

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

Application No : 11/02254/EXTEND

Ward:
Farnborough And Crofton

Address : 39 Oregon Square Orpington BR6 8BH

OS Grid Ref: E: 544741 N: 165978

Applicant : Direct Build Services Limited

Objections : YES

Description of Development:

Extension of time limit for the implementation of permission reference 07/02206 granted for the Demolition of Nos. 39 and 41 Oregon Square and retention of No 43 and erection of four 2 bedroom and four 3 bedroom dwellings with associated access road and car parking on Land at 39-43 Oregon Square.

Proposal

- It is proposed to demolish Nos. 39 and 41 and erect a total of 8 dwellings on the site, 6 of which would be semi-detached and the other 2 detached, and would comprise a mixture of bungalows with accommodation in the roof at the front of the site, and two storey dwellings towards the rear.
- Permission was allowed on appeal for this scheme in July 2008 (under ref. 07/02206), and the current application seeks to extend the time limit for commencing development by a further 3 years.

Location

Oregon Square is largely characterised by semi-detached bungalows, the exceptions being 6 two storey detached houses on the northern side of the Square and a number of detached bungalows.

The proposed site measures approx 0.27ha and comprises the complete curtilages of Nos. 39 and 41 Oregon Square and a large part of the rear garden of No. 43. It forms a corner plot and backs onto the long rear gardens of houses on Crofton Road to the south and Crofton Lane to the west.

Comments from Local Residents

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

- proposals amount to garden-grabbing
- development would be out of character with the surrounding area

- increased traffic and parking problems.

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
T11 New Accesses

Planning History

Recent applications for residential development on the Oregon Square part of the site are summarised as follows:

Permission was refused in 2004 for two schemes (refs. 03/04442 and 04/04442) comprising 9 three bedroom terraced houses and 2 three bedroom semi-detached houses, and the appeals were dismissed in 2005, wherein the Inspector did not find that the schemes were overintensive, nor that backland development was unacceptable in principle, but considered that two storey terraced housing would appear out of character in the street scene which contains low-rise buildings. He also considered that both schemes would have a seriously detrimental impact on the amenities of the occupiers of No.37 Oregon Square through loss of privacy to and outlook from the rear garden of this property.

Permission was refused in 2005 (ref. 05/01878) for a smaller scheme of 9 dwellings, and the subsequent appeal was dismissed in April 2006, due to the detrimental impact of the dwellings on Plots 5 and 9 on Nos. 37 and 43 Oregon Square respectively. However, the Inspector did consider that the visual impact of the scheme was acceptable in the street scene and that the variety of house types and heights (lower on Oregon Square and higher towards the rear) resulted in a good design solution, and would not harm the character and appearance of Oregon Square.

Permission was refused in 2007 (ref. 07/02206) for a scheme of 8 dwellings, but was allowed on appeal in July 2008.

Permission was recently granted for revisions to the permitted scheme under ref.11/01172.

Conclusions

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

The proposals are to renew a permission granted on appeal in 2008, and it is therefore necessary to consider whether there has been any change in planning

circumstances. Members will be aware of the amendments to PPS3 which exclude garden land from the definition of previously developed land, and will need to take this into account. However, this does not preclude development on gardens. In this case, there is a previous permission for the same development, and site circumstances have not changed since the appeal Inspector allowed the proposals. In addition, there remains a need to make effective use of land, and Ministerial Statements express support for enterprise, housing, economic and other forms of development.

On balance, it is considered that there have been no material changes in council or government policy relating to these proposals which would now warrant a refusal.

Background papers referred to during production of this report comprise all correspondence on files refs. 07/02206, 11/01172 and 11/02254, excluding exempt information.

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- | | | | |
|----|--------|---|--------------------|
| 1 | ACA01 | Commencement of development within 3 yrs | |
| | ACA01R | A01 Reason 3 years | |
| 2 | ACA04 | Landscaping Scheme - full app no details | |
| | ACA04R | Reason A04 | |
| 3 | ACA07 | Boundary enclosure - no detail submitted | |
| | ACA07R | Reason A07 | |
| 4 | ACC01 | Satisfactory materials (ext'n'l surfaces) | |
| | ACC01R | Reason C01 | |
| 5 | ACH03 | Satisfactory parking - full application | |
| | ACH03R | Reason H03 | |
| 6 | ACH08 | Details of turning area | |
| | ACH08R | Reason H08 | |
| 7 | ACH15 | Grad of parking area or space(s) (2 in) | parking spaces and |
| | | associated manoeuvring areas 1 in 10 | |
| | ACH15R | Reason H15 | |
| 8 | ACH16 | Hardstanding for wash-down facilities | |
| | ACH16R | Reason H16 | |
| 9 | ACH17 | Materials for estate road | |
| | ACH17R | Reason H17 | |
| 10 | ACH23 | Lighting scheme for access/parking | |
| | ACH23R | Reason H23 | |
| 11 | ACH27 | Arrangements for construction period | |
| | ACH27R | Reason H27 | |
| 12 | ACH32 | Highway Drainage | |
| | ADH32R | Reason H32 | |
| 13 | ACI02 | Rest of "pd" Rights - Class A, B,C and E | |
| | ACI03R | Reason I03 | |
| 14 | ACI21 | Secured By Design | |
| | ACI21R | I21 reason | |

- 15 No dwellings shall be occupied until that part of a sightline of 2.4m x 90m which can be accommodated within the site shall be provided in an easterly direction from the site, and with the exception of trees selected on or on behalf of the Local Planning Authority, no obstruction to visibility shall exceed 1.0m in height in advance of this sightline, which shall be permanently maintained as such.
ACH10R Reason H10
- 16 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification), no windows/dormer windows other than those expressly authorised by this permission shall be constructed on the flank elevation of Plot 1 and the rear roof elevations of Plots 3, 4 and 5.
ACI12R I12 reason (1 insert) BE1
- 17 If, during development, contamination not previously identified is found to be present at the site, then no further development (unless otherwise agreed in writing by the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority, for a remediation strategy detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved.
ACK09R K09 reason

Reasons for granting permission:

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

- BE1 Design of New Development
- H7 Housing Density and Design
- T3 Parking
- T11 New Accesses

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

- (a) the visual impact on the surrounding area
- (b) the impact on the amenities of the occupiers of nearby residential properties
- (c) the character of the development in the surrounding area
- (d) the relationship of the development to trees

and having regard to all other matters raised, including neighbours concerns.

INFORMATIVE(S)

- 1 RDI16 Contact highways re. crossover

Application:11/02554/FULL6

Address: 1 Barnet Drive Bromley BR2 8PG

Proposal: Single storey rear extension

