

Committee Date	11.01.2024	
Address	Garages Adjacent 2 Shrewsbury Road Beckenham	
Application Number	23/02120/FULL1	Officer - Russell Penn
Ward	Clock House	
Proposal	Re-development of dis-used garages on land between 2-4 Shrewsbury Road, London, BR3 4DB, to provide 1No 3B5P dwelling, and 1No 3B4P dwelling, plus off street parking for 3No cars, with active EV chargers, and landscaped private amenity areas, and new dropped kerb.	
Applicant	Agent	
Mr Fergus Prentice	Mr Andrew Harrison	
Apartment B82 Albion Riverside 8 Hester Road London SW11 4AP	70C High Street Haslemere Surrey GU27 2LA	
Reason for referral to committee	Call-In – In summary, the changes are acknowledged. However, scheme still represents a cramped backland over development with harm to character, neighbouring amenity and highways/parking issues.	Councillor call in Cllr Jeremy Adams

RECOMMENDATION	Application Permitted
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<p>KEY DESIGNATIONS</p> <p>Biggin Hill Safeguarding Area London City Airport Safeguarding Smoke Control SCA 15</p>
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Land use Details		
	Use Class or Use description	Floor space (GIA SQM)
Existing	Use Class E	255.44m ²
Proposed	Use Class C3	236.87m ²

Residential Use – See Affordable housing section for full breakdown including habitable rooms					
	Number of bedrooms per unit				
	1	2	3	4 Plus	Total / Payment in lieu
Market			2		2
Total			2		2

Vehicle parking	Existing number of spaces	Total proposed including spaces retained	Difference in spaces (+ or -)
Standard car spaces	18	3	-15
Disabled car spaces	0	0	0
Cycle	0	5	+5

Electric car charging points	Three active charging points.
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Representation summary	Neighbour letters were sent out on 21/06/2023 and 28/07/2023. An Article 13 site notice was displayed on the site on 22/06/2023
Total number of responses	26
Number in support	0
Number of objections	26

1 SUMMARY OF KEY REASONS FOR RECOMMENDATION

- The site optimisation of the proposed scheme is acceptable and will widen the mix of houses available and contribute towards meeting the needs for new houses.
- The development will not be detrimental to the character and appearance of the area.
- The proposed development will have a high quality design and would not have an unacceptable impact on the amenity of neighbouring occupiers.
- The standard of the accommodation that will be created will be good.
- The proposal will not have an adverse impact on the local road network or local parking conditions.
- The proposal will be constructed in a sustainable manner and will achieve good levels of energy efficiency.

2 LOCATION

- 2.1 The site comprises an 'L' shaped piece of land occupied by two rows of lock up garages with hardstanding between, comprising 19 garage spaces that are currently unused. The garages have a low mono pitch form, with higher eaves adjacent to the boundary measuring 2.63m from the existing ground level within the application site, sloping down to a lower eave height within the site, measuring on average 2.48m. Ground levels marginally vary across the site.
- 2.2 The site is located in a gap in the streetscene between No's 2 and 4. Historical records indicate that the site has not previously been used for direct residential use.
- 2.3 To the south east of the site is No.2, a two storey detached dwelling. Further east are three storey blocks of flats at 231 to 237 Croydon Road. To the north west are a mix of terraced and semi-detached two storey housing.
- 2.4 The site is not located in a conservation area nor is the building listed.



