

FURTHER PLANNING INFORMATION

-relating to-

**73, 73A, 75 & 75A
SOUTHLANDS ROAD
BROMLEY
BR2 9QQ**

- 1 - GRANTED NO. 73A**
- 2 - REFUSED NO. 73**
- 3 - APPEAL NO. 73**

SINCLAIR JONES

Commercial House
Fielding Lane
Bromley BR2 9FL

020 8290 6222

Fax: 020 8313 3074

Email: property@sinclairjones.co.uk

www.sinclairjones.co.uk

APPENDIX 1

No. 73a

Permission granted



Town Planning

Civic Centre, Stockwell Close, Bromley BR1 3UH

Telephone: 020 8464 3333

Direct Line: 020 8313 4956

Email: planning@bromley.gov.uk

Fax: 020 8461 7725

Internet: www.bromley.gov.uk

DX5727 Bromley

Mr Michael Stotesbury
C/o Mr Lee Richardson
LPR Design
Firs Lodge
Firs Road
Kenley
Surrey
CR8 5LD

/
Application No : DC/16/01043/FULL1
Date : 24th May 2016

**TOWN AND COUNTRY PLANNING ACT 1990
THE TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT
PROCEDURE) (ENGLAND) ORDER 2015**

NOTIFICATION OF GRANT OF PLANNING PERMISSION

Take notice that the Council of the London Borough of Bromley, in exercise of its powers as local planning authority under the above Act, has **GRANTED** planning permission for the development, referred to in your application received on
2nd March 2016.

at : 73A Southlands Road Bromley BR2 9QT

Proposal: Change of use of ground floor retail unit (A1) into residential accommodation (C3), single storey rear and rear dormer extensions and conversion into two 2-bedroom self-contained flats with elevational alterations to front and side.

Subject to the following conditions **and for the reasons set out below:-**

- 1 The development to which this permission relates must be begun not later than the expiration of 3 years, beginning with the date of this decision notice.

REASON: Section 91, Town and Country Planning Act 1990.

- 2 Unless otherwise agreed in writing by the Local Planning Authority the materials to be used for the external surfaces of the development hereby permitted shall as far as is practicable match those of the existing building.

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.

- 3 The development hereby permitted shall not be carried out otherwise than in complete accordance with the plans approved under this planning permission unless previously agreed in writing by the Local Planning Authority.

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

- 4 No windows or doors shall at any time be inserted in the side elevation(s) of the single storey rear extension hereby permitted, without the prior approval in writing of the Local Planning Authority.

Reason: In order to comply with Policies of the Unitary Development Plan and in the interest of the amenities of the adjacent properties.

- 5 The flat roof area of single storey rear extension shall not be used as a balcony or sitting out area and there shall be no access to the roof area.

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

- 6 Before any part of the development hereby permitted is first occupied, bicycle parking (including covered storage facilities where appropriate) shall be provided at the site in accordance with details to be submitted to and approved in writing by the Local Planning Authority, and the bicycle parking/storage facilities shall be permanently retained thereafter.

Reason: In order to comply with Policy T7 of the Unitary Development Plan and Policy 6.9 of the London Plan and in order to provide adequate bicycle parking facilities at the site in the interest of reducing reliance on private car transport.

- 7 Before the development hereby permitted is occupied arrangements shall be agreed in writing with the Local Planning Authority and be put in place to ensure that, with the exception of disabled persons, no resident of the development shall obtain a resident's parking permit within any controlled parking zone which may be in force in the vicinity of the site at any time.

- 7 Reason: In order to comply with Policy T3 of the Unitary Development Plan and to avoid development without adequate parking or garage provision, which is likely to lead to parking inconvenient to other road users and would be detrimental to amenities and prejudicial to road safety.

Signed:



CHIEF PLANNER

On behalf of the London Borough of Bromley Council

YOUR ATTENTION IS DRAWN TO THE NOTES OVERLEAF

The Local Planning Authority is actively seeking to reduce the need to impose conditions. Any pre-commencement conditions imposed on this planning permission are necessary to ensure that the detail of the development to which they relate is carried out in a satisfactory manner and the submission of the information in relation to this is required before commencement as it would not be possible or desirable for this to happen at a later stage in relation to the specific reasons for imposing each condition.

To assist applicants the Local Planning Authority has produced policies and written guidance, all of which is available on the Council's website at www.bromley.gov.uk/planning. Through the provision of a pre-application advice service the Local Planning Authority encourages early engagement to resolve problems that can occur in relation to dealing with a planning application by providing clear guidance as to how the aims of the development plan can be achieved in a sustainable and appropriate manner in accordance with paragraphs 188 - 190 of the National Planning Policy Framework 2012.

Approvals with or without conditions, or refusals of applications for planning permission under the Town and Country Planning Act 1990 and the Town and Country Planning (General Development Procedure) Order 2015 (as amended) and applications for Listed Building and Conservation Area Consent under the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended)

If you disagree with the decision of the Local Planning Authority (LPA) to refuse permission or approval for the proposed development, or to grant permission or approval subject to conditions, you may appeal to The Planning Inspectorate (PINS). This is an independent Executive Agency which provides fair and impartial decisions on appeals against LPA decisions on planning consents in accordance with Section 78 of the Town and Country Planning Act 1990 and for Listed Building and Conservation Area consents in accordance with Section 20 and 21 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Appeals must be made within 12 weeks of the Decision Notice date for householder planning applications and within 6 months for any other application. They must be submitted on a form, which is obtainable from The Planning Inspectorate Temple Quay House, 2 The Square, Temple Quay Bristol BS1 6PN or online from <https://www.gov.uk/appeal-planning-decision>. If an enforcement notice is or has been served relating to the same or substantially the same development as in your application, then the time limit to appeal will expire 28 days after the enforcement notice is served – except that you will have a minimum of 28 days to appeal after the right of appeal begins and the time limit will expire no later than it would if there were no enforcement notice.

The Secretary of State (including PINS) is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the Local Planning Authority, or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the Statutory requirements, to the provisions of the development order, and to any directions given under the order.

If planning permission, listed building or conservation area consent to develop land is refused, or granted subject to conditions, whether by the Local Planning Authority or by the Secretary of State (including PINS) on appeal, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the London Borough of Bromley a purchase notice requiring that the Council purchase his interest in the land in accordance with the provisions of Part VI Chapter 1 of the Town and Country Planning Act 1990 or in accordance with the provisions of Section 32 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

In certain circumstances, a claim may be made against the local planning authority for compensation, where permission or consent is refused, or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. These circumstances in which compensation is payable are set out in Section 114 of the Town and Country Planning Act 1990 and in Section 27 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Applications for Express Consent under the Town and Country Planning Act 1990 and the Town and Country Planning (Control of Advertisements) Regulations 2007

If you disagree with the decision of the local planning authority to refuse consent for the display of an advertisement or to grant consent subject to conditions, you may by notice served within 8 weeks of the receipt of this notice, or such longer period as the Secretary of State may agree, appeal to the Planning Inspectorate in accordance with the provision of Part 3 Section 17 of The Town and Country Planning (Control of Advertisements) Regulations 2007. Forms are available from The Planning Inspectorate Temple Quay House, 2 The Square, Temple Quay Bristol BS1 6PN or online from <https://www.gov.uk/appeal-planning-decision>.

Town and Country Planning Act 1990 (as amended). A Certificate of Lawfulness for an existing proposed use or development

If you are aggrieved by a refusal to grant, a Certificate of Lawfulness, you may appeal to the Planning Inspectorate under Section 195 and 196 of the Town and Country Planning Act 1990 (as amended).

