

SECTION '2' – Applications meriting special consideration

Application No : 12/01862/FULL1

Ward:
Hayes And Coney Hall

Address : South Gate Layhams Road West
Wickham BR4 9HQ

OS Grid Ref: E: 539151 N: 164663

Applicant : Mrs Margaret Eason

Objections : NO

Description of Development:

Demolition of Nos 1 and 2 South Gate and erection of two storey building comprising of 5 two bedroom maisonettes with 5 car parking spaces to front, single storey grounds maintenance building and removal of existing car parking area.

Key designations:

Areas of Archaeological Significance
Special Advertisement Control Area
Green Belt
Local Distributor Roads

Proposal

The application proposes to demolish the existing two storey Sister's accommodation and associated outbuildings and construct a two storey building comprising of 5 two bedroom maisonettes with 5 car parking spaces to the front. Vehicular access would be via an existing crossover from Layhams Road. A single storey grounds maintenance building is also proposed and this would include a garage, to the rear measuring approximately 17.8m in length x 5.5m in depth x 4.3 (max.) height with a mono-pitched roof. Three existing car parking spaces are to be removed from the western car park.

The application is the same as a previous application (ref. 12/00116) considered at committee and subsequently refused by Members in March 2012. The application has been resubmitted to be reconsidered in the light of the adoption of the National Planning Policy Framework and the approval of the development at The Convent site located to the West of the application site (ref. 11/03995).

Location

The application site is situated to the southeast of the local high ground on which is located medieval church of St John the Baptist. To the front of the site is a two storey building containing 4 maisonettes and a single storey outbuilding. To the

rear are a collection of single storey outbuildings and beyond that is woodland. To the east of the residential block is a car park and green space. To the west is a large communal car park serving Coloma Court, The Convent and Southgate. Further to the west is Coloma Court, a 68 bedroom nursing and residential care home and beyond that is a five-storey Chapel and three-storey Convent building.

The area to the east of the application site is medium density residential development. To the north, south and west is predominantly open Green Belt land.

Comments from Local Residents

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

Comments from Consultees

The Council's Highways Development Engineers have raised no objections in principle to the development.

Thames Water has raised no objections with regard to sewerage infrastructure. 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. Thames Water has raised no objections with regard to water infrastructure.

English Heritage has stated that, given the current level of archaeological information from the area, there is a discernable archaeological potential for archaeology to be present on the site. A condition is therefore recommended that no development shall take place until the applicant has secured the implementation of a programme of archaeological work.

The Metropolitan Police Crime Prevention Design Advisor raises concerns over the lack of information in the application relating to how crime prevention measures will be incorporated into the design of the development. A 'Secured by Design' condition is therefore recommended should permission be given so that the development achieves full SBD accreditation.

Planning Considerations

BE1 Design of New Development
H1 Housing Supply
H7 Housing Design
T1 Transport Demand
T3 Parking
T18 Road safety

SPG

No1 General Design Principles
No2 Residential Design Guidance

London Plan

- 3.3 Increasing Housing Supply,
- 3.4 Optimising Housing Potential
- 3.5 Quality and Design of Housing Developments
- 5.3 Sustainable Design and Construction
- 5.13 Sustainable drainage
- 7.3 Designing Out Crime
- 7.4 Local Character

National Planning Policy Framework 2012.

All other material considerations shall also be taken into account

Planning History

Under application ref. 11/03995, planning permission was granted for the demolition of the existing chapel and convent at The Convent site to the west of the application site, and replacement with chapel and 19 bedrooms Sister's home including associated accommodation including offices, kitchens and dining areas.

Under planning application ref. 12/00116, permission was refused for the demolition of Nos 1 and 2 South Gate and erection of two storey building comprising 5 two bedroom maisonettes with 5 car parking spaces to front, single storey grounds maintenance building and removal of existing car parking area. It is noted that this application was recommended for permission, however, the proposal was considered to be inappropriate development within the Green Belt, harmful to its character and openness and out of character with the locality, and contrary to Policy G1 of the Unitary Development Plan, and there are no very special circumstances to make an exception to established policy. It was also considered to be an overdevelopment of the site, harmful to the character and appearance of the area, thereby contrary to Policy BE1 of the Unitary Development Plan.

