

SECTION '2' – Applications meriting special consideration

Application No : 10/02076/OUT

Ward:
Bickley

Address : Wilderwood Widmore Green Bromley
BR1 3BB

OS Grid Ref: E: 541513 N: 169460

Applicant : Mr Greg Lawrence

Objections : YES

Description of Development:

Erection of two storey building comprising of 6 two bedroom flats with undercroft parking
(OUTLINE APPLICATION)

Key designations:

London Distributor Roads

Proposal

It is proposed to construct a two storey building on the site to comprise 6 two bedroom flats, with covered parking underneath at ground/basement level. Permission is sought on an outline basis, with access, appearance, layout and scale as the reserved matters for which approval is being sought. Landscaping will be the only matter reserved for consideration at a later stage.

The full details of the proposal are as follows:

- two storey construction with parking underneath at basement/ground level (total 9 parking spaces)
- traditional design with bay windows, hipped roofs and to be finished in facing brickwork and render with timber framed windows
- central section of roof set down from main hipped sections
- maximum height approx. 12m from lowest ground level
- width of block approx. 18.2m, depth approx. 20m
- proposed block to be set back approx. 5.8m from front site boundary

- minimum side space of approx. 4.6m to south-western flank boundary and approx. 2.4m to north-eastern flank boundary (approx. 11.5m to edge of highway verge on Plaistow Lane)
- approx. 18m separation from rear of block to rear site boundary (adjacent to 112 Plaistow Lane)
- access from existing parking/turning area to Widmore Green
- new yellow box junction proposed between Plaistow Lane and Sundridge Avenue outside of the application site

The application is accompanied by a Design and Access Statement, a Transportation Assessment and a Tree Appraisal report.

Location

The application site is located to the north-west of Widmore Green, and currently comprises a vacant plot which had formerly been in residential use. The site rises towards the rear away from Widmore Green and is bounded by Highway verge to the north-east and by the adjacent residential property at 112 Plaistow Lane to the north-west. To the south-west, the site is bounded by the rear of commercial properties fronting Widmore Road.

The surrounding area is mixed in character with some shops on Widmore Road adjacent to the site and further to the east. Widmore Green itself is a small but well kept open space in front of the site with a limited parking/turning area within.

Comments from Local Residents

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

- development not appropriate on prime site facing onto Widmore Green
- site should be taken into public ownership as small park and village green
- gross overdevelopment
- increase in traffic will compromise highway and pedestrian safety
- garden grabbing
- concerns regarding flooding
- loss of privacy to adjoining houses
- proposed box junction would complicate the situation for pedestrians
- site should be occupied by an appropriate building given 'gateway' location
- development out of character
- height of block now more appropriate but still greater than anything else surrounding
- little opportunity for open space to the front of the site
- little change has been made since previous applications

- outline application leaves details unclear (i.e. without full facts to be considered)
- concerns regarding emergency access
- communal garden will impact on amenity of neighbouring property
- concerns regarding overlooking
- cramped overdevelopment
- drawings lacking in detail
- overshadowing and loss of light
- building of excessive bulk and mass
- will appear incongruous
- concern regarding precedent
- 1 or 2 well designed properties may be acceptable
- impact to adjacent conservation area

In addition to the above, a 33 signature petition in objection to the application and 3 letters of support were received.

Comments from Consultees

From the technical Highways perspective no objections are raised.

The Council's Waste Advisors raise no objection to the proposal.

Thames Water was notified of the application and raised no objection to the proposal.

Planning Considerations

The main policies against which this application should be considered are as follows:

BE1 Design of New Development
 H7 Housing Density and Design
 H9 Side Space
 T3 Parking
 T18 Road Safety
 NE7 Development and Trees

Also of relevance is the recently revised Planning Policy Statement 3: Housing.

With regard to Trees no objections are raised.

Planning History

Under ref. 08/01390, an application was submitted for a three storey block comprising 2 three bedroom and 7 two bedroom flats including front and rear balconies with lower ground floor parking comprising 7 car parking spaces and 3 surface parking spaces at front with bin store. This application was withdrawn prior to consideration.

Under ref. 08/02958 an application was submitted seeking permission for a part 2/3 storey block comprising 8 two bedroom apartments and 1 three bedroom penthouse with undercroft parking and associated landscaping. This was refused for the following reason:

The proposed development, by reason of its size and bulk and amount of building and hard surfaces would constitute an overdevelopment of the site and would result in an overbearing and detrimental feature within the streetscene, contrary to Policies BE1 and H7 of the Unitary Development Plan.

An appeal against this decision was subsequently dismissed. At appeal, the Inspector found that the main issues were the effect of the proposal on the character and appearance of the area and its effect on the living conditions of nearby residents as regards overlooking. With regard to the first matter, the Inspector concluded that as a result of its height and bulk the block would not respect the more small-scale character of the buildings in the area around the junction. In addition, the Inspector found that the walled car parking area to the front of the block would create an unacceptably harsh backdrop to Widmore Green, while there would in view of the small proportion of non-developed land within the plot be little space about the building to create an attractive setting that would reflect the character of the area. Consequently, the Inspector found that the proposal would be an overdevelopment of the site that would unacceptably detract from the character and appearance of the area.

With regard to the impact on the living conditions of nearby residents, the Inspector found that the block would, by virtue of the siting of a large floor-to-ceiling window to the main living area to one of the first floor flats approx. 9.5m from the boundary with No. 112 Plaistow Lane which would have afforded view towards the usable rear amenity area of this property, unacceptably diminish the level of privacy that the occupiers of that property enjoy. Accordingly the Inspector concluded that the appeal proposal would result in an unacceptable loss of privacy for the occupiers of No. 112 Plaistow Lane.