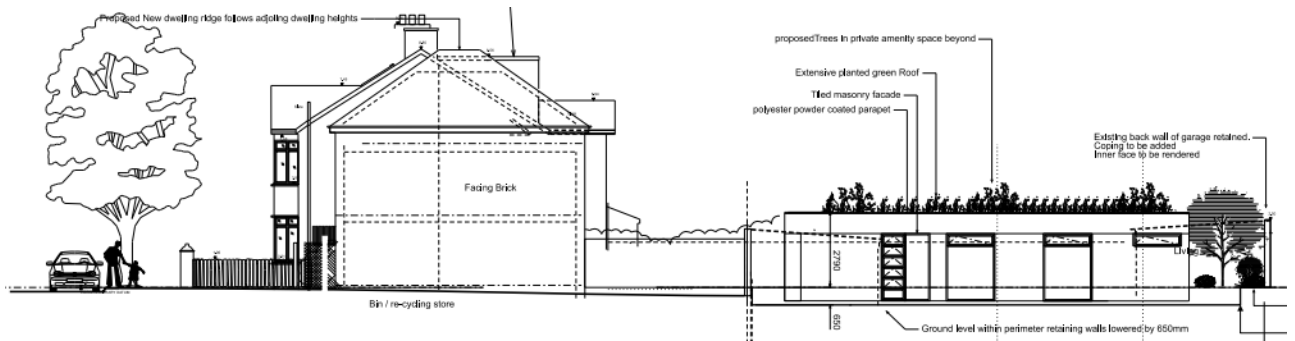
Location Plan

3 PROPOSAL

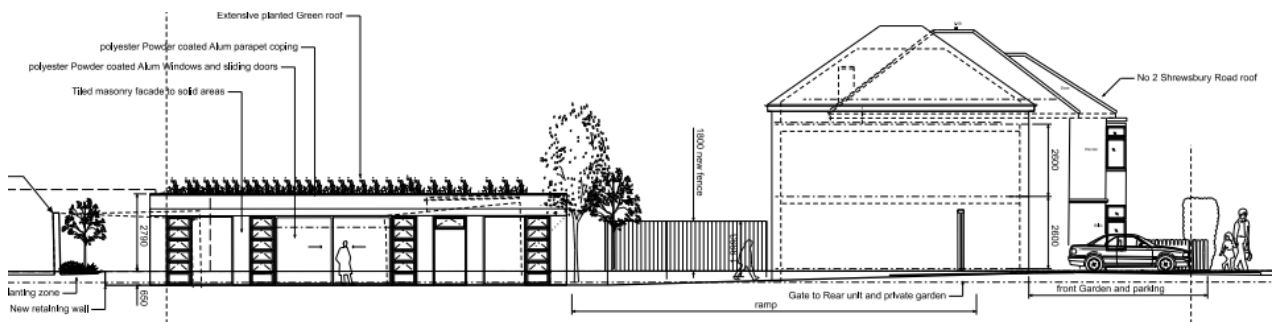
- 3.1 Planning permission is sought for re-development of dis-used garages on land between 2-4 Shrewsbury Road to provide 1 three bedroom five person dwelling, and 1 three bedroom four person dwelling, together with off street parking for 3 No cars, with active EV chargers, and landscaped private amenity areas and a new dropped kerb.
- 3.2 The development is arranged with a single storey house to the rear of the site and a two storey detached house with additional roofspace accommodation to the front section of the site.
- 3.3 The rear single storey house dimensions 8m width by 15m length is located centrally offset within the rear section of the site. The ground level is lowered 650mm below existing ground levels resulting in a 2.79m height above original ground levels. The roof is flat and comprises an extensive green flat roof with wildflower seed and plant mix. A brise soleil is shown to the north west elevation.
- 3.4 The detached house building is located set 1m from the south east boundary with No2 Shrewsbury Road and 2m from the north east boundary with No4 and dimensions approximately 7.8m width by 8.2m depth with a pitched roof at 5.8m to the eaves and 9m to the ridge featuring rooflights to the front and side roofslopes.
- 3.5 Pedestrian access only is available to the rear house via a side access way running along the north west boundary in close proximity to the existing building at No4. A shared parking area for three cars is indicated in the front curtilage of the site accessed from a new crossover from Shrewsbury Road.
- 3.6 A private garden area is indicated around the rear house predominantly permeably paved. The front detached house has its own private garden area. The existing wall to the rear garages is retained and coping treatment added to the top and the inner face rendered.
- 3.7 Materials proposed are indicated to follow a palette used on the surrounding housing involving painted rendered walls, a slate roof, and painted timber windows to the front house. The rear development is proposed to be a tiled masonry façade with a green roof and polyester powder coated aluminium windows.



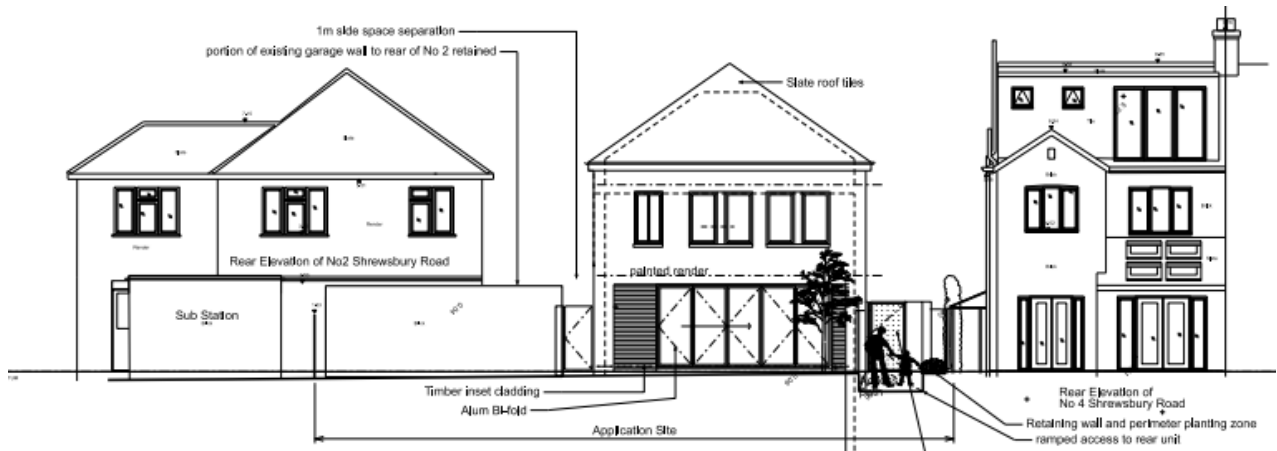
Principle elevation facing Shrewsbury Road



East Elevation – showing flank wall of proposed front dwelling and side elevation of rear dwelling.



West Elevation - showing flank wall of proposed front dwelling and side elevation of rear dwelling.



North Elevation – showing rear elevations of adjacent properties and rear elevations of new dwelling at front of site.

3.8 The application was supported by the following documents:

- Planning Support Statement and DAS and Fire Statement
- Urban Greening Factor Calculator Document
- Transport Technical Note

4 RELEVANT PLANNING HISTORY

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

4.2 91/02248/OUT: Land between 2-4 Shrewsbury Road, Beckenham. Two storey block comprising 2 one bedroom and 4 studio flats with garages and parking spaces (Outline). Refused 06.11.1991.

- Refusal reasons related to the number of units resulting in an over intensive use of the site. Depth of projection detrimental to neighbouring amenity by reason of over shadowing, loss of light and prospect.

