

SECTION '1' – Applications submitted by the London Borough of Bromley

Application No : 12/02798/FULL1

Ward:
Penge And Cator

Address : Land Rear Of 190 To 200 Kings Hall
Road Beckenham

OS Grid Ref: E: 536697 N: 170282

Applicant : Nigel Davies

Objections : YES

Description of Development:

Extension to existing car park to provide an additional 66 car parking spaces; associated landscaping

Proposal

This proposal is for an extension to existing car park at New Beckenham Station to provide an additional 66 car parking spaces and associated landscaping.

Revised plans have been received which reduce the depth of the car park by approximately 7m providing a buffer zone between the application site and Nos. 5 – 8 Bridgelands Way resulting in the loss of 4 on-site car parking spaces and turning circle to the southern edge of the site.

Location

The application site would be accessed via the existing commuter car park which leads onto Lennard Road in close proximity to the junction with Kings Hall Road. The application site is currently undeveloped and backs onto the rear gardens of No. 190 - 200 Kings Hall Road and Nos. 5 – 8 Bridgelands Close. To the west of the site is a railway line operated by Network Rail.

Comments from Local Residents

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

- site at present very green with several mature trees along railway line and backing onto Kings Hall Road, vital these are maintained as much as feasibly possible.
- it is crucial parking will be permeable to prevent increased rainwater run off.
- increased noise pollution and excessive vibrations already generated from train line which runs adjacent to rear garden of No. 196a Kings Hall Road.

- large quantity of mature trees have recently been removed which previously reduced noise and vibrations from trains.
- were proposal to be granted would wish re-introduction of a line of mature trees to separate residential gardens from new car park to obscure view from 2nd and 3rd floor windows of houses on Kings Hall Road and reducing noise, fumes and vibrations from cars and trains.
- such urban developments step in wrong direction for the area.
- concerns about lack of distance between car park/turning circle and rear boundary of No. 8 Bridgelands Close.
- concerns in terms of security due to recent burglaries to properties in the area, trespassing and break-ins to cars in the station car park. Proposed car park would make it easy to jump garden fence with easy and create an easy and convenient escape route.
- in terms of privacy gardens of Bridgelands Close are only 20ft long making it easy to see into bedrooms of these properties.
- understand need for additional parking however, concerns over turning closest to Bridgelands Close would prefer a compromise of this being replaced with thick trees and shrubs to provide security and privacy together with reduced noise.
- there is already controlled parking zone along Kings Hall Road to junction with Bridge Road while commuters already park along Lennard Road to junction with Aldersmead Road and as such little incentive for users to pay extra parking charge as such concerns that this will not lead to relief of car parking pressure in adjacent streets as argued.
- contrary to paragraph 3.4 there has been no upkeep, repair or restoration by the Council of the fencing bordering the railway or backing onto the houses on Kings Hall Road. Council have failed to maintain any part of the woodland.
- concerns as the cost of the proposal would be £100,000 with little benefit for residents or commuters in financially constrained times.
- no direct access point to the site at present. Car park is unsupervised and station unoccupied and unstaffed beyond morning rush hour which would allow scouting of the vulnerable backs of houses during evening and night.
- an empty concrete car park will increase noise pollution compared to unkempt vegetation, undergrowth and trees at present which act as an acoustic barrier from noise of passing trains.
- unused land currently home to many species of bird species, insects, squirrels and urban foxes with a number of trees including walnut trees with preservation orders. Pockets of nature in suburban Beckenham should be preserved instead of levelling and concreting of site. Removal of trees and vegetation at the site has affected wildlife.
- detrimental effect on value of houses neighbouring railway due to loss of aspect and outlook.
- require appropriate buffer zone between properties at Bridgelands Close and end of car park to ensure fences do not get damaged/vandalised, property remains secure and continues to enjoy some privacy.
- concerns in relation to flooding as ground of site and surrounding area including rear gardens of Kings Hall Road are low lying with mostly clay subsoil. No. 190 Kings Hall Road has a damp cellar susceptible to regular

flooding and garden liable to becoming water logged during periods of excessive rain with high water table level. Most of the trees have now been felled on the site which acted as a natural solution to control water table in the past.

