3 The minimum space standard for a proposed 2 bedroom 3 person unit is 61sqm, with the proposed flats providing 63sqm and 73sqm.

- 7.3.4 The minimum space standard for the proposed 1 bedroom 2 person units would be 50sqm, with the proposed unit provided 62 and 63sqm.
- 7.3.5 The units would therefore exceed the minimum required floor space and would also be dual aspect. Furthermore, the indicated shape, size and layout of the rooms in the flats are considered satisfactory.
- 7.3.6 No outdoor private amenity space would be provided for the flats, but this situation is similar to neighbouring properties within the existing block. Whilst this would not accord with London Plan policy D6 it is considered that the addition of external private balconies would not be appropriate in this location given their impact on privacy and the appearance of the host dwelling. It is also noted that the flats provide in excess of the minimum internal areas and that the site is situated in close proximity to the Biggin Hill Recreation Ground which would be easily accessible to future occupiers of the development.
- 7.3.7 The noise reduction properties of the façade/ glazing and ventilation to protect the internal noise environment hasn't been specified but as can be seen in Appendix A the DEFRA predicted noise map indicates that LAeq. 16hour are in the region of 65 dB to the front elevation. The rooms are also mansard roof extensions without the benefit for the sound reduction you would normally achieve from a brick wall construction. For reasons given above a condition should be added to provide details of glazing/façade and ventilation noise reduction to ensure recommended internal noise levels are being met.
- 7.3.8 Subject to the above condition, it is considered that the standard of residential amenity for future occupiers would be acceptable.

7.4 Neighbouring Residential Amenity – Acceptable

- 7.4.1 The proposed mansard roof would result in an enlargement compared to the existing roof, including a 0.8m increase in ridge height which could result in some additional impact by way of loss of light, outlook and visual amenity to nearby neighbours.
- 7.4.2 However, it is considered that the increase in the maximum height of the buildings would be fairly modest and that given the separation distances to other nearby buildings the modest enlargement would not result in any significant loss of light, outlook or visual amenity. Furthermore, the modest increase in the height of either building is not considered to significantly impact upon the residential properties in the building being extended, or within the other building.
- 7.4.3 The layout of the proposed additional flats would include some habitable windows facing to the flanks, and the surrounding properties do appear to have some windows in their flank elevations. Given the height of the flank dormers adjacent to the roof slope of the neighbouring properties it is considered that the development would not provide significant opportunities for overlooking to these flank windows. It is noted that there are roof lights situated in the flank roof slope of the adjacent properties. The roof light to the flank roof slope of the Ray Hanna Apartments is indicated to be opening vents on the original permission of this building. In any case, on balance it is considered that the proposed dormers would therefore not result in any unacceptable loss of privacy to occupiers of this neighbouring development given the height and angle of the roof slope of the neighbouring roof.

- 7.4.4 Environmental Health Officers have also reviewed the application with regards to the impact that the development would have on occupiers of the existing flats and have raised no objections to the development subject to appropriate conditions.
- 7.4.5 Whilst the submitted construction method statement would normally be considered a sufficient level of detail, it is considered that given the flats are assumed to be occupied during the works that a more detailed management plan is required to specifically consider how the works can be carried out with affecting the specific amenities of the flats directly below.
- 7.4.6 Building Regulation requirements as detailed in the Approved Document E is the general agreed level of sound insulation to provide reasonable resistance to sound and is administered through the Council's Building Control or the National House Building Council (NHBC). However, given the objections in relation to existing upper floor occupiers and considering that there is a concern already identified with their existing level of sound insulation, it is considered appropriate to recommend a condition to require a higher standard than the Approved Document E to safeguard the amenities of existing residents.
- 7.4.7 Subject to these recommended conditions from Environmental Health Officers, and having regard to the *scale, siting and separation distance* of the development, it is not considered that a significant loss of amenity with particular regard to noise, light, outlook, prospect and privacy would arise.
- 7.5 Highways - Acceptable
- 7.5.1 London Plan and BLP Policies encourage sustainable transport modes whilst recognising the need for appropriate parking provision. Car parking standards within the London Plan and BLP should be used as a basis for assessment.
- 7.5.2 The site has a PTAL rating of 2, and under London Plan standards a maximum of 3 parking spaces would normally be required (0.75 spaces per dwelling). The development would include the addition of four designated parking spaces for the proposed units, which would result in a total of 29 parking spaces available within the site (26 allocated spaces, with 3 visitor spaces retained to the front).
- 7.5.3 However, the proposed parking spaces would consist of 3 existing visitor spaces being re-allocated for the flats and the addition of only 1 additional parking space on the site. Highways Officers have raised no objections to the level of parking provided for the number of flats on the site and on balance given that only 1 additional space would be created it is considered the proposed level of parking would be acceptable in this instance.
- 7.5.4 In terms of the space required for parking spaces and the manoeuvrability on the site, each bay should be 2.4m x 5m with clear manoeuvring of 6m. There is a gap of 6m between the two rows of parking i.e 16, 17, 18 and the 2 proposed and 3, 4, 5 and 6 which is acceptable.
- 7.5.5 Furthermore, the revised plan submitted on the 25th February proposes to move the parking spaces (labelled proposed x2 and 16, 17 and 18 on the proposed plan) to ensure that adequate manoeuvrability is provided for all parking spaces in this row.

- 7.5.6 Whilst the layout would result in a bit of reversing for cars in bay 1 and 2, this is similar to the existing layout and is considered acceptable.
- 7.5.7 Highways Officers have not raised any objection to the number of parking bays on the site or the proposed layout and manoeuvrability. Therefore, having regard to the above no objections are raised from a highways perspective – though a condition is recommended to ensure the approved parking layout is retained.
- 7.5.8 The siting of the cycle and refuse store are considered acceptable in principle, though further details of the design of any proposed store / cycle parking are recommended to be requested by way of condition.

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 appearance of the host building and general character of the area.
- 8.2 Whilst the development would not adhere to Policy D6 of the London Plan in terms of the provision of private outdoor amenity space, on balance it is considered that this harm would be outweighed by the benefit of the provision of four additional dwellings in the Borough, particularly given that the dwellings would benefit from internal space standards which exceed the minimum requirements and that they would be situated in close proximity to the Biggin Hill Recreational Ground which would provide outdoor amenity space.
- 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.

Recommendation: Permission

Conditions

1. Time Period
2. Materials as set out within the application
3. Compliance with approved plans
4. Construction Management Plan
5. Non-Road Mobile Machinery
6. External Noise Protection Scheme
7. Sound Insulation
8. Cycle Parking
9. Refuse Storage

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