4.3 23/00296/FULL1: Re-development of dis-used garages on land between 2-4 Shrewsbury Road, London BR3 4DB, to provide 4 dwelling houses (3No 2B3P dwellings, plus 1No 3B5P dwellinghouse), plus off street parking for 3No cars, with active EV chargers, and communal landscaped garden. Refused 17.03.2023

- The refusal reasons stated the proposed development constituted cramped backland over development where there is an unacceptable impact upon the character, appearance and context of the area by reason of scale, design, siting and proximity to neighbouring garden curtilage and the surrounding development pattern and spatial layout of the area. If permitted this would establish an undesirable pattern for similar piecemeal infilling in the area, resulting in a retrograde lowering of the standards to which the area is at present developed and have a serious and adverse effect on the visual amenity of the locality.
- The proposed development by reason of its overbearing nature, siting and proximity to neighbouring buildings and property boundaries was also considered to have a serious and adverse effect on the residential amenity enjoyed by the occupants of neighbouring property.
- Furthermore, the proposed development by reason of the location of the terrace houses at the rear and introduction of publicly accessible areas to the rear of the site into a predominantly rear garden curtilage area in close proximity to neighbouring buildings and rear property boundaries would have resulted in an excessive increase in noise and disturbance from multiple users of the development and have a serious and adverse effect on the privacy and amenity enjoyed by the occupiers of adjoining properties that they might reasonably expect to be able continue to enjoy.

5 CONSULTATION SUMMARY

A) Statutory

Environmental Health Officer – No objection

- Previous comments made in regards application reference 23/00296/FULL1 still apply. No objection to the proposals in principle. Conditions recommended for further information in relation to any gas boilers being low NOx; Construction and Environmental Management Plan; use of Non-Road Mobile Machinery (NRMM) in

construction; submission of a contaminated land assessment and use of electric vehicle charging points.

Drainage Officer – No objection

- Proposed use of permeable paving with sub-base in access drive and car park areas is accepted. Further details of a surface water drainage strategy to be sought by planning condition.

Highway Authority Officer – No objection

- The property is based in a PTAL 2 area, the surrounding streets are part of a CPZ. As such, and where limited properties have off street parking, on street parking demand is high. This development sees the introduction of two properties, and three parking spaces, bin store and cycle parking. There is a proposed new access which would need to see the old access reinstated and the applicant would need to apply for a new dropped kerb. Three parking spaces are in excess of London Plan standards. However, it would be difficult to raise an objection from a highway perspective.

Thames Water – No objection

- Thames Water have no comments to make at this time.

London Fire Brigade – No objection

- Guidance Note 29 explains the access arrangements needed for fire appliances to get sufficiently close to a premises for firefighting operations and there is also guidance on the minimum road widths, turning circles, road humps and projections from buildings.

B) Local Groups

- No comments.

C) Adjoining Occupiers

Character (addressed in para 7.3)

- Proposal out of character for this neighbourhood.
- Concerns that scheme is an overdevelopment of the plot due to potential occupier density on site using some rooms labelled as study as bedrooms.
- Cramped arrangement overlooked by other properties and not in keeping with the general area.
- Front house is not in keeping with the other houses in Shewsbury Road.
- Comments regarding building a bungalow in this location might set a precedent. Currently no such precedent locally.
- Location of front house is acceptable but location of rear house out of character and not in keeping with the area.

- Comments the footprint size of rear house is out of character with sizes in the locality.
- Proposal is cramped and over intensive.
- Design and layout is not in keeping with the area.
- Rear house design with green roof, looks nothing like the surrounding homes making its design inappropriate for the area.
- Need for more housing should not compromise quality.

Neighbouring Amenity (addressed in para 7.6)

- Concerns re outlook to rear building that maybe extended at a future date.
- High level window from rear house overlooking No.2 garden and kitchen causing privacy issue.
- Concerns regarding light pollution from rear house.
- Concerns with proximity of rear house to neighbouring outbuildings in terms of amenity impacts to their use.
- Multiple comments re location causing loss of privacy and detrimental amenity impact.
- Concerns with loss of light and outlook from both dwellings.

Highways and Parking (addressed in para 7.5)

- Concerns raised with parking capacity and on-site parking arrangement not being adequate.
- Concerns with loss of on-street parking for neighbour use to facilitate on site parking.
- Shrewsbury Road is first street not in the CPZ and suffers from parking influx from other areas.
- No vehicle access to rear bungalow.
- Concerns re emergency vehicle access and servicing arrangements.
- Concerns with the accuracy of the parking survey.
- Concerns with access to/from neighbouring driveways.

Noise and disturbance (addressed in para 7.6)

- Multiple concerns with increased noise and disturbance due to rear house location to the neighbouring properties on both Cromwell and Shrewsbury Road.

Other comments (addressed in section 7)

- Concerns with stability of remaining garage walls.
- Concerns with proximity of boundary walls and excavation for footings close to neighbouring property.
- If allowed dwellings should not allowed to be extended.
- Tree planting should not be fast growing type.
- Comments regarding effect on surface water drainage in the locality.
- Rear house is lower and dug down. Site close to Chaffinch Brook. Concerns re high risk of surface water flooding.
- Garden spaces too small.

- Concerns with impacts well being of neighbouring property trees and shrubs.
- Comments regarding safe removal of asbestos garage roofs is required.
- Concerns about the impact of the excavation on ground stability and flooding.
- Concerns with extra impact on local services such as schools, doctors/dentists.
- Green roof concerns in terms of future maintenance. Green roof is only to increase UGF.
- Comments regarding suitability of waste management arrangements.
- Land contamination concerns.
- Concerns regarding loss of biodiversity and green space.
- Comments that the site is not brownfield land.
- Comments that the amended fire statement does not adequately address the fire risks of the rear house location.

