

SECTION '2' – Applications meriting special consideration

**Application No :** 12/00663/OUT

**Ward:**  
**Bickley**

**Address :** 258 Southlands Road Bromley BR1 2EQ

**OS Grid Ref:** E: 542336 N: 168383

**Applicant :** South East Living Group

**Objections :** YES

**Description of Development:**

Demolition of 258 Southlands Road and erection of 2 dwellings with detached garages (at rear of Nos. 254 - 260 Southlands Road) and associated access road.  
OUTLINE APPLICATION

Key designations:

Biggin Hill Safeguarding Birds  
Biggin Hill Safeguarding Area  
London City Airport Safeguarding

**Proposal**

Outline planning permission is sought for the demolition of 258 Southlands Road and erection of 2 dwellings with detached garages (at rear of Nos. 254 - 260 Southlands Road) and associated access road. At present, permission is sought for means of access and layout, with appearance, landscaping and scale forming the reserved matters.

Indicative plans provided show the proposal to comprise two detached two storey dwellings with accommodation in the roofspace (with maximum height of 8.4m). Two detached garages also proposed. In terms of the layout, the dwellings would be orientated to face towards the rear of properties on Southlands Road, with a separation of approx. 42m to be provided and a rear garden depth of around 10m. Regarding access, a private road would be provided between Nos. 256 and 260 in place of the existing dwelling.

**Location**

The application site is located on the southern side of Southlands Road, and comprises a semi-detached dwelling set within a deep plot, together with a parcel of land situated behind Nos. 254 – 260 Southlands Road and adjacent to 48 Southborough Road.

Amended plans have been received showing an alteration to the parking layout in response to comments received from the Highways Division.

### **Comments from Local Residents**

Nearby owners/occupiers were notified of the application and representations were received which can be summarised as follows:

- support of application as plot of land is a waste with no access to it and not being properly maintained, proposal will create homes for families.
- number of houses proposed more sensible than the previous application.
- increased traffic and congestion in already congested area.
- Impact on the security of No. 256 as result of proposal can access rear garden and property of No. 256.
- area already overcrowded and populated.
- overdevelopment of suburban area.
- concerns trees indicated on plans will not remain. One tree will overshadow proposed garden area.
- design would impact detrimentally on surrounding area and would not integrate with existing urban form and built environments.
- would reduce openness at rear of site and erode character of the area.
- unacceptable form of backland development by reason of overall scale, bulk and location on rear garden area unsympathetic development in an area characterised by family houses fronting roads in deep plots.
- contrary to policies adopted in UDP 2006 and Government's Planning Policy Statement.
- would result in overlooking and loss of privacy for rear gardens of Nos. 50 and 46 Southborough Lane and No. 8 Draper Court.
- increase noise and general disturbance.
- access road may not be suitable for emergency vehicles.

### **Comments from Consultees**

The Council's Waste Advisors were consulted who stated the refuse collection area must be within 1m of Southlands Road.

The Highways Drainage Division was consulted who stated the proposed works appear very close to or over existing public sewer(s); the applicant should be advised to consult Thames Water as soon as possible to ascertain the exact sewer locations and to establish what protection measures may be required. The site is located within the area in which the Environment Agency – Thames Region require restrictions on the rate of discharge of surface water from new developments into the River Ravensbourne or its tributaries. The site appears to be suitable for an assessment to be made of its potential for a SUDS to be developed for the disposal of surface water. No objections were raised subject to conditions.

The Highways Division were consulted who stated this is an outline application for access and layout. The site is within a low (2) PTAL area. The sightline improvement as agreed for the previous application is included. The access road

serves 2 units and would be seen a private drive. The design of the crossover will need to be agreed with Area Management as it will need to tie in with the crossover for no.256.

The proposed refuse storage is located in the access road and the location needs to be agreed with Waste Services. Initially concerns were raised as while there is a detached double garage provided for each unit the garages are smaller than the Council's normal requirement of 6m x 5.2m. The access road is in front of plot 1 and the layout means that vehicles parking in front of the garage for plot 1 will find it difficult to turn and will also impede vehicles turning from plot 2. The parking arrangements for plot 1 will need to be redesigned to allow turning movements. In order to address these concerns revised parking plans were supplied on 04.04.12 and 12.04.12, which is considered to be satisfactory subject to conditions.

From a trees perspective no significant trees would be affected by the proposal.

### **Planning Considerations**

The application falls to be determined in accordance with the following policies of the Unitary Development Plan and the London Plan:

- BE1 Design of New Development
- H1 Housing Supply
- H7 Housing Density and Design
- H9 Sidespace
- T3 Parking
- T18 Road Safety
- NE7 Development and Trees

- Supplementary Planning Guidance (SPG) 1 General Design Principles
- Supplementary Planning Guidance (SPG) 2 Residential Design Guidance
- London Plan Policy 3.4 Optimising Housing Potential
- London Plan Policy 3.5 Quality and Design of Housing Developments

The National Planning Policy Framework 2012 is also a key consideration in the determination of such an application.

