

SECTION '2' – Applications meriting special consideration

Application No : 11/01880/OUT

Ward:
Bickley

Address : 26 Barfield Road Bickley Bromley BR1
2HS

OS Grid Ref: E: 543409 N: 168964

Applicant : Mr P Denvir

Objections : YES

Description of Development:

Detached two storey 5 bedroom dwelling, including basement with 4 car parking spaces and access from Barfield Road on land to the rear of Nos. 26 and 28 Barfield Road OUTLINE APPLICATION

Key designations:

Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
Green Belt
London City Airport Safeguarding
London City Airport Safeguarding Birds
Tree Preservation Order

Proposal

- Outline permission is sought for the erection of a two storey five bedroom dwelling (including basement) on land situated to the rear of Nos. 26 and 28 Barfield Road which is currently part of the rear garden of No.26
- Access to the site would be via the eastern boundary of No.28 using a 2m wide strip of railway land and a 1m wide strip of the adjacent garden at No.28
- The site area would measure 0.1ha, and the proposed dwelling would have a floorspace of 150sq.m.
- Although the application is in outline form with all matters reserved, illustrative details have been submitted which show an L-shaped dwelling located adjacent to the eastern boundary with the railway line towards the rear of the site
- The maximum ridge height of the dwelling would be 6.8m, and the dwelling would cover approximately 15% of the plot area
- Four trees on the site are protected by a Tree Preservation Order, while a blanket TPO covers all the trees growing on the railway embankment.

Location

The site is located on the south-eastern side of Barfield Road, and is bounded to the east and south by railway embankments, to the north by the rear gardens of Nos. 26 and 28 Barfield Road, and to the west by the long rear garden of No. 24. The site slopes upwards towards the rear, and is therefore set at a higher level than the adjoining properties at Nos.16-28 Barfield Road.

Comments from Local Residents

Letters of objection have been received from local residents, and the main points of concern are summarised as follows:

- unacceptable backland development
- overdevelopment of the site
- noise and disturbance from use of access road
- loss of privacy to and outlook from neighbouring properties, particularly as dwelling would be at a higher level
- loss of mature trees
- noise and disturbance during construction
- access road would not be wide enough to accommodate refuse vehicles, fire engines or ambulances
- proposals would set an undesirable precedent
- proposals would not make a meaningful contribution to future housing stock demand.

Comments from Consultees

The Council's highways engineer comments that although the layout of the proposed access to the site may raise some practical problems in terms of its limited width and visibility at the access point, these issues are not considered to be so significant as to warrant a refusal on highways grounds.

Environmental Health raise no objections, and no drainage objections are raised in principle, subject to the approval of details of the foul drainage.

No objections are raised to the proposals from Thames Water or Network Rail.

Planning Considerations

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

- BE1 Design of New Development
- H7 Housing Density and Design
- T3 Parking
- NE7 Development and Trees

- London Plan Policy 3.3 Increasing Housing Supply
- London Plan Policy 3.4 Optimising Housing Potential
- London Plan Policy 3.5 Quality and Design of Housing Developments
- PPS3 - Housing

Planning History

Recent planning history for the site includes proposals which incorporated parts or all of adjoining sites, and some of these also included the demolition of one or more of the existing dwellings in Barfield Road, as follows:

Outline permission was refused in May 2004 under ref. 04/00937 for the demolition of No.26 Barfield Road and the erection of 7 dwellings on land at 26 and the rear of 24 on grounds relating to backland development, overdevelopment, detrimental impact on adjoining properties and loss of trees.

Outline permission was refused in December 2005 under ref. 05/03657 for the demolition of Nos. 24, 26 and 28 and the erection of 8 detached dwellings on similar grounds. A subsequent appeal was dismissed in 2007 on grounds relating to the density of development, potential overlooking from Plots 3 and 4, and the intrusive appearance of Plot 3.

An appeal against the non-determination of a later full application for the erection of a two/three storey block of 9 flats (ref. 07/00585) on land at No.28 and to the rear of Nos. 24 and 26, which also included the demolition of No.28, was dismissed on appeal on grounds relating to a cramped form of development, out of character with the surrounding area, overlooking of neighbouring properties and rear gardens, and detrimental impact of the side access road and parking on the occupants of No.26.

Conclusions

The main issues in this case are the impact of the proposals on the amenities of neighbouring properties, on the character and appearance of the surrounding area, and on protected trees on the site.

In the earlier appeals, which were before the latest version of PPS3, the Inspector did not rule out the principle of residential development on the larger sites then under consideration, as it was considered to make more efficient residential use of previously developed land in a sustainable location within an existing built-up area. However, he had concerns about the impact on neighbouring properties in terms of overlooking and loss of outlook, and in the case of the appeal for the block of flats, he had further concerns about the cramped form of development and the impact of the parking area on the adjacent property at No. 26.

The revised PPS3 has removed private garden land from the definition of previously developed land, and deleted the national minimum residential density, which are relevant to this case.

The current proposals involve a smaller scheme for one dwelling on a smaller site area than previously considered, and would also not include the demolition of any Barfield Road properties. The proposals comprise a tandem form of development which Policy H7 generally aims to resist due to difficulties of access to the house at the back, and the disturbance and lack of privacy suffered by the house in front. In this case, the side access road would result in noise and vehicular activity along

the eastern boundary of the rear garden of No.28 which currently experiences high levels of peace and quiet, while the location of the new dwelling on land higher than the adjacent dwellings in Barfield Road is likely to result in visual intrusion and loss of privacy to those dwellings, and be harmful the enjoyment of their rear gardens.

Although there are limited details submitted, it is also considered that the proposals are likely to have a harmful impact on protected trees on and adjacent to the site (particularly as the proposals include a basement area), and a further ground for refusal is suggested on this basis.

Background papers referred to during production of this report comprise all correspondence on files refs. 04/00937, 05/03657, 07/00585 and 11/01880, excluding exempt information.

RECOMMENDATION: PERMISSION BE REFUSED

The reasons for refusal are:

- 1 The proposals constitute an undesirable form of tandem development, out of character with adjoining development, and seriously detrimental to the amenities which the occupiers of adjoining properties might reasonably expect to be able to continue to enjoy in the form of secluded rear garden areas, thereby contrary to Policies H7 and BE1 of the Unitary Development Plan.
- 2 The proposed two storey dwelling with basement area would, by reason of its likely size, height and elevated position in relation to neighbouring development, have a seriously detrimental impact on the amenities of the occupiers of those properties through loss of privacy and visual impact, and would thereby be contrary to Policies H7 and BE1 of the Unitary Development Plan.
- 3 In the absence of evidence to demonstrate otherwise, the proposals are likely to have a seriously harmful impact on protected trees on and adjacent to the site, detrimental to the appearance of the surrounding area, and thereby contrary to Policy NE7 of the Unitary Development Plan.

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