6 POLICIES AND GUIDANCE

6.1 Section 70(2) of the Town and Country Planning Act 1990 (as amended) sets out that in considering and determining applications for planning permission the local planning authority must have regard to:-

- (a) the provisions of the development plan, so far as material to the application,
- (b) any local finance considerations, so far as material to the application, and
- (c) any other material considerations.

6.2 Section 38 (6) of the Planning and Compulsory Purchase Act (2004) makes it clear that any determination under the planning acts must be made in accordance with the development plan unless material considerations indicate otherwise.

6.3 The National Planning Policy Framework was revised and published on 19th December 2023. The development plan for Bromley comprises the London Plan (March 2021) and the Bromley Local Plan (January 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 Planning Policy Framework 2023

6.6 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
SI2	Minimising greenhouse gas emissions
SI3	Energy infrastructure
SI4	Managing heat risk
SI5	Water infrastructure
SI7	Reducing waste and supporting the circular economy
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

6.7 Bromley Local Plan 2019

1	Housing supply
3	Backland and Garden Land Development
4	Housing design
8	Side Space
30	Parking
32	Road Safety
33	Access for All
34	Highway Infrastructure Provision
37	General design of development
70	Wildlife Features
72	Protected Species
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

6.8 Bromley Supplementary Guidance

Housing: Supplementary Planning Guidance (March 2016)
Housing Design Standards - London Plan Guidance (June 2023)
National Design Guide (September 2019)

6.9 Urban Design Guide - Supplementary Planning Document (July 2023)

DG1: Reinforcing Local Character and Identity
DG3: Continuity and Enclosure
DG5: Architectural Design
DG6: Materials and Detailing
DG7: Housing Design
DG11: Landscape Design
DG14: Inclusive Design
DG18: Healthy Homes
DG20: Sustainable Design

7 ASSESSMENT

7.1 Resubmission

7.1.1 The application is a resubmission with a revised scheme of a previously refused development on the same site as detailed above in the planning history. The reader is reminded that the current scheme has radically altered the proposal for the site with significant alterations taking account of the Officer report and reasons for refusal previously given.

7.1.2 The merits of the resubmitted scheme are assessed further below.

7.2 Principle of Development – Acceptable

- Housing Supply

7.2.1 The current published position is that the FYHLS (covering the period 2021/22 to 2025/26) is 3,245 units or 3.99 years supply. This position was agreed at Development Control Committee on the 2nd of November 2021 and acknowledged as a significant undersupply. Subsequent to this, an appeal decision from August 2023 (appeal ref: APP/G5180/W/23/3315293) concluded that the Council had a supply of 3,235 units or 3.38 years. The Council has used this appeal derived figure for the purposes of assessing this application. This is considered to be a significant level of undersupply.

7.2.2 For the purposes of assessing relevant planning applications this means that the presumption in favour of sustainable development may apply. It is noted that the appeal derived FYHLS figure assumes the new London Plan target of 774 units per

annum applies from FY 2019/20 and factors in shortfall in delivery against past targets since 2019.

- 7.2.3 The NPPF (2023) 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.
- 7.2.4 Having regard to footnote 8 of the NPPF, the policies which are most important for determining this application, including Policy 1 of the Bromley Local Plan, are out-of-date and consequently the presumption in favour of sustainable development as set out in Paragraph 11(d) is engaged.
- 7.2.5 This application includes the provision of two 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.
- Land Use and Optimising Sites:
- 7.2.6 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.
- 7.2.7 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.
- 7.2.8 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.
- 7.2.9 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.