### **Planning History**

In 2011 under planning ref. 11/00443/OUT permission was refused for an Outline application for the demolition of No. 258 Southlands Road and erection of 5 dwellings (at rear of Nos. 254 - 260 Southlands Road) with associated access road and detached double garage which was refused on the following grounds:

The proposal would, by reason of the number of dwellings proposed and amount of site coverage by buildings and hard surfaces result in the cramped overdevelopment of the site, and would constitute an unacceptable form of backland development which would be out of character with surrounding development and result in a retrograde lowering of the spatial

standards to which the area is at present developed, contrary to Policies BE1 and H7 of the Unitary Development Plan.

The proposed access road between Nos. 258 and 260 Southlands Road would give rise to an unacceptable loss of amenity to neighbouring properties, with particular regard to noise and disturbance arising from its use, contrary to Policies BE1 and H7 of the Unitary Development Plan”.

This was subsequently dismissed at appeal.

## **Conclusions**

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

In paragraph 6 of Appeal Decision relating to the previously refused application ref. 11/03555 the Planning Inspector states “the appeal site sits near to other backland development and I see no reason why some development here should not be acceptable, so long as it meets these criteria (Policy H7)”. In light of these comments it is considered the principle of development on the site has now been established provided that the development meets the requirements of UDP Policy H7 which advises that while backland development will generally be resisted, it may be acceptable provided it would be small scale and sensitive to the surrounding area and it would have adequate access.

While Policy H7 (i) requires new developments to comply with the density/location matrix, in this instance the suburban location of the proposed site with a low accessibility index would advise a maximum of 30 – 60 units per hectare, the application site is 0.14 ha resulting in a maximum of 9.1 units and as such the two proposed units are considered to comply with Policy H7 (i). In addition, the London Plan Sustainable Residential Quality density matrix would advise between approximately 3.5 to 9.1 on a suburban plot. The density of the development proposed at the site is therefore considered to be acceptable and the proposal is not considered to result in an overdevelopment of the plot.

Policy H7 (iii) states “the site layout, buildings and space around buildings are designed to a high quality and recognise as well as complement the qualities of the surrounding area”. In dismissing the previous appeal for the erection of 5 dwellings to the rear of No. 258 the Planning Inspector stated “the proposed buildings would stretch across almost the full width of the site, with a very narrow gap between blocks and insufficient space to the sides for boundary landscaping. The site frontage would be almost wholly taken up by car parking and manoeuvring areas, again allowing little room for planting. As a result, a high proportion of the site would be covered by buildings and hard surfacing, in stark contrast to its surroundings. The result would be a development which would fail to blend with or complement the character of the area”.

In terms of the current application 2 detached dwellings are now proposed with both properties proposing a minimum of 3m to the flank boundaries as opposed to

the previous proposal which would have a minimum of 1.2m distance to the flank boundaries. A distance of approximately 3m would be provided between the flank elevations of the properties as opposed to the previously proposed 1.2m. This is considered to provide sufficient distance to flank boundaries and the two detached dwellings are considered to be more in keeping with the established character of the area and as such the proposal is not considered to result in a cramped form of development. A distance of approximately 10.5m would be provided to the front boundary with 10m provided to the rear boundary (6.8m from the rear elevation of the single storey rear elements of both properties). In addition, the access road has been reduced in width (4.1m wide for the first 10m, to allow service vehicles to access the refuse collection area, with the remainder restricted to 3.1m wide) with the result that a greater proportion of grassed area and landscaping would be provided on the flank boundaries entering the site. Therefore given the reduction in units and width of the access road a greater proportion of the plot is proposed to be landscaped and undeveloped which is considered to blend in with the character of the area, thus overcoming the Planning Inspectors previous concerns and the layout of the proposed dwellings are considered to be acceptable.

In terms of the access arrangements the appeal decision also stated that the vehicular activity created by a scheme of 5 dwellings would be 'significant'. The proposed scheme has reduced the number of dwellings to 2, thus reducing the vehicular activity. The accompanying Design and Access Statement states "in addition to a reduction in the width of the access drive and the removal of the parking space midway along the drive, acoustic fences could be provided along its length if necessary". Members may consider whether such a condition would be sufficient to ameliorate the impact on the residential amenities of the adjoining properties. No objections have been raised by the Council's Highways Division in terms of access and the Highways Engineer stated as the access road would serve 2 units it would be seen a private drive.

