

SECTION '2' – Applications meriting special consideration

Application No : 12/00573/FULL6

Ward:
Orpington

Address : Padwick Lodge Chelsfield Lane
Orpington BR6 7RR

OS Grid Ref: E: 547823 N: 165386

Applicant : Mr Patrick Raven

Objections : YES

Description of Development:

Single storey detached garage to front

Key designations:

Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
London City Airport Safeguarding
Local Distributor Roads

Proposal

- The proposal is for a detached garage located towards the front of the site.
- The garage measures approximately 7.5 metres in width, 5.5 metres in length and 3.6 metres in height with a pitched roof. The eaves height is approximately 2 metres.
- The garage is proposed to be located approximately 1 metre from both the southern and eastern boundary.
- The proposal is an enclosed structure constructed of timber with a shingle roof.
- The south and east elevations are blank, the northern elevation has two sets of garage doors and a window and the western elevation has a single door and window.

Location

- The application site consists of an approximately 0.135ha parcel of land bounded to the north and west by properties on Broad Walk, to the south by properties on Dorado Gardens and to the East by properties fronting Chelsfield Lane.
- The site is accessed by a private driveway that leads from Chelsfield Lane and runs to the south of the curtilage of "Carmay" for approximately 60m.
- The site previously contained a single storey 3 bedroom dwelling located centrally on the site along with two detached outbuildings at the

southeastern corner. Fire destroyed the dwelling, and the outbuildings have been removed from the site.

- Planning permission was granted for a replacement dwelling in 2011 under reference DC/11/01950/FULL1. This dwelling has now been constructed.

Comments from Local Residents

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

- high risk of fire due to it being of wooden construction
- possible change of use to residential accommodation
- position of garage may not be accurate

Comments from Consultees

The Highways Engineers have raised no objections to the principle of a garage but would wish to ensure that there is sufficient hardstanding/turning area for vehicles.

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
T3 Parking
T18 Road Safety

Planning History

Planning permission was refused for a replacement single storey dwelling with accommodation in the roof space and a single storey detached out building in 2010 under ref. 10/02262.

Planning permission was refused for a replacement single storey dwelling with accommodation in the roof space in 2011 under ref. 11/00435.

Planning permission was granted for a replacement single storey 3 bedroom dwelling with accommodation in roof space in 2011 under ref. 11/01950.

Conclusions

The main issues to be considered in this case are the impact of the proposed garage on the amenities of neighbouring residents, the impact on road safety in the area and the character of the surrounding area.

Planning permission was refused in 2010 for a replacement single storey dwelling with accommodation in the roof space and a single storey detached out building. This application went to appeal and was dismissed by the Planning Inspectorate. The inspector for this case, when commenting on the outbuilding was satisfied that

the outbuilding would not unacceptably detract from the living conditions of neighbouring residents with regard to outlook or overshadowing.

The outbuilding for this application was slightly larger in terms of its footprint although of the same height as that currently proposed. The previous application also included two dormer windows to the front of the outbuilding and different elevational treatments. The current proposal has an appearance which is more like a garage and less like an outbuilding. No dormer windows are proposed within the roof space and the front elevation has two sets of garage doors.

Concerns have been raised in relation to the structure being used for residential purposes and if Members are minded to grant planning permission, a condition requiring the structure to be used purely for the storage of vehicles incidental to the main dwelling may be appropriate. Given the size and material proposed for construction, it is considered that any residential use would be unlikely in any case. Concerns have also been raised in relation to fire safety. However, this matter is covered under the Building Regulations.

Members may consider that given the position, the separation between the proposed structure and neighbouring properties and limited height of the proposed garage, the structure is unlikely to impact detrimentally on either the character of the surrounding area or the amenities of local residents. There would need to be a sufficient area for vehicles to turn on the frontage of the site in order that vehicles may leave the site via the narrow access road in a forward gear. Members may consider it necessary for these details to be submitted prior to the commencement of works on site and the relevant condition is therefore suggested.

Taking into account the comments made by the Planning Inspector in relation to the previously proposed outbuilding and the comments received by local residents, it is considered that subject to conditions, the proposal is acceptable and Members are asked to grant planning permission.

Background papers referred to during production of this report comprise all correspondence on files refs. 10/02262, 11/00435 and 11/01950, excluding exempt information.

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- | | | |
|---|-----------------|--|
| 1 | ACA01
ACA01R | Commencement of development within 3 yrs
A01 Reason 3 years |
| 2 | ACC01
ACC01R | Satisfactory materials (ext'nl surfaces)
Reason C01 |
| 3 | ACH08
ACH08R | Details of turning area
Reason H08 |
| 4 | ACI08
ACI08R | Private vehicles only
Reason I08 |
| 5 | ACK01 | Compliance with submitted plan |

Reason: In order to comply with Policy BE1 of the Unitary Development Plan and in the interest of the amenities of surrounding residents.

6 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order amending, revoking and re-enacting this Order) no structures or alterations of any kind shall be erected or made within the curtilage of Padwick Lodge without the prior approval in writing of the Local Planning Authority.

Reason: In order to comply with Policy BE1 and to prevent overdevelopment of the site and protect the amenities of nearby residents.

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
T3 Parking
T18 Road Safety

The development is considered to be satisfactory in relation to the following:

- (a) the relationship of the development to adjacent properties
- (b) the character of the development in the surrounding area
- (c) the impact on the amenities of the occupiers of adjacent and nearby properties
- (d) the impact on pedestrian and vehicular safety
- (e) the transport policies of the UDP
- (f) the housing policies of the UDP

and having regard to all other matters raised.

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