- council carried out water survey to examine water table with bore hole drilled after 5 months of drought conditions and close to three remaining trees which was not considered to have been undertaken diligently.
- extending car parking will attract more cars to the area which already has major unresolved traffic problems.
- concerns as to where lights would be installed or how they would be angled or whether additional trees would be planted to obscure lighting and noise of trains.
- access to car park is narrow and hazard to pedestrians and safe access to drive of No. 207 Lennard Road. Slowing traffic entering and existing car park needs to be considered.
- lighting to car park is poor and need to be improved in extension to ensure security and safety to cars and pedestrians.
- suggest CCTV be used to act as a deterrent to people visiting car park late at night driving recklessly and at speed and to provide additional security provisions.
- traffic calming measures would also provide significant benefit to pedestrian safety.
- turning circle is superfluous given three alternative cut-through planned and buffer zone should be installed instead.
- complaints as to the removal of mature trees and abundant flora and fauna at the site without notifying local residents.
- concerns vibrations of trains have caused cracks in neighbouring properties which needs to be investigated.
- concerns as to where further ticketing machines would be located.
- concerns as to whether new car park would be at same ground level as existing car park excavation may be required in this case.
- in terms of financial viability concerns on-going costs caused on to residents.
- already underused pay and display bays in the area, query the need for the scheme which will not alleviate problems experienced by local residents.
- consider responsibilities under Human Rights Act particular Protocol 1, Article 1 which states a person has the right to peaceful enjoyment of all their possessions which includes the home and other land which would be compromised by extension of car park.
- entrance to existing car park crosses cycle routes and pedestrian access. An increase in vehicles crossing this will endanger pedestrian and cyclist safety.
- proposal against Borough and Government policies to try to discourage car use and promote healthier greener modes of transport.
- site is host to many mature trees, plants and wildlife. One of the conditions on planning application for original car park was to “ensure that as many trees as possible are preserved at this stage in the interests of the amenity”.

The full text of correspondence received is available to view in the file.

Comments from Consultees

The Council's Highways Drainage Division were consulted who state that there is no public surface water sewer near to the site, surface water will therefore have to be drained to soakaways. The site appears to be suitable for an assessment to be made of its potential for a SUDS scheme to be developed for the disposal of surface water. The site is within the area in which the Environment Agency Thames Region require restrictions on the rate of discharge of surface water from new developments into the River Ravensbourne or its tributaries. There is no groundwater recorded flooding in the area and the fact that the proposed soakaway will be built at 1.5m above groundwater will make the proposal acceptable. No objections are raised subject to conditions including the installation of petrol/oil interceptor prior to discharge of surface water run-off to the soakaway.

The Environment Agency have been consulted and state the site is located over a Secondary Aquifer and within a groundwater Source Protection Zone (SPZ2). They state that the planning application form indicates that land contamination is neither known nor suspected, but no evidence has been produced to support this. They also state from the form that a sustainable drainage system is proposed for surface water.

The Environment Agency hydrogeological mapping indicates groundwater between 6m and 8m below ground level (bgl), although the drilling logs The Council has sent to EA Groundwater & Contaminated Land officer which show proved groundwater at around 3.5m bgl. Given that the soakaway is proposed to be at approximately 2m bgl, this is only just acceptable from the perspective of protection of Controlled Waters. The site is located within a groundwater Source Protection Zone, SPZ2, and the EA would want an absolute minimum of 1m between the soakaway and the groundwater level. The site currently appears to be undeveloped land and the EA understand it is proposed to be used for the parking of 70 vehicles. In such circumstances the EA would wish to see an appropriate oil-water interceptor (which should be adequately inspected, cleaned and maintained) installed prior to discharge of surface water run-off to the soakaway. Several conditions are recommended.

