

Application No : 10/00474/OUT

**Ward:
Copers Cope**

Address : 2 Stanley Avenue Beckenham BR3 6PX

OS Grid Ref: E: 538275 N: 169004

**Applicant : South East Living Group (Mr Nigel Styles)
Objections : YES**

Description of Development:

Detached 2 storey four bedroom house with integral garage with vehicular access fronting Stanley Avenue and part 2/3 storey terrace comprising 2 five bedroom and 4 four bedroom houses, car parking spaces and vehicular access fronting Overbury Avenue, plus associated refuse and cycle provision.

Proposal

- This application is put to Committee as the scheme falls outside of what can be determined under Delegated Powers.
- The current application seeks outline planning approval for a detached 2 storey four bedroom house with integral garage with vehicular access fronting Stanley Avenue and a part 2/3 storey terrace comprising 2 five bedroom and 4 four bedroom houses, with car parking spaces and vehicular access fronting Overbury Avenue, plus associated refuse and cycle provision.
- The proposal includes the demolition of 2 Stanley Avenue and 84-86 Overbury Avenue, which has already taken place as this element of the scheme has also formed part of previous planning approvals on this site.
- The details for which outline approval are sought are access and layout.
- The plans associated with the current application, with the exception of the layout and access siting plans, are therefore for illustrative purposes only.

Location

The application site comprises Numbers 84 – 86 Stanley Avenue and Number 2 Overbury Avenue which were two flats and a house converted from one large house. These properties have already been demolished following previous planning approvals.

The site is located on a prominent corner plot on the junction of Overbury Avenue and Stanley Avenue. The surrounding area primarily consists of residential properties, a mixture of two storey houses and blocks of flats.

Comments from Local Residents

Local residents were notified of the application, and the following responses were received:

- the proposal means further congestion to a key intersection;
- this area is already unsafe for children and the development will significantly impact upon traffic flow and safety;
- the development would lead to problems with the already over-subscribed primary school;
- the noise from the development would negatively impact upon the daily running of the school;
- loss of light to adjacent property due to proposed height of detached property;
- difficult to ascertain distances between proposed properties and existing properties on adjacent sites;
- windows in the rear of the proposed property will further overlook adjacent properties;
- electric gates are out of keeping along Stanley Avenue;
- trees on the site of 2 Stanley Avenue need to be removed as these will lead to further subsidence.

Full copies of all correspondence received can be found on the file.

Comments from Consultees

No objections were received from Environmental Health (pollution), Environmental Health (housing), Highways, Thames Water and Drainage.

In terms of Crime Prevention, it was accepted that crime prevention and community safety issues have been covered within the associated documentation in the application, however not in particular detail. It was stated that measures to minimise crime should be taken into account within the designing of the scheme. The physical security of the scheme can be addressed by way of condition.

Planning Considerations

No objections were raised in terms of the trees on the site and on adjoining sites.

The proposal falls to be determined with particular regard to Policies H7, T3, T11, T18 and BE1 of the adopted Unitary Development Plan.

In strategic terms the most relevant London Plan policies are:

Policy 3A.1 Increasing London's Supply of Housing
Policy 3A.3 Maximising the Potential of Sites
Policy 4A.3 Sustainable design and construction
Policies 4B.1 Design principles for a compact city
Policy 4B.8 Respect local context and communities

Central Government advice contained in PPS1 'Delivering Sustainable Development' and Planning Policy Statement 3 'Housing' are also relevant in the determination of the current application.

Planning History

In terms of planning history on the site, there have been a number of previous applications with different outcomes.

Planning permission was refused for an outline application under ref. 06/02377 for a three storey block comprising 12 two bedroom flats with 12 car parking spaces and refuse storage on the following grounds:

1. The proposed development, located as it is on this prominent corner site, would be out of character and scale with the local street scene and would constitute a cramped overdevelopment of the site at an excessive residential density and if permitted would establish an undesirable pattern for similar flatted development along Stanley Avenue, resulting in a retrograde lowering of the standards to which the area is at present developed, contrary to Policy H7 of the Unitary Development Plan;
2. The proposal would be overdominant and would be detrimental to the amenities that the occupiers of adjoining properties might reasonably expect to be able to continue to enjoy by reason of visual impact, loss of prospect and increased noise and disturbance, contrary to Policies BE1 and H7 of the Unitary Development Plan;
3. The proposed development, by reason of the lack of affordable housing provision, would be contrary to Policy H2 of the Unitary Development Plan; and
4. The proposed vehicular access and parking fronting Overbury Avenue, which would be located close to the junction between Overbury Avenue and Stanley Avenue, would not be in the interests of good highway planning and would have a detrimental effect on road safety, contrary to Policies T3 and T18 of the Unitary Development Plan.