Given the significant distance of approximately 10m retained from the proposed dwellings to boundary front and rear boundaries the proposal is not anticipated to impact on the residential amenities of neighbouring properties in terms of loss of privacy, light or overlooking. In addition, this was not raised as a ground of refusal in the case of the previous application nor were concerns raised by the Planning Inspector.

In terms of the impact of the proposal on the character and appearance of the area the Planning Inspector raised concerns in terms of the detrimental impact on the streetscene through the demolition of No. 258. While not a key consideration in the determination of this application in dismissing the appeal the Inspector stated "the house at No. 258 is of ordinary design and appearance. I see no reason why it should not be demolished to provide a landscaped access drive as proposed. However, No. 258 is one of a pair of semi-detached houses with hipped roofs, so the adjoining house, No. 260 would be left looking seriously imbalanced without works to its roof. Even with the alterations proposed on illustrative plan 1068/P104D, the resulting roof would not be symmetrical and I have seen no formal confirmation that the appellant has control of No. 260. I am therefore left in some doubt as to whether the proposal would create an acceptable new street scene to Southlands Road. While this matter is not decisive, it does add a degree

of weight to my other findings". To this end Notice has been served on the occupants of No. 260 and it is understood that an agreement has been reached with the owners of No. 260 to alter the roof to create a symmetrical hipped roof profile should the proposal progress, and as such this property would give the appearance of a detached dwelling and would not appear incongruous in the streetscene, a condition is suggested to ensure this.

As previously stated issues pertaining to the appearance, scale or landscaping are reserved matters for future determination and shall not be considered as part of this outline application.

In summation, having had regard to the above it was considered that the details submitted pertaining to access and layout are acceptable in that it would not impact detrimentally on the character of the area. The reduction in the number of units from 5 to 2 units is considered to be more appropriate given the context of the site. The proposed dwellings are not considered to impact detrimentally on the residential amenities of neighbouring properties in terms of loss of light, privacy and overlooking. While the Planning Inspector previously raised concerns in relation to the impacts of the vehicular activity associated with 5 houses concentrated on a relatively small space close to neighbour's rear gardens, as the current proposal would involve a reduction in the number of units with associated reduction in terms of vehicular activity, it is considered that on balance the impact on the residential amenities of neighbouring properties is considered to be acceptable.

Background papers referred to during production of this report comprise all correspondence on files refs. 12/00663 and 11/00443, excluding exempt information.

As amended by docs received 02.04.12 and 12.04.12

## **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 | ACC01  | Satisfactory materials (ext'nl surfaces) |             |
|   | ACC01R | Reason C01                               |             |
| 5 | ACD02  | Surface water drainage - no det. submitt |             |
|   | ADD02R | Reason D02                               |             |
| 6 | ACD04  | Foul water drainage - no details submitt |             |
|   | ADD04R | Reason D04                               |             |
| 7 | ACD06  | Sustainable drainage system (SuDS)       |             |
|   | ADD06R | Reason D06                               |             |

- 8 ACH03 Satisfactory parking - full application  
ACH03R Reason H03
- 9 ACH10 Provision of sight line (3 inserts) 2.4m x 56.5m the east  
of the new access 1m  
ACH10R Reason H10
- 10 ACH16 Hardstanding for wash down facilities  
ACH16R Reason H16
- 11 ACH23 Lighting scheme for access/parking  
ACH23R Reason H23
- 12 ACH32 Highway Drainage  
ADH32R Reason H32
- 13 ACI02 Rest of "pd" Rights - Class A, B,C and E  
**Reason:** In order to comply with Policies H7 and BE1 of the Unitary Development Plan and to prevent overdevelopment of the site.
- 14 ACI21 Secured By Design  
ACI21R I21 reason
- 15 ACK05 Slab levels - no details submitted  
ACK05R K05 reason
- 16 Before the development hereby permitted commences details relating to the roof alterations for No. 260 shall be submitted to and approved in writing by the Local Planning Authority. Before the dwellings hereby permitted are first occupied works shall be undertaken to No. 260 in accordance with the approved details.  
**Reason:** In the interests of the visual amenities of the area, in accordance with Policy BE1 of the Unitary Development Plan.
- 17 AJ02B Justification UNIQUE reason OTHER apps

#### Policies (UDP)

- BE1 Design of New Development  
H1 Housing Supply  
H7 Housing Density and Design  
H9 Sidespace  
T3 Parking  
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#### INFORMATIVE(S)

- 1 Before the use commences, the Applicant is advised to contact the Pollution Team of Environmental Health & 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 Demolition and Construction Sites Code of Practice 2008 which is available on the Bromley web site.

2 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.

3 RD110 Consult Land Charges/Street Numbering

4 RD116 Contact highways re. crossover

5 RD125 Stopping up of Right of Way



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