

SECTION '2' – Applications meriting special consideration

Application No : 13/01774/FULL1

Ward:
Orpington

Address : Land At Birchington Close Orpington

OS Grid Ref: E: 547465 N: 166035

Applicant : Ms Satwinder Kukadia

Objections : NO

Description of Development:

Erection of two 2 storey dwellings and one single storey flat, with associated garden, landscaping and parking.

Key designations:

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

Proposal

Planning permission is sought for the erection of two 2 storey dwellings and one single storey flat arranged in a terrace measuring a total of 16.4m wide, 9.8m deep and a maximum height of 8m for the two dwellings. Each unit would have one parking space, accessed from Hart Dyke Road. Gardens are set to the rear.

This application follows two proposals of similar description that were refused in 2012 (see history). The difference lies in shifting the development slightly to the north, away from Birchington Close and towards the properties to the rear of Hart Dyke Road. The unit closest to the properties of Hart Dyke Road has been altered from a two storey to single storey unit.

Location

The application site is set to northern edge of Birchington Close with a frontage onto Hart Dyke Road to the east. The land to the north, east and south is predominantly residential, characterised by a mixture of 2 storey dwellings, and flatted blocks up to 4 storeys in height. To the west is a parade of commercial units with residential units above in a three storey terrace.

Comments from Local Residents

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

Comments from Consultees

Tree Officer - The application is accompanied by an arboricultural report and this has identified 6 trees, 5 sycamores and 1 cherry. Four trees have been graded U and two graded C. There are no significant trees at the site. Suggests conditions.

Drainage - The applicant is advised to use soakaways to dispose of surface water run-off. Suggests condition and to refer to Thames Water.

Thames Water - no objection with regards to sewerage or water infrastructure. Suggests informatives.

Highways - The proposal is for 3 dwellings with one parking space each. The application indicates the units will be socially rented and so the parking provision accords with the standards in the UDP.

Would have concerns that one of the proposed crossovers is closer to the junction of Hart Dyke Road and Birchington Close than the 10m normally required by Area Management. Given the location they have suggested that the parking space for the new property is located to the rear of Birchington Close.

It is understood that the grassed area on the Hart Dyke Road side of the site is owned by the Council and that it is currently maintained under the highways contract. We are unaware that it has been formally adopted as highway but it does form part of the highway corridor and has been available for use. We would therefore suggest that highway rights are stopped up before development commences. Either plans should be requested with the relocated parking or perhaps condition H02 applied.

Crime Prevention Officer seeks to have the agreed 'Secure by Design' condition attached to any permission that may be granted in connection with this application.

Planning Considerations

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

- BE1 Design of New Development
- H1 Housing Supply
- H7 Housing Density and Design
- H9 Side Space
- T3 Parking
- T11 New Accesses
- T18 Road Safety

London Plan policies

- 3.5 Quality and Design of Housing Developments
- 3.8 Housing Choice
- 6.13 Parking
- 7.6 Architecture

Planning History

Outline consent has been granted for a community centre under ref. 02/02736. A reserved matters application under ref. 07/02356 was withdrawn.

12/02174/FULL1 - Erection of 3 three bedroom 2 storey houses with associated garden, landscaping and parking. Refused for:

1. The proposals, by reason of the dwellings siting, height and substandard separation distance to No. 7 Hart Dyke Road would result in a visually overbearing impact and loss of sunlight, which would be detrimental to the amenities which the occupiers of adjoining properties might reasonably expect to enjoy, contrary to Policy BE1 of the Unitary Development Plan.

12/03365/FULL - Erection of 3 three bedroom 2 storey dwellings with associated garden, landscaping and parking. Refused for:

1. The proposals, by reason of the dwellings siting, height and substandard separation distance to No. 7 Hart Dyke Road would result in a visually overbearing impact and loss of sunlight, which would be detrimental to the amenities which the occupiers of adjoining properties might reasonably expect to enjoy, contrary to Policy BE1 of the Unitary Development Plan.
2. The development of the site as proposed would result in minimal side space provision to the south side boundary, presenting a cramped appearance and visually overbearing impact, detrimental to the street scene and visual amenity of the area, contrary to Policies BE1 and H9 of the Unitary Development Plan.