Planning permission was also refused for an outline application under ref. 06/04074 for development proposing the demolition of 2 Stanley Avenue and 84-86 Overbury Avenue and erection of three storey block comprising 9 two and three bedroom flats with 10 car parking spaces/ cycle storage and refuse storage. This scheme was refused on the following grounds:

1. The proposed development would be out of character and scale with the local street scene and would constitute a cramped overdevelopment of the site at an excessive residential density, contrary to Policies BE1 and H7 of the Unitary Development Plan; and

2. The proposal would be overdominant and would be detrimental to the amenities that the occupiers of adjoining properties might reasonably expect to be able to continue to enjoy by reason of visual impact, loss of prospect and increased noise and disturbance, contrary to Policies BE1 and H7 of the Unitary Development Plan.

In this latter case, it was considered that the application had overcome the original refusal grounds 3 and 4 relating to affordable housing provision and highway safety but the other objections remained.

Both decisions were subsequently appealed against, with the original proposal, for a block of 12 flats being dismissed, and the second application relating to the block of 9 flats, being allowed by The Inspectorate.

In respect of the proposal for 9 flats which was allowed, the Inspector stated that “the visual bulk of the proposed building would be similar to the existing situation and would not be harmful to the street scene” and a similar view to the other appeal was expressed with respect to the impact on living conditions.

In respect of the proposal for 12 flats, which included two car parking areas, one of which accessed from Overbury Avenue, the Inspector states that “the access onto Overbury Avenue would be in close proximity to its junction with Stanley Avenue. It would however serve only 6 parking spaces, the intensity of its use would be similar to that of a large house, and the distance from the junction would be similar to others in the area. In my opinion, therefore, the access onto Overbury Avenue would not result in any material reduction in highway safety on the avenue.”

Prior to the outcome of these appeals, a third application was determined under ref. 07/00435 for the demolition of 2 Stanley Avenue and 84-86 Overbury Avenue and erection of 2/3 storey block comprising 9 two and three bedroom flats with 10 car parking spaces cycle storage and refuse storage. This was also an outline application and was refused on the following grounds:

1. The proposed development would be out of character and scale with the local street scene and would constitute a cramped overdevelopment of the site at an excessive residential density, contrary to Policies BE1 and H7 of the Unitary Development Plan.
2. The proposal would be overdominant and would be detrimental to the amenities that the occupiers of adjoining properties might reasonably expect to be able to continue to enjoy by reason of visual impact, loss of prospect and increased noise and disturbance, contrary to Policies BE1 and H7 of the Unitary Development Plan.

Following on from the appeal decision, planning approval was given for an application for details pursuant to outline application ref. 06/04074 which formed application ref. 07/03141. Furthermore, application ref. 07/04526 was granted permission for the demolition of 2 Stanley Avenue and 84-86 Overbury Avenue and erection of 2/3 storey block comprising of 9 two and three bedroom flats with 13 car parking spaces, vehicular access onto Stanley Avenue and Overbury Avenue, 2 detached carports, cycle and refuse store.

Conclusions

It is considered that the principle of redevelopment on this site has already been established by the grant of previous applications, namely ref. 06/04074 which was granted at Appeal, and ref. 07/04526. The main issues remain to be related to the effect of the proposal on the character and appearance of the surrounding area; the impact upon the amenities of nearby residents in terms of noise, disturbance, privacy, visual intrusion and daylight; and the impact upon highway safety.

Another consideration with this scheme is the alteration to the type of properties now being proposed which changes from a flatted development to a development providing houses. It may be considered that the provision of dwellinghouses in this location rather than a flatted development would be more in keeping with the character of the area. The scheme allowed at Appeal by the Inspector was not considered to have a harmful effect upon the character and appearance of the surrounding area, and the current scheme has been further reduced and moved in terms of footprint. Therefore it could be considered that the impact upon the amenities of the adjoining residents will be further reduced.

The current outline application seeks approval of access and layout only, therefore although the plans submitted as part of the application do provide elevation plans and floor plans, there are purely for illustrative purposes.

The layout of the proposed development as shown on Plan No. 0955/P01 indicates the current layout in solid black line and the previously approved layout which is shown in green. It can be seen that the overall footprint of the entire scheme has been significantly reduced, with the detached property closest to 'Wooknole', Stanley Avenue, being set substantially back from the previous position. The front elevation is now to be built in-line with the front elevation of Wooknole, as opposed to the previously permitted scheme which was to be set approximately 6.5 metres further forward. This should reduce the visual impact of the proposed development when looking out of the front elevation of 'Wooknole'. In addition, alterations have been made to the footprint of the detached property to the rear, so that the closest part of this property to Wooknole is to be built in-line with the rear elevation of the adjacent property.

