

Committee Date	25/05/2023	
Address	1 St Augustine's Avenue Bickley Bromley BR2 8AG	
Application Number	21/03541/FULL1	Officer - Susanna Stevenson
Ward	Bickley	
Proposal	Proposed demolition of existing bungalow and the construction of two pairs of semi-detached houses (4 x 2 bed units), with off street parking and amenity space.	
Applicant	Agent	
Ms B Keeper and Ms D Sullivan	Ms Jo Tasker	
C/o Agent	Anniversary House 23 Abbott Road Bournemouth BH9 1EU	
Reason for referral to committee	Call-In	Councillor call in Yes

RECOMMENDATION	PERMISSION
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<p>KEY DESIGNATIONS</p> <p>Biggin Hill Safeguarding Area London City Airport Safeguarding Open Space Deficiency Smoke Control SCA 13 Smoke Control SCA 12</p>

Land use Details		
	Use Class or Use description	Floor space (GIA SQM)

Existing	Single storey residential dwelling (C3)	233 SQM
Proposed	4 No. 2 bedroom two storey dwellinghouses (C3)	355.6 SQM

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

Vehicle parking	Existing number of spaces	Total proposed including spaces retained	Difference in spaces (+ or -)
Standard car spaces	1	4	+3
Disabled car spaces	0	0	0
Cycle	0	4 no. cycle stores	+ 4 no. cycle stores

Electric car charging points	4/4
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Representation summary	The application was advertised by way of a site notice displayed on 19 th August 2021.
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	<p>Letters were sent to neighbouring residents on 17th August 2021 and again on 28th April 2022 following the receipt of a revised drawing on 19th April 2022.</p> <p>Further letters were sent to neighbours on 31st January 2023.</p> <p>Following the receipt of additional information on 18th July 2023 neighbours were re-notified (on 19th July 2023).</p>
Total number of responses	49
Number in support	0
Number of objections	49

BACKGROUND:

Members of the Plans Sub-Committee meeting held on 25th May 2023 deferred the determination of this application without prejudice, on the basis:

- 1) To conduct an additional parking stress survey at 5:15pm on a Friday during school term to capture the parking situation during class transition time at the adjacent Dance Studio. Bromley Council's Highway Officers need to visit at the same time.**
- 2) To provide water retention measures within the site for flood risk management.**
- 3) To review the scale of the proposed development in terms of reducing the site density and increase parking, with all parking spaces to have electric charging points.**

Additional information received on 15th June 2023 provided further detail on water conservation measures that will ensure that the proposed dwellings will be water efficient and will include grey water harvesting. Should planning permission be granted, it would be prudent to impose a condition requiring greater detail of the measures to be implemented at the site to be provided and approved prior to the commencement of above ground works.

The applicant's agent confirmed that the density of the development had been reconsidered, but in view of the proposed density being 44.4 units/hectare (and the old London Plan policy requirement referring to 36 – 65 units/hectare in a site such as this) it is considered that the density of the proposed development is relatively low. It is emphasised that the new London Plan no longer prescribes the use of density matrices for sites – with the current policy approach being that appropriate density is evaluated through the design-led approach. As a consequence, and in view of the Planning Officer and Highways Officer comments, as well as housing need, the applicant does not wish to reduce the proposed density of the development.

A revised site plan was submitted on 19th June 2023 showing electric vehicle charging points for all 4 no. car parking spaces.

On 18th July 2023 a revised Parking Note was submitted which followed the undertaking on site of further on-street parking beat surveys on Friday 23rd and Friday 30th June (each at 17.15 hours). In addition to these, a check at 15.00 hours on the same dates was undertaken, along with spot checks at St. Augustine's Avenue only at 17.05 hours and 17.25 hours on these days.

The previous report is repeated below, suitably amended to address/refer to the additional information summarised above.

1. SUMMARY OF KEY REASONS FOR RECOMMENDATION

- The proposal would provide 4 no. residential dwellings (3 additional to existing land use), making a minor contribution to housing supply in the Borough
- There would be no significant impact on residential amenities
- The proposed development would be of an acceptable design and would not harm the visual amenities of the street scene or the area in general
- The accommodation provided would be of a satisfactory standard
- Subject to conditions, the flood risk of the development is acceptable
- The proposal would result in the loss of one on-street parking bay – there are no technical highways objections to the proposals with regards to on-site parking provision and impact on road safety