Conclusions

The application site is located in the Green Belt, within which there is a presumption in policy terms against inappropriate development, unless very special circumstances can be demonstrated which clearly outweigh the harm by reason of inappropriateness or any other harm. In this case, the development proposed would be inappropriate by definition, and it is therefore necessary for the applicant to demonstrate a case for very special circumstances if permission is to be granted. Should this be the case, it will also be necessary to consider whether the development would give rise to any actual harm to the visual amenities or open or rural character of the Green Belt. In addition, consideration will need to be given to the impact on the character and appearance of the area in more general terms, and on the amenities of neighbouring residential properties.

The construction of new buildings within the Green Belt will be inappropriate unless it is for "limited extension, alteration or replacement of existing dwellings" (Policy G1, UDP). Furthermore, the resultant dwelling should not result in a material net

increase in floor area compared with the existing dwelling as ascertained by external measurement.

In this instance the proposed residential building, by reason of its material net increase in floor area above that of the existing dwellings would constitute inappropriate development within the Green Belt, as would the proposed new grounds maintenance building. The applicant has submitted the following information to try and demonstrate that very special circumstances exist to justify the proposal:

- overall built volume reduced by 38% over whole site (including at the adjacent site, The Convent, when taking into account the recently approved development ref. 11/03995) greatly improving openness of Green Belt
- only 14% increase in building footprint on the Southgate site, very close to the 10% outlined in Policy G5
- compacting of building group on site
- residential building will be set further back into the Southgate site allowing more planting to front of site and improving Green Belt openness
- changing needs of the Sister's requires an upgrade in residential accommodation to better suit current energy savings and age of Sisters who live there
- short-term accommodation for Sister's while works on Convent site are carried out
- proposed ground worker's building consolidated existing buildings into one and allows the grounds men to more effectively manage the site
- proposed garage is critical for effective management at site
- snow plough has had to be purchased to ensure ambulance access, etc.
- the adoption of the National Planning Policy Framework which stipulates at paragraph 89 six exceptions to inappropriate development within the Green Belt. One of these is that a replacement of a building may be considered acceptable 'provided the new building is in the same use, and not materially larger than the one it replaces.'

Having regard to the above, although the proposed residential accommodation would have a significantly larger floor area than the existing residential accommodation, overall, the built development on the site would be less spread out than at present and the proposed workshop building and maisonettes would only represent a 14% increase in floor area of built development on the Southgate site. Furthermore, as a result of the approved development at the adjacent site, The Convent, there would be a significant reduction in building footprint across the whole site.

In terms of the proposed workshop building, given its proposed use is for maintaining the woodland to the rear and managing the site, Members may consider that this use is essential and would help continue to preserve the openness and visual amenities of the Green Belt. The proposed workshop building would represent a visual improvement to the existing array of buildings currently used for this purpose. Overall, Members may therefore consider that in light of the recently approved development at The Convent site, the changes to national

planning policy and the removal of the existing buildings would represent very special circumstances which justify the proposals.

With regard to the size, siting, materials and design of the development, the proposed residential building would measure approximately 5m longer than the existing residential building but would be similar in height and form with a pitched gable-ended roof design. The building would also be set further back into the site by around 4m, thereby reducing its potential impact to the visual amenities and the open character of the locality.

The proposed outbuilding would be positioned at the rear of the site, abutting the northern site boundary. Beyond this is woodland. Whilst the proposed outbuilding would extend further along the northern boundary than current development at the site, it would consolidate the existing cluster of building into one and would open up views along the western site boundary where there is currently a large garage.

With regard to the relationship of the development on nearby residential buildings, the proposed maisonettes would retain greater separation than currently to the nearby dwellings along Layhams Road, in particular No.4, and given the proposed height and positioning of windows, there is unlikely to be a significant impact on the amenities of the occupiers of these dwellings. The proposed balconies on the rear elevation would not result in any significant loss of amenity to occupiers of neighbouring sites.

All the dwellings should be built to Lifetime Homes Standards and a condition is recommended to that effect.

Five car parking spaces are proposed to the front of the maisonette building, which is considered acceptable. Although 3 car parking spaces would be lost in the western car park, an additional garage would be created for grounds-man and, on balance, the impact is considered acceptable in terms of the impact it would have on parking and road safety in the local road network.

Bicycle storage for the development should be provided at a rate of one cycle store/unit to comply with the Council's minimum requirements for bicycle parking/unit as set out in the UDP. A condition is recommended to that effect.

No details have been provided as to what security measures will be incorporated in the development to meet the 'Secured By Design' (SBD) standards to reduce and prevent criminality. A SBD condition is therefore recommended should permission be given so that the development achieves full SBD accreditation in respect of design and layout.