AN IMPORTANT FOOTNOTE

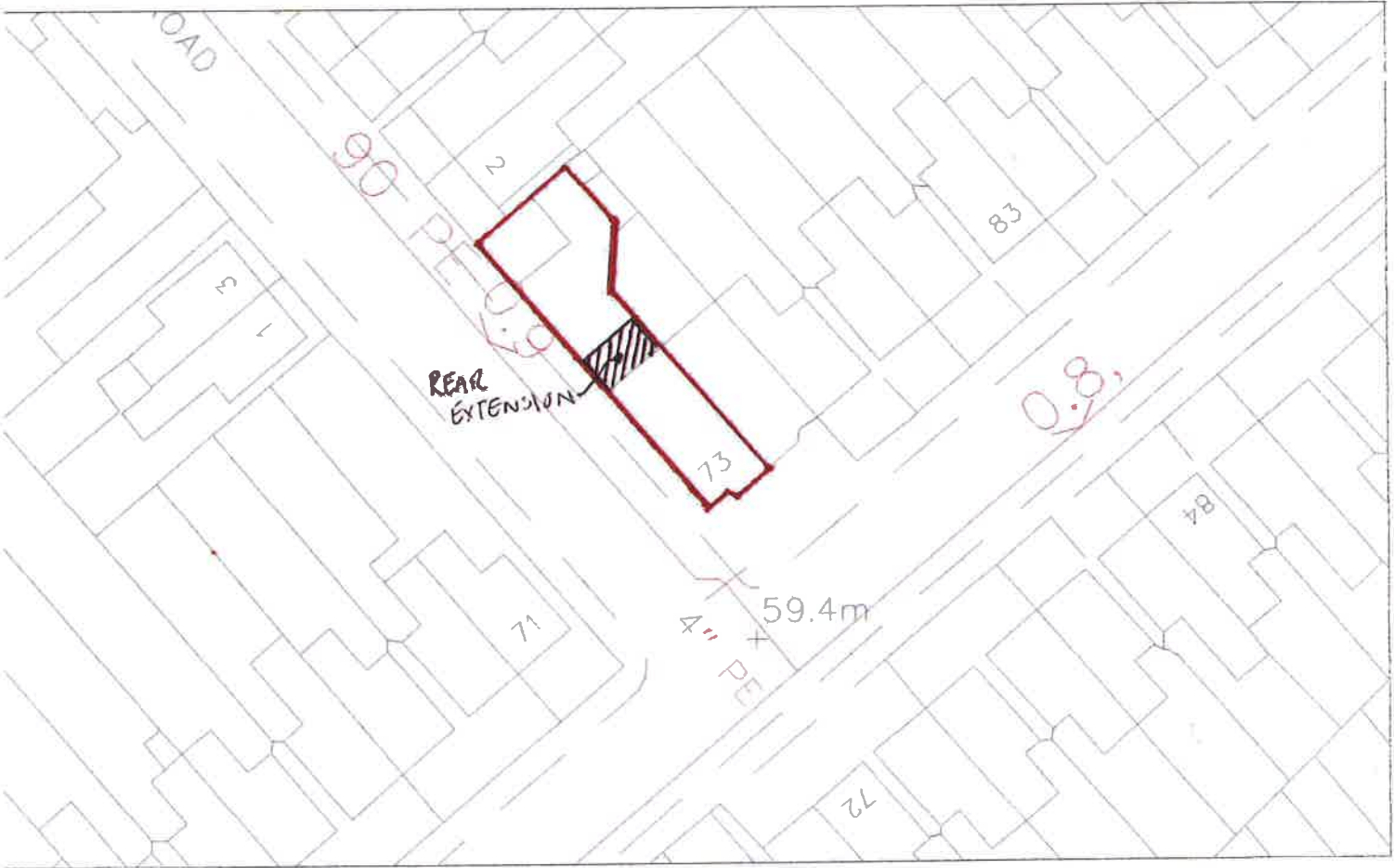
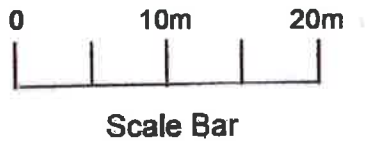
Permission or approval referred to overleaf is confined to permission under the Town and Country Planning Act 1990, Planning (Listed Buildings and Conservation Areas) Act 1990, the Town and Country Planning General Development Order 2015 as amended, and the Town and Country Planning (Control of Advertisements) Regulations 2007, and does not obviate the necessity of compliance with any other enactment, by law, or other provision whatsoever or of obtaining from the appropriate authority or authorities any permission, Building Regulation, consent, approval or authorisation which may be required.

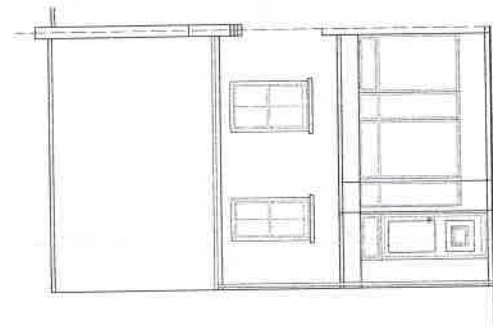
You are reminded that the Borough Council's permission does not modify or affect any personal or restrictive covenants, easement, etc., applying to or affecting either this or any other land or the rights of any persons (including the London Borough of Bromley Council) entitled to the benefits thereof or holding an interest in the property concerned in this development or in any adjoining property.

ACCESS FOR PEOPLE WITH DISABILITIES

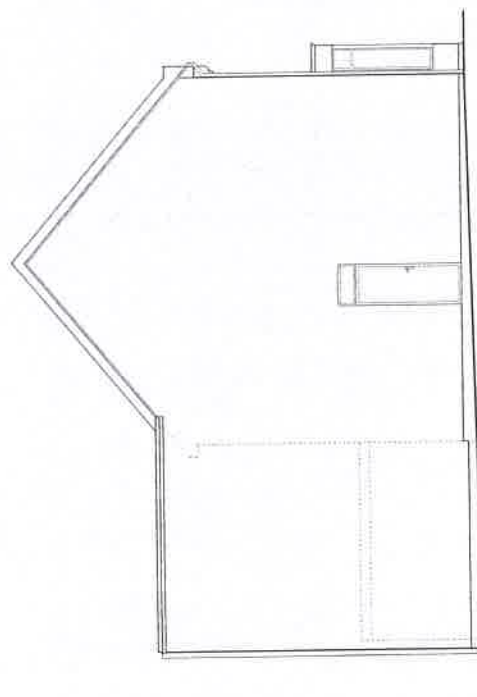
Your attention is drawn to British Standard and Government advice concerning means of access for people with a disability. This advice applies to educational, recreational and retail premises as well as office, factories and business premises.

