

SECTION '2' – Applications meriting special consideration

Application No : 13/01523/FULL1

Ward:
Bickley

Address : 15 Ringmer Way Bickley Bromley BR1
2TY

OS Grid Ref: E: 542492 N: 167834

Applicant : Mr Gregory Calladine Smith

Objections : YES

Description of Development:

Erection of detached bungalow incorporating double garage at land at 15 Ringmer Way together with double garage extension to existing dwelling.

Key designations:

Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
London City Airport Safeguarding
London City Airport Safeguarding Birds
Open Space Deficiency

Proposal

The proposed dwelling would be situated to the western side of the existing house and would be single storey, incorporating a ridge height of approximately 4.8m. A detached double garage serving the existing dwelling at No 15 would be demolished and replaced by one situated adjacent to the western boundary and serving the proposed dwelling. The existing garage footprint would form part of an access drive serving the new dwelling. Its ridge would rise to a height of approximately 3.8m.

Following receipt of revised plans a 2.0m buffer incorporating a landscaped area is now proposed between the northern boundary adjoining No 12 and the garage and driveway serving the proposed dwelling.

A replacement double garage serving No 15 would be erected along its western side.

Location

The application site is situated to the south of Ringmer Way and forms a large corner plot with the existing house situated at its eastern side. The properties in

Ringmer Way are substantial, detached, family dwellings, built in the 1980s. The application site does not fall within a designated area.

Comments from Local Residents

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

- application directly contravenes the National Planning Policy Framework which states that applications should not include residential gardens which is designed to prevent the proliferation of backland developments
- NPPF advises that Strategic Housing Land Availability Assessment should not include residential gardens
- previous appeals were decided before the NPPF was adopted
- proposed layout is out of character with surrounding development
- turning area and access drive will form a substantial hiatus in the streetscene
- cramped overdevelopment of the site
- loss of light
- loss of prospect
- proposed development will still abut southern boundary of No 12
- overlooking and loss of privacy
- noise pollution due to proximity of new development
- development out of character with surrounding development
- sub-standard form of accommodation that lacks architectural merit
- increased level of traffic within the southern section of Ringmer Way will pose a safety hazard and lead to excessive parking demand
- precedent previously set by rejection of planning applications in 2004 for construction of a property within the existing boundaries of 2 Westcott Close
- disruption, disturbance and pollution resulting from development

Comments from Consultees

From a Highways perspective no objection is raised in principle, subject to conditions.

Planning Considerations

Policies BE1 (Design of New Development), H7 (Housing Density and Design), T3 (Parking) and T18 (Road Safety) of the Unitary Development Plan apply to the development and should be given due consideration.

The National Planning Policy Framework is also a material planning consideration.

Planning History

Planning permission was granted for a single storey replacement garage in 2008 under ref. 08/02831.

An application for the demolition of the existing garage and erection of 4 bedroom two-storey detached dwelling with associated garage and landscaping was submitted in 2009 under ref. 09/03493 but was subsequently withdrawn.

1. 10/01343

Planning permission was refused for the demolition of the existing property and garage and the erection of two detached 4 bedroom dwellings with associated garages and landscaping in 2010 under ref. 10/01343.

2. 10/01344

Planning permission was refused for the demolition of the existing garage and the erection of a 4 bedroom two storey detached dwelling with associated garage and landscaping in 2010 under ref. 10/01344. This application was refused by the Council on the basis that it would constitute an overdevelopment which would harm the character of the area; that it would undermine neighbouring amenity; and due to an unsatisfactory turning area. This application was subsequently dismissed at appeal.

The Planning Inspector raised the following points:

- ... the proposed scheme would not cause any harm to the character and appearance of the area, and that planning permission should not be refused on those grounds. (Para 8)
- given its size and proximity, the development would therefore have an unneighbourly visual impact on the outlook from No 12, and would unacceptably dominate views from the garden. (Para 9)
- this effect would be further exacerbated by the proposed single-storey projection, which would fill much of the remaining space at the front of the new dwelling; and by the new garage, which although set further back than the existing one, would again be sited on the same boundary adjacent to No 12. Together, these additional elements would add significantly to the new dwelling's overall mass and bulk close to the boundary, increasing its visual impact on the adjoining occupiers. (Para 10)
- ... overlooking... would therefore cause a substantial loss of privacy (Para 11)
- the side elevation facing Sibley Close would therefore be a large and visually dominant one. The existing boundary screening is limited. Consequently, the new building would have a substantial adverse visual impact on the outlook from the rear windows and gardens of the affected properties. (Para 12)
- the space in front of No 15 is limited. Based on the submitted plans, it is clear that turning even a small vehicle in that area would require it to be reversed to within less than 2m from No 15's front door. Such manoeuvres would cause significant noise and disturbance, and potential danger, to the occupants of that property. (Para 16)

3. 11/01484

Planning permission was refused for a single storey 3 bedroom dwelling with associated landscaping and access under ref. 11/01484. This application was refused by the Council on the basis that it would appear out of character in the area; due to an unsatisfactory turning area; and that it would constitute overdevelopment. This application was subsequently dismissed at appeal.

