

Section '3' - Applications recommended for PERMISSION, APPROVAL or CONSENT

Application No : 11/00962/FULL1

Ward:
Bromley Common And
Keston

Address : The Old Forge Chantry Lane Bromley
BR2 9QL

OS Grid Ref: E: 541651 N: 167892

Applicant : SW Automotive (Mr A Ward)

Objections : YES

Description of Development:

Extraction system on roof
RETROSPECTIVE APPLICATION

Key designations:

Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
London City Airport Safeguarding
London City Airport Safeguarding Birds

Proposal

This retrospective application relates to the erection of an extraction system which has been constructed on a flat roof of the property approximately 4m above ground level. The property is located to the south of Chantry Lane, which has a mixture of commercial and general industrial uses in close proximity to the application site and semi-detached and terraced two storey residential dwellings.

The application relates to the construction of two flues on the flat roof of an existing single storey building currently used for motor vehicle repairs (Class B2). One of the flues is approximately 1.66m in height with a diameter of 0.8m the centre of which would be located approximately 0.93m from the southern boundary and the other flue which would be approximately 2.19m in height with a diameter of 0.8m, the centre of which would be sited approximately 0.78m from the southern boundary and 1.03m from the south western boundary.

Comments from Local Residents

Nearby owners/occupiers were notified of the application and representations were received which can be summarised as follows:

- concerns as the retrospective application made on 18.11.02 reference 02/03933/ELUD confirmed the use of the premises as ‘mechanical repairs and car valeting’ which does not include any car body repairs, filling or paint spraying and which also stated the approved use would not result in the “detriment to the amenity of the surrounding residential properties by reason of noise, vibration, smells, fumes, smoke, soot, ash, dust or grit”. The current use has not been approved by the Council and will require an appropriate application for the change-of-use.
- the submission did not appear to refer to any plans, Design and Access Statement, full elevations, site plans or dimensional guidance to show what has been built and how it impacts on the neighbouring properties, from their visually different viewpoints.
- one of the house abutting the premises (on Walpole Road) was built in 1869 and was one of only three buildings in the area at that time. There may have been a laundry built at about the same time, but there was certainly not a car body repair shop at that date. Therefore, it is not correct to say that the residents should accept that they are living in a commercial area together with the consequences thereof as stated by the applicant.
- visual impact of the proposal.
- if a fence were erected to screen the chimney and paint them to improve their appearance this would do little to enhance the visual impact of the flues.

Members should note that the 2002 application in fact related to a different site and is not therefore relevant to the current case.

Comments for Consultees

The Council’s Environmental Health Division was consulted who raised no objections to the proposal, subject to conditions restricting the hours of use of the extraction system.

Planning Considerations

The application falls to be determined in accordance with the following policies of the Unitary Development Plan and the London Plan:

BE1 Design of New Development

Planning History

In 1981 under planning ref. EUC/19/81/865 an Established Use Certificate was granted for the continued use of The Old Forge for repair and maintenance of motor cars and incidental paint repairs.

Conclusions

The main issues relating to the application are the effect that it would have on the character of the area and the impact that it would have on the amenities of the occupants of surrounding residential properties.

The flues are a prominent feature in the area when approaching from the west on Chantry Lane. The flues are largely shielded from view by the existing two storey building when approaching from the east of Chantry Lane. The application site and adjoining properties are primarily industrial buildings and the local area is industrial in its appearance. The flues are sited a minimum of 10m from the highway and as such the proposal though prominent in the streetscene the proposal is not anticipated to be significantly detrimental to the character of the area given to such an extent as to warrant refusal. However, the applicant has offered to either screen or finish the ducting in an alternative colour and it would seem appropriate to add a condition to cover this.

The proposal is located approximately 25m from the rear elevation of No. 35 Walpole Road, 24m from the rear elevation of No. 31 Walpole Road and a minimum of 25m from the properties on Bloomfield Road. While the proposal will result in a visual impact for adjoining residential properties, given the distance of the proposal to the application site the proposal is not anticipated to result in such harm, subject to an appropriate condition.

Having had regard to the above it was considered that the development in the manner proposed is acceptable in that it would not result in a significant loss of amenity to local residents nor impact detrimentally on the character of the area.

Background papers referred to during production of this report comprise all correspondence on file ref. 11/00962, excluding exempt information.

as amended by documents received on 20.04.2011

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- 1 Detailed drawings and/or samples indicating the means of screening/minimising the visual impact of the approved ventilation system shall be submitted to and approved in writing by the Local Planning Authority within 1 month from the date of this Decision Notice. The development shall be carried out in accordance with the approved details.