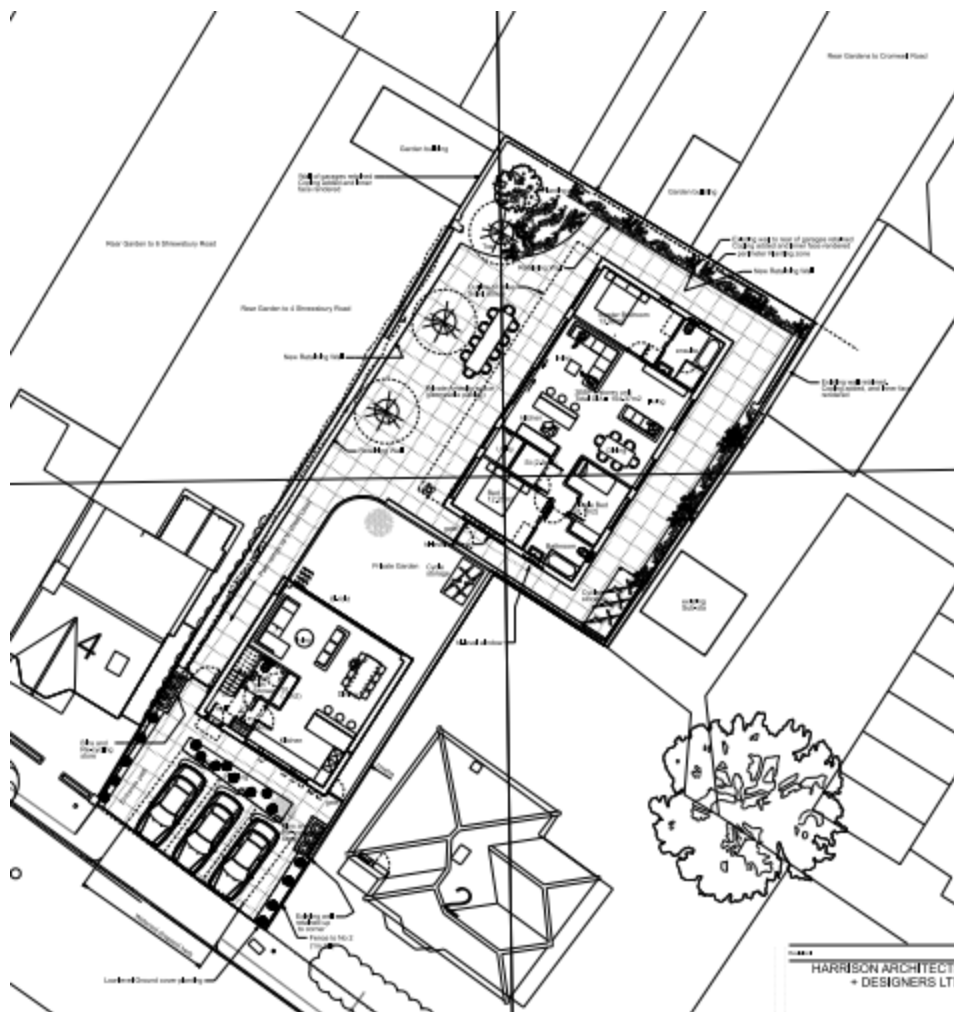
- 7.2.10 Policy 3 of the Bromley Local Plan in respect of 'Backland and Garden Land Development' states new residential development will only be considered acceptable on backland or garden land if all of the following criteria are met; there is no unacceptable impact upon the character, appearance and context of an area in relation to the scale, design and density of the proposed development; there is no unacceptable loss of landscaping, natural habitats, or play space or amenity space; there is no unacceptable impact on the residential amenity of future or existing occupiers through loss of privacy, sunlight, daylight and disturbance from additional traffic; and a high standard of separation and landscaping is provided.
- 7.2.11 The supporting text states that in the past the role of small sites in providing additional housing within the Borough has been significant. It is important to also consider the value of backland and garden land in helping to define local character. There is a risk that inappropriate development of these small sites over time could adversely impact upon local character, especially as the availability of sites diminishes.
- 7.2.12 The NPPF also specifies that windfall sites are normally previously developed sites. Core planning principles include; seeking high quality design and a good standard of amenity for all existing and future occupants of land and buildings, taking account of the different roles and character of different areas and encouraging the effective use of land by reusing land that has been previously developed.
- 7.2.13 The site comprises an area of land that has historically been used for garaging of motor vehicles. The site is therefore considered a windfall site and may be acceptable for a limited form of residential development.
- 7.2.14 It was previously opined that development of the site would appear to be more generally suitable only to the front section of the site while development to the rear would not be supported as was proposed. The reader shall note that this view was in relation to the previous scheme that was proposed for three houses to the rear of the site and that each scheme shall be considered on its merits.
- 7.2.15 The application site is partly surrounded by garden land to its north east, north west and south east boundaries but is also connected in context to the functional rear areas of blocks of flats on Croydon Road. Therefore, with the nature of the spatial qualities of the surrounding backland areas that are a mix of residential garden areas and other uses, together with the former use of the site as garaging, it is considered that residential development of the rear area of the site for habitable living accommodation can be supported on this site in this context.
- 7.2.16 However, this is subject to a revised assessment of the impact of the new proposal on the appearance, character and context of the surrounding area in relation to the scale, design led site optimisation of the proposed development, the residential amenity of adjoining and future residential occupiers of the scheme, car parking and traffic implications, sustainable design and energy, community safety and refuse arrangements.
- 7.2.17 The above is assessed further in the following sections of this report.

7.3 Design and Layout - Acceptable

- 7.3.1 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.
- 7.3.2 Paragraph 131 of the NPPF (2023) states the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.
- 7.3.3 Paragraph 135 of the NPPF (2023) requires Local Planning Authorities to ensure that developments: a) 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; b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; c) 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); d) 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; e) 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 f) 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 users⁵²; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.
- 7.3.4 London Plan and Bromley Local Plan policies further reinforce the principles of the NPPF setting out a clear rationale for high quality design.
- 7.3.5 Policy D3 of the London Plan relates to 'Optimising site capacity through the design-led approach' and states that all development must make the best use of land by following a design-led approach that optimises the capacity of sites. Form and layout should enhance local context by delivering buildings and spaces that positively respond to local distinctiveness through their layout, orientation, scale, appearance and shape. The quality and character shall respond to the existing character of a place by identifying the special and valued features and characteristics that are unique to the locality and respect, enhance and utilise the heritage assets and architectural features that contribute towards the local character.
- 7.3.6 Policy D4 of the London Plan outlines the various methods of scrutiny that assessments of design should be based on depending on the level/amount of the development proposed for a site.
- 7.3.7 Policy D5 of the London Plan relates to 'Inclusive Design' and states that development proposal should achieve the highest standards of accessible and inclusive design.