Thames Water raise no objections in terms of water infrastructure at the site.

The Council's Highways Division state the site is accessed from Lennard Road utilising the existing vehicular access arrangement. No objections are raised subject to conditions.

The Metropolitan Police Crime Prevention Design Advisor state this is an extension to the Lennard Road Car Park run by the Borough, the existing car park has a Safer Car Parking award from the British Parking Association. The Metropolitan Police would expect the principle and standards of the Safer Parking scheme to be adopted to the extended car park if permission is granted in respect of this application.

The Council's Environmental Health Division were consulted on this proposal and state use of the proposed extended car park may increase noise for residents and

lead to some loss of amenity, particularly for the houses on Bridgelands Close which are closest to the new spaces and will not benefit from the same acoustic attenuation over long gardens as the houses on Kings Hall Road.

The car park lies within the Council's Air Quality Management Area declared for NOx. Concentrating an additional 70 car parking spaces in one location within the AQMA is likely to increase NOx emissions in this area. The increase may be both through greater concentration of traffic at a location within the AQMA and by encouraging car use through increasing convenience and availability of parking spaces. There has been no attempt to mitigate the likely pollution impact (for example through provision of electric charging points - see NPPF para 35). In addition to these concerns have been raised relating to the loss of amenity from artificial lighting although this could be controlled by a condition.

Network Rail were consulted on this proposal and raise no objections subject to a number of conditions.

From a trees perspective concerns relate to the trees in the middle of the site and the potential impact of the construction works on their root systems. This can be overcome by using a no dig method of construction. If permission is to be recommended conditions are recommended

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
- T18 Road Safety
- NE7 Development and Trees

Supplementary Planning Guidance (SPG) 1 General Design Principles

- London Plan Policy 2.8 Outer London: Transport
- London Plan Policy 5.12 Flood Risk Management
- London Plan Policy 5.13 Sustainable Drainage
- London Plan Policy 6.13 Parking
- London Plan Policy 7.3 Designing out crime
- London Plan Policy 7.13 Safety, Security and Resilience to Emergency
- London Plan Policy 7.14 Improving Air Quality
- London Plan Policy 7.15 Reducing Noise and Enhancing Soundscapes
- London Plan Policy 7.19 Biodiversity and Access to Nature
- London Plan Policy 7.21 Trees and Woodlands

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

Planning History

In 1988 under planning ref. 88/03282, permission was granted for the laying out of commuter car park at New Beckenham Station.

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.

Given its location to the rear of an existing car park and residential gardens the application site is not highly visible in the streetscene. There are a number of mature trees located on the site which add to the visual amenities of the area and were permission to be granted their retention would be secured by way of conditions. Overall the proposal is not considered to result in an unduly harmful impact upon the character of the area.

To the east of the site is a railway line resulting in a considerable separation between the application site and residential properties along Copers Cope Road and as such this application shall be primarily concerned as to the implications on the residential amenities of Nos. 188- 200 Kings Hall Road, No. 207 Lennard Road and Nos. 5 – 8 Bridgelands Close.

Nos. 188- 200 Kings Hall have rear gardens of a considerable depth of approximately 36m and although the outlook of these properties will be altered given the considerable distance which would be retained between the rear elevations of these properties to the application site this is not considered to result in a significant detrimental impact on the residential amenities of these properties.

The flank boundary of No. 7 Lennard Road abuts the existing car park and although this property may be somewhat affected as a result of the additional vehicles entering and exiting the site again this could be satisfactorily overcome by appropriate conditions.

The properties most impacted by this proposal would be Nos. 5 – 8 Bridgelands Close as these properties have rear gardens which are considerably smaller than those on Kings Hall Road with the result that the rear elevations of these properties would be sited a minimum of 7m from the boundary with the application site. To overcome concerns in relation to these properties revised plans have been received which propose an approximately 7m buffer zone within the southernmost section of the application site with the result that the nearest car parking space would be a minimum of 14m from the rear elevations of these properties. Although the residential amenities of these properties may be somewhat affected by the proposal it is considered that on balance given the revisions which have been made these could be satisfactorily overcome through the imposition of a number of conditions.

