

2. Application No : 04/04689/FULL1 Ward: Cray Valley West

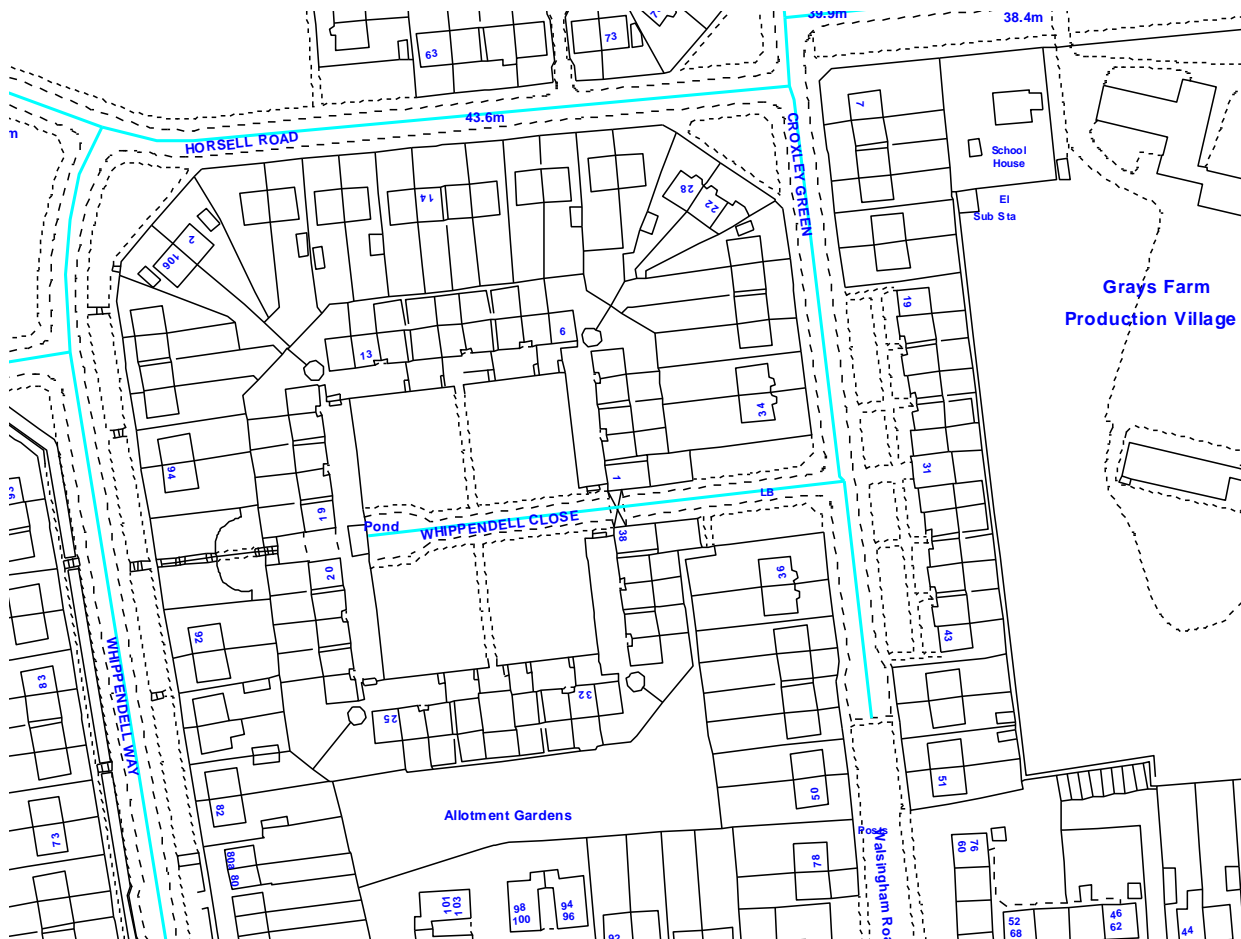
Address : 1 Whippendell Close Orpington Kent BR5 3BL Conservation Area:NO

OS Grid Ref: E: 546745 N: 169671

Applicant : Ian Scott, Development Project Manager Objections : NO

Description of Development:

