

Application No : 10/00158/FULL1

Ward:
Biggin Hill

Address : 57 Lusted Hall Lane Biggin Hill TN16
2NW

OS Grid Ref: E: 541647 N: 158302

Applicant : GVS Builders (Mr Spiteri)

Objections : YES

Description of Development:

Two 4 bedroom detached houses.

Proposal

- The application is for the demolition of the existing bungalow and the erection of 2 semi-detached 4 bedroom houses.
- The dwellings will be served by one access onto Lusted Hall Lane.
- The dwellings will have hipped roofs with a total height of 8.3m, incorporating front gable features.
- The properties will be set ~12.3m from the highway.
- The properties will be ~8.2m in width and ~13.4m in depth.

Location

The application site is on the western side of Lusted Hall Lane and at present comprises a bungalow with a spacious rear garden and significant space to the front of the building. The area is characterised by a mix of residential development, including terraces to the south and semi-detached dwellings to the north.

Comments from Local Residents

Nearby owners/occupiers were notified of the application and a large number of representations were received. These are summarised as follows:

- loss of light/prospect
- impact on trees
- impact on highway safety
- increased noise with the proposed unidirectional flow plates
- the proposal in terms of sightlines/access has not altered from the previously refused scheme

Comments from Consultees

Technical highways objections are raised in respect to sub-standard sightlines of the existing access and general access onto this part of Lusted Hall Lane.

No technical drainage objections are raised, subject to standard conditions from Thames Water.

No Environmental Health objections are raised, subject to informatives.

No Thames Water objections are raised subject to an informative.

No Waste Services objections are raised.

Planning Considerations

The main policies relevant to this case are Policies BE1 (Design of New Development), H7 (Housing Density And Design), H9 (Side Space), T3 (Parking), T18 (Road Safety) and NE7 (Development And Trees).

Planning History

Planning permission was granted under ref. 03/01896 for 2 detached four bedroom houses with garages at No. 59 Lusted Hall Lane.

Planning permission was refused under ref. 08/02782 for the demolition of existing dwelling and erection of 5 three bedroom town houses with integral garages and associated parking. The application was refused on the basis of impact on the character of the area due to the height, bulk, scale, design, site coverage and number of units proposed, the fact that the proposal did not comply with the Council's requirement for a minimum 1 metre side space to be maintained to the flank boundary in respect of two storey development, the inadequate existing sightlines and the probable intensification of vehicular use of the site which would be prejudicial to the safety and free flow of traffic and prejudice to the retention and well being of a number of trees which contribute to the visual amenities of the area. The proposal was contrary to Policies BE1, H7, H9, T18 and NE7 of the UDP.

Following this, under planning ref. 09/02706 permission was refused for the demolition of existing dwelling and erection of 1 four bedroom two storey detached dwelling and 2 three bedroom two storey semi-detached dwellings with associated car parking at front. The application was refused on the grounds of (i) inadequate existing sightlines and the probable intensification of vehicular use of the site would be prejudicial to the safety and free flow of traffic, contrary to Policy T18 of the Unitary Development Plan, and (ii) the proposed development, by reason of the number of dwellings and the inadequate plot widths, would result in an overdevelopment of the site out of character with the locality and contrary to Policy H7 and BE1 of the Unitary Development Plan.

Conclusions

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

The proposal seeks to replace an existing bungalow with 2 detached two storey dwellings. The proposal would copy the design of the neighbouring plot at No. 59 and have a side space of ~2.3 (decreasing to ~2.2) to the boundary with No. 59 and a side space of ~2.6m at the front decreasing to ~ 1.75m at the rear.

The proposed dwellings will each be approx. 8.3m in height and this is considered to be an improvement over the 11m height of the refused 08/02782 scheme. The reduction in the number of dwellings is also considered to result in a more appropriate use of the site in this location, overcoming the second ground of refusal and more closely matching the style and form of development on Lusted Hall Lane.

The decision at No. 59 (ref. 03/01896) is noted, and indeed the highways department requested a condition to improve sightlines under this previous application. However the application site is further up the hill and does not have the level of visibility that No. 59 does, with the right turn in the road located closer to No. 57 than to No. 55. Each site must be assessed on its own merits and the level of visibility at No. 57 is considered to be significantly less than that at No. 59.

The design of the dwellings is such that the ridge heights will stagger down the hill, resulting in a development which sits comfortably on the plot and does not appear excessively bulky, along with the fully hipped roofs. The reduction in bulk and height is also considered to result in a development which respects the amenities of neighbouring properties. It should be noted that the development is set back and will be ~3.2m beyond the rear elevation of No. 55 and ~3.15m beyond the rear elevation of No. 59. However, Members may considered that the separation is considered sufficient to mitigate any visual impact and loss of prospect from the neighbouring properties.