73a Southlands Road
Block Plan

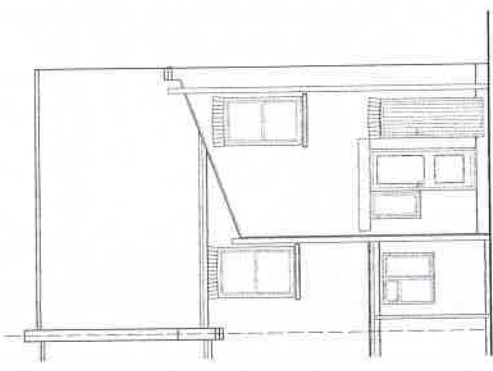




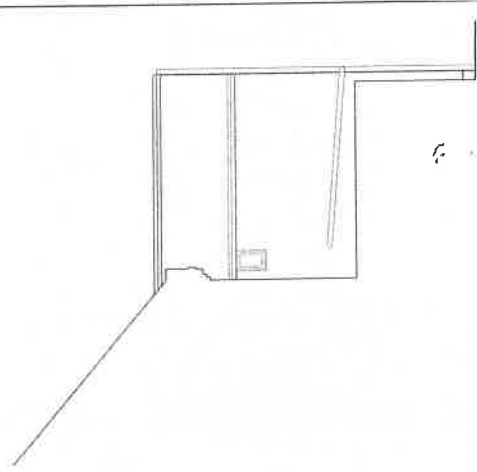
FRONT ELEVATION



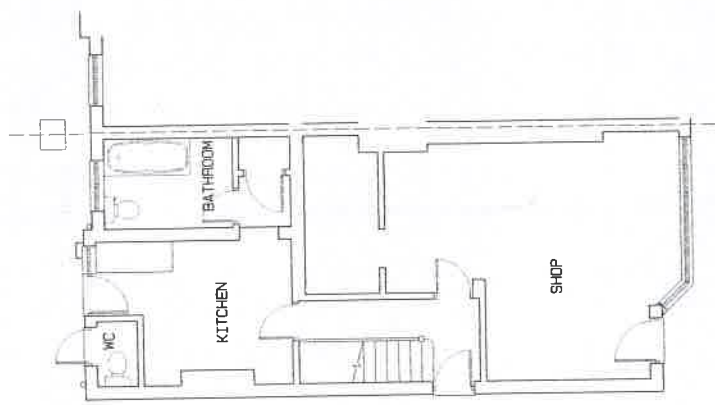
SIDE ELEVATION



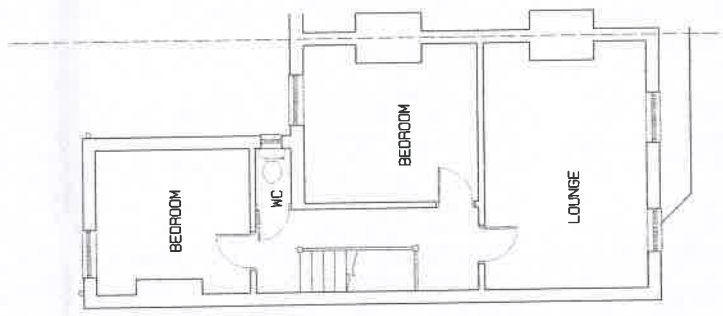
REAR ELEVATION



SIDE ELEVATION



GROUND FLOOR PLAN



FIRST FLOOR PLAN

MINISTER CORP
DO NOT REPRODUCE

16/01043

LEWIS 205
TOWN PLANNING



SCALE BAR 1:50

EXISTING FLOOR PLANS AND ELEVATIONS
73A SOUTHLANDS ROAD, BROMLEY

REVISIONS:

SCALE: 1:50 (PLAN) & 1:50 (ELEVATIONS)
CLIENT:
JOB NUMBER: 3207 DATE: SEPTEMBER 2015
DRAWN: R. RICHARDSON
I P R DESIGN TEL: 020 8668 2463

JAFFRAY ROAD

PAVEMENT

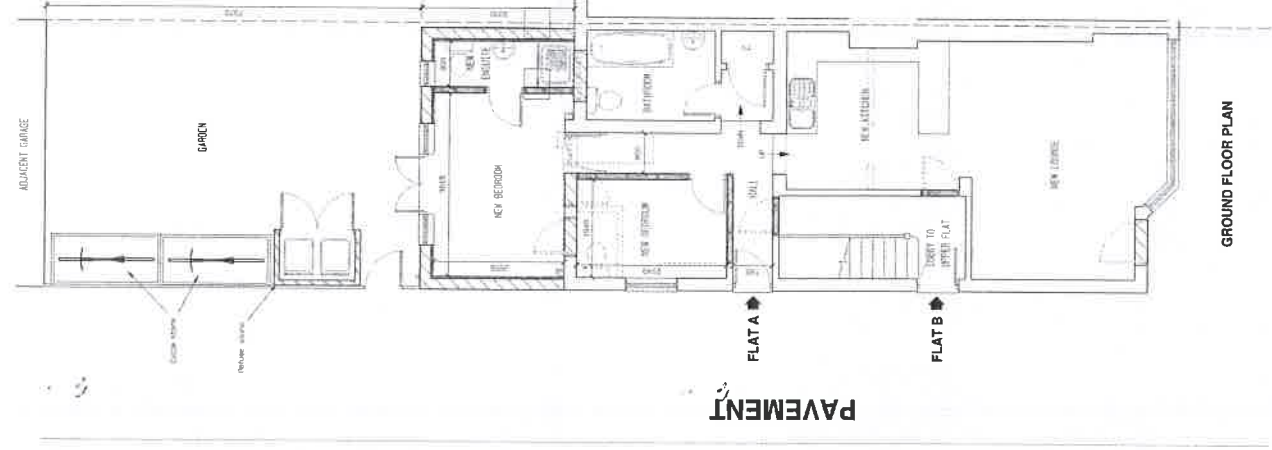


FRONT ELEVATION

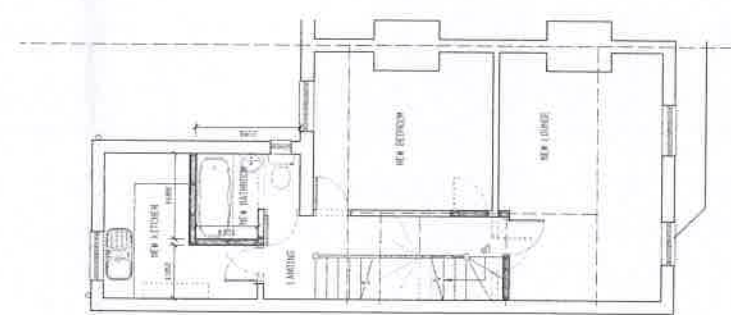
SIDE ELEVATION

SIDE ELEVATION

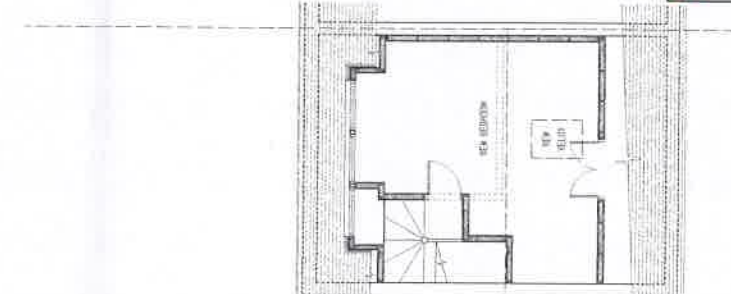
REAR ELEVATION



GROUND FLOOR PLAN



FIRST FLOOR PLAN



SECOND FLOOR PLAN

MASTER COPY
10/01/2015

10/01043

17 MAR 2015
TOWN PLANNING



SCALE BAR 1:50



SCALE BAR 1:100

| REVISIONS: | FLAT SIZES |
|--|--|
| 17 MAR 2015 TOWN PLANNING | FLAT A = 61.8m ² FLAT B = 70.3m ² |
| PROPOSED CONVERSION TO FORM TWO SELF CONTAINED FLATS FROM SHOPS AND UPPER WITH SINGLE STOREY REAR EXTENSION AND PROPOSED LOFT/ REAR DORMER 73A SOUTHLANDS ROAD, BROMLEY SCALE: 1:50 (PLAN) & 1:100 (ELEVATIONS) JOB NUMBER: 3207 DATE: SEPTEMBER 2015 DRAWN: R. RICHARDSON L.P.R DESIGN TEL: 020 8668 2463 | |