Demolition of existing single storey dwellings and erection of 5 two storey blocks comprising 18 one bedroom and 2 two bedroom flats for sheltered accommodation for the elderly, 19 two bedroom flats, 4 four bedroom houses, 15 three bedroom houses with access road, 53 car parking spaces, relocation/rearrangement of Urban Open Space including use of allotment land for associated gardens and residential curtilage (at 1 - 38 Whippendell Close and former allotment gardens to the rear of Nos. 25-33 Whippendell Close)



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Proposal

This application site is approx. 11,807sq.m. in area. It comprises a courtyard development of 38 predominantly single storey dwellings which provides sheltered housing for the elderly. The terraced layout of buildings are interspersed by two storey buildings which flank the archway leading into the site from Whippendell Close and the day centre building on the southern side of the courtyard which have steep front gable pitches. The properties front a rectangular area of Urban Open Space (UOS), designated in the adopted UDP, which is mainly laid to lawn. The existing dwellings have private rear gardens of approx. 5-6m in depth which adjoin the rear gardens of residential properties of Horsell Road, Croxley Green and Whippendell Way to the north, east and west respectively. To the south of the site is an area of redundant allotment land, which has been designated as UOS in the second deposit draft UDP. This area of land is to be included as part of the proposed development which adjoins residential properties in Walsingham Road.

Vehicular access to the site is obtained via Whippendell Close, which is an adopted road and extends only halfway into the courtyard site. There is limited parking available on site, and generally cars are parked in single file due to the restriction in the width of the road.

Pedestrian access into the site can also be obtained via Whippendell Way although gates are locked to restrict access during the night.

Full planning permission is sought for the demolition of the existing buildings and erection of a mixed tenure development of social rented and shared ownership comprising 19 two storey 3 and 4 bedroom family houses, 19 two bedroom flats and a block of self-contained 20 one and two bedroom flats for the elderly. The design of the development will maintain a 'courtyard' feel centred around an area of open space, fronting the sheltered block, in the form of a landscaped garden. The remaining area of open space and former allotment land will effectively be redistributed around the site to provide each house with private rear gardens and the flatted blocks with communal amenity space.

Alterations and extension of the access road will now form a cul-de-sac with a turning head proposed to the north-west of the site. Parking is proposed at a rate of 1:1 for all houses and flats (total of 38 spaces) and the 20 sheltered units will have 4 dedicated spaces. The remaining 11 spaces located around the central green and on the approach to Whippendell Close will be available for visitors to the site.

A planning statement accompanying the original application (04.02110) set out the design ethos behind the scheme and an addendum to this has been submitted in respect of the revised proposal. Essentially, the existing accommodation is too small and requires upgrading in order to meet current Government standards, yet because of the limitations of the site it is difficult to extend the buildings. In addition, to this

Broomleigh have submitted a schedule of accommodation that is proposed for the redevelopment of Whippendell Close which comprises 26 units for shared ownership, 12 for general rent and 20 for retirement housing. Whilst the figures are yet to be confirmed, the nominations for shared ownership properties is to be agreed with the borough and it is likely that key workers and existing Broomleigh tenants will have the initial opportunity to purchase the properties. Likewise, the amount of provision for general needs rented accommodation will be in response to the housing need of the Borough. The nominations arrangements for these will be in accordance with the Bromley and Broomleigh nomination agreement. In any case the scheme overall is 100% affordable housing and it is intended that the development be funded by the Housing Corporation, a section of the ODPM.

Consultations

Drainage: There are public and foul sewers crossing the site, but the proposed buildings have been sited to avoid them. Thames Water do not raise objections to the principle of development subject to conditions relating to the need for oil/petrol interceptors to parking areas.

Highways: The proposed parking provision is acceptable, however technical objections are raised to the design of the junction with Croxley Green is considered sub-standard and is not suitable for intensification of vehicular use. In addition, the proposed turning head facility will not adequately allow a refuse vehicle to turn in this space without crossing the footway. Furthermore, given the number of units proposed, an additional turning facility will be required to serve the properties on the southern side of the site.

English Heritage: No objections were raised with regard to the original application submitted under Ref.04/02110, however comments in respect of this application have not been received to date.