2. LOCATION

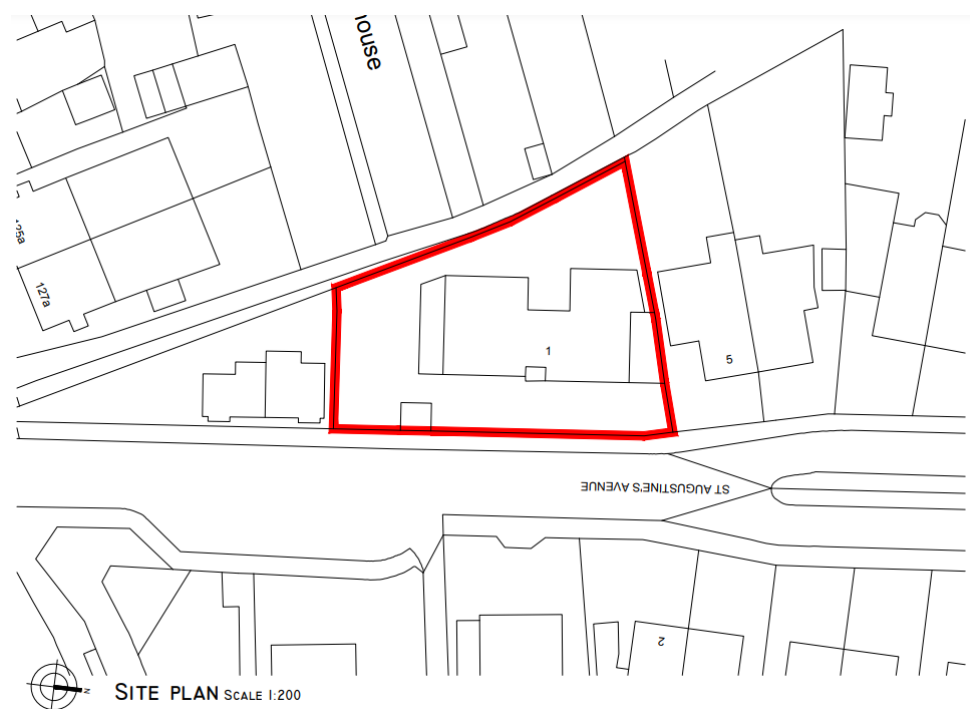


Figure 1 – site location plan

2.1 The site is located on the west side of St Augustine's Avenue and comprises an irregular-shaped plot that hosts a detached single storey dwelling. The site formerly

included the triangular shaped plot at which 2 dwellings (a semi-detached pair, Nos. 1A and 1B) have recently been constructed.

- 2.2 To the north of the site in St Augustine's Avenue there are semi-detached chalet style properties in a mock Tudor style. To the east of the site (on the other side of the road) is the library building and a dance studio. To the rear (west) of the site is a public pedestrian footpath beyond which are properties fronting Salisbury Road. The pedestrian access way also forms the culverted section of the River Ravensbourne (east branch).
- 2.2 The site is not in a conservation area nor is the building listed. The site is located in Flood Zones 2 and 3.



Figure 2 Front of site, with 5 St. Augustine's Avenue to the right



Figure 3 Front of site, with new dwellings at 1A and 1B to left

3. PROPOSAL

- 3.1 Planning permission is sought for the demolition of the existing single storey dwelling and the construction of 2 pairs of semi-detached two storey dwellings.



Figure 4 Proposed site plan

- 3.2 The proposed dwellings would be sited to either side of a proposed parking and turning area. The separation between the two pairs of dwellings would be approx. 9m. The southern dwelling would be sited approx. 2m to 3.2m from the southern boundary with the new dwellings at 1A and 1B St. Augustine's Avenue. The northern dwelling would retain a separation to the northern boundary with No. 5 St. Augustine's Avenue of approx. 3.4 – 3.9m.
- 3.3 The eaves height of the dwellings would be approx. 5.33m and the height to the ridge would be approx. 8.08m.
- 3.4 The site is not uniformly deep, as a consequence of the which front elevation of the proposed pair of dwellings to the southern side of the plot would be set slightly forward of the proposed pair of dwellings on the northern side of the site, so as to

provide a reasonable rear garden depth for the units set within the shallower part of the site.

- 3.5 The proposed dwellings would each provide 2 no. double bedrooms at first floor level with a kitchen/diner and separate living room on the ground floor. The Gross Internal Area (GIA) of each 2 bedroom/4 person dwelling would be 82.6 sqm.

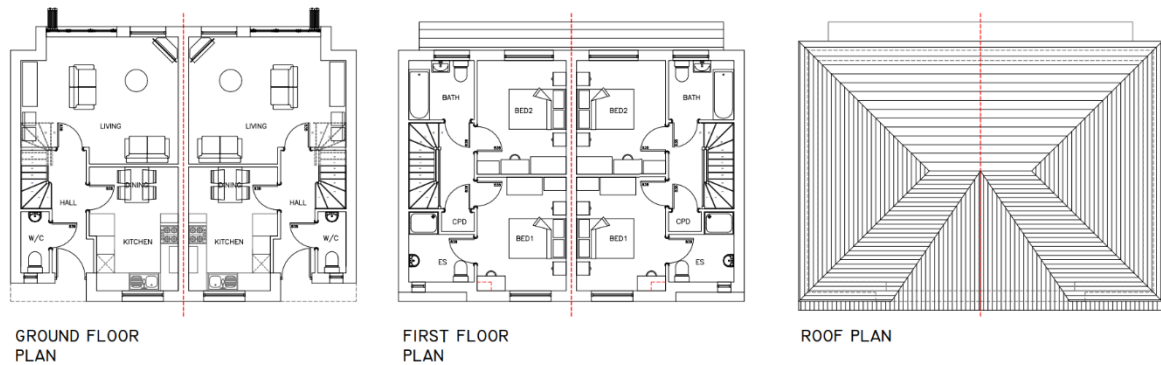


Figure 5 - Proposed floor plans

- 3.6 The dwellings are designed with a shared front gable feature roof with a hipped roof to each side and a set-back at first floor from the front elevation. The materials would comprise brick facing to the ground floor with rendered panels, with the first and gable elevations white rendered. The roofs would be of plain clay (dark red) roof tiles and windows would be dark grey aluminium framed.



Figure 6 - Street scene elevation

- 3.7 The application has been submitted with the following supporting documents:

- Planning, Design and Access Statement (received 13/07/21)
- Preliminary Ecological Appraisal (received 13/07/21)
- Renewable and Low Carbon Statement (received 13/07/21)
- Flood Risk Assessment (received 13/07/21)
- Part M Compliance List (received 13/07/21)
- Stage 1 Road Safety Audit (received 04/11/21)
- Drainage – SUDS report (received 18/01/22)
- Sequential Test (received 15/12/22)
- Parking Note/Parking Stress Survey (received 24/01/23)

3.8 Additional information was received following the deferral of the determination of the application at Plans Sub-Committee 4 held on 25th May 2023:

- Revised site plan showing 4 no. EVCP
- Revised Parking Note
- Additional information relating to water conservation

4. RELEVANT PLANNING HISTORY

4.1 The relevant planning history is summarised as follows:

83/00055/FUL: Attached car port. Approved 16.03.1983.