The applicant confirmed that they intend to erect a 1.8m high boundary fence which would be located within the curtilage on the site. It is considered that the provision of a boundary fence with sound reducing properties would provide an adequate level of screening and security for neighbouring properties, although the

Local Planning Authority would encourage this to be a minimum of 2m in height which were permission to be granted could be secured by way of a condition. The Metropolitan Police Crime Prevention Design Advisor has been consulted who stated that the existing car park has a Safer Car Parking award from the British Parking Association. Were permission to be granted a condition would be attached to ensure the application complies with the principles of Secure By Design to limit the potential detrimental impact on the security of neighbouring residential properties.

Concerns have been raised by neighbouring properties in relation to drainage at the application site. Neighbours have stated the area is subject to flooding with cellars being regularly flooded as is the underpass at New Beckenham Station and also the area has a high water table. Local residents also raised concerns that as the proposal would remove a significant amount of vegetation and trees which absorb a high proportion of rainwater at present and that were the area to be covered in hardstanding this would be liable to flooding and may also adversely affect the adjoining railway lines which are located on a lower ground level. The applicant has provided detail calculations in terms of the soakage tests undertaken at the site and both the Council's Highways Drainage Advisor and Environment Agency are satisfied that the proposal will not result in a significant detrimental impact from a drainage perspective.

In terms of potential light pollution for neighbouring residential properties, the applicant has yet to finalised the lighting arrangements at the site but has stated that part of the design will be to minimise light pollution, this could be secured by way of a condition.

Having had regard to the above it was considered that the development in the manner proposed is acceptable in that it would not result in a significant loss of amenity to local residents nor impact detrimentally on the character of the area.

Background papers referred to during production of this report comprise all correspondence on file ref. 12/02798, excluding exempt information.

As amended by documents received on 07.12.12

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- | | | |
|---|--------|--|
| 1 | ACA01 | Commencement of development within 3 yrs |
| | ACA01R | A01 Reason 3 years |
| 2 | ACA04 | Landscaping Scheme - full app no details |
| | ACA04R | Reason A04 |
| 3 | ACB03 | Trees - no bonfires |
| | ACB03R | Reason B03 |
| 4 | ACB04 | Trees - no trenches, pipelines or drains |
| | ACB04R | Reason B04 |
| 5 | ACB16 | Trees - no excavation |
| | ACB16R | Reason B16 |
| 6 | ACB19 | Trees - App'ment of Arboricultural Super |

- ACB19R Reason B19
7 ACD02 Surface water drainage - no det. submitt

Reason: To ensure satisfactory means of surface water drainage and to accord with Policy 5.13 of the London Plan.

- 8 ACD06 Sustainable drainage system (SuDS)

Reason: To ensure satisfactory means of surface water drainage and to accord with Policy 5.13 of the London Plan.

- 9 ACH03 Satisfactory parking - full application

ACH03R Reason H03

- 10 ACH32 Highway Drainage

ADH32R Reason H32

- 11 ACI21 Secured By Design

Reason: In the interest of security and crime prevention and to accord with Policy BE1 of the Unitary Development Plan.

- 12 Prior to commencement of works on site details of an oil-water interceptor shall be submitted to and approved in writing by the Local Planning Authority. This should include details as to the how the oil-water interceptor shall be inspected, cleaned and maintained. The scheme shall be implemented, maintained and managed in accordance with the approved details

Reason: To ensure satisfactory means of surface water drainage and to accord with Policy 5.13 of the London Plan.

- 13 If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, a remediation strategy detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved and reported to the satisfaction of the Local Planning Authority.

Reason: There is the potential for unexpected contamination to be identified during groundworks. The Environment Agency should be consulted should any contamination be identified that could present an unacceptable risk to Controlled Waters.