Environment Agency: No technical objections raised

Housing: Full support is given to the proposal as the current sheltered housing is outdated, difficult to let and so provide little to meeting need. The new scheme plus the houses will provide greatly needed accommodation, particularly the larger houses. This will assist in meeting the Council's statutory housing duties and in addressing the significant and growing mis-match of supply against housing need.

No objections have been raised from Valuation and Estates regarding the proposal and it is confirmed that the conditions of sale of the land do not prohibit built development on the former allotment land as proposed under the current application.

Investigations have taken place between the Council and the West Kent Badger Group following reports that badgers may be on site. It is concluded that there is no evidence of any badger activity either on the allotment land or existing area of UOS.

No objections are raised to the general layout of the scheme from the local police liaison officer, in terms of 'Secure By Design', subject to the infill of the pedestrian access from Whippendell Way to the west to prevent unauthorised persons obtaining access to the rear of properties. In addition, it is recommended that the three bays on

the approach to the site from Whippendell Close should be deleted, as the potential for fly-tipping and abandoned vehicles in this location could take place.

Numerous letters of local objection and a petition has been submitted in respect of the proposal and a summary of the concerns are listed below:

- the proposal would result in an overdevelopment in the number of units on the site
- the increase in height of the buildings in close proximity to adjacent residential properties would significantly alter the skyline and be detrimental to amenity in terms of overshadowing, loss of prospect and privacy
- inadequate car parking provision particularly for the sheltered block which would result in increased demand for on-street parking in adjacent roads
- unsatisfactory arrangement of Urban Open Space which would incorporate private rear gardens
- the proposals are 'ageist' forcing existing elderly residents to move which will cause unnecessary upheaval in their twilight years
- the sheltered housing proposed is significantly less than the existing arrangement
- a mixed development with family housing and flats will destroy the peace and tranquillity of the Close which provides a safe environment for its elderly residents
- the increased density will place a further strain on restricted local resources such as local schools and medical facilities.

A statement of objection to the scheme has been received from a Ward Councillor, which is repeated below for Members information:

"I draw Members attention to agenda Item 11 (part 2), para 3.4 of the Strategy & Resources Committee agenda on 16/06/04 regarding the former allotments in Whippendell Close. The recommendation passed as outlined in para 3.4 was that "the scheme shows part of a small block of flats constructed over the 'access way' to the former allotments, in the area coloured grey & hatched black on the plan". It is believed that this will be acceptable in planning terms. The main area of the allotments will comprises a mixture of "communal gardens" for sheltered and other flats, together with a small number of "gardens", this directly conflicts with the current application which 'directly' involves development encroachment on the allotment land itself. Further the application shows a re-routed angled established right of way (for over 50 years) running from Whippendell Way through to the western corner of the site, which would give rise to potential safety issues and anti-social behaviour. In any case, this established right of way through the site from Whippendell Way into Whippendell Close has been closed off by Broomleigh and any redevelopment of the site must include the continued use of a direct route on the existing line through the site. Finally, I would also draw the Committee's attention to the motion for council housing targets in that the Council does not accept the mayor of London's annual housing target for London of 30,000 new homes per year as the London Plan suggests. In particular, this Council does not accept that here is a 'need' for so many additional homes in Bromley, and notes with concern the 'sustainability' of the new developments without the necessary and additional infrastructure etc. In light of this and the comments raised above, I would respectfully request that the Committee refuse this application".

Planning Considerations

The relevant policies are H.2 and E.1 of the adopted Unitary Development Plan, which require new development to be in keeping with the surrounding area and to respect the amenities of adjoining properties. Policy H.7 regarding residential density, T.15 – parking standards and G.11 relates to Urban Open Space are also applicable. In the second deposit draft of the Unitary Development Plan those policies are updated as H6, BE1, H7, T3 and G10 respectively. National guidance in PPG3 Housing encourages local planning authorities to maximise the potential of sites such as this while at the same time producing good design compatible with adjoining development.

Policy H2 of the second deposit draft UDP and Circular 6/98 relating to affordable housing is also relevant.

Under planning ref. 01/03430 permission was granted for the change of use from allotments to residential curtilage.

