

SECTION '2' – Applications meriting special consideration

Application No : 12/00022/FULL1

Ward:
Bromley Town

Address : 2 Bromley Common Bromley BR2 9PD

OS Grid Ref: E: 541052 N: 168154

Applicant : Mr Gengis Kamal

Objections : YES

Description of Development:

Demolition of existing dwelling and erection of three storey building comprising of 6 three bedroom flats and 3 two bedroom flats with 9 car parking spaces, bin and bicycle store.

Key designations:

Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
Highways Proposal sites
London City Airport Safeguarding
London City Airport Safeguarding Birds
Stat Routes

Proposal

The application proposes the demolition of the existing two storey detached residential single dwelling house and the construction of a three storey building comprising of 6 three bedroom flats and 3 two bedroom flats with 9 car parking spaces, bin and bicycle store. The proposed development would be of a similar height to that of the neighbouring properties fronting Bromley Common.

Vehicular access to the site would be from Hayes Lane utilising the existing dropped kerb entrance which currently serves a detached garage to the rear of the property. To the rear of the building communal amenity space is to be provided along with a bin and bicycle store together with 9 car parking spaces.

Location

The application site is located at the busy junction of Bromley Common (A21) and Hayes Lane (B265). It is approximately 1 km from Bromley Town Centre and has good public transport accessibility links being around 850m from Bromley South railway station. The highway authority for Hayes Lane is Bromley Council whereas Transport For London are the highway authority for Bromley Common which fronts the application site.

The area is of a mixed character with Hayes Lane and Homesdale Road marking the eastern edge of the town centre commercial development. Towards the east and south the development is predominantly residential medium to low density housing. Opposite the site in Hayes Lane is a 3 storey office building (Archers Court) and beyond this along Masons Hill the character becomes commercial with buildings ranging in height between 2 and 5 storeys marking a distinct change in the character of the area and the beginning of the town centre.

Towards the north eastern side of Bromley Common opposite the application site is Bromley Common Conservation Area which comprises a mix of two / three storey Victorian semi-detached villas, the majority of which are either statutory or locally listed buildings.

Comments from Local Residents

Comments received during the consultation process include:

- the proposal would result in traffic congestion and parking problems particularly during its construction
- for a number of years discussions have taken place about potential road widening works along Bromley Common which would result in the loss of front garden space for numbers 2, 4 and 6 Bromley Common. As such the proposed development is not comprehensive enough and should involve numbers 2, 4 and 6 Bromley Common as all of these properties are currently blighted by the possibility of road widening which may or may not occur.
- the development is out of character and scale with the surrounding area.
- the design is out of character and scale with the area
- no illustrations showing the street scene and the heights of existing buildings have been provided
- the proposed building is of a poor design and out of character with the area and existing spatial standards
- the use of Eternit Slate is out of keeping with other buildings in the area. The naming of the elevations appears to be incorrect, for example the drawing marked 'East Elevation' would normally be known as the North West elevation.
- the amount of hard surfacing and car parking results in harm to the street scene and area.

Comments from Consultees

From a highways planning perspective, the vehicle access arrangements were discussed in detail during the previous application and subsequent appeal. The Inspector concluded that no harm to conditions of highway or pedestrian safety would arise from an access in the location proposed. The current application involves a development of less residential units but with vehicle access in the same location as before. As such no technical highways objections are raised subject to appropriate conditions on any approval concerning parking layouts and visibility splays.

Transport For London are the highway authority for Bromley Common (A21) which fronts the application site. No vehicle access is proposed onto Bromley Common. Transport For London have stated that there are proposals for junction improvements in this location but a final decision on whether this work would go ahead has not yet been made. Drawing SPO3 appears to indicate a road widening scheme but it is unclear what this would achieve and this is not in the same location as where the junction improvements are to be made and TFL have no knowledge of the widening indicated on this drawing and have not approved such works. TFL would object to any measure which would jeopardize the chances of delivering the road widening scheme in the future.

With regards to drainage no technical objections are raised subject to appropriate conditions on any approval to ensure acceptable soak away and discharge of surface water.

Thames Water raises no objections in terms of drainage and sewerage infrastructure.

From a Metropolitan Police point of view, a 'Secure By Design' planning condition should be imposed on any approval to ensure the development provides a safe environment.

With regards to trees and landscaping issues these comments will be reported verbally at the meeting.

The Advisory Panel for Conservation Areas were consulted on the application and their comments can be summarised as follows:

Objection raised as the proposal is an overdevelopment of the site not in keeping with the family housing on the south side of Bromley Common. The proposal does not enhance the setting of the adjacent Bromley Common Conservation Area or the requirements of the Unitary Development Plan.

The full text of the above correspondence is available to view on file.