84/02977/FUL: Single storey side extension. Approved 19.12.1984

4.2 Severance part of original site – now 1A and 1B St. Augustine’s Avenue

18/00007/FULL1: Erection of a pair of two bedroom semi-detached houses. Refused 27.04.2018. Subsequent appeal dismissed.

18/00009/FULL1: Erection of pair of two bedroom semi-detached houses. Refused 27.04.2018. Subsequent appeal allowed.

18/00009/AMD: Non-material amendment to approved scheme to reposition internal stairway and change to front window. APPROVED.

18/00009/AMD2: Non-material amendment to approved scheme to alter vehicular access. AMENDMENT REQUIRES PLANNING PERMISSION

18/00009/CONDIT: Discharge of conditions 3, 4, 5, 7, 8, and 9 of permission 18/00009/FULL1 (allowed on appeal) Conditions discharged.

18/00009/RECON: Minor material amendment under S73 to allow variation of permission 18/00009/FULL1 to reduce building footprint and amend the siting of the building. Approved.

4.3 These applications were assessed concurrently at appeal and were subject of a joint decision notice. The main issues in both appeals were considered to be the effect of the proposals on the character and appearance of the area, the impact of the proposal on local flood risk and implications for the access to and maintenance of the culverted watercourse and the effect of the proposals on highway safety.

4.4 With regards to character and appearance, the Inspector reasoned that the setting of the appeal site and significant distance from No. 1 resulted in the site being “effectively divorced from the characteristic residential style and development pattern beyond.” It was considered that that if developed as proposed in each case, the contextual setting would mean that there would be limited physical form to which the

new dwellings could meaningfully relate. Standing alone, the proposed dwellings would not have an adverse impact on the character of the street scene and the loss of the long stretch of fencing and high coniferous hedgerow was not considered unacceptable.

4.5 Both designs (Appeal A having a hip-ended form and Appeal B, a gabled roof) were considered acceptable in terms of their design and impact on the street scene. The separation distance proposed was also considered acceptable.

4.6 As the site was considered by the Inspector to be “something of an anomaly” it was not considered likely that the proposals would have set an undesirable pattern for piecemeal unacceptable infilling in the area. Both proposals were considered to be an acceptable form of development in relation to their siting, design, scale and integration with the street scene.

5. CONSULTATION SUMMARY

A) Statutory

- **Environment Agency No objection**

No objection subject to conditions which are required in order to avoid the development of the site posing an unacceptable risk to the culverted river and to flood risk locally.

- **Highways No objection**

The new crossover will result in the loss of one on-street parking bay – while disappointing this is not a sustainable ground for refusal.

The 4 spaces proposed for the units accords with the Bromley Local Plan standards and slightly exceeds London Plan standards

The swept path shows that vehicles can turn on site although the manoeuvres are somewhat complicated, which may result in drivers preferring to reverse.

A Stage 1 Road Safety Audit was supplied which does not include a parking survey but is more concerned with the built aspects of the proposal – specifically the access, and no concerns or issues were raised.

Proposal should have no impact on registered footpath 141. An informative on any permission should highlight the need to safeguard pedestrians using the alley.

Following the submission of the revised/amended parking note (received on 18th July 2023) further comments were sought. It was confirmed that in order to sustain a parking-related ground for refusal the Council would have to show that 1) there would be overspill parking from the development, 2) that this would occur when the demand for the dance studio was at its highest and 3) to demonstrate that this would have a severe impact on the road network. On the basis of the application submission it is

considered that it would be difficult to describe any impact of the proposed development as severe.

- **Drainage** **No objection**

Incorporation of water butts and raingarden planters is welcomed. Condition recommended to ensure implementation of the sustainable drainage proposals within the SUDS report.

B) Local Groups

No comments received.

C) Adjoining Occupiers

Impact on character/design (addressed at paragraph 7.2)

- The design of the proposed development would appear out of character with existing development in the street
- The area is characterised by uniform appearance and consistently large gardens, driveways and turning spaces within residential plots
- Proposal would appear cramped relative to the existing street scene
- Proposal would result in 6 dwellings (2 constructed and 4 proposed) on the original site of the bungalow at No. 1

Impact on residential amenity (addressed at paragraph 7.3)

- The proposal will result in loss of privacy to neighbouring properties at the rear (Salisbury Road) contrary to ECHR
- Loss of sunlight (Salisbury Road)
- Visual impact

Parking and highways (addressed at paragraph 7.5)

- Will result in traffic congestion associated with the narrowing of the road at location of the dance school which has classes from 9am until 8 and operates 7 days a week including parties
- Street parking already problem – associated with the existing dance studio and library as well as nearby retail food outlets
- Parents already double park near the dance school entrance or across white lines at No. 1, sometimes with engines idling
- St. Augustine's Avenue also used for commuter parking
- Proposal will remove 4 on street spaces as the new residents will use the existing on street spaces (assuming 2 cars per household)

- Loss of parking space for 2nd driveway
- 2 car parking spaces should be provided for each dwelling
- The development at 1A and 1B has impacted on parking availability, even with the dance studio operating at reduced capacity due to Covid 19
- Will result in parking obstructing residents' driveways, increase congestion and impact on road safety, along with deliveries and servicing resulting in congestion
- The turning area is impractical and may lead to residents waiting in the street to access the area and the on-site parking spaces unlikely to be used
- Reports submitted on traffic not representative in view of their timings. Road Safety Audit was undertaken during half term
- Will impact adversely on the business opposite (Studio 74)

Flooding and drainage (addressed at paragraph 7.8)

- Development is in high flood-risk area and the proposal will increase surface water/site coverage
- Impact on structure of culvert
- Impact on foul sewer system