The Planning Inspector raised the following points:

- ... turning a vehicle using the existing double garage (to be assigned to the new dwelling), would cause it to be reversed in close proximity to the front façade of number 15... such a manoeuvre, causing significant noise, disturbance and potential danger... (Para 4)
- the provision of a new access to, and a turntable within, the rear garden of the existing house would reduce the likelihood of the shared driveway at the front being obstructed by vehicles associated with number 15. But it would bring vehicle noise and disturbance into the presently secluded rear garden area. (Para 5)
- ... the inadequate turning arrangements are likely to cause unacceptable living conditions to both number 15 and the proposed new dwelling through mutual noise and disturbance. (Para 6)
- ... because the plot is larger than most in the area and because the proposal would largely be hidden from view, these differences would cause little harm. I conclude that the effect of the proposal on the character and appearance of the area would be acceptable. (Para 9)

4. 13/00193

Planning permission was refused by the Chief Planner for the erection of a detached bungalow incorporating double garage at land at 15 Ringmer Way together with double garage extension to existing dwelling. This was refused on the following ground:

"The proposal, by reason of its size and siting, would have an unneighbourly visual impact on the outlook from No 12, would unacceptably dominate views from the garden, and would undermine its tranquil setting, as such contrary to Policies BE1 and H7 of the Unitary Development Plan."

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.

As can be seen from the two appeal decisions concerning the 2010 and 2011 planning applications the Planning Inspectors who considered both schemes did not raise an objection in principle as regards the provision of a single dwelling within the plot. They concluded that the character and appearance of the area would not be harmed.

In comparison to the earlier 2013 application (ref. 13/00193) the proposed bungalow remains similar in design, but the following revisions have been made:

- height and bulk of the garage serving the proposed dwelling adjacent to the boundary with No 12 has been reduced by replacing the gabled roof with a hipped version;
- 2m high brick wall at the boundary with No 12 has been replaced with a 1.8m acoustic panelled fence and hedge
- 2m buffer incorporating a landscaped area is proposed between the northern boundary adjoining No 12 and the garage and driveway serving the proposed dwelling. The proposed bungalow has been accordingly "shifted" 2m further south

Having regard to the previous planning decisions affecting the site it is considered on balance that sufficient revisions have been made to overcome earlier concerns, particularly with regard to the relationship between the proposed dwelling and the neighbouring property at No 12. From a visual perspective, it is considered that the proposed development will appear less dominant from the side of that property, as afforded by aforementioned 2m buffer and the alterations to the garage design. It is noted that since the 2010 and 2011 Appeal Decisions were issued the National Planning Policy Framework has been adopted and so Members will have to weigh the implications of this guidance against the general merits of the scheme. However, on balance, permission is recommended.

Background papers referred to during production of this report comprise all correspondence on files refs. 08/02831, 09/03493, 10/01343, 10/01344, 11/01484, 13/00193 and 13/01523, excluding exempt information.

as amended by documents received on 13.06.2013

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- 1 ACA01 Commencement of development within 3 yrs
ACA01R A01 Reason 3 years
- 2 Details of a surface water drainage system (including storage facilities where necessary) shall be submitted to and approved in writing by the Local Planning Authority before any part of the development hereby permitted is commenced and the approved system shall be completed before any part of the development hereby permitted is first occupied, and permanently retained thereafter.

In order to check that the proposed storm water system meets the Council's requirements, we require that the following information be provided:

- A clearly labelled drainage layout plan showing pipe networks and any attenuation soakaways.
- Where infiltration forms part of the proposed storm water system such as soakaways, soakage test results and test locations are to be submitted in

accordance with BRE digest 365.

- Calculations should demonstrate how the system operates during the 1 in 30 year critical duration storm event plus climate changes.

