

Application No : 09/03615/FULL1

**Ward:
Biggin Hill**

**Address : 160 - 166 Main Road Biggin Hill TN16
3BA**

OS Grid Ref: E: 542023 N: 158708

Applicant : Claverton Holdings Ltd

Objections : YES

Description of Development:

3 blocks (two storeys, two/ three storey and three storeys high) comprising 1 one bedroom, 13 two bedroom and 2 three bedroom flats, and 3 two storey three bedroom terraced houses with car parking spaces and access road

Proposal

Outline planning permission was granted at appeal for the change of use from industrial to residential of part of this site to permit residential development of two/three storeys for 16 three bedroom houses and 2 and 3 bedroom flats with car parking and associated amenity space. The application proposal is for a revised scheme involving an adjustment to the bulk and footprints of the buildings. The proposal is summarised as follows:

- Block A – three storey building providing 6 two bedroom flats for private sale, 6 undercroft car parking spaces and secure cycle storage
- Block B – two/three storey building providing 2 three bedroom, 3 two bedroom and 1 one bedroom flats to provide affordable housing
- Block C – two storey building providing 3 two bedroom flats for private sale and one three bedroom flat to provide affordable housing
- 3 two storey three bedroom houses for private sale.

Block A will be approx. 7m wider than the appeal scheme whilst Block B will be approx. 3.8m wider and approx. 1m deeper at the north west end. Block C will be approx. 3.5m wider and will be located approx. 2m closer to the south west boundary. The houses will be arranged in a straight terrace rather than a staggered terrace. The arrangement of the buildings in terms of storey heights is broadly consistent with that granted at appeal.

The blocks of flats will feature a contemporary design with flat roofs, render and timber cladding whilst the houses will feature pitched roofs to reflect more the more traditional design of properties fronting Sutherland Avenue.

The application is accompanied by a Design and Access Statement which includes the following points:

- modern design is intended to relate more appropriately to its commercial backland context.
- materials will result in building appearing clean, light and well articulated
- detailed design and treatment of elevations and central court will give development a sense of place
- scheme will be of a high quality design and be imaginative and attractive whilst complementing scale, form and layout of surrounding buildings
- layout of scheme, including orientation of habitable rooms, matches scheme granted permission in 2007.

Location

The key characteristics of the site and its surroundings are as follows:

- site lies to rear of row of shops in centre of Biggin Hill and is currently occupied by various commercial operations
- church hall lies adjacent to the south eastern boundary and there are further commercial operations beyond the north western boundary
- residential properties back onto the site at the rear
- on this side of Main Road surrounding development comprises a mixture of commercial, retail and residential uses whilst development opposite is mainly residential
- a number of shops in the area have flats above, some up to a total of three storeys in height, and there are several nearby examples of residential development behind frontage properties.

Comments from Local Residents

Nearby residents were notified of the application and representations were received, which can be summarised as follows:

- gross overdevelopment
- out of character
- excessive height
- overlooking
- loss of light/outlook
- Block C is too close to rear gardens of houses fronting Sutherland Avenue
- pollution
- increased noise and disturbance
- increased anti-social behaviour
- loss of motoring services and local businesses
- loss of jobs
- there should be obscure glazing on the side of the building facing Sutherland Avenue
- decreased security at Sutherland Avenue properties

- increased congestion
- inadequate parking
- detrimental impact on pedestrian and vehicular safety
- difficulties accessing and egressing Haig Road
- increased pressure on local infrastructure and services
- condition securing acoustic screen to adjacent church should be applied, as per the previous permission.

Comments from Consultees

The Council's in-house drainage consultant has no objections.

There are no technical highways objections.

The Metropolitan Police Crime Prevention Design Adviser has no objections to the proposal.

Any further comments, including housing comments, will be reported verbally at the meeting.

Planning Considerations

Outline planning permission was granted at appeal for the change of use from industrial to residential for part of site to permit residential development of two/three storeys for 16 three bedroom houses and 2 and 3 bedroom flats with car parking and associated amenity space (ref. 06/03884).

With regard to the impact of the proposed development within its setting he noted that:

'most of the buildings would be concealed behind the frontage development. From certain aspects there would be limited glimpses of the three storey elements, but development at this height is, in any case, typical of the area.'

Regarding amenity space, the Inspector noted that:

'Whilst indicatively there would be limited soft landscaping surrounding the flats, most of the flats would be at first and second floor levels with parking beneath. This does not seem to me to be out of line with most flatted developments which occupiers often choose specifically because they are devoid of amenity space. As the appellant pointed out at the hearing, there is accessible green space in the locality and balconies could be provided. The two storey housing, which might be expected to prove the most attractive to families, would have its own private amenity space to the rear.'

