

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

Application No : 12/00670/FULL1

Ward:
Bromley Town

Address : 23 Hayes Lane Hayes Bromley BR2 9EA

OS Grid Ref: E: 540858 N: 168030

Applicant : DBS Homes Ltd

Objections : YES

Description of Development:

Demolition of existing dwelling and erection of 2 two storey detached four bedroom dwelling with accommodation in the roof space integral double garage and associated vehicular access and car parking

Key designations:

Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
London City Airport Safeguarding
London City Airport Safeguarding Birds
Local Distributor Roads

Proposal

The application proposes to demolish the existing bungalow and construct 2 two storey detached four bedroom dwellings with accommodation in the roof space, integral garage and associated vehicular access and car parking.

The proposed dwellings would both have a maximum height of around 8.2 metres and would both have accommodation within the roof space with Plot 1 consisting of rooflights to the front, side and rear elevations. Plot 1 would be of a different design to Plot 2 consisting of a single integral garage with brick and tile elevations. Plot 2 would have a half timbered and rendered elevation treatment and an integral double garage. The flank wall of Plot 1 would be located around 1.2 metres from the boundary with number 23a at its closest point. Plot 2 would be located around 1.1 metres from the boundary with the Baptist Church.

Location

The site has an area of some 0.12ha, and consists of a detached bungalow which was erected in the nineteen fifties and later extended in 1978. The bungalow is situated on the northern side of Hayes Lane and the garden plot is about 20m wide across the frontage. The site widens out to about 32m at the rear.

Opposite the site are the grounds of the Ravensbourne School. To the east there is an access drive to the Kingswood Children's Centre and beyond that the Hayes Lane Baptist Church. There are mainly detached houses and one pair of semi-detached houses on this side of the road leading up to the junction of Hayes Lane and the A21 which were developed in the 1930's

To the west is a detached bungalow, 23A, Hayes Lane, erected in 1982 on a parcel of land lying between 23 and 25, Hayes Lane. The rear elevation of this property contains two large lounge windows which overlook the rear garden as well as a set of patio doors on the western side of the building with dormer bedroom and bathroom windows on the first floor above.

The site backs onto land that has been designated as Green Belt and Urban Open Space. It is used for horse grazing. The detached bungalows and the house which are situated to the west of the Baptist Church have rear gardens which are typically 25-26m long and there are extensive views across the rear gardens of these surrounding properties which give a characteristically spacious aspect to the houses. The site has a garden of between 19-23m length.

Comments from Local Residents

- The large buildings would dominate the street scene and surrounding properties.
- The development is two disparate buildings squeezed into a plot resulting in a harmful development causing loss of outlook, amenity and privacy.

Comments from Consultees

With regards to drainage, if permission is granted details of the surface water drainage system would need to be provided through appropriately worded planning conditions.

In terms of highways planning issues, no technical objections are raised subject to appropriate planning conditions and informatives on any approval to ensure acceptable highway drainage and vehicle access.

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
- G6 Land Adjoining Green Belt or Metropolitan Open Land

Supplementary Planning Guidance 1 and 2

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
- National Planning Policy Framework 2012.

Government guidance, and that contained within the London Plan, require Councils to optimise the best use of urban land where appropriate when considering new residential developments, but also to retain development that makes a positive contribution to an area.

Planning History

Under planning application ref. 11/01385, planning permission was refused for the demolition of existing dwelling and erection of 2 two storey detached four bedroom dwellings with accommodation in the roof space integral double garage and associated vehicular access and car parking. The application was subsequently dismissed at appeal. The Appeal Inspector concluded that due to the combined height, depth and location of the proposed dwelling at Plot 1 the proposal would be detrimental to the living conditions of number 23a Hayes Lane due to loss of light and outlook.

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 main issue for consideration which was highlighted by the Appeal Inspector is the potential impact of the proposals on the amenities of number 23a Hayes Lane. To attempt to address the reasons for the dismissed appeal, the dwelling on Plot 1 has been reduced in size and moved northwards to a position similar to that of the existing dwelling. The overall footprint and shape of the dwelling has been redesigned to minimise the potential impact on light and outlook to the adjacent property at number 23a. The length of the closest flank elevation facing towards number 23a is now a single garage and has been reduced from 12 metres to 10 metres with the main bulk of the two storey house now being set further away from the boundary. Members may

therefore consider that in light of the amended design of the dwelling at Plot 1, the orientation of the site and the location of existing boundary screening that the proposal does not on balance result in significant harm to the residential amenity of number 23a Hayes Lane.