In terms of the footprint of the proposed terrace of townhouses, this footprint has also been substantially reduced. The footprint of the unit closest to 78 Overbury Avenue

has not been greatly altered, nor has the overall width of this row of properties, but each property (Units 2 – 6) towards Stanley Avenue have been reduced in depth so that the front elevation of these properties have not greatly altered, but the rear elevations have been vastly changed.

Taking into account the Inspectors comments regarding a previously dismissed appeal on the site, no objection is raised to the provision of a second vehicular access point from Stanley Avenue, to provide access to the detached property. Therefore this element of the scheme to provide one vehicular access from Overbury Avenue and one vehicular access from Stanley Avenue, may be considered to be acceptable.

On balance, Members may consider that the proposal is acceptable. When considering the planning history of the site, including the Inspectors comments relating to the various Appeals, the layout of the proposed development and the access points to the site are considered to be acceptable, and unlikely to impact detrimentally upon the character of the area, the amenities of the neighbouring properties, or aspects of highway safety in the vicinity of the site.

Background papers referred to during the production of this report comprise all correspondence on files refs. 06/02377, 06/04074, 07/00435, 07/03141, 07/04526, 10/00474, AP/07/00043/S78, and AP/07/00053/S78, excluding exempt information.

as amended by documents received on 26.02.2010

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- | | | | |
|---|--------|--|-------------|
| 1 | ACA02 | Details req. pursuant outline permission | appearance, |
| | | landscaping and scale | |
| | ACA02R | Reason A02 | |
| 2 | ACA03 | Compliance with landscaping details | 1 |
| | ACA03R | Reason A03 | |
| 3 | ACA07 | Boundary enclosure - no detail submitted | |
| | ACA07R | Reason A07 | |
| 4 | ACB18 | Trees-Arboricultural Method Statement | |
| | ACB18R | Reason B18 | |
| 5 | ACB19 | Trees - App'ment of Arboricultural Super | |
| | ACB19R | Reason B19 | |
| 6 | ACD02 | Surface water drainage - no det. submitt | |

Reason: To ensure satisfactory means of surface water drainage and to accord with Policy 4A.14 of the London Plan and PPS25.

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|---|-------|--|--|
| 7 | ACD04 | Foul water drainage - no details submitt | |
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Reason: To ensure satisfactory means of foul water drainage and to accord with Policy 4A.14 of the London Plan and PPS25.

- 8 ACD06 Sustainable drainage system (SuDS)
Reason: To ensure satisfactory means of surface water drainage and to accord with Policy 4A.14 of the London Plan and PPS25.
- 9 ACH02 Satisfactory parking - no details submit
ACH02R Reason H02
- 10 ACH04 Size of parking bays/garages
ACH04R Reason H04
- 11 ACH05 Size of garage
ACH05R Reason H05
- 12 ACH11 Visibility splays (new buildings) (3 in) access 3.3m x 2.4m
x 3.3m 1m
ACH11R Reason H11
- 13 ACH16 Hardstanding for wash-down facilities
ACH16R Reason H16
- 14 ACH18 Refuse storage - no details submitted
ACH18R Reason H18
- 15 ACH22 Bicycle Parking
ACH22R Reason H22
- 16 ACH24 Stopping up of access
ACH24R Reason H24
- 17 ACH27 Arrangements for construction period
ACH27R Reason H27
- 18 ACH32 Highway Drainage
ADH32R Reason H32
- 19 ACI02 Rest of "pd" Rights - Class A, B,C and E
Reason: In order to protect the amenities of the residents of adjacent properties and to comply with Policies BE1 and H7 of the Unitary Development Plan.
- 20 ACI21 Secured By Design
ACI21R I21 reason
- 21 ACK05 Slab levels - no details submitted
ACK05R K05 reason
- 22 The developer should certify in writing to the Local Planning Authority that lighting of the access/car parking area is in accordance with BS 5489-1:2003 prior to first occupation and that such lighting will be maintained permanently thereafter.
Reason: In order to comply with Policy T3 and Appendix II of the Unitary Development Plan and in the interest of visual amenity and the safety of occupiers and visitors to the development.