Planning Considerations

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

- BE1 Design of New Development
- H1 Housing Supply
- H7 Housing Density and Design
- H9 Side Space
- T1 Transport demand
- T3 Parking
- T18 Road safety

London Plan

- 3.3 Increasing Housing Supply,
- 3.4 Optimising Housing Potential
- 3.5 Quality and Design of Housing Developments
- 5.3 Sustainable Design and Construction
- 5.13 Sustainable drainage
- 7.3 Designing Out Crime
- 7.4 Local Character

Planning History

Under planning application ref. 08/01783, planning permission was refused and subsequently dismissed at appeal for the demolition of Nos. 2/4/6 and the construction of a part two/ three/ four storey block comprising 12 one bedroom/ 15 two bedroom/ 9 three bedroom flats with 16 car parking spaces. The Appeal Inspector dismissed the development of flats on this prominent corner site as it was considered to significantly change the character and appearance of the area. The Inspector concluded that the flats would appear incongruous and over-dominant along Hayes Lane which currently represents a distinct change in the street scene from tall office and flatted development to much smaller lower density housing development. The Inspector stated that this particular site marked a 'sharp change to a lower density and character that begins beyond the town centre.'

Conclusions

The main issues in this case are whether the current development proposals when taking into consideration the dismissed appeal on this site would result in an overdevelopment of the site, whether they would adequately protect the amenities of adjacent residents in terms of light, privacy and outlook, whether the proposal would significantly harm the spatial standards of the locality and be in keeping with the character and appearance of the area and street scene in general and whether the development would result in any detrimental harm to pedestrian or vehicular safety.

In terms of the amenity of the local residents, the proposal maintains reasonable distances between the surrounding properties. However the proposed car parking arrangements to the rear would result in a significant increase in noise and disturbance to the adjoining property at No. 4 Bromley Common and No. 1 Hayes Lane. Whilst there is an existing vehicle access off Hayes Lane for the application site this currently serves one detached garage and provides access for car parking for the existing single dwelling house. As a result of the proposals the use of this access would be intensified with creation of 9 off street car parking spaces. Three car parking spaces are located adjacent to No. 1 Hayes Lane and 6 spaces are located adjacent to the boundary with No. 4 Bromley Common. This would result in a significant increase in vehicular activity into an area which has previously been predominantly garden space. Whilst additional boundary screening could be provided to minimise this impact, the visual impact of the parking including any lighting which may be required along with associated noise and disturbance could be considered somewhat un-neighbourly and detrimental to the residential amenities of surrounding properties, thereby contrary to the objectives of Policy BE1.

With regards to character and appearance, the general design of the development and the potential impact on the street scene, the junction of Hayes Lane and Masons Hill / Bromley Common marks a clear transition in the character and scale of development in the locality. The north side of this junction towards Bromley Town Centre is characterised by a more intense 'edge of centre' pattern of development. Development to the south of the junction where the site lies is more suburban and domestic in character and scale and characterised by residential semi detached or detached interwar properties. Whilst the previous appeal decision related to a much larger form of development which incorporated the adjoining properties at 2 and 6 Bromley Common, it should be noted that the Inspector when dismissing the appeal concluded that this particular site marked a 'sharp change to a lower density and character that begins beyond the town centre.'

The attractive original housing remains almost entirely intact dating from the interwar period on the side of Bromley Common where the site is located. The junction of Hayes Lane and Bromley Common marks a distinct change in character where the more intense mixed commercial and residential forms of development north of the junction, characteristic of edge of town centre locations, gives way to individual residences south of the junction. Thus the junction marks an important transition in the character and scale of the locality to a smaller scale domestic and suburban form of development almost entirely 2 storeys high. The proposal may therefore be considered to harm this unity of character and the visual amenities of the street scene. The design, bulk and overall appearance of the scheme may be considered inappropriate in this location, particularly having regard to the nearby conservation area and adjacent residential properties.

Policy BE1 highlights the need for proposals to be of a high standard of design and layout complementing the scale, form and materials of adjacent buildings. Members will therefore need to consider in light of surrounding development and the Appeal Inspectors comments whether the proposed development accords with the objectives of Policy BE1.

With regards to the levels of parking provision and the potential impact to highway and pedestrian safety, the access arrangements were considered acceptable by the Appeal Inspector in the previous proposal which included a greater number of units and included Nos. 4 and 6 Bromley Common. The proposed parking provision and access arrangements are therefore considered acceptable in terms of highway safety and compliant to Policies T3 and T18.

PPS3 'Housing' seeks more efficient use of land whilst at the same time not compromising the quality of the environment. The application is clearly a case that needs to be assessed in the light of this guidance.

Members will therefore need to consider whether the principle of this type of development in this location is acceptable having regard to the potential impact on the character of the immediate locality. The introduction of vehicular activity into the rear garden area and the potential impacts on residential amenity would also need to be considered as well as taking into account local objections.

Background papers referred to during production of this report comprise all correspondence on files refs. 08/01783 and 12/00022, excluding exempt information.

RECOMMENDATION: PERMISSION BE REFUSED

The reasons for refusal are:

- 1 The proposal would be overdominant, incongruous and out of character with the immediate surrounding development, thereby contrary to Policies H7 and BE1 of the Unitary Development Plan and Policy 7.4 of the London Plan.
- 2 The proposed car parking and vehicle access arrangements would be detrimental to the existing level of amenity which the occupants of neighbouring properties might reasonably expect to continue to enjoy in the form of secluded rear garden areas, contrary to Policies BE1 and H7 of the Unitary Development Plan.

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