- 7.3.8 Policy H2 of the London Plan states that Boroughs should also recognise in their Development Plans that local character evolves over time and will need to change in appropriate locations to accommodate additional housing on small sites.
- 7.3.9 Policy 3 of the Bromley Local Plan details in that new residential development will only be considered acceptable on backland or garden land if there is no unacceptable impact upon the character, appearance and context of an area in relation to the scale, design and density of the proposed development; there is no unacceptable loss of landscaping, natural habitats and a high standard of separation and landscaping is provided.
- 7.3.10 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 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.
- 7.3.11 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.
- 7.3.12 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.
- 7.3.13 The site is located within a primarily residential area that features a mix of terraced, semi-detached and detached two storey housing on Shrewsbury Road and larger flatted blocks fronting Croydon Road in relative proximity to the site to the south east beyond No2 Shrewsbury Road. The houses on Shrewsbury Road are

positioned on generous linear plots with there being no examples of backland development within the vicinity of the site. Whilst many houses have parking areas to the front, the long rear gardens and the presence of substantial trees and vegetation creates a green suburban sylvan environment to the rear with street facing houses only, with similar building styles, frontage line, building heights and roof forms. The context of the site is considered to relate to this context of Shrewsbury Road. However, the area to the south east of the site is also located adjacent to the functional rear areas often used for parking associated with the blocks of flats on Croydon Road as described above. Importantly, the site can also be said to be related to this context. In essence the existing site is considered transitional in context between the two areas which with an appropriate design response, can be developed accordingly for re use as residential property as opposed to the existing and vacant garaging function of the site.



Proposed site layout.

7.3.14 In terms of the rear house, the proposed building is unrelated to those adjacent in its design, scale and siting. However, the rear, location facilitates this approach. The central footprint location, scale, massing and design has responded well to the context in which it exists. As such the resultant building is single storey with a lowered ground level reducing the overall height with all the accommodation being provided at ground floor level. This reduces the buildings scale and prominence to

surrounding property. The addition of a green roof will also help the built format assimilate to its rear more green location. Given the resultant separation distances, including to the proposed dwelling to the front of the site, it is considered that the siting, scale and bulk of the building in this context is considered acceptable and is an appropriate design response to the intrinsic constraints of this site that stitches the building comprehensively into the existing suburban fabric.

7.3.15 The detached house located to the front of the site is more representative of housing on Shrewsbury Road. Its spatial characteristics appear balanced within the site with suitable levels of separation to each boundary. It is noted that the front elevation is set back further than other dwellings, however, this would appear to allow a parking area for three cars to serve the development, which given the representations received in respect of parking issues, appears to be an acceptable compromise to enable new housing development on this site.

7.3.16 In terms of the overall design approach the London Plan outlines that architecture should contribute to the creation of a cohesive built environment that enhances the experience of living, working or visiting in the city. This is often best achieved by ensuring new buildings reference, but not necessarily replicate, the scale, mass and detail of the predominant built form surrounding them, and by using the highest quality materials. Contemporary architecture is encouraged, but it should be respectful and sympathetic to the other architectural styles that have preceded it in the locality.

7.3.17 The proposed design of the rear house would represent a departure from the more modest architectural styles of the closest neighbouring properties, however, the detached nature of the building and complimentary scale proposed allow a design that is unique in this context. As proposed the building will have a relatively low impact in its rear location without an unacceptable impact upon the character, appearance and context of the area.

7.3.18 The detached front house would be more representative in terms of design approach of the traditional format of architecture to which it relates, being street facing on Shrewsbury Road. Subject to specific details of materials this approach is welcomed.

7.3.19 On balance given the above varying characteristics between the front and rear of the site, the siting, scale and design of each of the dwellings to their differing contexts allow the development as a whole to respond to the overall transitional nature of the site in this part of Shrewsbury Road.

7.4 Standard of Residential Accommodation – Acceptable

7.4.1 Policy D6 of the London Plan relates to 'Housing quality and standards' states that housing development should be of high quality design and provide adequately sized rooms with comfortable and functional layouts which are fit for purpose and meet the needs of Londoners. The policy also prescribes internal space within new dwellings and external spaces standards that are in line with the National Technical Housing Standards.

- 7.4.2 The London Plan Guidance - Housing Design Standards (June 2023) and London Plan 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 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. The standards apply to new build, conversion and change of use proposals.
- 7.4.3 Policy D7 of the London Plan - Accessible Housing, states that to provide suitable housing and genuine choice for London's diverse population, including disabled people, older people and families with young children, residential development must ensure that at least 10 per cent of dwellings (which are created via works to which Part M volume 1 of the Building Regulations applies) meet Building Regulation requirement M4(3) 'wheelchair user dwellings' and; all other dwellings (which are created via works to which Part M volume 1 of the Building Regulations applies) meet Building Regulation requirement M4(2) 'accessible and adaptable dwellings'.
- 7.4.4 Part M compliance has been stated within the submitted Design and Access Statement. It is stated that both units are designed to comply with Part M4, the rear single storey unit meeting the higher optional requirements of M4(3) wheelchair user dwellings. The front unit incorporates accessible cloakroom with shower on the ground floor following the spatial requirements of Diagram 2.6 of Part M4(2).
- 7.4.5 Policy 4 of the BLP also sets out a number of criteria to ensure that all new housing developments will need to achieve a high standard of design and layout whilst enhancing the quality of local places and ensuring a good standard of amenity for future occupiers.
- 7.4.6 In terms of the required Gross Internal Area (GIA) in relation to the number of occupants and bedrooms. The gross internal floor space size of the front house is 132.5m² over three levels as a three bedroom four person dwelling. The gross internal floor space size of the rear house is 104.37m² over a single level as a three bedroom five person dwelling.
- 7.4.7 The relevant space standards require a Gross Internal Area of 90m² (best practice 100m²) for a three bedroom four person dwelling house on three levels and 86m² (best practice 97m²) for three bedroom five person dwelling on a single level. Therefore, the GIA of each house respectively meets these standards and is acceptable.
- 7.4.8 It is noted that representations have commented that a study indicated to the first floor of the front house could be used as bedroom and increase occupancy. However, this room is approximately 7.1m² in size. The Housing Design Standards LPG at Section C3.4 advises that in new dwellings the 'Best Practice' guidance is to provide a dedicated study room in dwellings with three or more bedrooms and that a study room should be less than 7.5m². Therefore, this room is considered as a study for assessment purposes. Moreover, given changing home working practices, a dedicated study room is a relevant best practice requirement for new dwellings.