APPENDIX 2

No. 73

Permission refused



Town Planning

Civic Centre, Stockwell Close, Bromley BR1 3UH

Telephone: 020 8464 3333

Direct Line: 020 8313 4956

Email: planning@bromley.gov.uk

Fax: 020 8461 7725

Internet: www.bromley.gov.uk

DX5727 Bromley

Messrs PD & MS Stotesbury
C/o Mr Laurence Mineham
architecture24
Unit 11 Ashford House
Beaufort Court
Sir Thomas Longley Road
Rochester
ME2 4FA

/
Application No : DC/17/01925/FULL1
Date : 23rd June 2017

**TOWN AND COUNTRY PLANNING ACT 1990
THE TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT
PROCEDURE) (ENGLAND) ORDER 2015 (AS AMENDED)**

NOTIFICATION OF REFUSAL OF PLANNING PERMISSION

Take notice that the Council of the London Borough of Bromley, in exercise of its powers as local planning authority under the above Act, has **REFUSED** planning permission for the development, referred to in your application received on 26th April 2017.

at : 73 Southlands Road Bromley BR2 9QT

Proposal: Demolition of existing outbuilding and erection of single storey one bedroom dwellinghouse fronting Jaffray Road with courtyard amenity space at rear.

For following the reasons :-

- 1 The proposal would be out of character in this locality by reason of the height and length of the building and its monotonous and unrelieved design, resulting in a cramped and alien appearance within the street scene, detrimental to the visual amenities and distinctive character of the area and contrary to Policies BE1 and H7 of the Unitary Development Plan, Supplementary Planning Guidance 1 and 2 and Policies 7.4 and 7.6 of the London Plan.
- 2 A disproportionate amount of the site would be covered by buildings and hard surfaces so that the development would be lacking in space to provide a attractive setting for the proposed dwelling, a practical and satisfactory layout and means of servicing and attractive and useful amenity space for prospective occupants, and would appear as cramped development out of character with the pattern of development in the locality, thereby contrary to Policies BE1 and H7 of the Unitary Development Plan, SPG1 and SPG2 and Policies 7.4 and 7.6 of the London Plan.
- 3 The proposal would be overdominant and would be detrimental to the amenities that the occupiers of adjoining properties might reasonably expect to continue to enjoy by reason of

visual impact and loss of prospect in view of its size and siting in relation to the boundaries of the site and to neighbouring residential gardens and dwellings, thereby contrary to Policies BE1 and H7 of the Unitary Development Plan, SPG1 and SPG2 and Policies 7.4 and 7.6 of the London Plan.

Signed:

A handwritten signature in black ink, appearing to read 'J. Ashve', followed by a small dot.

CHIEF PLANNER

On behalf of the London Borough of Bromley Council

YOUR ATTENTION IS DRAWN TO THE NOTES OVERLEAF – these include information on time limits within which to submit an appeal, which can be as short as 28 days from the decision date.

To assist applicants the Local Planning Authority has produced policies and written guidance, all of which is available on the Council's website at www.bromley.gov.uk/planning. Through the provision of a pre-application advice service the Local Planning Authority encourages early engagement to resolve problems that can occur in relation to dealing with a planning application by providing clear guidance as to how the aims of the development plan can be achieved in a sustainable and appropriate manner in accordance with paragraphs 188 - 190 of the National Planning Policy Framework 2012.

Approvals with or without conditions, or refusals of applications for planning permission under the Town and Country Planning Act 1990 and the Town and Country Planning (General Development Procedure) Order 2015 (as amended) and applications for Listed Building and Conservation Area Consent under the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended)

If you disagree with the decision of the Local Planning Authority (LPA) to refuse permission or approval for the proposed development, or to grant permission or approval subject to conditions, you may appeal to The Planning Inspectorate (PINS). This is an independent Executive Agency which provides fair and impartial decisions on appeals against LPA decisions on planning consents in accordance with Section 78 of the Town and Country Planning Act 1990 and for Listed Building and Conservation Area consents in accordance with Section 20 and 21 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Appeals must be made within 12 weeks of the Decision Notice date for householder planning applications and within 6 months for any other application. They must be submitted on a form, which is obtainable from The Planning Inspectorate Temple Quay House, 2 The Square, Temple Quay Bristol BS1 6PN or online from <https://www.gov.uk/appeal-planning-decision>. If an enforcement notice is or has been served relating to the same or substantially the same development as in your application, then the time limit to appeal will expire 28 days after the enforcement notice is served – except that you will have a minimum of 28 days to appeal after the right of appeal begins and the time limit will expire no later than it would if there were no enforcement notice.

The Secretary of State (including PINS) is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the Local Planning Authority, or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the Statutory requirements, to the provisions of the development order, and to any directions given under the order.

If planning permission, listed building or conservation area consent to develop land is refused, or granted subject to conditions, whether by the Local Planning Authority or by the Secretary of State (including PINS) on appeal, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the London Borough of Bromley a purchase notice requiring that the Council purchase his interest in the land in accordance with the provisions of Part VI Chapter 1 of the Town and Country Planning Act 1990 or in accordance with the provisions of Section 32 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

In certain circumstances, a claim may be made against the local planning authority for compensation, where permission or consent is refused, or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. These circumstances in which compensation is payable are set out in Section 114 of the Town and Country Planning Act 1990 and in Section 27 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Applications for Express Consent under the Town and Country Planning Act 1990 and the Town and Country Planning (Control of Advertisements) Regulations 2007

If you disagree with the decision of the local planning authority to refuse consent for the display of an advertisement or to grant consent subject to conditions, you may by notice served within 8 weeks of the receipt of this notice, or such longer period as the Secretary of State may agree, appeal to the Planning Inspectorate in accordance with the provision of Part 3 Section 17 of The Town and Country Planning (Control of Advertisements) Regulations 2007. Forms are available from The Planning Inspectorate Temple Quay House, 2 The Square, Temple Quay Bristol BS1 6PN or online from <https://www.gov.uk/appeal-planning-decision>

Town and Country Planning Act 1990 (as amended). A Certificate of Lawfulness for an existing proposed use or development

If you are aggrieved by a refusal to grant, a Certificate of Lawfulness, you may appeal to the Planning Inspectorate under Section 195 and 196 of the Town and Country Planning Act 1990 (as amended).

AN IMPORTANT FOOTNOTE

Permission or approval referred to overleaf is confined to permission under the Town and Country Planning Act 1990, Planning (Listed Buildings and Conservation Areas) Act 1990, the Town and Country Planning General Development Order 2015 as amended, and the Town and Country Planning (Control of Advertisements) Regulations 2007, and does not obviate the necessity of compliance with any other enactment, by law, or other provision whatsoever or of obtaining from the appropriate authority or authorities any permission, Building Regulation, consent, approval or authorisation which may be required.

You are reminded that the Borough Council's permission does not modify or affect any personal or restrictive covenants, easement, etc., applying to or affecting either this or any other land or the rights of any persons (including the London Borough of Bromley Council) entitled to the benefits thereof or holding an interest in the property concerned in this development or in any adjoining property.

ACCESS FOR PEOPLE WITH DISABILITIES

Your attention is drawn to British Standard and Government advice concerning means of access for people with a disability. This advice applies to educational, recreational and retail premises as well as office, factories and business premises.