Other matters

- Impact on property values
- Unlikely to be family housing
- There is a covenant limiting the number of dwellings on each plot
- Impact of period of construction – noise and dust and upon shift workers
- Preferable for there to be 2 three bedroom dwellings

Following the receipt of additional information (Parking Note/Stress Survey), additional comments were received and are summarised as follows:

Parking and highways (addressed at paragraph 7.5)

- Multiple surveys should be undertaken over a longer period in the afternoon/evening on weekdays and weekends
- Patrons of the studio use cars rather than other modes of transport
- Parents double-park behind the spaces outside the library or park on double yellow lines at class changeover times
- There will be insufficient space for safe access/egress from the parking area at the site due to the parking associated with the studio
- 4 spaces insufficient for the number of houses
- Survey has used a methodology from an inner city borough
- Survey did not take into account the work on the corner of Salisbury Road to enlarge the retail premises (with no parking) and other existing retail premises
- Survey included roads outside of St. Augustine's Avenue
- Existing development at 1a/1b uses parking spaces on the street – reference to the incremental loss of on-street parking associated with that development
- Impact on customer parking for the hall

- Impact on vehicular/pedestrian safety

Impact on character/design (addressed at paragraph 7.2)

- Houses are out of character with the street (will lead to reduction in property values)
- Overdevelopment of the site

Further comments were received after neighbours were re-notified following the receipt of additional information (18/7/23 – post-survey parking note) and these are summarised:

Parking and highways (addressed at paragraph 7.5)

- The parking note is not independent or objective
- Inconsiderate parking problems occur on multiple occasions between 4pm and 9pm on Monday- Friday and between 9am and 1pm on Saturdays, with Sunday being busy all day
- Inconsiderate parking results in driveways being blocked – preventing residents from getting on/off their driveways
- Unclear where residents will park their cars – 4 houses will generate substantial demand
- 17.15 on a Friday is not the only day and time that the street is busy – it was an example of a set time and should not be taken as being a one-off busy time.
- Residents did not ask for the time at 15.00 to be assessed – should not be included in the survey
- Checks undertaken outside of the peak operating hours of Studio 74 are irrelevant
- Survey includes adjacent streets – which should not be taken into account as patrons of the dance studio do not park in adjacent streets
- Reiteration of comments on other developments/sites generating parking demand in the locality (butcher and greengrocer etc)
- The use of the Studio has resulted in the street being at capacity
- Addition of 4 hours will probably lead to the loss of 6 parking spaces
- Houses at 1a and 1b have 5 cars between them, with generally 3 parked in parking bays
- Monday to Friday 4pm – 8.30pm is horrendous (back to back classes at Studio 74) and weekends also (with parties and classes running all day)
- While true that residential demand does not cause the overcapacity issues, the location of the site opposite Studio 74 with the provision of 4 new dwellings must not be ignored, and overnight parking demand is irrelevant to this issue
- Photographs on supporting document are misleading – could be taken in the short time between a space being vacated and then filled, and includes an impact of the dropped kerb providing access to Southborough Library
- 2 car parking spaces were removed for the construction of 1a/1b and these residents park in the street – naïve to assume this will not be the case for prospective residents

- To grant permission would be inconsistent with the planning history of 1a and 1b – which were refused planning permission in 2018
- Parking survey should be done at all times listed on the dance studio timetable and over 7 days.

6. POLICIES AND GUIDANCE

National Policy Framework 2021

NPPG

The London Plan (2021)

- 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 2019

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.

7.1.3 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.

7.1.4 This application includes the provision of 3 additional residential dwellings (above the existing 1 residential dwelling on the application site) 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.

7.1.5 The site is currently developed for a single unit of occupancy for residential use. A higher density residential infill development is not unacceptable in principle (and has indeed been established through the appeal-allowed development comprising the construction of 2 dwellings on the severance part of the site to the south of the current red line site. It is necessary however for the design of development to complement the character of surrounding developments, the design and layout to provide suitable residential accommodation, including satisfactory garden and amenity space. Any adverse impact on neighbouring amenity, conservation and historic issues, biodiversity or open space will also need to be addressed.

7.1.6 Policy D3 Optimising site capacity through the design-led approach (new London Plan) sets out in Clause A that:

A. All development must make the best use of land by following a design led approach that optimises the capacity of sites, including site allocations. 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 (as set out in Policy D2 Infrastructure requirements for sustainable densities), and that best delivers the requirements set out in Part B.

7.1.7 The proposed development would provide 4 dwellings on a site with an area of 0.09ha. This is considered an acceptable amount of development at this location given the available site area notwithstanding the findings of a contextual analysis in terms of the design and impact of development detailed below.

7.2 Design

Acceptable

- 7.2.1 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.
- 7.2.2 The NPPF (2021) states that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.
- 7.2.3 Local Planning Authorities are required to ensure that developments will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development; are visually attractive as a result of good architecture, layout and appropriate and effective landscaping and are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities).
- 7.2.4 New development shall also establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit; optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.
- 7.2.5 London Plan and Bromley Local Plan further reinforce the principles of the NPPF setting out a clear rationale for high quality design.
- 7.2.6 Policy D3 of the London Plan specifies that development must make the best use of land by following a design-led approach, providing optimised development that is of the most appropriate form and land use for the site, taking into account a site's capacity for growth in tandem with its context. Development proposals should deliver buildings that positively respond to local distinctiveness through their layout, scale, orientation, appearance and shape, having appropriate regard to existing and emerging building types, forms and proportions.
- 7.2.7 Policy 4 of the Local Plan details that all new housing developments will need to achieve a high standard of design and layout. 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 density matrix 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.

