

**SECTION '3' – Applications recommended for PERMISSION, APPROVAL or CONSENT**

**Application No :** 12/01201/FULL1

**Ward:**  
**Bickley**

**Address :** 64A Hill Brow Bromley BR1 2PQ

**OS Grid Ref:** E: 542019 N: 169787

**Applicant :** Mr Garry Tarrant

**Objections :** YES

**Description of Development:**

Demolition of existing bungalow and erection of 2 storey 5 bedroom detached dwelling and associated landscaping

Key designations:

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

**Proposal**

This proposal is for the demolition of existing dwelling and erection of 2 storey 5 bedroom detached dwelling and associated landscaping.

**Location**

The application site is located to the east of Hill Brow and is accessed via a narrow access road between Nos. 64 and 66 and is currently comprised of a detached bungalow which has been subject to significant fire damage and is currently derelict. A large detached outbuilding is also located to the east of the site close to the boundary with Nos. 2 and 3 Mount Close which is proposed to be removed.

**Comments from Local Residents**

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

- no mention is made in the application of the effects of the proposed development on Grade II listed building Stofold.
- concerns in relation to details indicated on plans such as no indication of height and approximate indication of other dimensions.

- proposal would be apparent from Mount Close particularly when deciduous trees are not in leaf.
- precedent of declined permission of similar bulk and scale at Mount Close under planning ref: 11/00327 refused due to excessive footprint, bulk and height resulting in cramped overdevelopment of the site, out of character with the existing pattern of development of the site, contrary to Policies BE1 and H7.
- proposal would have a negative impact on private mature garden setting at Stotfold, contrary to Section 3.6 of SPG 1.
- bungalow at site was previously screened by mature conifers along the boundary which have now been reduced considerably in height, as such screening would be ineffective for proposed two storeys dwelling resulting in loss for Stotfold of outlook and light pollution.
- result in loss of outlook for neighbouring properties particularly Stotfold which have habitable rooms facing rear of site.
- would represent over-bearing intrusion to the houses surrounding it and would fail to respect the visual and spatial qualities afforded to Stotfold.
- although several alterations have been made concerns as to the number of windows on the east elevation facing directly onto Nos. 2 and 3 Mount Close particularly as outbuilding and garage are to be demolished.
- concerns loft area shall be used for habitable accommodation and as such the height of the rooflight will face onto master bedroom of No. 2 Mount Close resulting in loss of privacy.

The Sundridge Residents' Association state they now consider the application to be satisfactory provided permitted development rights are withdrawn so as to control the installation of dormers and a balcony at a future date. Concerns are raised as to the substantial loft space which would be lit only by two small rooflights resulting in potential pressure to upgrade this to living space which would then become objectionable as with the previous application.

### **Comments from Consultees**

The Council's Highways Division were consulted who stated the site is located to the rear of Nos. 64 and 66 Hill Brow. The development is utilising the existing access road, approximately 3.0m wide leading to the parking area. The application is acceptable in principle; however, the refuse services may have difficulty servicing the site. No objections were raised subject to conditions.

The Council's Waste Advisors stated refuse and recycling were to be left at edge of curb.

The Council's Highways Drainage Division raised no objections subject to conditions. However, the applicant is advised that contrary to his answer to question 15(b)(i) there is no public surface water sewer near to this site, and therefore surface water will need to be drained to soakaways.

The Council's Environmental Health Division raised no objections to permission being granted.

From a heritage and urban design perspective given the distance from the proposal to the rear elevation of Stotfold and given the location of the plot to the rear of Nos. 64 and 66 Hill Brow, the proposal would not be highly visible from the streetscene and as such the impact on the visual amenities of the listed building and its curtilage is anticipated to be minimal.

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

No objections were raised by Thames Water.

English Heritage was consulted and stated the site is on the boundary of the Mavelstone Road Conservation Area and adjacent to the grade II listed building 'Stotfold' on Mavelstone Road. Having examined the submitted drawings it was not considered that the proposals will have a significant impact upon the setting of either the listed building or the conservation area. However, given the concerns raised by a resident of Stotfold the Council may consider an appropriate landscaping condition be applied should permission be granted.

### **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
- BE13 Development Adjacent to Conservation Area
- H1 Housing Supply
- H7 Housing
- H9 Sidespace
- T3 Parking
- T18 Road Safety
- NE7 Development and Trees

5.11 London Plan

5.12 London Plan

Supplementary Planning Guidance (SPG) 1 General Design Principles  
Supplementary Planning Guidance (SPG) 2 Residential Design Guidance.

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

### **Planning History**

There is a substantial planning history pertaining to this property the most recent of which is summarised below:

In 1983 under planning ref. 83/01464, Outline permission was granted for a detached split level house with garage which was a renewal of outline permission ref. 78/3284.