Community Infrastructure Levy (CIL) Information Note

This application is considered to be liable for the Mayor of London's Community Infrastructure Levy (CIL). The CIL is a planning charge levied on net additional floorspace arising from new developments or creation of new dwellings (including through a change of use) in order to fund infrastructure to support development in the local area. The Council acts as collecting authority for the Mayor of London who has a levy to raise money for transport infrastructure in the London area.

The first step in the CIL process is to complete a CIL Additional Information Requirement Form or Form 5: Notice of Chargeable Development for permitted developments. All the forms underlined can be found at: <http://www.bromley.gov.uk/cil>

The CIL Team can calculate the CIL liability based on the information you provided for the planning application, however we are unable to discount existing floorspace that has been in continuous use without the above forms.

At the same time, Form 1: Assumption of Liability must be completed in order to produce a Liability Notice. This form tells us who is responsible for paying the CIL charge. If this form is not completed within two weeks of the issue of the planning decision notice, CIL liability will default to the landowner or applicant at a cost of £50. You may have already completed the forms above during the application process.

If you wish to apply for charitable or social housing relief then Form 2: Claiming Exemption or Relief should be submitted. If you are a 'self builder' who builds or commissions a home for their own occupation you may apply for exemption using Form 7: Self Build Exemption Claim Form: Part 1 for the entire home or Self Build Annex or Extension Claim Form. **Exemption forms must be submitted before commencement** of the development and will be granted relief upon receiving a Relief Decision Notice. The **Form 7: Self Build Exemption Claim Form Part 2 form must be submitted within six months of completion** or the levy will become payable.

The Council will serve a Liability Notice on the person(s) who have assumed liability to pay. It is the liable party's responsibility to notify the Council when commencement (demolition, digging for foundations and underground services and change of use) has started using Form 6: Commencement Notice. **Late notification of a commencement date will result in penalties such as the removal of eligibility for the self-build exemption, a 20% surcharge**, the removal of the 60 day payment period requiring immediate payment or CIL stop notices.

The Council will issue a Demand Notice to the liable person(s) setting out the total CIL amount payable on commencement of the development and the payment date. Please note the chargeable amount will be indexed linked. This notice will be emailed and/or posted to the liable person(s) via the contact details provided in Form 1: Assumption of Liability.

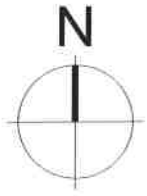
Our finance contractors will shortly afterwards send an invoice with a paying-in slip and information on payment methods following a Demand Notice. Non-payment and failure to comply with CIL procedures will result in surcharges.

The CIL liability will be registered as a local land charge against the land affected by the planning permission and will be revealed when a property search is made. CIL payment will make the charge on the register fulfilled.

Forms (underlined above) can be found at:

<http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil>

For further information or if you have any questions regarding CIL please contact us at cil@bromley.gov.uk or on 020 8313 4974.



SITE LOCATION PLAN - 1:1250@A4

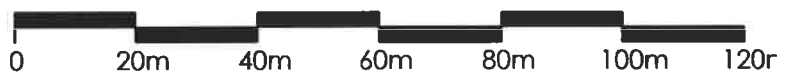
73a Southlands Road, Bromley BR2 9QT

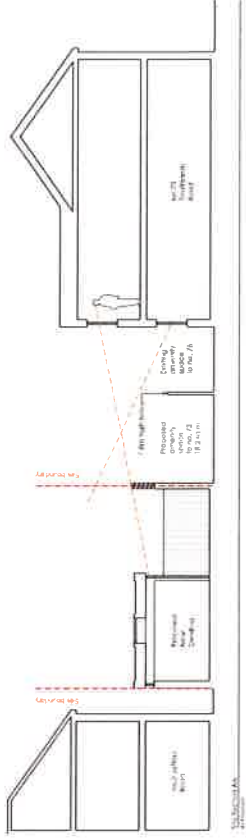


Ordnance Survey (c) Crown Copyright 2016. All rights reserved. Licence number 10002432

Dwg no: 17-192
VO_SL-01

1:1250





| | | | | | | |
|-----|---|----|----|----|----|-----|
| 100 | 0 | 2m | 4m | 6m | 8m | 10m |
|-----|---|----|----|----|----|-----|

100 0 2m 4m 6m 8m 10m

100 0 2m 4m 6m 8m 10m

100 0 2m 4m 6m 8m 10m

100 0 2m 4m 6m 8m 10m

100 0 2m 4m 6m 8m 10m

100 0 2m 4m 6m 8m 10m

100 0 2m 4m 6m 8m 10m

100 0 2m 4m 6m 8m 10m

APPENDIX 3

No. 73

Appeal decision awaited



The Planning Inspectorate

Room 3/N Kite
Temple Quay House
2 The Square
Bristol
BS1 6PN

Direct Line: 0303 444 5547
Customer Services:
0303 444 5000
Email: East2@pins.gsi.gov.uk

www.gov.uk/planning-inspectorate

Your Ref: DC/17/01925/FULL1
Our Ref: APP/G5180/W/17/3186825

Ms Helen Jordaney
London Borough of Bromley
Planning Appeals
Bromley Civic Centre
Stockwell Close
Bromley
Kent
BR1 3UH

03 January 2018

Dear Ms Jordaney,

Town and Country Planning Act 1990
Appeal by Mssrs PD & MS Stotesbury
Site Address: 73 Southlands Road, Bromley, Kent, BR2 9QT

I have received appeal forms and documents for this site. I am the case officer. If you have any questions, please contact me. I have checked the papers and confirm that the appeal(s) is valid. If I later find out that this is not the case, I will write to you again.

The procedure and starting date

The appellant(s) has requested the Written representations procedure. In accordance with s319A of the Act we have applied the criteria and considered all representations received, including the appellant(s) preferred choice. We consider that the Written representations procedure is suitable and we intend to determine this appeal by this procedure.

The date of this letter is the **starting date** for the appeal(s). The timetable for the appeal(s) begins from this date.

Sending documents to us and looking at the appeal(s)

A timetable is set out below. No reminders will be sent, and any documents sent after the deadlines will normally be returned.

You can use the Internet to submit documents, to see information and to check the progress of cases through GOV.UK. The address of the search page is <https://www.gov.uk/appeal-planning-inspectorate>.

If emailing documents, please use the email address above. If posting documents (other than the Questionnaire) please send 2 copies of everything. Whichever method you use, please make sure that all documents/emails are clearly marked with the full reference number.

Guidance on communicating with us electronically can be found at: <https://www.gov.uk/government/publications/planning-appeals-procedural-guide>.

Timetable

The following documents must be sent within this timetable.

By 10 January 2018

You must notify any person who was notified or consulted about the application in accordance with the Act or a development order and any other interested persons who made representations to you about the application, that the appeal(s) has been made. You should tell them:-

- i) that any comments they made at application stage will be sent to me and the appellant(s) and will be considered by the Inspector (unless they withdraw them within the 5 week deadline). If they want to make any additional comments they must submit 3 copies within 5 weeks of the starting date, **by 07 February 2018**. If comments are submitted after the deadline, the Inspector will not normally look at them and they will be returned;
- ii) when and where the appeal documents will be available for inspection;
- iii) that the Planning Inspectorate will not acknowledge representations. We will, however, ensure that letters received by the deadline are passed on to the Inspector dealing with the appeal(s);
- iv) that they can get a copy of our booklet 'Guide to taking part in planning appeals proceeding by Written representations' either free of charge from you, or on GOV.UK <https://www.gov.uk/government/collections/taking-part-in-a-planning-listed-building-or-enforcement-appeal>; and
- v) that the decision will be published on GOV.UK.