Under ref. 04/02110 – an application was withdrawn to pursue an alternative scheme for the demolition of existing single storey dwellings and erection of 5 two storey blocks and 1 two/three storey block comprising 17 one bedroom and 2 two bedroom flats for sheltered accommodation for the elderly, 15 two bedroom flats, 17 three bedroom houses, 3 four bedroom houses with access road, 43 parking spaces, relocation/rearrangement of Urban Open Space including use of allotment land for associated gardens and residential curtilage (at 1 - 38 Whippendell Close and former allotment gardens to the rear of Nos. 25-33 Whippendell Close)

Conclusions

This application is a revision of 04/02110 which was withdrawn following concerns on the layout, parking arrangement and close proximity of built development with the boundaries of the existing residential properties.

In this case, the site layout incorporates the designated area of UOS and rather than maintain it as one large area of central space, it will be redistributed around the site, to be used as private amenity space. With regard to local concerns regarding the loss of the inner courtyard area of UOS, the largest area of land will be retained as private amenity space in the form of a central green for the sheltered block of which the existing UOS currently serves. Despite there being public access through the site, the existing arrangement of UOS is not considered to provide a wider public benefit given its location within a courtyard development which projects a sense of restrictive entry to the passer by. The re-organisation of this space will allow for an increase in the amount of private amenity space whilst providing a greater degree of separation between the new development and existing neighbouring properties. The redistribution of the UOS is a departure from the adopted UDP and therefore if the principle is deemed acceptable by the Council, the application will be referred to the Government Office for London for consideration.

In addition, to this concerns are raised to the inclusion of the former allotment land as communal and private rear gardens associated with the development. This site is

designated as UOS in the second deposit draft UDP but has not been formally adopted. The proposed development to the southern side of the site will slightly encroach on this land, however the remaining area will be 'open' garden land and Permitted Development rights could be withdrawn by a condition for the proposed houses as a means of restricting any further development on this land. At present this site is overgrown and is completely land-locked and therefore has no public access. It should however, be recognised that an extant permission exists on this land for its change of use to be incorporated into the residential curtilage of No.88 Walsingham Road, but has not been implemented.

With regard to issues of density, Policy H.7 of the adopted UDP states that where sites exceed 0.4 hectare (1 acre) in size, the density of new development is limited to a maximum of 145 habitable rooms per hectare (hrha). Policy H7 in the second deposit draft UDP states that for areas of moderate accessibility, 175 hrha may be acceptable providing the scheme is in accordance with the provisions of policy H6 regarding new housing development. In this case the site area is approx. 1.1 hectares and at present the 38 single storey one bedroom dwellings will be replaced by 58 dwellings of one/two bedroom flats and 3-4 bedroom houses. A total of 183 habitable rooms are proposed which equates to a density figure of 155 hrha. However, when calculating density, both the adopted and draft UDPs state that the density is calculated by dividing the number of habitable rooms by the site area, including dwellings and gardens, any incidental open space and half the width of surrounding roads. In this case, the density standard has taken into account the central area of UOS, but it is questionable as to whether this area of UOS can be considered incidental to the site area.

Whilst the proposed density of development may exceed the criteria of Policy H.7 in the adopted UDP but accord with Policy H7 in the second deposit draft, the Inspectors interim report following the UDP Inquiry, in referring to Housing policies, states that Policy H7 be deleted. Instead the Inspector recommends that "new housing development should accord with PPG3 on densities and car parking, by the use of densities appropriate to location, as recommended in the London Plan, but without loss of robustness in relation to design quality".

National guidance in PPG3 Housing encourages local planning authorities to maximise the potential of sites such as this while at the same time producing good design compatible with adjoining development. To avoid the profligate use of land and encourage sustainable environments, PPG3 requires local planning authorities to examine critically the standards applied to new residential development, particularly with regard to roads, layouts and car parking. They are expected to avoid housing developments, which make inefficient use of land (those of less than 30 dwellings per hectare net); encourage developments, which make more efficient use of land (between 30 and 50 dwellings per hectare net) and seek greater intensity of development at places with good public transport accessibility.

In this case the proposal would equate to approx. 48 dwellings per hectare, as determined from the information contained in the planning statement accompanying the application. This would represent a considerable increase over the existing figure of 32 for the site, although the density of the proposal would be within the band recommended by PPG 3.

