

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

Application No : 11/02773/FULL1

Ward:
**Chelsfield And Pratts
Bottom**

Address : 23 Oxenden Wood Road Orpington BR6
6HR

OS Grid Ref: E: 547076 N: 163515

Applicant : Mr M Garratt

Objections : YES

Description of Development:

Replacement part one/two storey 5 bedroom detached dwelling with accommodation in roofspace and integral double garage, swimming pool and outbuilding to rear and associated landscaping

Proposal

- The proposal is to replace the existing dwelling with a larger two storey dwelling with accommodation in the roof space, swimming pool and outbuilding.
- The proposed new dwelling has a footprint of approximately 270m² and a maximum height of 9.3m.
- The new dwelling will measure approximately 2.3m from the northern boundary and 3.6m from the southern boundary.
- The dwelling will accommodate an integral double garage, WC, cloakroom, lounge, dining room, cinema room, kitchen and summer room at ground floor and five bedrooms, all of which have en suites and a family bathroom at first floor.
- A balcony area above the summer room is proposed with a glazed balustrade.
- A swimming pool measuring approximately 4 x 10.5m is proposed to the rear, approximately 3 metres from the main rear wall and a small garden shed is also proposed to the rear close to the southern boundary.

Location

- The application site is located to the west of Oxenden Wood Road and is a detached family dwelling set in a large plot.
- The area is mainly characterised by large detached dwellings.

Comments from Local Residents

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

- overlooking from balcony especially given difference in height.

Comments from Consultees

Environmental Health has commented that no details of plant for the swimming pool have been submitted. Conditions and Informatives have been suggested.

No objections have been raised by Thames Water.

Highways have commented that any gates over 1 metre in height should be set back to allow a vehicle to wait off the carriageway while the gates are opening and the following conditions are suggested; H02, H16, H32.

In relation to Trees, condition B16 and B19 have been suggested.

Cleansing has requested that refuse and recycling be left at the edge of the curtilage.

Planning Considerations

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

BE1 Design of New Development
H7 Housing Density and Design
H9 Side Space
T3 Parking
T18 Road Safety

Planning History

There appears to be no relevant planning history at the site.

Conclusions

The main issues in relation to this 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.

A number of other dwellings in Oxenden Wood Road and Worlds End Lane have been developed to a similar size and design as that currently proposed at No. 23. Planning permission was granted in 2007 for the property directly opposite the application site, No. 24 Oxenden Wood Road. Whilst the design of this property differs from the current proposal, the size and overall bulk is very similar. Planning permission was also granted for a replacement dwelling at 209 Worlds End Lane in 2008. This dwelling is very similar in design as well as size and bulk. Copies of the plans for these developments can be found on the file. Both of these examples are

complete or substantially complete and set a precedent for this type of dwelling in the surrounding area. Taking this into account and allowing the property to be in keeping with the other dwellings in Oxenden Wood Road, Members may consider that the proposal represents a contemporary design which may be considered to compliment the other properties in the surrounding area. There is a generous separation between the application property and the neighbours to both the north and south of the site and given that the property is not in any particular designated area, the space around the dwelling is considered to be more than adequate.

The properties to either side of the application site are substantial dwellings, although both appear to be of a more traditional design. The neighbouring property to the north of the site is significantly lower than the application site due to the land levels around this bend in Oxenden Wood Road. There is however, a minimum separation of 10 metres between the flank walls of the two properties. Whilst a garage is located close to the flank boundary at No. 25, this is not habitable accommodation and is unlikely to be impacted upon by the proposed replacement dwelling. Concerns have been raised over privacy and the applicant has confirmed that suitable screening along the northern part of the balcony would be put in place in order to prevent any overlooking.