You must send a copy of a completed appeal questionnaire and supporting documents, a copy of your notification letter and a list of those notified to the appellant(s) and me.

By 07 February 2018

Please send me your statement of case if the appeal questionnaire does not give full details of your case. Please include a list of any conditions or limitations you would agree to, if the appeal were to be allowed. I will send you and the appellant(s) a copy of any comments received from other interested persons or organisations and I will also send a copy of your statement to the appellant(s).

By 21 February 2018

The appellant(s) must send me any final comments they have on your statement. Both you and the appellant(s) may comment on any representations received from interested persons or organisations. No new evidence is allowed at this stage. I will send you a copy

of any final comments received from the appellant(s).

Site visit

We will arrange for one of our Inspectors to visit the appeal site. If it is decided that the Inspector should be accompanied by the main parties, we will send you details of these arrangements nearer the time. If, however, an unaccompanied or an 'access required' site visit can be made, you will **not** be informed in advance. Inspectors will not accept any documents or discuss the merits of the appeal(s) at the site visit.

Planning obligations - section 106 agreements

If you intend to submit a planning obligation, you must read the guidance provided on GOV.UK - <https://www.gov.uk/government/publications/planning-appeals-procedural-guide>. A certified copy must be submitted to me no later than 7 weeks from the date of this letter.

Withdrawing the appeal(s)

If you hear that the appeal(s) is to be withdrawn, please telephone me immediately. If I receive written confirmation of this from the appellant(s), I will write to you.

Costs

The appellant(s) has been directed to GOV.UK for further information regarding costs - <http://planningguidance.communities.gov.uk/blog/guidance/appeals/>. You should also be aware that costs may be awarded to either party.

Additionally, a Planning Inspector or the Secretary of State may on their own initiative make an award of costs, in full or in part, if they judge that a party has behaved unreasonably resulting in unnecessary appeal expense.

Further information

Further information about the appeals process can be accessed at GOV.UK - <https://www.gov.uk/government/publications/planning-appeals-procedural-guide>. I recommend that you read the relevant guidance.

Yours sincerely,

Judith Birch

Judith Birch

Land To Rear Of 73 Southlands Road, Bromley, Kent BR2 9QT

**Demolition Of Existing Outbuilding And Erection Of
Single Storey One Bedroom Dwellinghouse Fronting Jaffray Road
With Courtyard Amenify Space At Rear.**

Planning Application DC/17/01925/FULL1

Planning Appeal / Statement Of Case

Introduction

1. The Planning Application was submitted on 26th April 2017 for the following:

Demolition Of Existing Outbuilding And Erection Of Single Storey One Bedroom Dwellinghouse Fronting Jaffray Road With Courtyard Amenity Space At Rear.

2. The application was refused by the Council on 23rd June 2017 for the following reasons:

1 *The proposal would be out of character in this locality by reason of the height and length of the building and its monotonous and unrelieved design, resulting in a cramped and alien appearance within the street scene, detrimental to the visual amenities and distinctive character of the area and contrary to Policies BE1 and H7 of the Unitary Development Plan, Supplementary Planning Guidance 1 and 2 and Policies 7.4 and 7.6 of the London Plan.*

2 *A disproportionate amount of the site would be covered by buildings and hard surfaces so that the development would be lacking in space to provide a attractive setting for the proposed dwelling, a practical and satisfactory layout and means of servicing and attractive and useful amenity space for prospective occupants, and would appear as cramped development out of character with the pattern of development in the locality, thereby contrary to Policies BE1 and H7 of the Unitary Development Plan, SPG1 and SPG2 and Policies 7.4 and 7.6 of the London Plan.*

3 *The proposal would be overdominant and would be detrimental to the amenities that the occupiers of adjoining properties might reasonably expect to continue to enjoy by reason of visual impact and loss of prospect in view of its size and siting in relation to the boundaries of the site and to neighbouring residential gardens and dwellings, thereby contrary to Policies BE1 and H7 of the Unitary Development Plan, SPG1 and SPG2 and Policies 7.4 and 7.6 of the London Plan.*

Addressing the reasons for refusal

The Officers Report states:

The main issues in the determination of this application are considered to be the impact of the proposal on residential and visual amenity along with the extent to which the proposed residential unit would provide accommodation of a satisfactory quality.

The proposal would provide an additional unit of residential accommodation and this represents a strong material consideration in the determination of the application.

This Statement will focus on the reasons for refusal and the main issues as identified in the Officers Report. Many aspects of the scheme are considered satisfactory in that Report and we concur with the reasoning and conclusions in respect of those particular positive aspects.

Reason 1

The building would enhance the amenity and vitality of the surrounding streets by removing a dilapidated, redundant structure and boundary fencing in poor condition and replacing it with a subtle and discreet building intended to act as a 'neutral foil' in the street scene. It could make a positive contribution to and enhance the local landscape and would not disrupt or be in conflict with, in any material sense, the form, proportion, scale and character of the street.

The design concept adopted is based on a the front elevation having a low visual impact in the street scene by replacement / replication of an existing, traditional, brick boundary wall which could not reasonably be considered as out of character, alien or cramped in this context and within a Victorian suburban area. The street facing walls would be unfussy and discreet, constructed of good quality London Stock facing brickwork (to be consistent with the local vernacular) and incorporating a front door, a horizontal glazed feature that runs around the perimeter of the building and the thin horizontal flat roof element above that.

The length of wall facing the street is 9.4 metres and it would not dominate or be detrimental to the visual amenities and distinctive character of the area in that regard.

The height of the proposed building would be the same as the height of the existing brick outbuilding along the boundary with 2 Jaffray Road. That height would carry on along Jaffray Road but be mitigated by the horizontal glazed feature that runs around the perimeter of the building and the thin horizontal flat roof element above that.

Reason 2

The proposed site layout aims to strike a balance between efficient and creative use of a previously developed small plot and the provision of much needed, modestly scaled, residential accommodation.

The site is inherently compact and the design is deliberately restrained and 'neutral' in respect of visual impact but still able to provide an attractive place for 2 people to live in this suburban setting. The 'setting' is unconventional and unusual but the dwelling is designed, as explained elsewhere, to blend into the background of the street scene in the same way as a brick boundary or garden wall would do. It was never intended that the dwelling should declare its presence in a conventional manner or with a conventional frontage. The restrained, subtle and unfussy 'elevation' would allow the building to be placed in this context without disruption to the prevailing grain or character of the area and has been designed from the outset to have a low visual impact and be 'camouflaged' in the street scene.

The notion of 'an attractive setting' assumes a conventional approach to a suburban infill residential scheme and inherently rules out consideration of alternative solutions in awkward situations. That approach would not sit comfortably with the design concept adopted and the stated intention to lessen the visual impact rather than emphasise it.

Servicing of the building would be a straightforward matter of access from Jaffray Road.

- Emergency services could stop directly outside the property.
- Rubbish / recycling removal would be a kerbside collection with bins / bags stored within the property and placed at the roadside on collection day and retrieved afterwards, in common with all properties in the Borough.
- Bicycles could be safely stored in the courtyard / amenity area and carried to the street through the dwelling should occupants choose to do so.

Standards in respect of residential space and private garden area are fully compliant with current policy and guidance contained within The London Plan and The Mayor Of London Housing Supplementary Planning Guidance.

Residential and amenity standards comply with the criteria set out in the London Plan ie: a 1 bedroom unit is required to be a minimum of 50 sq.m and the proposal would create 56.2 sq.m, a 12% increase on the minimum set out in Table 3.3.