Turning to issues of design and siting, the proposed development maintains the courtyard feel and sense of enclosure focused around a central green. The height of buildings on the site will slightly increase which would significantly alter the character of this unique residential area particularly when viewed from the surrounding residential properties, which back onto the site. The main view from the east, looking up the slope from Croxley Green would reveal a small section of building although the archway. Generally the height of buildings would be in keeping with the surrounding houses with the exception of the flat proposed over the archway, which would appear a distinctive feature in the street scene when viewed from Croxley Green.

Turning to the issue of siting, the general layout is satisfactory with houses having rear garden depths between 10m – 18m in line with the Council's guidelines and the back to back distance exceeds the minimum required standard of 25m. The siting of the built development particularly to the corners of the site, allows a reasonable degree of separation from the neighbouring boundaries and despite the increase in height of the buildings, it not considered that the amenities of local residents in Whippendell Way, Horsell Road and Croxley Green will be significantly affected.

With regard to parking issues, Policy T3 of the second draft UDP states that parking standards should be adopted more flexibly where affordable housing is proposed and no technical objections from a highway point of view are raised to the number of spaces provided in this area of moderate accessibility.

In addition, Whippendell Close is a highway maintainable at the public expense and therefore any alterations to the layout which removes part of the street would require a stopping up order under the provision, should permission be granted.

In conclusion, Members will be aware that the Council seeks to achieve mixed housing development in accordance with advice from the Government in PPG3 in promoting higher density development where appropriate to provide sustainable mixed communities for the future. The application site can be seen as an idyllic tranquil environment, unique in form compared with the general pattern of surrounding development, however in line with current Government policy, its future is not sustainable, and as such, could provide an ideal location for a higher density development to meet the housing shortages of the area. On balance, the principle for redevelopment on this site is considered acceptable without significant detriment to local visual or residential amenity.

Background papers referred to during production of this report comprise all correspondence (excluding exempt information) on files ref. 01/03430, 04/02110 and 04/04689.

RECOMMENDATION: PERMISSION (as amended by docs rec.)AND ANY DIRECTION MADE BY THE GOVERNMENT OFFICE FOR LONDON

Subject to the following conditions:

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| 1 | DCA01 | Commencement of Development |
| | DCA01R | A01 reason |
| 2 | DCA04 | Landscaping scheme full app no details |

	DCA04R	A04 reason
3	DCA07	Boundary enclosures no details submitted
	DCA07R	A07 reason
4	DCB01	Trees to be retained during blg ops
	DCB01R	B01 reason
5	DCB02	Trees - protective fencing
	DCB02R	B02 reason
6	DCB03	Trees - no bonfires
	DCB03R	B03 reason
7	DCB04	Trees - no trenches, pipelines or drains
	DCB04R	B04 reason
8	DCC01	Satisfactory materials
	DCC01R	C01 reason
9	DCD02	Surface water drainage - no details
	DCD02R	D02 reason
10	DCD04	Foul water drainage - no details
	DCD04R	D04 reason
11	DCH03	Satisfactory parking, full application
	DCH03R	H03 reason
12	DCH04	Parking bays/garages
	DCH04R	H04 reason
13	DCH17	Materials for estate road
	DCH17R	H17 reason
14	DCH18	Refuse storage - no details submitted
	DCH18R	H18 reason
15	DCH22	Bicycle parking
	DCH22R	H22 reason
16	DCH23	Lighting scheme for access/parking
	DCH23R	H23 reason
17	DCI01	Restriction of pd rights
	DCI03R	I03 reason
18	DCK03	No equipment on roof
	DCK03R	K03 reason
19	DCK05	Slab levels, no details submitted
	DCK05R	K05 reason
20	AJ02	Justification UNIQUE reason OTHER apps

Policies (AUDP)

E.1 Design of new development

H.2 Housing design

H.7 Residential density

H.11 Improvements to the housing stock

G.11 Urban open space

T.3 Assessment of transport effects

T.15 Parking standards

Policies (2DDUDP)

BE1 Design of new development

H1 Housing supply

H2 Affordable housing

H6 Housing design
H7 Residential density
G10 Urban open space
T2 Assessment of transport effects
T3 Parking standards
T16 Residential roads
C7 Residential proposals for people with particular accommodation requirements

INFORMATIVE(S)

- 1 That a report be submitted to the Portfolio holder for authority to make an application for the Stopping Up Order pursuant to Section 247 of the Town and Country Planning Act 1990.
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