- 7.2.8 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.
- 7.2.9 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.
- 7.2.10 In terms of the context of the site, the Appeal decision and findings of the Planning Inspector relating to planning permission 18/00009/FULL1 carries some weight in the consideration of the development of the severed bungalow site and the allowed development of the recently constructed semi-detached houses in the garden of No1 St Augustine Avenue.
- 7.2.11 Importantly, the Inspector made references to the significant separation of that site from the bungalow and that the site was effectively divorced from the characteristic residential style and development pattern beyond to the north. It was concluded that the site's particular contextual setting would mean that there would be little physical form to which the new dwellings could meaningfully relate.
- 7.2.12 The site of the bungalow, however, is different - closer to existing dwellings on St Augustine's Avenue to the north and therefore can be said to relate to that context. The design and external detailing of the dwellings visually bridges the external finish, scale and bulk of the new dwellings to the north and the established street scene to the south, formed of the semi-detached dwelling with their prominent shared front gables with side extension at roof level of varying scales and detailing.
- 7.2.13 The design of the pairs of dwellings includes shared front gable features with set-back side hipped roof elements akin to the first floor extensions evident within some of the existing dwellings within St. Augustine's Avenue. To the left, the development would juxtapose with the new dwellings at 1A and 1B and to the right, with the dwelling at No. 5. It is considered that the design within this application responds to the appearance of dwellings on either side of the site, bridging in terms of design features the somewhat disparate appearance of the new-build dwellings at Nos. 1A and 1B and the original dwellings to the north.



Figure 7 - Proposed street scene elevation



Figure 8 - Nos. 1A and 1B to the south



Figure 9 No 5 St. Augustine's Avenue to the north

7.2.14 While the proposed parking area between the buildings would introduce a hard-surfaced gap in the street scene which would not immediately incorporate planting and landscaping of the verdant quality found within the existing street scene, the site plan includes small landscaped areas to either side of the access point which would provide adequate space for softening landscaping to successfully screen the full visual impact of the parking area in the middle of the site as viewed from the street. It is noted that the development allowed on appeal at Nos. 1A and 1B to the south of the site is more exposed and provided less space for frontage softening parking than is the case with the current proposal as a consequence of the more generous space to the front of the proposed buildings.



Figure 10 – Car parking arrangement allowed on appeal at Nos. 1A and 1B

7.2.15 Representations have been received stating that the proposed development would not be consistent with the existing character of St. Augustine's Avenue in terms of spaciousness and external appearance. However, taking into account the design of the dwellings, the juxtaposition with existing dwellings to either side and the space maintained between the buildings on the site, and to the neighbouring dwellings, it is not considered that the scope of the development would be significantly out of character with or detrimental to the visual amenities of the area.

7.3 Neighbourhood amenity Acceptable

7.3.1 Policy 37 of the Local Plan seeks to respect the amenity of occupiers of neighbouring buildings and those of future occupants, providing healthy environments and ensuring they are not harmed by noise and disturbance, inadequate daylight, sunlight, privacy or by overshadowing.

7.3.2 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.

7.3.3 In determining any application, a key consideration would be the impact of the development on the amenities of neighbouring properties.

7.3.4 In terms of outlook, the fenestration arrangement will provide front and rear outlook that will mainly overlook to the frontage areas east to the street scene and west to the rear over proposed garden curtilage. Significant space of approx. 40m space is retained between the rear elevations of the buildings and the rear elevation of the existing dwellings fronting Salisbury Road, with separation of approx. 11m to the rearmost part of the gardens of these properties.

7.3.5 With regards to the impact of the proposal on the amenities of the nearest neighbouring dwellings in St. Augustine's Avenue, the footprint of the proposed development would not project significantly to the front or rear of these properties, the flank elevation of the southern neighbouring dwelling is blank and the flank elevation of No. 5 to the south includes 2 no. obscure glazed windows at first floor level.

7.3.6 While there would be limited, oblique, views from the first floor rear facing windows of the dwellings towards the southern and northern neighbouring dwellings, there would not be a significant loss of privacy taking into account the field of vision and the suburban location of the site.

7.3.7 Representations have been received referring to the potential loss of privacy to properties at the rear, fronting Salisbury Road and stating that this would be contrary to Article 8 of the ECHR which relates to respect for private life, family life and privacy at home and in correspondence. It is not considered, in view of the suburban location

of the development, the significant separation to the rear which includes the width of the public footpath over the culvert, with each boundary onto this public footpath being quite densely vegetated, that the proposal would result in an interference with the right to private life enshrined within the ECHR. Notwithstanding the assessment that the proposal would not significantly reduce the privacy or neighbouring sites through overlooking or other impacts, the right under Article 8 is qualified, and must be balanced with competing interests and rights, including the economic benefits of development along with the contribution that development can make to housing supply.



Figure 11 - Plan showing development in relation to boundaries

7.3.8 Concern has also been expressed regarding the visual impact of the proposal on neighbouring amenity. It is noted that the development lies opposite the library and dance school, and that the front and rear elevations broadly align with and are reasonably separated from neighbouring dwellings to either side. This in tandem with the considerable separation to the rear, to the gardens of dwellings fronting Salisbury Road and the acceptability of the design of the development is considered to result in development that would not have an excessive or detrimental visual impact.

7.4 Standard of residential accommodation Acceptable

7.4.1 In March 2015 the Government published The National Technical Housing Standards. This document prescribes internal space within new dwellings and is suitable for application across all tenures. It sets out requirements for the Gross Internal (floor) Area of new dwellings at a defined level of occupancy as well as floor

areas and dimensions for key parts of the home, notably bedrooms, storage and floor to ceiling height. The Gross Internal Areas in this standard will not be adequate for wheelchair housing (Category 3 homes in Part M of the Building Regulations) where additional internal area is required to accommodate increased circulation and functionality to meet the needs of wheelchair households.