The Mayor Of London Housing Supplementary Planning Guidance / Standard 26 states that a minimum of 5sqm of private outdoor space should be provided for 1-2 person dwellings and an extra 1sqm should be provided for each additional occupant. On that basis the proposal creates a practical and useable amenity area of over 4 times the size recommended.

These figures do not support an assertion that the site is cramped or unsatisfactory in that respect of accommodation or private amenity space.

Reason 3

The application site is bounded on the SW side by Jaffray Road, on the NW side by 2 Jaffray Road, on the NE side by the garden to 77 Southlands Road and the SE side by the rear of 73 Southlands Road. Those four situations could be addressed as follows.

There would be no detrimental impact, by reason of visual impact and loss of prospect, to adjoining owners on the SW side, that being the street elevation and not adjacent to any property on that front.

On the NW side the footprint of the proposed building is over the existing outbuilding footprint but projecting further along that boundary with 2 Jaffray Road and stopping before the garden end of the neighbouring flank wall. In that regard the proposal would have no detrimental impact as there would be no loss of prospect or visual impact or increased sense of enclosure in this particular location ie: against the flank wall elevation of 2 Jaffray Road as there are no openings in that flank wall. In addition, the proposal does not impinge on the outlook from the rear of the adjacent house or onto the private amenity areas of it. On that basis the occupants at 2 Jaffray Road might reasonably expect to continue to enjoy the level of amenities that currently exist.

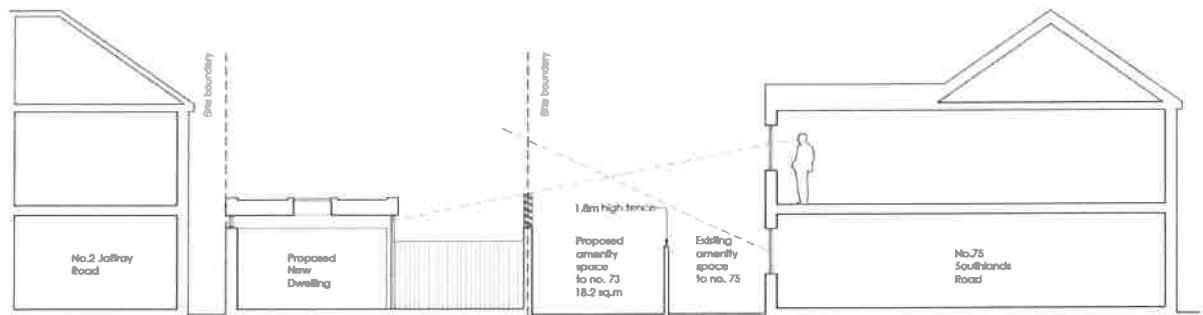
The proposed building is arranged in such a way that there is a gap before the boundary with 77 Southlands Road on the NE side to maintain a reasonable clearance to that boundary and the garden of 77. There would be no direct overlooking into the garden of 77 and the outlook from the garden of 77 is already limited by the existing outbuilding and the flank wall of 2 Jaffray Road. It should also be noted that the common boundary between 77 and 75 has always been between garden areas and this situation would continue. There would therefore, be no material change in the quality of the amenity area of 77 Southlands Road in this specific regard and the occupants might reasonably expect to continue to enjoy the level of amenities that currently exist.

The boundary on the SE side is to the rear of the host property and 75 Southlands Road. It should be noted that the rear of 75 Southlands Road has only a small outside amenity area across the rear of the property and extending approximately 2.7 metres deep. The garden / land beyond that small paved yard is not available to the occupants of 75 and has not been so for many years. For that reason the occupants of 75 would not suffer any worsening of the situation as the outlook and prospect would remain comparable to that which currently exists.

The relationship with the rear of 73 Southlands Road has been shown on the basis of an assumption that, if this Application / Appeal were approved, the previously approved conversion and extension at 73 could be amended slightly to accommodate the new dwelling. The submitted layout shows a garden area of 18 sq.m which would be adequate for the likely occupancy of the GF flat at 73 and one that is larger than that provided at 75. The bikes and bins shown in the garden on the conversion proposals could be relocated to the frontage on Southlands Road thereby allowing the potential for a mutually acceptable rearrangement to be implemented.

For the avoidance of doubt, the conversion works at 73 have been placed 'on hold' until this Appeal is decided so that the potential remains to develop both in a satisfactory manner, should the Appeal be allowed. If not, the conversion works would proceed as approved.

The relationship with outlook and prospect from the rear of residential units on Southlands Road extends to consideration of overlooking from upper floor windows. This has been considered in the design by the incorporation of a privacy louvre / screen above the enclosing boundary wall. The drawing extract below illustrates how the screen could be effective in preventing overlooking in both directions thereby ensuring adequate levels of privacy and amenity for occupants in the new building and those in surrounding properties.



Section showing the effectiveness of the boundary privacy screen in ensuring no overlooking or privacy issues between adjacent properties in respect of the proposal. The section also demonstrates that the proposed building would not be dominant relative to any surrounding properties.

Applicable Planning Policies

The proposals have been developed by reference to the advice and guidance set out in Policies BE1 and H7 of the UDP, the Council's Adopted Supplementary Planning Guidance No. 1 (General Design Principles) and Adopted Supplementary Planning Guidance No. 2 (Residential Design Guidance), Policies 7.4 and 7.6 of The London Plan and The NPPF.

In respect of **Bromley Council SPG No. 1** the following sections apply:

1 Objectives Of Design

Good urban design should have a positive impact on the appearance of new buildings, and their relationships with existing buildings and the places and spaces around them. It should also understand the local and wider context of the development, showing respect for its positive local attributes whilst at the same time addressing the negative ones.

The character of area has been respected and not disrupted by what would be viewed a boundary / garden wall. The prevailing character of area is maintained as the existence of the dwelling would be almost imperceptible in the street scene

1.1 Character

New development should have a character and quality of its own whilst at the same time respecting the character of its locality and should as far as possible take into account the character types described in Section 3 of this document.

The proposed building would have a distinctive character and quality of its own albeit in an unconventional and restrained manner and would respect the character of the locality by virtue of the 'neutral foil' design approach adopted.

The UDP sets a general requirement for new development to be in scale with its neighbours

The proposed dwelling would not conflict with or dominate the scale of neighbouring properties.

New and old buildings can coexist happily without disguising one as the other; architectural treatments, materials and details are of particular importance and should be carefully considered.

This statement embodies the guiding principles followed in the proposal and underlines the design approach followed in this instance in respect of the distinctive, different, restrained but complementary design and the use of local vernacular materials.

3.5 Terraced Victorian/ Edwardian housing

New development should follow the established frontage and rhythm of the street scene.

The 'replication' of a brick boundary wall in exactly the same place and of a comparable height as the existing brick wall adheres to this guidance.

The clear distinction between private and public space formed by street walls, gates and fences is an important element.

The proposal maintains the distinction between private and public space formed by existing street walls, gates and fences. There is no conflict in this regard.

In respect of **Bromley Council SPG No. 2** the following sections apply:

1.1 *Local distinctiveness*

The starting point for all new development should be a respect for the character and appearance of the site, its immediate neighbours and the wider street scene.

The proposal respects the character and appearance of the site, its immediate neighbours and the wider street scene and by virtue of the restrained design it would ensure that no conflict or harm to the prevailing Victorian terraced character of the area arises.

1.4 *Design and form*

The character of the immediate locality should guide the built form and palette of materials.

The proposed built form takes its cue from the existing character of the site ie: the low lying, single storey brick building, and palette of materials prevalent in the area.

1.8 *Fences and boundaries*

All new boundaries should be carefully considered to ensure that they fit in with the height and materials of their local context.