- 14 Whilst the principles and installation of sustainable drainage schemes are to be encouraged, no infiltration of surface water drainage into the ground is permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to Controlled Waters. The development shall be carried out in accordance with the approval details.

Reason: Infiltrating water has the potential to cause remobilisation of contaminants present in shallow soil/made ground which could ultimately cause pollution of groundwater.

- 15 Before the external illumination becomes operational the detail of the type, orientation and screening of the lights shall be submitted to and approved by the Local Planning Authority, and, shall be permanently maintained as such thereafter. These details shall include measures to minimise the potential light pollution for the adjoining residential properties on Kings Hall Road and Bridgelands Close.

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

16 The vehicle hardstanding and access drives hereby permitted shall be formed of permeable paving in accordance with details to be submitted to and approved in writing by the Local Planning Authority. The details shall include proposals for the regular maintenance of the paving, which shall be maintained in accordance with the approved details.

Reason: To ensure satisfactory means of surface water drainage and to accord with Policy 5.13 of the London Plan.

17 Before the car parking hereby approved is first used a suitable screen to protect the adjacent properties from noise of a height and type to be approved in writing by the Local Planning Authority shall be erected in such a position along the boundary of the site as shall be agreed by the Authority and shall be permanently retained thereafter.

Reason: In order to comply with Policy BE1 of the Unitary Development Plan and to ensure a satisfactory standard of residential amenity.

18 Storm/surface water must not be discharged onto Network Rail's property or into Network Rail's culverts or drains except by agreement with Network Rail. Suitable drainage or other works must be provided and maintained by the Developer to prevent surface water flows or run-off onto Network Rail's property. Proper provision must be made to accept and continue drainage discharging from Network Rail's property; full details to be submitted for approval to the Network Rail Asset Protection Engineer. Suitable foul drainage must be provided separate from Network Rail's existing drainage. Soakaways, as a means of storm/surface water disposal must not be constructed near/within 10 – 20 metres of Network Rail's boundary or at any point which could adversely affect the stability of Network Rail's property. After the completion and occupation of the development, any new or exacerbated problems attributable to the new development shall be investigated and remedied at the applicants' expense.

Reason: In order to ensure the continuous safe operation of the railway.

19 Where trees/shrubs are to be planted adjacent to the railway boundary these shrubs should be positioned at a minimum distance greater than their predicted mature height from the boundary. Certain broad leaf deciduous species should not be planted adjacent to the railway boundary as the species will contribute to leaf fall which will have a detrimental effect on the safety and operation of the railway. We would wish to be involved in the approval of any landscaping scheme adjacent to the railway. Where landscaping is proposed as part of an application adjacent to the railway it will be necessary for details of the landscaping to be known and approved to ensure it does not impact upon the railway infrastructure. Any hedge planted adjacent to Network Rail's boundary fencing for screening purposes should be so placed that when fully grown it does not damage the fencing or provide a means of scaling it. No hedge should prevent Network Rail from maintaining its boundary fencing. Lists of trees that are permitted and those that are not permitted are provided below and these should be added to any tree planting conditions:

Permitted: Birch (Betula), Crab Apple (Malus Sylvestris), Field Maple (Acer Campestre), Bird Cherry (Prunus Padus), Wild Pear (Pyrus Communis), Fir

Trees – Pines (Pinus), Hawthorne (Cretaegus), Mountain Ash – Whitebeams (Sorbus), False Acacia (Robinia), Willow Shrubs (Shrubby Salix), Thuja Plicatata “Zebrina”

Not Permitted: Alder (Alnus Glutinosa), Aspen – Poplar (Populus), Beech (Fagus Sylvatica), Wild Cherry (Prunus Avium), Hornbeam (Carpinus Betulus), Small-leaved Lime (Tilia Cordata), Oak (Quercus), Willows (Salix Willow), Sycamore – Norway Maple (Acer), Horse Chestnut (Aesculus Hippocastanum), Sweet Chestnut (Castanea Sativa), London Plane (Platanus Hispanica).

Reason: In order to ensure the continuous safe operation of the railway.