In 1989 under planning ref. 86/02191, Outline permission was granted for a detached split level house which was a renewal of outline permission ref. 83/1464. In 1989 under planning ref. 89/01366, an application for two detached houses with integral garages was not determined. It was subsequently dismissed on appeal.

In 1989 under planning ref. 89/03046, Outline permission was granted for a detached split level house which was a renewal of outline permission ref. 86/2191.

In 1990 under planning ref. 90/03108, reserved matters were approved for details pursuant to condition 3 and part of condition 10 relating to access turning circle and detached land adjacent to 64a Hill Brow.

In 1991 under planning ref. 91/00725, reserved matters were approved for details pursuant to ref. 89/3046 granted for split level house and 2 bedroom bungalow with detached garage at land adjacent to 64a Hill Brow.

In 2004 under planning ref. 04/03288, permission was refused for demolition of existing bungalow and erection of two storey detached house with attached garage which was refused on the following grounds:

The proposal would constitute a cramped overdevelopment of the site lacking in sufficient amenity space and harmful to the amenities of adjoining properties by reason of loss of privacy, thereby contrary to Policy H.2 of the adopted Unitary Development Plan and Policy H6 of the second deposit draft Unitary Development Plan (Sept 2002).

In 2005 under planning ref. 05/00414, permission was refused for demolition of existing building and erection of two storey detached house with attached garage which was refused on the following grounds:

The proposal would constitute a cramped overdevelopment of the site lacking in sufficient amenity space and harmful to the amenities of adjoining properties in Mount Close by reason of overlooking and loss of privacy, thereby contrary to Policy H.2 of the adopted Unitary Development Plan and Policy H6 of the second deposit draft Unitary Development Plan (September 2002)

In 2005 under planning ref. 05/03923, permission was granted for the demolition of existing building and erection of two storey five bedroom detached house with attached double garage

In 2012 under planning ref. 12/00153, permission was refused for the demolition of existing dwelling and erection of 2 storey 5 bedroom detached dwelling with accommodation in roofspace integral garage and balcony on side elevation on the following grounds:

The proposal would constitute a bulky, over dominant development detrimental to the amenities of adjoining properties in Mount Close, Stotfold and 64B Hill Brow by reason of overlooking and loss of privacy, thereby contrary to Policy BE1 of the Unitary Development Plan 2006.

## 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 2005 under planning ref. 05/03923, permission was granted for the demolition of the existing building and erection of a two storey five bedroom detached house (which included first floor windows in the rear elevation close to the boundary with Stotfold) with attached double garage and as such the principle of the development has effectively been established.

While the current Unitary Development Plan 2006 has now superseded the previous second deposit draft Unitary Development Plan (Sept 2002) which was in place during application ref. 05/03923, it is not considered that there has been a significant change in local planning policy that would impact upon the assessment of this proposal, nor has there been any significant change to the local environment that could affect the impact of the proposed development within its surroundings.

The most recently refused application ref. 12/00153 proposed two dormer window extensions be located in the rear elevation of the proposed dwelling, it was indicated on the plans as loft space, however, it could have been used for additional habitable accommodation. It was considered that these dormer windows would result in a sense of overlooking and loss of privacy for the rear garden area of Stotfold given the close proximity to the boundary of approximately 8m. In order to address these issues the current application has omitted the dormer window extensions and thus is considered to have overcome these concerns.

The most recently refused application ref. 12/00153 also featured a balcony in the eastern flank elevation which would be located approximately 11m from the flank boundary and a further approximately 40m from the rear elevations of Nos. 2 and 3 Mount Close. While these properties are located at a higher ground level than the proposed site they contain fenestration for key habitable rooms in the rear elevation and as such the previous application was not considered to have sufficiently overcome the grounds of refusal of previous applications (refs. 04/03288 and 05/00414) and was considered to result in a loss of privacy and sense of overlooking for the adjoining properties at Mount Close. The current application now includes a high level fixed window in the flank elevation (approximately 1.6m above floor level) and a high level rooflight which is considered to have overcome the previous concerns. In order to prevent any potential loss of privacy or sense of overlooking for the occupants and Nos. 2 and 3 Mount Close and No. 66 Hill Brow were permission to be granted a condition could be attached requiring windows in the first floor flank elevations and above be obscure glazed. Given the significant differences in ground levels between the application site and Mount Close (the latter being significantly higher) the windows in the ground floor flank elevation are considered to be acceptable.