7.4.9 The shape, room size and layout of the rooms in both the proposed dwellings is considered satisfactory. None of the rooms would have a particularly convoluted layout which would limit their use.

7.4.10 In terms of amenity space, sufficient provision and quality of space is indicated. Although the parameters are less than similarly sized properties in the wider vicinity, the depth, size and proportions of the amenity space areas are considered still suitable for the unit types proposed.

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 The NPPF states that all developments that will generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed.

7.5.3 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.

- Car parking

7.5.4 Policy T6 Car Parking in the London Plan advocates that car-free development should be the starting point for all development proposals in places that are (or are planned to be) well connected by public transport, with developments elsewhere designed to provide the minimum necessary parking ('car-lite').

7.5.5 A parking area for three spaces will be provided to the front of the site adjoining Shrewsbury Road with a widened crossover for use by both dwellings. A Transport Technical Note has been submitted and reviewed by the Highway Authority. The Highway Authority has not raised any objection to the level of parking provided at the site or the vehicle access arrangements from the highway. On balance it is considered that there will be minimal impact on parking in the vicinity and the proposal is considered generally acceptable from a highways perspective.

7.5.6 Electrical vehicle charging points are indicated for each parking space. Further technical details of the installations are recommended to be sought by planning condition.

- Cycle parking

7.5.7 London Plan policy T6 seeks the provision of short-stay and long-stay cycle parking spaces in development proposals. Cycle parking should be designed and laid out in accordance with the guidance contained in the London Cycling Design Standards.

7.5.8 Cycle parking is required to be 2 spaces for dwellinghouses as proposed. The applicant has provided details of two locations for cycle storage, one for the front house in the rear garden curtilage with two spaces for their use and another location within garden area for the rear house with three spaces. A planning condition is recommended in this regard for further details of containment structures.

- Refuse

7.5.9 All new developments shall have adequate facilities for refuse and recycling. Details of a location for refuse storage for each dwelling within compliant proximity to the highway for collection purposes has been provided. A planning condition is recommended in this regard for further details of containment structures.

- Fire Safety

7.5.10 Policy D12 of the Draft London Plan states that in the interests of fire safety and to ensure the safety of all building users, all development proposals must achieve the highest standards of fire safety and ensure that they identify suitably positioned unobstructed outside space for fire appliances to be positioned on; appropriate for use as an evacuation assembly and are designed to incorporate appropriate features which reduce the risk to life and the risk of serious injury in the event of a fire including appropriate fire alarm systems and passive and active fire safety measures; are constructed in an appropriate way to minimise the risk of fire spread; provide suitable and convenient means of escape, and associated evacuation strategy for all building users; develop a robust strategy for evacuation which can be periodically updated and published, and which all building users can have confidence in; provide suitable access and equipment for firefighting which is appropriate for the size and use of the development.

7.5.11 It is noted that some concerns have been raised in this regard from representations received. For developments of this type the matter of fire safety compliance is covered by Approved Document B of the Building Regulations. The developer has taken account of this in their design as documented in the submitted Fire Statement and accompanying plans. The London Fire Brigade has reviewed the plans.

7.5.12 The Fire Statement report submitted provides a Planning stage strategy review in response to the London Mayor's Policy D12 and does not negate the separate requirement that any new build development has in respect of the Building Regulations requirements that apply. The Fire Statement shows that with the correct selection of materials and fire safety installations indicated within the building, compliance with the current Building Regulations is achievable.

7.6 Neighbouring Amenity – Acceptable

- 7.6.1 Policy 37 of the Bromley 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.
- 7.6.2 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.
- 7.6.3 In determining any application, a key consideration is the impact of the development on the amenities of neighbouring properties.
- 7.6.4 One of the main areas of concerns raised in representations is the location of the rear dwelling in what has been opined as a backland location. While the siting of a dwelling at this location has been assessed in terms of its character and context, the amenity impacts require analysis. The design is relevant in this regard with its single storey low height format. This helps reduce any visual harm in terms of outlook from surrounding property which together with the green roof will be minimalised in terms of any visual intrusion and will indeed be improved over the current situation of dilapidated garaging.
- 7.6.5 Furthermore, the rear house is sited with a good separation from the property boundaries of the site that adjoin the rear gardens of neighbouring plots as opposed to being located directly adjacent to the main residential dwellings. The rear dwellings windows to habitable living spaces would also only face boundary treatment and with a lowered ground level this would prevent direct overlooking to adjoining curtilage.
- 7.6.6 In terms of the front house, the fenestration arrangement will provide outlook to the front and rear elevations only from the main habitable room windows. There are no windows to the flank side of the building. Roof light windows are secondary which can be obscure glazed. These are not considered to overlook or cause loss of privacy. Generally, it is considered that the fenestration arrangement will maintain privacy to adjacent property due to the separation distances proposed and oblique outlook angles. Furthermore, views from one property to the curtilage of another in a suburban environment is commonplace.
- 7.6.7 Further concerns have been raised in respect of noise and disturbance due to the increased intensity of the occupation of the rear part of the site and use of the proposed pedestrian accessway to the rear house. Whereas in the previously refused scheme this was for three houses and introduction of a public realm element in the rear location, the current revised scheme is for a single house to the rear with a private and gated side access. In this situation it is not considered that the occupation of this part of the site by a further residential unit will be harmful in this respect from the extra general comings and goings related to just a single dwelling use.