- 7.4.2 Policy 4 of the Local Plan sets out the requirements for new residential development to ensure a good standard of amenity for future occupiers. 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.
- 7.4.3 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.
- 7.4.4 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. It is required that compliance with this standard should be demonstrated with any future submission by way of a separate Part M compliance statement.
- 7.4.5 The nationally described space standard requires various Gross Internal Areas in relation to number of bedrooms and person occupation. The proposed two bed four person houses require a minimum floorspace of 79m² over two levels as indicated. The stated GIA is 82.6m² which is compliant with the nationally described space standard.
- 7.4.6 From the information provided the shape and room size of the rooms are considered satisfactory. None of the rooms would have a particularly convoluted layout which would limit their use.
- 7.4.7 In terms of amenity space, the depth of the rear garden is of sufficient proportion to provide a usable space for the purposes of each two bedroom dwellinghouses.

7.5 Highways Acceptable

- 7.5.1 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.

- 7.5.2 London Plan and Local Plan Policies encourage sustainable transport modes whilst recognising the need for appropriate parking provision. Car parking standards within the London Plan and Local Plan should be used as a basis for assessment.
- 7.5.3 The proposal would provide 3 car parking spaces between the pairs of dwellings, with a further space to the northern side of house 1 (1 space per proposed dwelling). Following the deferral of the application by Members, all on-site car parking spaces are now indicated to be served by Electric Vehicle Charging Points (EVCP). Cycle storage is proposed to be provided by way of detached cycle stores to the side of the outer dwellings, and within the rear gardens of Units 2 and 3.
- 7.5.4 The application is supported by a Stage 1 Road Safety Audit and vehicle tracking diagrams. During the course of the application a revised proposed layout/site plan was received which corrected the plotting of existing on street parking bays.
- 7.5.5 As existing, it is noted that there are 5 full spaces and a short space in front of the site. The revised proposed drawings indicate that the proposal includes the removal of one parking space in front of the site so as to provide the centrally positioned access to the parking area between the pairs of semi-detached dwellings.



Figure 12 - On-street parking in front of application site

- 7.5.6 It is acknowledged that a number of objections have been received expressing concern at the impact of the proposal on on-street parking capacity in the locality, along with on highways safety. Concern has also been expressed regarding the timing of the Road Safety Audit submitted with the application which was submitted in October 2021 in response to initial highways comments.

- 7.5.6 Since the submission the application proposals have been reviewed by the highways officers again in November 2021 and in February 2022 when it was noted that the revised plan appeared to inaccurately indicate the existing parking bays on the street. A further revised plan was received on 28th February 2022 and subsequent comments from the highways officer confirmed the loss of one on-street parking bay which, while disappointing, was not considered to represent a sustainable ground for refusal.
- 7.5.7 The applicant then provided, in January 2023, a Parking Note which included a parking stress survey, and one overnight review (between hours of 00.30 and 05.30) with a further survey at 16.30 hours on a weekday to account for parking demand associated with the nearby dance club. The surveys were undertaken on Wednesday 11th January and Thursday 12th January respectively.
- 7.5.8 The parking stress at night-time was calculated at 51% - demonstrating that there is no overnight parking stress. The day-time parking stress was calculated at 86% - significantly higher, but indicating that there are still parking spaces available in the locality at that time. The conclusion of the survey states: "The reduction of one car parking space would not materially alter parking demand, while the development itself will not increase in-street demand."
- 7.5.9 It is noted that representations have referred to the name of the methodology adopted (i.e. "Lambeth"). It is important to note that the name of the methodology relates to it having been formulated by the London Borough of Lambeth, and does not mean that the methodology can only be applied to that geographical area – in fact, the survey methodology is commonly used in many areas of diverse character, not limited to urban areas, and can reasonably applied as a means of assessment of the parking stress within a given area.
- 7.5.10 The determination of the application was deferred by Members of the Plans Sub-Committee meeting held on 25th May 2023, with the request that the applicant undertake additional assessment of on-street parking demand/conditions at a specified time/day – with reference to the changeover between 2 classes held on a Friday late afternoon.
- 7.5.11 The applicant undertook this assessment/survey on two Fridays, with additional review of the on-street parking demand within the locality at 3pm (in addition to the 5.15pm requested review) as well as within the specific street immediately before and after the changeover between classes held at the dance studio.
- 7.5.12 What the Parking Note submitted on 18th July 2023 demonstrates is that there is significant demand relative to parking bays during the narrow window of class changeovers. The extra assessment undertaken on the 2 dates indicates that outside of this period, there is on-street car parking capacity, including on the length of the street in front of the application site. The assessment includes tables with information on the number of spaces, the number used and the "parking stress" associated with the specified 17.15 hours timing. It is commented within the note:

“Table 2.2 indicates that parking demand reached 105% at 17:15 hours. However despite parking demand reaching capacity, there are a number of factors to consider:

- Peak demand occurs at 17:15 hours for the dance studio on a Friday, which is a once in a week occurrence where visitors are parked for both the previous and next sessions (during changeover);
- Peak demand only 10 minutes after the survey has finished (summarised later in this section) highlights notably lower demand, reflecting the changeover having finished; and
- Photographic observations show how fluid parking can be, with free spaces frequently appearing around 17:15 hours. This highlights how the spot check is only one moment in time, with the potential for a different picture minutes later.”

7.5.13 Figure 2.1 of the supporting document identifies that there are parking opportunities at 17.15 hours to the north of the site, but that the capacity reaches 100% because people parking in confined spaces outside the dance studio “which would not be counted as an official parking ‘space’ based on the Lambeth guidance methodology.”

7.5.14 The note provides a snapshot of a busy time within the street, where the car parking activity and comings-and-goings are related to the commercial dance studio rather than residential parking demand (associated with dwellings within St. Augustine’s Avenue). Residents have confirmed that the congestion and overparking within the street is largely related to the operation of the dance studio, and has been a long-term issue, although it is also noted that there is parking demand also associated with the commercial premises on Southborough Lane.