Reasons for granting permission:

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

- BE1 Design of New Development
- H7 Housing Density and Design

- T3 Parking
- T11 New Accesses
- T18 Road Safety

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 the adjacent properties;
- (c) the impact on the amenities of the occupiers of adjacent and nearby properties;
- (d) the light and outlook of occupiers of adjacent and nearby properties;
- (e) the privacy of occupiers of adjacent and nearby properties;

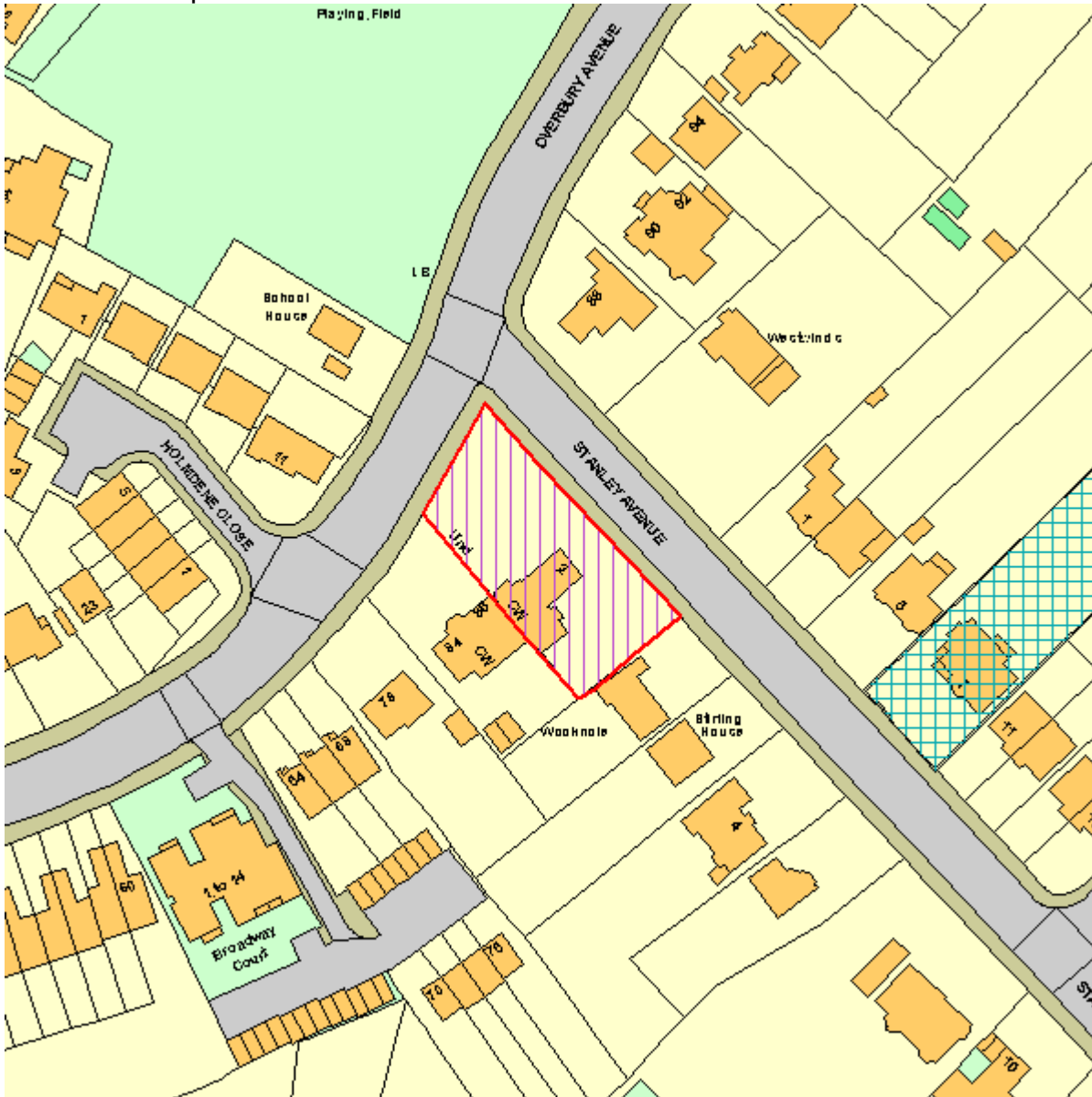
INFORMATIVE(S)

- 1 RDI03 Seek engineering advice
- 2 RDI10 Consult Land Charges/Street Numbering
- 3 RDI16 Contact highways re. crossover
- 4 If during any works on site suspected contamination is encountered which has not been previously identified, Environmental Health should be contacted immediately. The additional contamination shall be fully assessed and an appropriate remediation scheme submitted to the Authority for approval in writing by it or on its behalf.
- 5 Before the development 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 Environmental Protection Act 1990.
- 6 Any repositioning, alteration and / or adjustment to street furniture or Statutory Undertaker's apparatus, considered necessary and practical to help with the forming of vehicular crossover hereby permitted, shall be undertaken at the cost of the applicant.
- 7 With regard to surface water drainage, it is the responsibility of the developer to make proper provision for drainage to ground, water courses or a suitable sewer. Where the developer proposed to discharge to a public sewer, prior approval from Thames Water Developer Services will be required by contacting 0845 850 2777. This is to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

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