The Inspector also considered that:

- the loss of the business use of the site would be acceptable and that the development would provide a better fit with the area than the existing commercial uses
- no material harm would result from the density of the development
- overlooking opportunities would be limited
- detailed design of flats and in terms of aspect and boundary treatment could mitigate noise and disturbance from the commercial operation adjacent to the north west boundary
- any harm from ventilation units to the shops could be dealt with in the reserved matters
- an appropriate acoustic boundary treatment would suffice to mitigate harm from noise from the adjacent church
- scheme would provide a mix of housing including a number of affordable units and would make efficient use of previously developed land in a good location with respect to local facilities and this weighs heavily in favour of the proposal.

The proposal falls to be considered primarily with regard to the following policies:

UDP

- T1 Transport Demand
- T2 Assessment of Transport Effects
- T3 Parking
- T5 Access for People with Restricted Mobility
- T7 Cyclists
- T18 Road Safety
- H1 Housing Supply
- H5 Accessible Housing
- H7 Housing Density and Design
- NE7 Development and trees
- BE1 Design of New Development
- EMP3 Office Development
- EMP5 Development Outside Business Areas
- ER7 Contaminated Land

London Plan

- 2A.9 The Suburbs: supporting sustainable communities
- 3A.3 Maximising the potential of sites
- 3A.6 Quality of new housing provision
- 4A.3 Sustainable Design and Construction
- 3D.13 Children and young people's play and informal recreation strategies
- 4A.4 Energy Assessment
- 4A.7 Renewable Energy
- 4B.1 Design Principles for a Compact City
- 4B.8 Respect local context and communities.

The residential density of the proposal is equivalent to 76 dwellings per hectare.

Conclusions

The main issues to be considered in this case are the impact of the proposal on the character of the area and the impact on the residential amenities of the area. The scheme will be cramped within the site, however the layout is broadly consistent with the scheme previously granted planning permission at appeal. It is therefore necessary to specifically consider whether the revised siting and changes to the bulk of the blocks will result in undue harm to visual and residential amenities.

The development will not be especially visible from Main Road. Block A will be visible over the shops fronting Main Road and the additional width of the block will make it somewhat more conspicuous when viewed down the access road. The additional bulk of Block B should not be particularly evident from Main Road due to its orientation. The amendments to the terrace of houses and Block C are relatively minor and should not result in undue harm. It may therefore be considered that the additional bulk of the blocks and the revised siting are not sufficiently harmful to warrant refusal of planning permission on character grounds relating to impact on nearby properties and the locality generally.

The internal layout of the units and the arrangement of windows is such that there should not be any undue loss of privacy to properties fronting Sutherland Avenue. The scheme should not result in any significant additional harm over and above the previously permitted scheme in terms of loss of outlook or visual impact from nearby dwellings.

A scheme to provide on site renewable energy is not proposed. However, on-site renewable energy was not secured through the outline permission granted at appeal and therefore the proposal can be considered acceptable in this regard.

as amended by documents received on 15.02.2010

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- | | | |
|---|--------|--|
| 1 | ACA01 | Commencement of development within 3 yrs |
| | ACA01R | A01 Reason 3 years |
| 2 | ACD06 | Sustainable drainage system (SuDS) |
| | ADD06R | Reason D06 |
| 3 | ACH02 | Satisfactory parking - no details submit |
| | ACH02R | Reason H02 |
| 4 | ACH16 | Hardstanding for wash-down facilities |
| | ACH16R | Reason H16 |
| 5 | ACH18 | Refuse storage - no details submitted |

	ACH18R	Reason H18
6	ACH22	Bicycle Parking
	ACH22R	Reason H22
7	ACH23	Lighting scheme for access/parking
	ACH23R	Reason H23
8	ACH27	Arrangements for construction period
	ACH27R	Reason H27
9	ACH32	Highway Drainage
	ADH32R	Reason H32
10	ACI21	Secured By Design
	ACI21R	I21 reason
11	ACK05	Slab levels - no details submitted
	ACK05R	K05 reason
12	ACK09	Soil survey - contaminated land
	ACK09R	K09 reason
13	No development shall take place until there has been submitted to and approved in writing by the local planning authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The type of treatments proposed for the south eastern boundary adjacent to the church hall and the north western boundary adjacent to workshop 3 shall take account of the need for acoustic suppression. The boundary treatment shall be completed before the buildings are occupied and thereafter retained. Development shall be carried out in accordance with the approved details.	
	ACA07R	Reason A07

Reasons for granting planning permission:

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

UDP

- T1 Transport Demand
- T2 Assessment of Transport Effects
- T3 Parking
- T5 Access for People with Restricted Mobility
- T7 Cyclists
- T18 Road Safety
- H1 Housing Supply
- H5 Accessible Housing
- H7 Housing Density and Design
- NE7 Development and trees
- BE1 Design of New Development
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London Plan

- 2A.9 The Suburbs: supporting sustainable communities
- 3A.3 Maximising the potential of sites
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- 4A.3 Sustainable Design and Construction
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- 4A.4 Energy Assessment
- 4A.7 Renewable Energy
- 4B.1 Design Principles for a Compact City
- 4B.8 Respect local context and communities.