20 In view of the nature of the development, it is essential that the developer provide (at their own expense) and thereafter maintain a substantial, trespass proof fence along the development side of the existing boundary fence, to a minimum height of 1.8 metres. The 1.8m fencing should be adjacent to the railway boundary and the developer/applicant should make provision for its future maintenance and renewal without encroachment upon Network Rail land. Network Rail’s existing fencing / wall must not be removed or damaged and at no point either during construction or after works are completed on site should the foundations of the fencing or wall or any embankment therein, be damaged, undermined or compromised in any way. Any vegetation on Network Rail land and within Network Rail’s boundary must also not be disturbed. Any fencing installed by the applicant must not prevent Network Rail from maintaining its own fencing/boundary treatment.

Reason: In order to ensure the continuous safe operation of the railway.

21 Any lighting associated with the development (including vehicle lights) must not interfere with the sighting of signalling apparatus and/or train drivers vision on approaching trains. The location and colour of lights must not give rise to the potential for confusion with the signalling arrangements on the railway. The developers should obtain Network Rail’s Asset Protection Engineer’s approval of their detailed proposals regarding lighting prior to the installation of lighting on the site.

Reason: In order to ensure the continuous safe operation of the railway.

22 The development must ensure any future maintenance can be conducted solely on the applicant’s land. The applicant must ensure that any construction and any subsequent maintenance can be carried out to any proposed buildings or structures without adversely affecting the safety of, or encroaching upon Network Rail’s adjacent land and air-space.

Reason: In order to ensure the continuous safe operation of the railway.

Reasons for granting permission:

In granting permission the Local Planning Authority had regard to the following policies:

Unitary Development Plan:

- BE1 Design of New Development
- T3 Parking
- T18 Road Safety

NE7 Development and Trees

Supplementary Planning Guidance (SPG) 1 General Design Principles

London Plan:

- 2.8 Outer London: Transport
- 5.12 Flood Risk Management
- 5.13 Sustainable Drainage
- 6.13 Parking
- 7.3 Designing out crime
- 7.13 Safety, Security and Resilience to Emergency
- 7.14 Improving Air Quality
- 7.15 Reducing Noise and Enhancing Soundscapes
- 7.19 Biodiversity and Access to Nature
- 7.21 Trees and Woodlands

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

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 character of the development in the surrounding area;
- (d) the impact on the amenities of the occupiers of adjacent and nearby properties;

and having regard to all other matters raised.

INFORMATIVE(S)

- 1 If the applicant (and any future resident) needs to utilise Network Rail land and air-space to facilitate works. The applicant / resident would need to receive approval for such works from the Network Rail Asset Protection Engineer, the applicant / resident would need to submit the request at least 20 weeks before any works were due to commence on site and they would be liable for all costs (e.g. all possession costs, all site safety costs, all asset protection presence costs). However, Network Rail is not required to grant permission for any third party access to its land.
- 2 Where a proposal calls for hard standing area / parking of vehicles area near the boundary with the operational railway, Network Rail would recommend the installation of a highways approved vehicle incursion barrier or high kerbs to prevent vehicles accidentally driving or rolling onto the railway or damaging lineside fencing.
- 3 Before the use commences, the Applicant is advised to contact the Pollution Team of Environmental Health & Trading Standards regarding compliance with the Control of Pollution Act 1974 and/or the Environmental Protection

