

Section '3' - Applications recommended for PERMISSION, APPROVAL or CONSENT

Application No : 12/02805/FULL1

Ward:
Penge And Cator

Address : 2 Station Road Penge London SE20
7BQ

OS Grid Ref: E: 535405 N: 170656

Applicant : Mr J Patel

Objections : YES

Description of Development:

Formation of vehicular access and hardstanding at rear

Key designations:

Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
Capital Ring Green Chain Water Link Way
London City Airport Safeguarding
London City Airport Safeguarding Birds

Proposal

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- The proposal seeks permission for the formation of a vehicular access and hardstanding at rear, which would be accessed from St John's Road along the eastern flank property boundary. The hardstanding would measure 5.1 metres in depth, 6.98 metres in length, and the existing single storey shed located on the site would be removed.
- It is also proposed to excavate the hard surfacing so that surface water can be drained into the drain in the road.

Location

The application site is located on the southern side of Station Road, on the corner with St John's Road. The front of the application premises fronts Station Road and the railway line, whereas the flank elevation is located on St John's Road.

Comments from Local Residents

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

- Plans are inaccurate re ownership;

- proposed development would damage walls at rear of adjacent property;
- allowing access to rear garden will disturb neighbours, especially delivery lorries;
- proposed crossover will result in the loss of neighbour's on-street parking space;
- proposal to dig into the drain will cause damage as it is an old Victorian ceramic structure;
- red line on plan is incorrect and includes a strip of land at the end of the garden that provides access to rear of No.4 Station Road, which is owned by No.4, not No.2;
- the existing wall between Nos. 2 and 4 Station Road is indicated on plans as 1070mm high, but is only 1200mm for majority of the length, with a short stretch measuring 2000mm in height directly to the rear of the houses;
- proposal will seriously compromise security of the rear of No.4 Station Road due to low boundary wall;
- boundary wall between Nos. 2 and 4 is owned by No.4, therefore cannot be altered by No.2 without permission from No.4;
- drawing GA 03 B states that the whole of the rear part of No.2 is to be excavated 100mm below pavement level, some 1270mm below existing garden level – this is inappropriate;
- should permission be granted, permeable paving should be installed to prevent excessive excavation;
- bollard protection should be provided to protect the existing rear boundary walls of No.4;
- plans indicate a new surface water connection will be made in order to drain the new hardstanding – permeable paving would prevent this from being required.

Comments from Consultees

The Council Highways Engineer stated that the proposed vehicular crossover would be from St. John's Road leading to parking spaces, which is satisfactory subject to conditions.

Planning Considerations

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

BE1 Design of New Development
 T3 Parking
 T11 New Accesses
 T18 Road Safety

London Plan 5.13

National Planning Policy Framework

Planning History

In terms of relevant planning history, permission was granted under ref. 03/02579 for the formation of a vehicular access and hardstanding. The plans associated with this approved scheme shows that a depth of 5 metres was provided for the hardstanding, which varies to the current proposal where only 4 metres is provided.

More recently, permission was refused under ref. 11/01407 for formation of vehicular access and hardstanding at rear for the following reason:

The depth of the hardstanding is insufficient to accommodate a vehicle and would lead to vehicles overhanging the highway, resulting in an obstruction which is contrary to highway safety and Policies T18 and T3 of the Unitary Development Plan.

The current application has been submitted in order to overcome the previous concerns, following the applicant stating that the plans submitted for ref. 11/01407 were incorrect.

Conclusions

Members may consider that the main issues relating to the application are the effect that the proposal would have on the character of the area, road safety of the area, and the impact that it would have on the amenities of the occupants of surrounding residential properties.

Members may agree that the location of the proposed vehicular access is not considered to be an issue; the Highways Engineers have not raised objection to the proposal, nor is the principle of providing this feature at the site considered to be detrimental. The reason for the most recent application being refused related purely to the inadequate depth for the hardstanding, where 4 metres was proposed but the absolute minimum that is acceptable is 4.5 metres. As such the current proposal has been amended to rectify the plans so to illustrate the correct depth of the hardstanding of 5.1 metres. This depth will not result in vehicles overhanging the highway.

Concerns have been raised by and on behalf of the resident of No. 4 Station Road. They have stated that the boundaries of the development site have been incorrectly identified as the red line on Plan No. GA01A (site block plan), as it has included the access track along the rear of Number 2 which goes through to No. 4 Station Road, however when looking at Plan No. GA03B, it can be seen that the existing access door to rear of No. 4 is still shown on the plan and this is not included in the application site. As such, the proposed development should not impact upon the land owned by No. 4, and indeed any works that do impact upon land owned by No. 4 would need their consent. Planning permission being granted does not allow for works to be carried out on someone else's land without their express consent.

Concerns have also been raised with regard to the existing boundary treatment between Nos. 2 and 4 not being shown on the plans correctly. It can be seen by visiting the site that the height of the wall differs along the length of the boundary, and the resident of No.2 is concerned that the vehicular access and hardstanding

at No.4 would result in loss of security to No.2 by reason of the lower height wall. This however is considered to be a private matter between the two parties – should the height of the wall be raised, this again would need the consent of the party that has ownership rights over this boundary wall.

Having had regard to the above, Members may consider that the siting of the proposed vehicular access and creation of hardstanding is acceptable. There is sufficient depth shown on the plans submitted to allow vehicles to park fully within the site and to prevent vehicles overhanging the highway. The concerns raised by the neighbour have been discussed above and are considered to be private matters outside of planning control.

Background papers referred to during production of this report comprise all correspondence on files refs. 03/02579, 11/01407 and 12/02805, excluding exempt information.

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- 1 ACA01 Commencement of development within 3 yrs
 ACA01R A01 Reason 3 years
- 2 ACH03 Satisfactory parking - full application
 ACH03R Reason H03
- 3 ACH32 Highway Drainage
 ADH32R Reason H32
- 4 Details of the materials to be used for the hardstanding hereby permitted shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced. The works shall be carried out in accordance with the approved details and maintained as such.

Reason: To ensure a satisfactory means of surface water drainage and to comply with Policy 5.13 of the London 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
- T3 Parking
- T11 New Accesses
- T18 Road Safety

London Plan 5.13

National Planning Policy Framework

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

- (a) the appearance of the development in the street scene;

- (b) the Transport policies of the development plan;
- (c) the character of the development in the surrounding areas;
- (d) the impact on the amenities of the occupiers of adjacent and nearby properties;
- (e) and having regard to all other matters raised including concerns raised by neighbours.

INFORMATIVE(S)

- 1 You are advised that it is an offence under Section 137 of the Highways Act 1980 to obstruct "the free passage along the highway" (which includes the footway i.e. the pavement). This means that vehicles parked on the forecourt should not overhang the footway and therefore you should ensure that any vehicle is parked wholly within the site.
- 2 You should contact extension 4621 (020 8313 4621 direct line) at the Environmental Services Department at the Civic Centre with regard to the laying out of the crossover(s) and/or reinstatement of the existing crossover(s) as footway. A fee is payable for the estimate for the work which is refundable when the crossover (or other work) is carried out. A form to apply for an estimate for the work can be obtained by telephoning the Highways Customer Services Desk on the above number.

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