With regard to the impact upon the amenities of the neighbouring property to the south of the application site, the neighbouring property projects a considerable distance beyond the existing dwelling at the application site at two storeys and this would remain fractionally further to the rear than the proposed two storey element to this side of the new dwelling. It is therefore considered that there will be little impact on the light currently enjoyed by this neighbouring property. There is a first floor dormer window to the flank elevation of the neighbouring property facing the application site, although given the separation between the dormer window and the proposed dwelling (approximately 6.5m), and the fact that there is just one window serving a bathroom proposed to this flank elevation of the new dwelling, there is unlikely to be any harmful overlooking or loss of light and visual amenity.

The proposed replacement dwelling is considerably greater in terms of bulk and floor area. However, the ridge height remains the same as the existing property and the plot is of such a size which could support a dwelling of this scale. The swimming pool and outbuilding are not excessive, are located within close proximity of the new dwelling, and are therefore considered to have minimal impact on the amenities of either neighbouring property.

Given the above, Member may consider that the development in the manner proposed is acceptable in that it would not result in a significant loss of amenity to local residents nor impact detrimentally on the character of the area.

Background papers referred to during production of this report comprise all correspondence on files refs. 08/03281, 06/03543, 07/00185 and 11/0277. 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 ACB16 Trees - no excavation
ACB16R Reason B16
- 5 ACB19 Trees - App'ment of Arboricultural Super
ACB19R Reason B19
- 6 ACC01 Satisfactory materials (ext'n'l surfaces)
ACC01R Reason C01
- 7 ACH02 Satisfactory parking - no details submit
ACH02R Reason H02
- 8 ACH16 Hardstanding for wash-down facilities
ACH16R Reason H16
- 9 ACH32 Highway Drainage
ADH32R Reason H32
- 10 ACI02 Rest of "pd" Rights - Class A, B,C and E

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

- 11 ACI12 Obscure glazing (1 insert) to the first floor flank elevations
and flank roof lights
ACI12R I12 reason (1 insert) BE1

- 12 Details of the proposed front boundary wall/gates/railings shall be submitted to and approved in writing by the local planning authority prior to first occupation of the property and shall be permanently maintained in accordance with the approved details.

Reason: In the interest of pedestrian and vehicular safety and the amenities of the area and to accord with Policy T18 of the Unitary Development Plan.

- 13 Details of balcony screening to the northern flank shall be submitted to and approved in writing by the local planning authority and shall be permanently maintained in accordance with those approved details.

Reason: In the interest of the privacy and residential amenity enjoyed by the neighbouring property and to comply with Policy BE1 of the Unitary Development Plan.

- 14 Details of the plant for the swimming pool shall be submitted to and approved in writing by the local planning authority and the noise level from any swimming pool plant in terms of dB(A) must remain at all times 5 decibels below the relevant minimum background noise level (LA90 15mins) when measured at any location on the curtilage of the property. Should the plant have a distinctive tonal or intermittent nature the predicted noise of the plant shall be increased by a further 5dBA.

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

- 15 The swimming pool hereby permitted shall be emptied overnight and in dry conditions.

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

16 The discharge rate of the swimming pool hereby permitted is to be controlled such that it does not exceed a flow rate of 5 litres per second into the public sewer network.

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

Reasons for permission:

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

BE1 Design of New Development
BE11 Conservation Areas
H8 Residential Extensions
H9 Side Space

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

- (a) the relationship of the development to adjacent properties
- (b) the character of the development in the surrounding area
- (c) the impact on the amenities of the occupiers of adjacent and nearby properties
- (d) the impact on pedestrian and vehicular safety
- (e) the transport policies of the Unitary Development Plan
- (f) the housing policies of the Unitary Development Plan

and having regard to all other matters raised.

INFORMATIVE(S)

- 1 Before the use commences, the Applicant is advised to contact the Pollution Team of Environmental Health & Trading Standards regarding compliance with the Control of Pollution Act 1974 and/or the Environmental Protection Act 1990. The Applicant should also ensure compliance with the Control of Pollution and Noise from Demolition and Construction Sites Code of Practice 2008 which is available on the Bromley web site.
- 2 If during the works on site any suspected contamination is encountered, Environmental Health should be contacted immediately. The contamination shall be fully assessed and an appropriate remediation scheme submitted to the Local Authority for approval in writing.

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