Members will therefore need to consider in light of the above and taking into account the previous refusal, whether the changes to national planning policy and the recent approval at The Convent site demonstrate very special circumstances to justify the development proposed within this area of Green Belt. Furthermore, careful consideration is required as to whether the development results in any significant harm to the openness and visual amenity of the Green Belt, whether it

would result in a significant loss of amenity to local residents, and whether it would it have a significant impact on parking or road safety in the vicinity of the site.

Background papers referred to during production of this report comprise all correspondence on file ref. 12/00116, excluding exempt information.

RECOMMENDATION: MEMBERS' VIEWS ARE REQUESTED

- 0 D00002 If Members are minded to grant planning permission the following conditions are suggested:
- 1 ACA01 Commencement of development within 3 yrs
ACA01R A01 Reason 3 years
- 2 ACC01 Satisfactory materials (ext'n'l surfaces)
ACC01R Reason C01
- 3 ACC03 Details of windows
ACC03R Reason C03
- 4 ACH03 Satisfactory parking - full application
ACH03R Reason H03
- 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 ACI21 Secured By Design
ACI21R I21 reason
- 9 ACL01 Energy Strategy Report
ADL01R Reason L01
- 10 ACH29 Construction Management Plan
ACH29R Reason H29
- 11 ACH30 Travel Plan
ACH30R Reason H30
- 12 No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme for investigation which has been submitted by the applicant and approved by the Local Planning Authority. The development shall only take place in accordance with the detailed scheme pursuant to this condition. The archaeological works shall be carried out by a suitably qualified investigating body acceptable to the Local Planning Authority.

Reason: In order to comply with Policy BE16 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:

- BE1 Design of New Development
- BE16 Ancient Monuments and Archaeology
- C1 Community Facilities

- C6 Residential Proposals for People with Particular Accommodation Requirements
- G1 The Green Belt
- T3 Parking
- T18 Road Safety

The London Plan:

- 5.7 Renewable Energy
- 6.9 Cycling
- 6.10 Walking
- 6.13 Parking
- 7.8 Heritage Assets and Archaeology
- 7.16 Green Belt

SPG

- No1 General Design Principles
- No2 Residential Design Guidance

National Planning Policy Framework 2012.

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

- (a) the character of the development in the surrounding area
- (b) the impact of the proposal on the open and rural character and visual amenities of the Green Belt
- (c) the demonstration of very special circumstances by the applicant to allow a departure from the development plan
- (d) the information submitted in relation to archaeology
- (e) the impact on the amenities of the occupiers of adjacent and nearby properties
- (f) the safety and security of buildings and the spaces around them
- (g) the transport policies of the Unitary Development Plan
- (h) the design and conservation policies of the Unitary Development Plan

and having regard to all other matters raised.

INFORMATIVE(S)

- 1 You should consult the Land Charges and Street Naming/Numbering Section at the Civic Centre on 020 8313 4742 or e-mail: address.management@bromley.gov.uk regarding Street Naming and Numbering.
- 2 You are advised that this application is considered to be liable for the payment of the Mayoral Community Infrastructure Levy under the Community Infrastructure Levy Regulations (2010) and the Planning Act 2008. The London Borough of Bromley is the Collecting Authority for the Mayor and this Levy is payable on the commencement of development

(defined in Part 2, para 7 of the Community Infrastructure Levy Regulations (2010). It is the responsibility of the owner and /or person(s) who have a material interest in the relevant land to pay the Levy (defined under Part 2, para 4(2) of the Community Infrastructure Levy Regulations (2010). The Levy will appear as a Land Charge on the relevant land with immediate effect.

If you fail to follow the payment procedure, the collecting authority may impose surcharges on this liability, take enforcement action, serve a stop notice to prohibit further development on the site and/or take action to recover the debt.

- 3 The development of this site is likely to damage archaeological remains. The applicant should therefore submit detailed proposals in the form of an archaeological project design. The design should be in accordance with appropriate English Heritage guidelines.
- 4 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.

D00003 If Members are minded to refuse planning permission the following grounds are suggested:

- 1 The proposal would be inappropriate development within the Green Belt, harmful to its character and openness and out of character with the locality, and contrary to Policy G1 of the Unitary Development Plan, and there are no very special circumstances to make an exception to established policy.
- 2 The proposal would be an overdevelopment of the site, harmful to the character and appearance of the area, thereby contrary to Policy BE1 of the Unitary Development Plan.

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