The current application submitted is for development of an acceptable design and scale which does not on balance result in any significant harm to the existing street scene and surroundings. The proposal represents a logical infill from of development for this plot, with an acceptable site layout and design.

The proposed development is of an acceptable density, providing adequate amenity space and parking, sympathetic to and complementing the surrounding area.

Policy H9 draws attention to the need to respect the spatial standards of the surrounding area. The characteristics of the area are predominantly that of terraced and semi detached dwellings. 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. The proposed dwelling is considered to maintain acceptable spatial standards, compliant with Policy H9.

The development provides an appropriate off street parking area for three vehicles. This parking area would reduce the potential impact the development may have on the existing off street car parking situation.

Section 7 of the NPPF states the Government attaches a great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. As stated within the NPPF development should optimise the potential of the site to accommodate development, create and sustain an appropriate mix of uses (including incorporation of green and other public space as part of developments) and support local facilities and transport networks; respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation. The application is clearly a case that needs to be assessed in the light of this guidance.

The Appeal Inspector concluded within the previous appeal decision that the site could adequately accommodate 2 new dwellings. The proposal is considered not to result in any significant harm to the views into or out of the adjoining Green Belt Land with the Appeal Inspector concluding that this site could adequately accommodate two new dwellings provided issues concerning loss of outlook and light to the adjoining property were resolved.

The proposal creates two new detached dwellings which Members may consider now fits into its site and surroundings without resulting in any significant harm to the spatial standards, the existing street scene and the amenity of surrounding properties.

Members will need to consider whether the proposal sufficiently addresses the previous refusal, and taking into account local objections whether this proposal is satisfactory.

Background papers referred to during production of this report comprise all correspondence on files refs. 11/01385 and 12/00670, 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'nl surfaces)
 ACC01R Reason C01
- 5 ACD02 Surface water drainage - no det. submitt
 ADD02R Reason D02
- 6 ACH04 Size of parking bays/garages
 ACH04R Reason H04
- 7 ACH24 Stopping up of access
 ACH24R Reason H24
- 8 ACH32 Highway Drainage
 ADH32R Reason H32
- 9 ACI02 Rest of "pd" Rights - Class A, B,C and E

Reason: In order to prevent an overdevelopment of the site.

- 10 No windows or doors additional to those shown on the permitted drawings shall at any time be inserted in the western flank elevations of the house on Plot 1 hereby permitted, without the prior approval in writing of the Local Planning Authority.

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

Reasons for granting permission:

In granting permission the local planning authority had regard to the following policies:

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- BE1 Design of New Development
- H1 Housing Supply
- H7 Housing Density and Design
- H9 Side Space
- T1 Transport Demand

- T3 Parking
- T18 Road Safety
- G6 Land Adjoining Green Belt or on Metropolitan Open Land

Supplementary Planning Guidance 1 and 2

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

- (a) the appearance of the development in the street scene
- (b) the relationship of the development to adjacent property
- (c) the character of the development in the surrounding area
- (d) the impact on the amenities of the occupiers of adjacent and nearby properties
- (e) the light and outlook of occupiers of adjacent and nearby properties
- (f) the privacy of occupiers of adjacent and nearby properties
- (g) the safety of pedestrians and motorists on the adjacent highway
- (h) accessibility to buildings
- (i) the housing policies of the development plan
- (j) the urban design policies of the development plan

and having regard to all other matters raised.

INFORMATIVE(S)

- 1 Any repositioning, alteration and/ or adjustment to street furniture or Statutory undertaker's apparatus considered necessary and practical to help with the forming of the vehicular crossover hereby permitted shall be undertaken at the cost of the applicant.
- 2 Before the use commences, the applicant is advised to contact the Pollution Team of Environmental Health and 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 the Demolition and Construction Sites Code of Practice 2008 which is available on the Bromley web site.
- 3 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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