ADD02R Reason D02

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| 3 | ACK01 | Compliance with submitted plan |
| | ACC03R | Reason C03 |
| 4 | ACK05 | Slab levels - no details submitted |
| | ACK05R | K05 reason |
| 5 | ACA04 | Landscaping Scheme - full app no details |
| | ACA04R | Reason A04 |
| 6 | ACA07 | Boundary enclosure - no detail submitted |
| | ACA07R | Reason A07 |
| 7 | ACC01 | Satisfactory materials (ext'n'l surfaces) |
| | ACC01R | Reason C01 |
| 8 | ACH03 | Satisfactory parking - full application |
| | ACH03R | Reason H03 |
| 9 | ACH16 | Hardstanding for wash-down facilities |
| | ACH16R | Reason H16 |
| 10 | ACH27 | Arrangements for construction period |
| | ACH27R | Reason H27 |
| 11 | ACH32 | Highway Drainage |
| | ADH32R | Reason H32 |
| 12 | ACI08 | Private vehicles only |
| | ACI08R | Reason I08 |
| 13 | ACI02 | Rest of "pd" Rights - Class A, B,C and E |

Reason: To enable the Council to control future development, in order to prevent overdevelopment of the site, and to safeguard the amenities of the area, in accordance with Policies BE1 and H7 of the Unitary Development Plan.

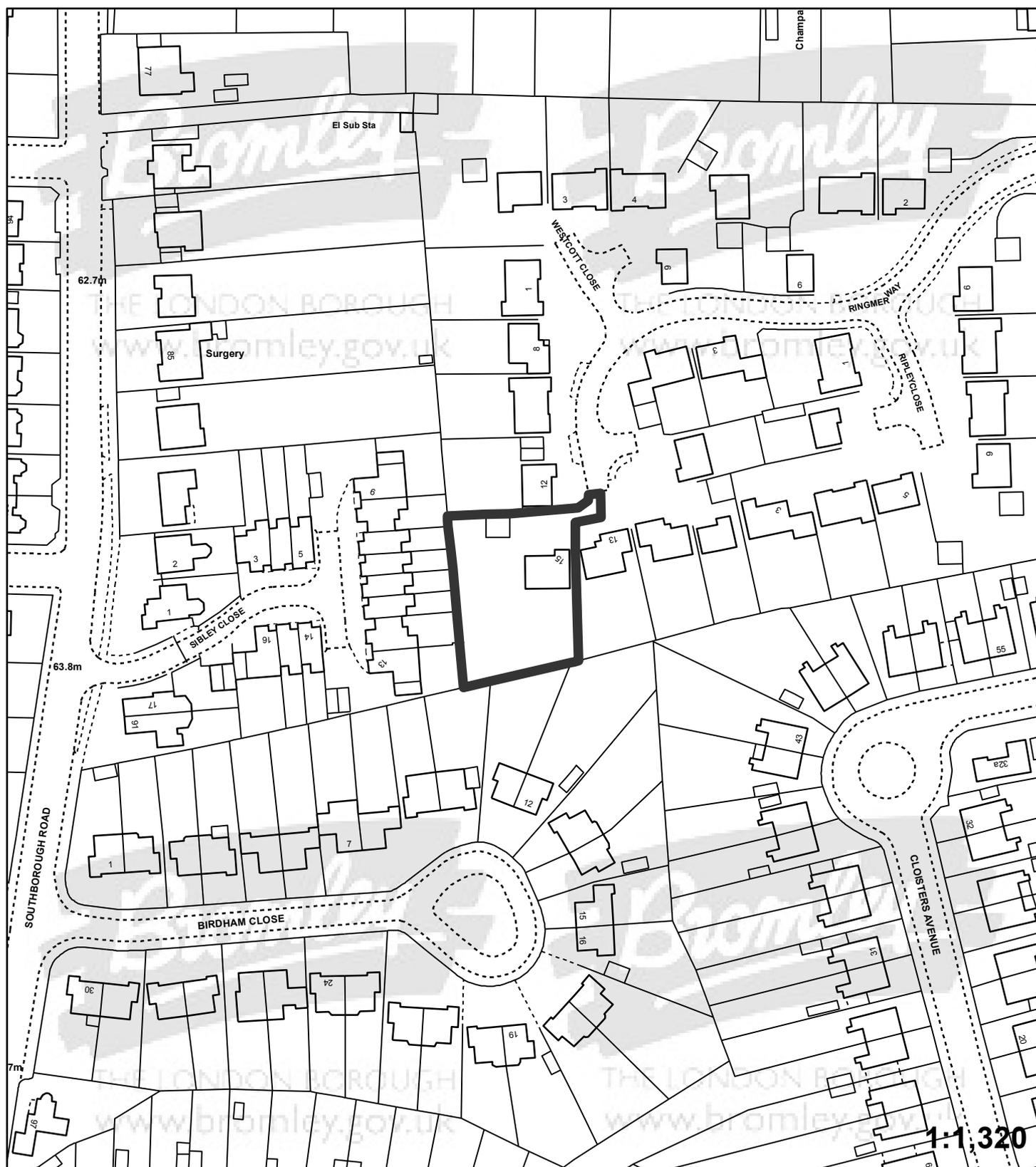
INFORMATIVE(S)

- 1 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.
- 2 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.
- 3 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. Fees and application forms are available on the Council's website at www.bromley.gov.uk

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"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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