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 Paragraph 9.2.3 of the London Plan states that Boroughs should ensure that all developments maximise opportunities for on-site electricity and heat production from solar technologies (photovoltaic and thermal) and use innovative building materials and smart technologies. This approach will reduce carbon emissions, reduce energy costs to occupants, improve London's energy resilience and support the growth of green jobs.
- 7.7.3 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.
- 7.7.4 A green roof is included over the flat roof of the rear dwelling which is welcomed. Access for green roof maintenance can also be carried out from the site area. A compliance condition to ensure installation is recommended.
- 7.7.5 An informative is recommended with any approval to ensure that the development strives to achieve sustainability objectives. For a non major scheme, energy and water efficiency can only be secured under the building regulation regime as standard, in order to meet the requirements of Policies 123 and 124 of the Local Plan and Policy SI 2 of the London Plan.

7.8 Sustainable Drainage – Acceptable

- 7.8.1 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.
- 7.8.2 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.
- 7.8.3 It is stated that all paving and parking areas will be permeable including sub-bases as part of a strategy to provide a good Urban Greening Factor score. It is recommended that further detail of a scheme for the provision of surface water drainage and foul drainage shall be submitted by planning condition with any permission.

7.9 Air Quality - Acceptable

- 7.9.1 Policy SI 1 of the London Plan outlines in summary that development proposals should not lead to further deterioration of existing poor air quality and shall minimise

increased exposure to existing air pollution and make provision to address local problems of air quality in preference to post-design or retro fitted mitigation measures.

7.9.2 Policy 120 of the Local Plan states that developments which are likely to have an impact on air quality or which are located in an area which will expose future occupiers to pollutant concentrations above air quality objective levels will be required to submit an Air Quality Assessment.

7.9.3 The site is located within the Bromley AQMA (2020). Therefore, it is considered prudent for the development to incorporate Ultra Low NOx boilers as necessary. A condition is recommended in this regard with any permission.

7.10 Trees and Landscaping - Acceptable

7.10.1 London Plan Policy G7 focuses on London's urban trees, setting out that development proposals shall ensure that, wherever possible, existing trees of value are retained. If the removal of trees is necessary, there should be adequate replacement based on the existing value of the benefits of the trees removed.

7.10.2 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.

7.10.3 Policy 77 of the Bromley 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.

7.10.4 An indicative landscaping layout has been submitted as shown on the proposed site plan drawing that details the areas given over to garden and hard landscaping for external amenity for future occupiers. Further details are recommended to be sought by planning condition.

7.11 CIL

7.11.1 The Mayor of London's CIL and the Borough CIL are material considerations. CIL is payable on this application and the applicant has completed the relevant form.

8 CONCLUSION

8.1 Taking into account the above, the proposed development would have a high quality design and would not have an unacceptable impact on the amenity of neighbouring occupiers. It is considered that the site optimisation and unit types of the proposed scheme are acceptable and that the development would not be detrimental to the context, character and appearance of the area and locality. The standard of the accommodation that will be created will be good. The proposal would not have an adverse impact on the local road network or local parking conditions. The proposal would be constructed in a sustainable manner and would achieve good levels of

energy efficiency. It is therefore recommended that planning permission is granted subject to the imposition of suitable conditions.

- 8.2 On balance the positive impacts of the development are considered of sufficient weight to approve the application with regard to the presumption in favour of sustainable development to increase housing supply.
- 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: Application Permitted

Subject to the following conditions:

- 1. Standard time limit of 3 years**
- 2. Standard compliance with approved plans**

Pre-commencement

- 3. Land Contamination Assessment**
- 4. Details of sustainable surface water drainage.**
- 5. Construction and Environmental Management Plan**

Prior to above ground works

- 6. Details of landscaping for hard and soft areas.**
- 7. Details of materials.**
- 8. Details of refuse storage containment.**
- 9. Details of lighting scheme.**
- 10. Details of cycle parking**

Prior to occupation/use

- 11. Parking arrangements to be installed as approved.**
- 12. Existing vehicular access shall be stopped up.**
- 13. Details of electric car charging point.**
- 14. Green roof installation compliance.**

Compliance conditions

- 15. No additional pipes or plumbing.**
- 16. Removal of all permitted development rights.**
- 17. Implementation in accordance with approved slab levels**
- 18. Compliance with Part M of the Building Regulations.**
- 19. Installation of ultra-low NOx boilers.**
- 20. Obscure glazing to front house side rooflights.**
- 21. Fire safety compliance.**

Delegated authority be given to the Assistant Director: Planning & Building Control to make variations to the conditions and to add any other planning condition(s) as considered necessary.

Informatives

- 1. Reminder regarding submission of pre commencement conditions.**
- 2. Contact naming and numbering Officer at the Council.**
- 3. Reminder of CIL payments.**
- 4. Street furniture or Statutory Undertaker's apparatus repositioning.**
- 5. Reminder regarding Part M compliance.**
- 6. Reminder regarding Part B compliance.**
- 7. Energy efficiency measures.**