As a general rule materials and details should be kept as simple as possible.

The proposed design is effectively its own boundary wall and has been carefully developed to ensure that these criteria are met ie: a brick boundary wall is the very specific local context.

3.2 *Parking*

In residential areas of established character the creation of parking hardstandings on front gardens should be avoided as parked cars in such locations can create a cluttered and unattractive street scene.

This guidance has clearly been followed with no on-site parking.

4.3 *Building form and appearance*

Normally this should be dictated by the built form and materials used in adjoining areas. Local traditional materials tend to be more sustainable than modern alternatives and should be used wherever possible.

This point overlaps with 1.4 above in that the proposed built form takes its cue from the existing character of the site ie: the low lying, single storey brick building, and palette of materials prevalent in the area.

4.4 Gardens

In some instances, where space is limited, it may be more advantageous to consolidate the limited space into a central communal square or green and allow the houses to front directly onto the pavement

This concept has been progressed in this project with the integration of a central private courtyard allowing the house to front directly onto the street.

THE LONDON PLAN

Policy 7.4 Local Character states:

Strategic

- A *Development should have regard to the form, function, and structure of an area, place or street and the scale, mass and orientation of surrounding buildings. It should improve an area's visual or physical connection with natural features. In areas of poor or ill-defined character, development should build on the positive elements that can contribute to establishing an enhanced character for the future function of the area.*

The proposal adheres to these strategic objectives, would ensure the retention of the prevailing character of the area and would enhance the quality of the existing site and its setting, as presented in previous paragraphs.

Planning decisions

- B *Buildings, streets and open spaces should provide a high quality design response that:*
- a *has regard to the pattern and grain of the existing spaces and streets in orientation, scale, proportion and mass*
 - b *contributes to a positive relationship between the urban structure and natural landscape features, including the underlying landform and topography of an area*
 - c *is human in scale, ensuring buildings create a positive relationship with street level activity and people feel comfortable with their surroundings*
 - d *allows existing buildings and structures that make a positive contribution to the character of a place to influence the future character of the area*
 - e *is informed by the surrounding historic environment.*

These criteria are all fully addressed in previous sections of this Statement

In respect of this specific London Plan policy the proposal is considered to fully comply and adhere to the requirements and objectives.

Policy 7.6 Architecture states:

Strategic

- A *Architecture should make a positive contribution to a coherent public realm, streetscape and wider cityscape. It should incorporate the highest quality materials and design appropriate to its context.*

Compliance with this objective has been clearly and fully demonstrated in previous paragraphs of this Statement.

Planning decisions

- B *Buildings and structures should:*
- a *be of the highest architectural quality*
 - b *be of a proportion, composition, scale and orientation that enhances, activates and appropriately defines the public realm*
 - c *comprise details and materials that complement, not necessarily replicate, the local architectural character*
 - d *not cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings, in relation to privacy, overshadowing, wind and microclimate. This is particularly important for tall buildings*

Compliance with this objective has been clearly and fully demonstrated in previous paragraphs of this Statement.

In respect of this specific London Plan policy the proposal is considered to fully comply and adhere to the requirements and objectives.

BROMLEY UDP

Policy BE1 states:

All development proposals, including extensions to existing buildings, will be expected to be of a high standard of design and layout. To those ends, proposals will be expected to meet all of the following criteria:

- (i) development should be imaginative and attractive to look at, should complement the scale, form, layout and materials of adjacent buildings and areas;*

The proposal is an imaginative and attractive solution to making the best use of a previously developed site. The form and subtle, restrained appearance enhances and complements the scale, form, layout and materials of adjacent buildings.

- (ii) development should not detract from the existing street scene and/or landscape and should respect important views, skylines, landmarks or landscape features;*

The proposal is in full compliance with that criterion, as demonstrated in the foregoing sections of this Statement.

- (iii) space about buildings should provide opportunities to create attractive settings with hard or soft landscaping;*

The proposal is in full compliance with that criterion when reconciled against the existing site size and constraints, as demonstrated in the foregoing sections of this Statement.

- (iv) relationship with existing buildings should allow for adequate daylight and sunlight to penetrate in and between buildings;*

The proposal does not result in any lessening of daylight and sunlight to surrounding properties or the space between them and the fenestration and rooflight arrangement in the proposed house would ensure satisfactory provision in that regard.

- (v) *the development should respect the amenity of occupiers of neighbouring buildings and those of future occupants and ensure their environments are not harmed by noise and disturbance or by inadequate daylight, sunlight or privacy or by overshadowing;*

This point is covered in previous sections of this Statement, particularly the section responding to reason for refusal 3.

- (vi) *the development should include measures that achieve sustainable design and construction methods including, where appropriate, energy generated by on-site renewable development;*

Ample opportunity exists to incorporate sustainable design and construction methods that would comply with LB Bromley and London Plan policies in that regard, over and above the requirements of other legislation such as The Building Regulations.

- (vii) *suitable access should be provided for people with impaired mobility. Where necessary and relevant to the development, contributions may be sought to improve accessibility around the development;*

The new dwelling would be designed to comply with Approved Document M of The Building Regulations which would ensure adequate and appropriate accessibility for people with impaired mobility.

- (viii) *security and crime prevention measures should be included in the design and layout of building and public areas; and*

The new dwelling would be designed to comply with the requirements of the Secured By Design initiative implemented and managed by the local Police force.

- (ix) *applications should be accompanied by a written statement setting out design principles and illustrative material showing relationship of the development to the wider context.*

This information was incorporated in the original covering letter and as further substantiated in this Statement.

In respect of this specific LB Bromley policy the proposal is considered to fully comply with each of the 9 criteria.

Policy H7 states:

Applications for new housing developments will be expected to meet all of the following criteria:

- (i) the development complies with the density ranges set out in the density/ location matrix at Table 4.2 below;*

Not raised as an issue by the LA.

- (ii) in the interest of creating mixed and balanced communities, the development provides a mix of housing types and sizes, or provides house types to address a local shortage;*

Not raised as an issue by the LA.

- (iii) the site layout, buildings and space about buildings are designed to a high quality and recognise as well as complement the qualities of the surrounding areas;*

Proposals meet these criteria, as explained in earlier sections of this Statement.

- (iv) adequate private or communal amenity spaces are provided to serve the needs of the particular occupants;*

Proposals meet these criteria, as explained in earlier sections of this Statement.

- (v) off street parking is provided at levels no more than set out in the Table at Appendix II. These are maximum parking standards. A higher provision will be acceptable only where it can be demonstrated that complying with the maximum standards would not be in the interest of the safety of highway users, or where additional parking is required to meet the needs of particular users, such as those with disabilities;*

Proposals meet these criteria, as explained in earlier sections of this Statement.

(vi) *the layout is designed to give priority to pedestrians and cyclists over the movement and parking of vehicles; and*

Proposals meet these criteria, as explained in earlier sections of this Statement

(vii) *security and crime prevention measures are included in the design and layout of buildings and public areas.*

Proposals meet these criteria, as explained in earlier sections of this Statement.

Conclusion.

The main issues in the determination of this application have been duly considered and we trust that the Inspector agrees that the Council's assertions in respect of the impact of the proposal on residential and visual amenity along with the extent to which the proposed residential unit would not provide accommodation of a satisfactory quality do not withstand scrutiny and cannot reasonably be substantiated

The proposal would provide an additional unit of residential accommodation and this represents a strong material consideration in the determination of the application.

For all of the reasons and explanations set out in this Statement we respectfully ask the Inspector to uphold the Appeal and allow the development.