Reason: In order to comply with Policy BE1 of the Unitary Development Plan and in the interest of the appearance of the building and the visual amenities of the area.

- 2 The extraction system hereby permitted shall not be used before 08:00 and after 18:00 Monday to Friday, before 09:00 and after 13:00 on Saturday and not at all on Sundays or Public Holidays.

Reason: In order to comply with Policy BE1 of the Unitary Development Plan and in the interest of the amenities of the area.

Reasons for permission:

In granting permission the Local Planning Authority had regard to the following policies of the Unitary Development Plan:

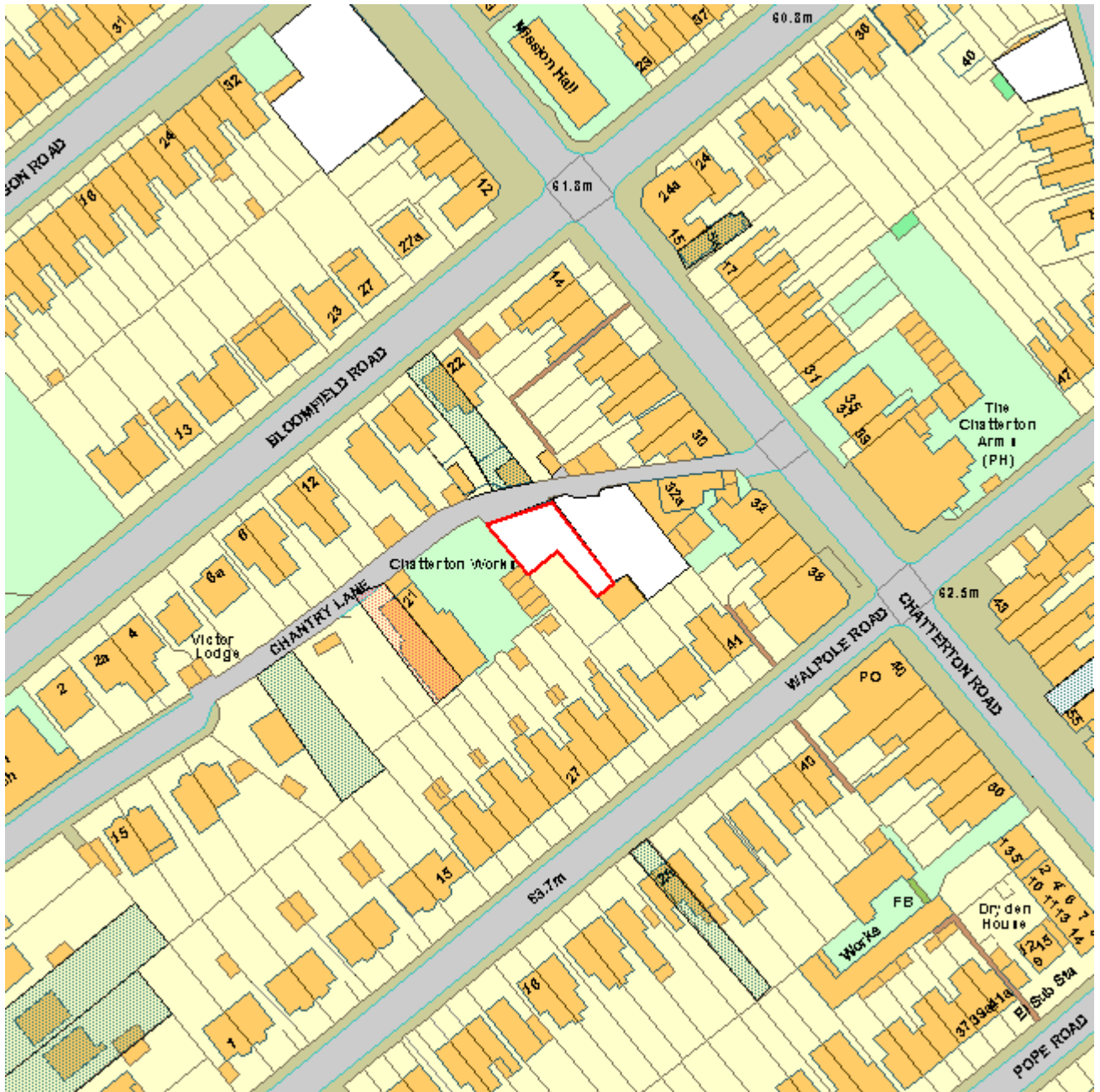
BE1 Design of New Development

The development is considered to be satisfactory in relation to the following:

- (a) the impact of the development on the residential amenities of adjacent properties.
- (b) the impact of the development on the character of the surrounding area.

and having regard to all other matters raised.

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