More recently, an application was submitted under ref. 10/00642 seeking permission for a two/three storey building comprising 7 two bedroom flats. This application was withdrawn prior to consideration.

Conclusions

The main issues for consideration in this case will be the effect of the proposed development to the character and appearance of the area and the effect on the living conditions of nearby residents, having particular regard to the comments made by the Inspector in dismissing the appeal concerning application ref. 08/02958 for a two/three story 9 flat development on the site. Members will be aware that no principle objections have been raised during the consideration of previous applications

regarding the redevelopment of the site for residential purposes or to the principle of a flatted development in this location.

Members will be aware of the recent changes to PPS 3 comprising the removal of the minimum density figure for housing and the removal of 'garden land' from the definition of 'previously developed land'. Nevertheless, the suitability of sites for residential development must continue to be assessed on a case by case basis having regard to individual planning merits, adopted development plan policy and any other material planning considerations. This proposal would involve the redevelopment of the site for residential purposes and would not specifically result in the loss of garden land.

The proposed block is primarily of two storeys in appearance, with a relatively modest height overall when compared to the scheme that was dismissed at appeal, while the total number of residential units proposed has been reduced from 9 to 6 flats. The block is of a traditional design, with hipped roofs and a lower central section which serves to break up the bulk of the front elevation, presenting the appearance of two semi-detached properties rather than one large block. The materials proposed to be used for the external surfaces would appear consistent with the nearby residential development opposite the site at No. 2 Sundridge Avenue. The building would be set a good distance back within the site while adequate separation would appear to be retained to the flank boundaries, presenting the opportunity for soft landscaping to the front and side to provide an attractive setting, in keeping with the character of the surrounding area. Accordingly, Members may agree that the proposed block would not appear unduly prominent within the street scene or wider area, and would respect the established character and appearance of the area generally.

With regard to the effect of the proposed development to the living conditions of nearby residential properties, as with previous schemes the property most likely to be affected would be the adjacent dwelling to the north-west at 112 Plaistow Lane. The proposed block would now be situated approx. 17m from the rear site boundary (common with 112 Plaistow Lane) which would represent a significant increase when compared to the 9.5m separation proposed as part of the scheme dismissed at appeal. While windows are proposed to the rear elevation of the block which would serve habitable rooms, Members may agree that the separation now proposed would mitigate any impact in terms of overlooking towards the rear garden of No. 112 Plaistow Lane. Concerns have been raised regarding the use of the communal garden proposed and the potential for noise and disturbance, however any such impact may be limited in view of the number of units proposed and has not been considered a significant concern with regard to previous applications on the site.

Adequate off street parking would appear to be provided, and no technical objections have been raised from the Highways perspective. Members will be aware that a new yellow box junction on Plaistow Lane has been put forward by the Applicant as part of this proposal; however this is not a requirement of the Highway Engineer. Any such highway improvements would require the Applicant to enter into a legal agreement

with the Council, and Members will need to carefully consider whether this would be reasonable and necessary in the circumstances, with regard to guidance in Circular 05/05 which states that such legal agreements are intended to make acceptable development which would otherwise be unacceptable in planning terms.

Having regard to the above, Members may agree that the concerns raised at appeal regarding the scheme previously considered under ref. 08/02958 have been addressed and that the proposed development would provide a satisfactory quality of accommodation for future occupiers without harming the character and appearance of the area or the amenities of neighbouring residents.

Background papers referred to during production of this report comprise all correspondence on files refs. 10/02076, 10/00642, 08/02958 and 08/01390, excluding exempt information.

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- | | | | |
|----|--------|--|-------------|
| 1 | ACA02 | Details req. pursuant outline permission | landscaping |
| | ACA02R | Reason A02 | |
| 2 | ACC01 | Satisfactory materials (ext'nl surfaces) | |
| | ACC01R | Reason C01 | |
| 3 | ACC03 | Details of windows | |
| | ACC03R | Reason C03 | |
| 4 | ACB10 | Trees - details of protective fencing | |
| | ACB10R | Reason B10 | |
| 5 | ACB11 | Trees - Details of trenches etc. | |
| | ACB11R | Reason B11 | |
| 6 | ACB19 | Trees - App'ment of Arboricultural Super | |
| | ACB19R | Reason B19 | |
| 7 | ACH02 | Satisfactory parking - no details submit | |
| | ACH02R | Reason H02 | |
| 8 | ACH04 | Size of parking bays/garages | |
| | ACH04R | Reason H04 | |
| 9 | ACH13 | Gradient of access drives (1 in) | 1:10 |
| | ACH13R | Reason H13 | |
| 10 | ACH16 | Hardstanding for wash-down facilities | |
| | ACH16R | Reason H16 | |
| 11 | ACH18 | Refuse storage - no details submitted | |
| | ACH18R | Reason H18 | |
| 12 | ACH22 | Bicycle Parking | |
| | ACH22R | Reason H22 | |
| 13 | ACH29 | Construction Management Plan | |
| | ACH29R | Reason H29 | |
| 14 | ACH32 | Highway Drainage | |

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
- H9 Side Space
- T3 Parking
- T18 Road Safety
- NE7 Development and Trees

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 properties
- (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) the accessibility to the building
- (i) the housing policies of the Unitary Development Plan
- (j) the urban design policies of the Unitary Development Plan
- (k) the high quality design and layout of the proposed development

and having regard to all other matters raised.

INFORMATIVE(S)

- 1 RDI10 Consult Land Charges/Street Numbering
- 2 With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of Ground Water. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

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