7.5.15 While the proposal would result in the loss of one on-street car parking space, the proposal is considered to include sufficient on-site car parking provision to meet the needs of the proposed 2 bedroom dwellings. Four spaces will be provided for the 4 no. dwellings proposed to be constructed. The undertaking of an overnight assessment of parking within the surrounding streets is relevant to the assessment of this specific application since it is generally accepted that residential parking demand is at its greatest overnight.

7.5.16 While the concerns relating to parking demand and vehicular activity associated with the dance studio are noted, the highways officer has raised no objections to the proposal for the residential dwellings. The application for residential dwellings proposes car parking at a level above the maximum required by the London Plan (2021), and at the minimum specified within Policy 30 of the Bromley Local Plan (2019). The proposal would result in the loss of 1 no. on-street bay in front of the site, but for the majority of the time, and particularly overnight (when residential parking demand is most likely to be higher) there is sufficient on-street capacity.

7.5.17 It is noted that the London Plan parking standards specify a maximum on-site

residential provision of 0.75 parking spaces per unit (taking into account the PTAL rating and size of units) and as such the proposal would slightly exceed that maximum. However it is noted that the proposal does include the loss of 1 no. on street parking space, and in this context (along with the concerns raised by neighbouring residents regarding local parking conditions) the oversupply of parking relative to the London Plan Standards is considered on balance to be acceptable. The proposals include a turning area between the pairs of houses, and the car parking space arrangement to Unit 1 is consistent with the existing arrangement associated with the existing bungalow. The submitted Road Safety Audit assessed the highways safety associated with the dwellings, in terms specifically of the built aspects of the proposal – the siting relative to junctions, road signs, carriageway markings and historical Personal Injury Collision data.

- 7.5.18 That residents have severe concerns over the impacts associated with the operation of the dance studio and car parking/behaviour associated with it, is acknowledged. However, it is not considered that the refusal of planning permission for this specific proposed residential development, which provides car parking consistent with the Bromley Local Plan parking standards, and an oversupply relative to the London Plan requirements, would be justifiable.
- 7.5.19 It is recognised that there is on-going concern relating to the activities at the nearby dance school and the extent to which these attract anti-social or inconsiderate parking at times, as well as the potential that the proposal will increase safety risk for the users of the dance school. The concern has been expressed that the proposal, if the parking spaces associated with the proposed dwellings are not used in favour of the on-street spaces in front of the site, will lead to additional demand for on-street parking further along the cul-de-sac.
- 7.5.20 As stated by the Highways Officer, in order to sustain/defend a parking-related ground for refusal the Council would have to demonstrate the following:
- 1) there would be overspill parking from the development;
 - 2) that this would occur when the demand for the dance studio was at its highest, and;
 - 3) to demonstrate that this would have a severe impact on the road network.
- 7.5.21 It is not considered that this is the case in this specific application proposal. It is reiterated that paragraph 111 of the National Planning Policy Framework states that development should only be refused on highways grounds if there would be an unacceptable impact on highway safety “or the residual cumulative impacts on the road network would be severe.” It is not considered in the light of the assessment above that the specific application proposal would have an unacceptable impact on highway safety or result in severe residual impact on the road network, and as a consequence it is not considered that the refusal of planning permission on the basis of highway concerns would be warranted.

7.5.22 It may be that, outside of the planning regime, local restrictions or other measures could be adopted to address any on-going conflict between existing residential and commercial parking, including the alleged parking by persons commuting by bus into the town centre and the car parking associated with the use of the dance studio. This is outside of planning control however, and is not directly relevant to the assessment of the specific application proposals, given that the development would provide adequate on-site car parking. The assessment of this specific development as being acceptable from a highways perspective does not preclude other measures being capable of being adopted in the interest of addressing residents' concerns over the on-going parking/operation of the dance studio.

7.6 Trees and landscaping **Acceptable**

7.6.1 Policy 73 of the 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.

7.6.2 Policy 77 of the Local Plan states that development proposals will seek to safeguard the quality and character of the local landscape and seek the appropriate restoration and enhancement of the local landscape through the use of planning obligations and conditions.

7.6.3 The submitted site plan indicates that the rear gardens would be laid to lawn, with indicative planting beds to the front and sides and to either side of the centrally positioned access. There are no protected trees within the application site, and while there is a street tree on the pavement in front of the existing dwelling, this is indicated to be retained. It would be appropriate to impose a condition requiring further detail on planting proposals/species/sizes as well as relating to the materials for the hard surfaces within the site should planning permission be forthcoming.

7.7 Sustainability **Acceptable**

7.7.1 The NPPF requires Local Planning Authorities to adopt proactive strategies to mitigate and adapt to climate change. London Plan and Local Plan Policies advocate the need for sustainable development. All new development should address climate change and reduce carbon emissions.

7.7.2 Local Plan Policy 123 states that all applications for development should demonstrate how the principles of sustainable design and construction have been taken into account.

7.7.3 The application has been submitted with a Renewable and Low Carbon Statement which sets out the ways in which the proposals would achieve the objectives within the NPPF, including with regards to thermal performance/efficiency, ventilation, and

drainage. If planning permission is forthcoming it would be appropriate to impose a compliance condition referencing the statement above.