The previously refused application ref. 12/00153 also included a large glass atrium on the front elevation which would have a maximum height of 8.6m, which was to be located approximately 20.5m from the front elevation of No. 64B. Given this

property is a bungalow and contains fenestration in the front elevation it was considered that the proposal would be over dominant, result in an unacceptable relationship between the properties and would result in a detrimental impact on the residential amenities of No. 64B. The current application also includes a glass atrium, however, the glazed section of this has been reduced to a maximum of 7.7m and the width has been reduced from 3.6m to 2.7m. Given this reduction in scale from 30.96 square metres of glazing to 20.79 square metres on balance, this is considered to overcome the previous concerns in terms of the impact for No. 64B. In addition, the current proposal has resulted in an overall reduction of 1.5m in height from the refused scheme ref. 12/00153 which results in a significant reduction in bulk, thereby lessening the dominance of the proposal when viewed from No. 64B.

In terms of the impact of the proposal on the adjoining Grade II Listed Building, given the significant distance of approximately 50m which would be retained between the flank elevation of the proposal and flank elevation of Stotfold it is not considered to impact detrimentally on the visual amenities and historic setting of Stotfold, a view which was reiterated by English Heritage. While the views of the residents of Stotfold will be altered by the proposal it is essential to note that planning permission cannot be refused solely on this basis. The application site is largely screened from the view of surrounding highways by the adjoining properties and as such the potential impact on the adjoining Conservation Area is considered to be minimal as the proposal would not affect views into or out of the Conservation Area, in line with Policy BE13.

Having had regard to the above it was considered that the development in the manner proposed is acceptable in that it would no longer result in a loss of amenity to local residents and is considered to have satisfactorily overcome the previous grounds of refusal.

Background papers referred to during production of this report comprise all correspondence on files refs. 12/01201 and 12/00153, excluding exempt information.

## **RECOMMENDATION: PERMISSION**

Subject to the following conditions:

- |   |                 |  |
|---|-----------------|--|
| 1 | ACA01<br>ACA01R | Commencement of development within 3 yrs<br>A01 Reason 3 years |
| 2 | ACA04<br>ACA04R | Landscaping Scheme - full app no details<br>Reason A04         |
| 3 | ACA07<br>ACA07R | Boundary enclosure - no detail submitted<br>Reason A07         |
| 4 | ACC01<br>ACC01R | Satisfactory materials (ext'nl surfaces)<br>Reason C01         |
| 5 | ACD02<br>ADD02R | Surface water drainage - no det. submitt<br>Reason D02         |
| 6 | ACD04<br>ADD04R | Foul water drainage - no details submitt<br>Reason D04         |

- 7 ACH04 Size of parking bays/garages  
ACH04R Reason H04
- 8 ACH18 Refuse storage - no details submitted  
ACH18R Reason H18
- 9 ACH32 Highway Drainage  
ADH32R Reason H32
- 10 ACI02 Rest of "pd" Rights - Class A, B,C and E

**Reason:** To prevent overdevelopment of the site and in the interests of the residential amenities of neighbouring properties, in line with Policy BE1 of the Unitary Development Plan.

- 11 ACI11 Obscure glaz'g/details of opening (1 in) to the first floor flank elevations  
ACI11R Reason I11 (1 insert) BE1
- 12 ACI17 No additional windows (2 inserts) first floor flank dwelling  
ACI17R I17 reason (1 insert) BE1
- 13 ACK01 Compliance with submitted plan

**Reason:** In the interests of the residential amenities of neighbouring properties, and the visual amenities of the area in line with Policy BE1 of the Unitary Development Plan.

#### **Reasons for granting permission:**

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

- BE1 Design of New Development
- BE13 Development Adjacent to Conservation Area
- H1 Housing Supply
- H7 Housing
- H9 Sidespace
- T3 Parking
- T18 Road Safety
- NE7 Development and Trees

- 5.11 London Plan
- 5.12 London Plan

Supplementary Planning Guidance (SPG) 1 General Design Principles  
Supplementary Planning Guidance (SPG) 2 Residential Design Guidance

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 impact of the development on the character of the surrounding area and in relation to the adjoining Conservation Area;
- (d) the impact of the proposal of the visual and historic importance of the adjoining Grade II Listed Building;
- (e) the impact on the amenities of the occupiers of adjacent and nearby properties;

and having regard to all other matters raised.

INFORMATIVE(S)

- 1 In order to check that the proposed storm water systems meets the Council's requirements, the Council will require the following information be provided:
  - A clearly labelled drainage layout plan showing pipe networks and any attenuation soakaways.
  - Where infiltration forms part of the proposed storm water system such as soakaways, soakage tests and test locations are to be submitted in accordance with BRE digest 365.
  - Calculations should demonstrate how the system operates during the 1 in 30 year critical duration storm event plus climate change.



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