From a highway safety perspective, it is considered that the intensification of the use of the access, or any access on this part of Lusted Hall Lane would be detrimental to highway safety, as the required sightlines could not be achieved. This is because part of the required sightline falls outside of the control of the landowner (i.e. on the front garden of No. 55). It is therefore considered that the proposal would be unacceptable for this reason and the application is therefore recommended for refusal.

Having had regard to the above it was considered that the proposal is unacceptable in that it would result in a detrimental impact on highway safety.

Background papers referred to during production of this report comprise all correspondence on files refs. 08/02782, 09/02706 and 10/00158, excluding exempt information.

RECOMMENDATION: PERMISSION BE REFUSED

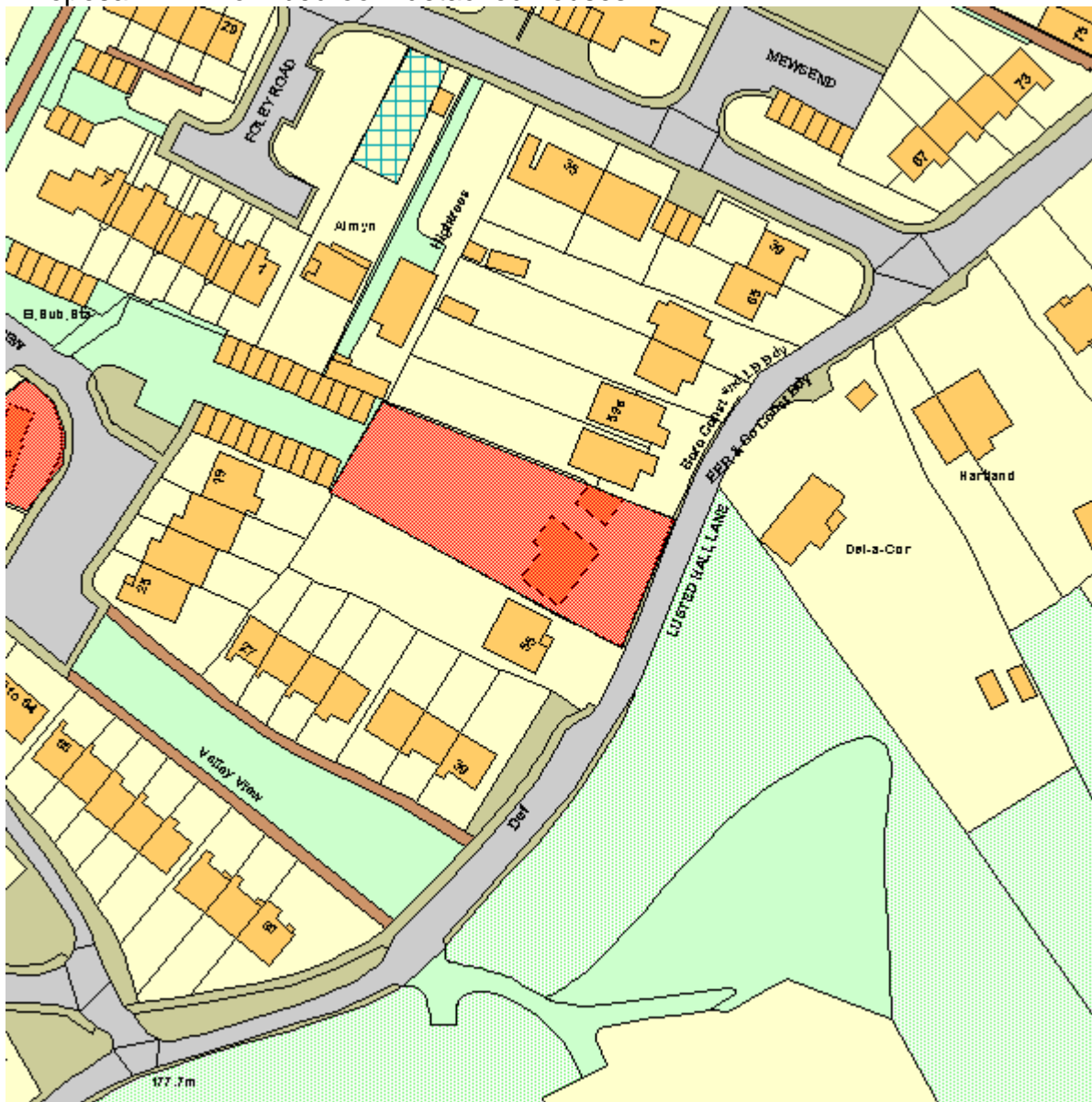
The reasons for refusal are:

- 1 The intensification of vehicular use of the site with inadequate sightlines would be prejudicial to the safety and free flow of traffic, contrary to Policy T18 of the Unitary Development Plan.

Reference: 10/00158/FULL1

Address: 57 Lusted Hall Lane Biggin Hill TN16 2NW

Proposal: Two 4 bedroom detached houses.



This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. London Borough of Bromley. Lic. No: 100017661