7.8 Flood Risk and drainage

Acceptable

- 7.8.1 The National Planning Policy Framework states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, and where development is necessary, by making it safe without increasing flood risk elsewhere. The Technical Guidance published alongside the Framework details that for these purposes, areas at risk of flooding constitute land within Flood Zones 2 and 3. The National Planning Policy Guidance also classifies the erection of a new dwelling as a more vulnerable use which requires the application of the Sequential Test, and if required the Exception Test.
- 7.8.2 The application was submitted with confirmation of pre-application discussion/enquiry between the applicant and the Environment Agency. At that stage the Environment Agency stated that there was no in principle objection to the development proposals. It was confirmed within the response, which was submitted in support of this application, that the EA were “adopting a pragmatic approach on this occasion, as the development proposals increase the offset to the culverted watercourse, thereby providing betterment.” The pre-application comments provided by the Environment Agency, which were included within the formal planning application, state “We are satisfied that the development proposals have followed a sequential, risk-based approach on site, in line with the national PPG.”
- 7.8.3 The subsequent planning application submitted to the Local Planning Authority was also supported by a Flood Risk Assessment Report. This report included reference to the mitigation associated with the raised position of the dwellings relative to the modelled flood level, and also provides detail on the exception test – relating to sustainability benefits and the flood safety/resilience of the development
- 7.8.4 In addition, a Sequential Test was provided on 15th December 2022 and updated on 24th April 2023, with the aim of assessing what land is available for development in a defined area (identified as Borough-wide) and to direct development to areas of lowest risk in the first instance. The NPPF requires that where development is proposed in either medium (Zone 2) or high (Zone 3) FRZs, a sequential test be undertaken to demonstrate that there are no reasonable alternative development sites in areas of lower risk.
- 7.8.5 The submitted Sequential Test refers to the site being located within Flood Zone 3. However, as is confirmed by the Environment Agency and flood mapping, the

significant majority of the site lies in Flood Zone 2, with the Zone 3 parts of the site limited to the rear, towards the culverted river.

7.8.6 The Sequential Test confirms in its conclusion that:

“A sequential test has been carried out on all allocated sites, windfall sites and sites on the brownfield register as requested by London Borough of Bromley, we can confirm that there are no other available sites within a Flood Zone 1 that can accommodate the development proposals.”

7.8.7 Where development is considered “more vulnerable”, if the Sequential Test indicates that it isn’t possible to use an alternative site, the “exception test” applies. The Flood Risk Assessment provided with the application refers to sustainability benefits of the development as well as to the safety/resilience of the development.

7.8.8 In note of the site’s location within Flood Zones 2 and 3, the Local Planning Authority has reviewed the content and scope of the applicant’s flood risk sequential test, taking into account also the Council’s own information regarding developability and deliverability of the alternative sites identified, and it is concluded that there are no reasonably available sites at a lower risk of flooding that could accommodate the specific proposed development.

7.8.9 With regards to sustainability, it is stated that the site comprises previously developed land, with an uplift of 3 residential dwellings, and that the development will be located within an established residential area making more efficient use of existing land to provide new dwellings of a higher standard of energy efficiency.

7.8.10 With regards to “safe development” the assessment refers to the intention to use sustainable drainage methods to manage surface water drainage to ensure a run-off equivalent to greenfield rates, to the ground floor of the dwellings being raised 600mm relative to the modelled 1 in 100 year plus 35% climate change flood event, and to other safety measures for prospective occupants.

7.8.11 The Council’s drainage officer has raised no objections to the proposal, including to the scope/findings of the Sequential Test, and having regard to the Sustainable Drainage Report submitted with the application. A planning condition requiring implementation in accordance with this report is recommended should permission be forthcoming, and in view of the applicant’s intention to integrate water conservation measures into the resultant dwellings, it would be appropriate to include a condition requiring further detail of the specific measures proposed.

7.8.12 Comments from the Environment Agency raised no objections to the proposal subject to detailed conditions associated with mitigation measures and tying the development to the submitted Flood Risk Assessment.

8. CONCLUSION

- 8.1 Having regard to the above, the proposals are not considered to result in an overdevelopment of the site, nor to have a detrimental impact on the character and appearance of the surrounding area. The development would not have a significant impact on light, outlook or privacy to neighbouring residential properties. Sufficient space is retained for suitable landscaping and the standard of residential accommodation would be acceptable.
- 8.2 There is local concern regarding the parking and access arrangements and its impact on existing car parking on street in the light of commercial premises within the locality, and the proposal would result in the loss of 1 car parking space. However, it is not considered that this would result in severe highways impact in this instance, in view of the scope of the development including the unit size and number of car parking spaces provided on-site. It is not considered that the proposal would result in severe impact upon the road network such that would warrant the refusal of planning permission for this specific residential development.
- 8.3 It is considered in view of the local context, including the acceptability of the layout of development and the relationship between the site and its surroundings, that the slight overprovision of on-site car parking relative to the London Plan maximum parking standards would not be harmful and would not outweigh the benefit associated with housing supply.
- 8.4 The proposals are considered acceptable with regards to flood risk and drainage matters.
- 8.5 The provision of 4 dwellings on the site where there is one existing residential property would make a minor contribution to meeting the Council's housing targets.
- 8.6 Conditions are recommended to secure an acceptable form of development with regards to technical drainage, flood risk and parking impacts as well as to secure an acceptable form of development which protects the amenities of neighbouring properties and the character/visual amenity of the area.

RECOMMENDATION: Application Permitted

Subject to the following conditions:

- 1. Time limit**
- 2. Approved plans**
- 3. Details of construction and environmental management plan**
- 4. Slab levels**
- 5. Construction method statement – culverted river**
- 6. Landscaping (hard and soft)**
- 7. Highways drainage**
- 8. Boundary details**
- 9. Cycle storage**
- 10. Refuse storage**

- 11. Details of water conservation**
- 12. Car parking compliance (including EVCP)**
- 13. Materials as set out in application**
- 14. Compliance with FRA**
- 15. SUDS compliance**
- 16. Low NOx boilers**
- 17. Hardstanding for washdown during construction**
- 18. Removal of permitted development rights (A/B/C/E)**
- 19. No first floor windows**

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

Informatives

- Contact highways re: laying out of crossover**
- Footpath safeguarding**
- Contamination - contact Environmental Health**
- Flood Risk Activity Permit may be required**
- CIL**
- Street naming and numbering**