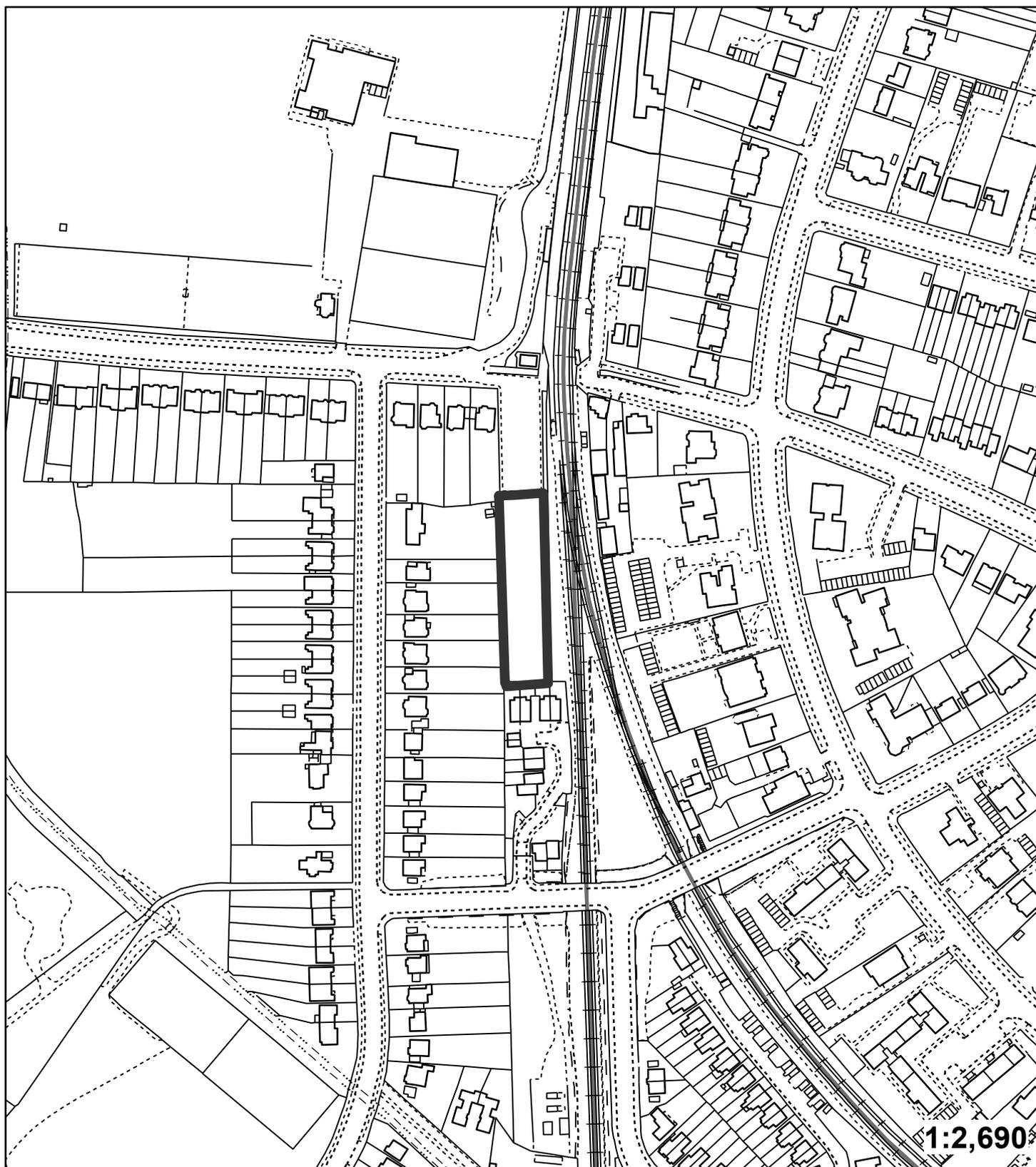
Act 1990. The Applicant should also ensure compliance with the Control of Pollution and Noise from Demolition and Construction Sites Code of Practice 2008 which is available on the Bromley web site.

- 4 If during the works on site any suspected contamination is encountered, Environmental Health should be contacted immediately. The contamination shall be fully assessed and an appropriate remediation scheme submitted to the Local Authority for approval in writing.

Application:12/02798/FULL1

Address: Land Rear Of 190 To 200 Kings Hall Road Beckenham

Proposal: Extension to existing car park to provide an additional 66 car parking spaces; associated landscaping



"This plan is provided to identify the location of the site and should not be used to identify the extent of the application site"

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