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

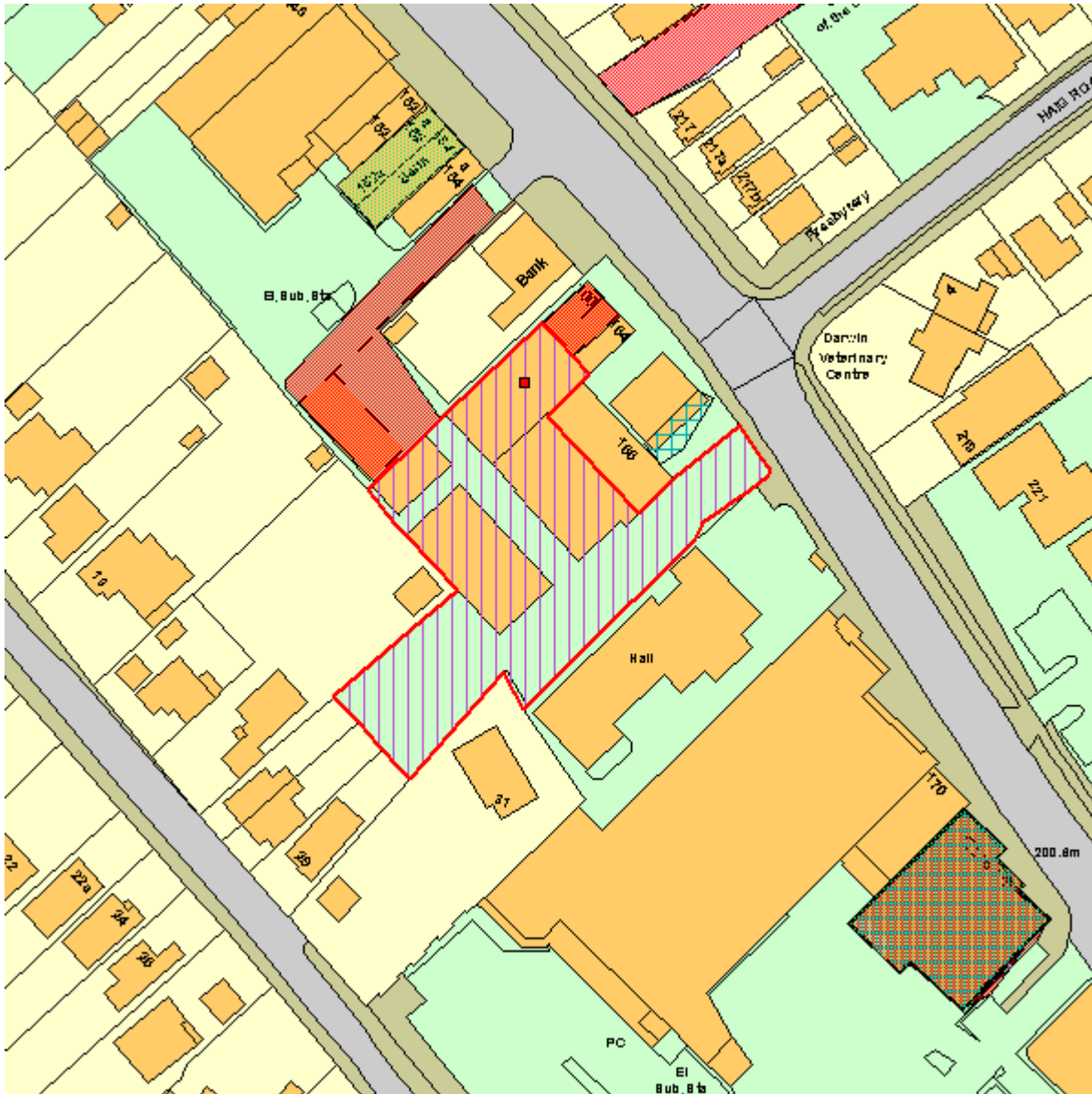
- (e) the safety of pedestrians and motorists on the adjacent highway
- (f) the safety and security of buildings and the spaces around them
- (g) accessibility to buildings
- (h) the design policies of the development plan
- (i) the transport policies of the development plan

and having regard to all other matters raised.

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