

SECTION '2' – Applications meriting special consideration

Application No : 12/02145/FULL1

Ward:
Petts Wood And Knoll

Address : 261 Chislehurst Road Orpington BR5
1NS

OS Grid Ref: E: 545407 N: 168098

Applicant : Mr Michael Cooper

Objections : YES

Description of Development:

Formation of vehicular access

Key designations:

Conservation Area: Chislehurst Road Petts Wood

Biggin Hill Safeguarding Birds

Biggin Hill Safeguarding Area

London City Airport Safeguarding

Local Distributor Roads

Tree Preservation Order

Proposal

The proposal is for a second vehicular access to the property from Chislehurst Road as to allow for an 'in and out' driveway. Hardstanding to serve the access has been constructed within the site under permitted development.

The application is supported by a letter from an independent consultant Highways Engineer. This letter sets out that it is not considered that the proposal would create any road safety risk or impediment to through traffic along the A208 distributor road. It highlights that the proposal will not in fact result in any increase in vehicle movements and consequently no additional burden to the free flow of traffic along Chislehurst Road. It is considered that the provision of an in-out driveway will reduce the likelihood of reversing onto the highway which occurs with single access points. The proposed additional access is designed to avoid a previously unsatisfactory situation where it was difficult to turn vehicles within the site. The consultant considers that the crossover is well located on a straight section of the road away from junctions and with good visibility, and that the grass verge affords further benefits. The access appears to accord with the Manual for Streets 2 which does not discourage in and out arrangements, noting that there is no simple statistical relationship between the number of collisions and the number of access points.

The consultant goes on to compare the proposal with a scheme at 262 Chislehurst Road which the Council refused as it created an additional access point onto a local distributor road and would result in the removal of a tree which it would be desirable to retain. He states that there are significant differences between the schemes, not least as the site is 120m further along the road and close to the junction with Scotsdale Road and Birchwood Road, and also close to the railway bridge. The differences, it is suggested, lead to the conclusion that in this instance this proposal would not cause any issues of highway safety and could reasonably be permitted in the view of the author.

Location

The application site is located to the western edge of Chislehurst Road and comprises a detached dwelling. It is located within the Chislehurst Road Conservation Area in a residential street characterised by large detached dwellings with substantial frontages.

Comments from Local Residents

Nearby owners/occupiers were notified of the application and no representations were received.

Comments from Consultees

The Highways Engineer initially commented the development should be refused as it is contrary to UDP Policy T11 which states that new accesses will only be allowed onto certain categories of road where there is no suitable alternative. The Engineer considers that there is and could be enough space within the site to allow vehicles to turn. With regard to the recent submission from an independent Highways Engineer, further comments have been received. These state that as pointed out by the consultant, the proposed crossover does not give rise to any specific highway safety concerns in itself such as sightlines, although there are street trees in the verge along the road looking to the right which fall within them. However, these were not mentioned by the applicant or his consultant as a particular issue. They are likely to have the same impact wherever the crossover is on the frontage and so would not favour one location over the other. These would not have a material effect on the determination of the application. He comments that the proposal would add to the number of conflict points on the road which Policy T11 looks to minimise in respect of classified roads and the objection is based on the wording of the policy which refers to limited access.

Planning Considerations

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

- BE1 Design of New Development
- BE11 Conservation Areas
- T11 New Accesses
- T18 Road Safety

The London Plan 2011 and the National Planning Policy Framework 2012 are also relevant.

Planning History

Planning permission has been approved for single storey side and rear extensions on the property under ref. 07/02435.

An application at a property at 262 Chislehurst Road for a secondary vehicular access ref. 11/04003 is currently at appeal, having been refused on the basis of Policy T11 and due to the impact on a street tree.

Conclusions

The main issues relating to the application are the effect that it would have on the free flow of traffic and road safety conditions along Chislehurst Road, and its impact on the character and appearance of the Chislehurst Road, Petts Wood Conservation Area wherein it is situated.

Policy T11 of the Unitary Development Plan, relating to New Accesses advises that when considering proposals for the creation of a new access, the Council will, subject to road safety requirements, apply the following principles:

- (i) Strategic routes: no direct access will normally be permitted;
- (ii) London Distributor Roads: limited access will be permitted only where there is no alternative;
- (iii) Local distributor roads: access will normally be permitted where there is no suitable alternative;
- (iv) Local access roads: will be permitted, subject to road safety requirements.

Chislehurst Road is a classified road, part of the A208, and a London Distribution Route. Policy T11 of the UDP states that limited access will be permitted only where there is no alternative. The property already has one crossover and the proposals would create an 'in and out' driveway.

The existing crossover and driveway, which has been extended provides sufficient space to turn a car around as to allow for vehicle entry and exit in forward gear. Consequently, it is considered that the proposal would be contrary to policy T11, new accesses, in the UDP 2006. However, submissions have been made by the applicant's consultant (summarised in the Proposal section above) which suggest that the objection raised by Policy T11 is not supported by any demonstrable highway safety concern. This view is broadly agreed with by the Council's Highway Engineer who acknowledges that there are no substantive highway safety concerns raised by this specific proposal, although it does in principle remain contrary to Policy T11.

With regard to the comparison with no 262, the proposal at 262 is located in a different section of the road and closer to road junctions and the railway bridge, hence attracting different highway safety considerations.

Turning to its effect on the character and appearance of the Chislehurst Road, Petts Wood Conservation Area it is considered that the proposed vehicular access would result in an unacceptable loss of grass verge detrimental to the character and appearance of the Conservation Area. In particular, point (iii) of Policy BE11 of the UDP advises that proposals should respect the existing landscape or other features that contribute to the character, appearance or historic value of conservation areas and, given the nature of the proposal, it is considered that this will be undermined.

Members are asked to consider whether, in this case it would be appropriate to make an exception to the normal requirements of Policy T11 in light of the particular considerations in this case with regard to highway safety.

Background papers referred to during production of this report comprise all correspondence on file ref. 07/02435, excluding exempt information.

RECOMMENDATION: PERMISSION BE REFUSED

The reasons for refusal are:

- 1 Chislehurst Road is a London Distribution Route where the formation of a vehicular access will only normally be permitted where no alternative exists and, as the property already benefits from an existing access, the proposal would create an extra point of conflict between traffic and vehicles accessing the highway, thereby contrary to Policies T11 and T18 of the Unitary Development Plan.
- 2 The proposed vehicular access would result in an unacceptable loss of grass verge which would be detrimental to the character and appearance of the Chislehurst Road, Petts Wood Conservation Area and contrary to Policy BE11 of the Unitary Development Plan.

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Proposal: Formation of vehicular access