The applicant has also made use of the Councils formal post-application advice service which was generally supportive of their revised scheme. This has been reflected in this submission.

Conclusions

The main issues relating to this proposal are the principle of development, impact of the development on the streetscene and character of the local area, amenities of neighbouring residential properties, the highway and parking. Given the planning history, a key issue is how this application has addressed the previous refusal reasons. All other aspects are again fully assessed.

Density and site layout

There was no objection to the principle of development under the previous applications. The development comprises residential accommodation. The site is

not allocated for a particular use and lies outside of the Green Belt, employment areas and commercial areas. The principle of residential accommodation is acceptable in land use terms.

The existing site is a boarded up and vacant yard previously used for lock-up garages, some of which remain in disrepair. The site layout is flat and represents an opportunity to bring it back into better use, subject to all other material considerations.

The site has a low PTAL rating of 1B (on a scale of 1-6), policy H7 states that suburban settings with an accessibility rating of 1-2 (predominant housing type of detached houses) should provide a density of 30-50 dwellings per hectare. The locality however, is largely typified by flats and attached dwellings where a density of 50-80 dph is acceptable. The proposals here equate to a figure of 60dph, which is acceptable.

Two dwellings would have a GIA of 96 square metres, which for a 3 bedroom, 5 person dwelling would accord with the London Plan. One flat would have a GIA of 49 square metres, which for a 1 bedroom 2 person dwelling would accord the London Plan. The internal room layout is also acceptable.

The rear gardens are approximately 11.8m deep, covering an area of Plots 1 and 2 have rear garden access via a shared gate at the end of the gardens. Plot 3 has a private side access into the rear garden, utilising the side space. The gardens are arranged in single rectangular blocks and are considered to be of an acceptable size and practical arrangement for everyday use.

Design and appearance

The surrounding locality is typified by a mixture of two storey attached dwellings and flatted blocks up to 4 storeys in height. There is a wide variety of materials and architectural styles, resulting in a varied streetscene.

The design was previously considered acceptable under the previous application, but one of the units is now just single storey, which is considered acceptable. The proposal incorporates brick on the ground floor elevations, render on the first floor and asymmetrical front and rear gable ends, punctuated with windows. This creates a contemporary appearance which it considered to be acceptable for the locality.

The dwellings would maintain a minimum 1.5m distance from the boundary with Birchington Close and widens to 2.8m towards the front of the site. This is slightly greater level of separation to the 12/02174 application which received no objection in this regard. This proposal would result in an acceptable side space provision, providing a good buffer to the street. It would have an acceptable impact on to the streetscene and visual amenity of the area, in accordance with Policies H9 and BE1. It overcomes the second refusal reason of the most recent application ref. 12/03365.

Residential amenity

The other previous reason for refusal was the impact of the proposal on No.7 Hart Dyke Road. The scheme has been amended with this in mind. To address the refusal reason, the two story unit has been replaced with a single storey unit. This would be largely hidden from view from the south given the high boundary wall and its relationship to No.7 Hart Dyke Road is considered acceptable in terms of height and bulk presented.

Trees

The revised design and layout raises no additional concerns with regards to trees or parking. The application was submitted with an arboricultural report which states that no trees are to be harmed, and the Council concurred with this view.

Highways and parking

Each dwelling would be provided with one parking space, accessed from Hart Dyke Road. Policy 6.13, Table 2 of the London Plan states that maximum parking standards for 3 bedroom residential development is between 1.5-1 spaces per unit. The proposals here would accord with the London Plan. Concerns over construction could be handled by way of a construction management plan which could be secured by condition.

Concerns were raised that one of the proposed crossovers is closer to the junction of Hart Dyke Road and Birchington Close than the 10m normally required by Area Management. It is suggested that details of parking be secured by condition.

In regards to drainage, sewerage and water infrastructure, there is no objection to the proposal. Details will be secured by condition.

Overall, the proposed development has overcome the previous reasons for refusal and now presents a scheme that would have an acceptable impact on the character of the area and amenity of nearby residents. It offers an acceptable layout of new residential properties and would bring the site back into better use.

Background papers referred to during production of this report comprise all correspondence on file ref. 13/01774, excluding exempt information.

as amended by documents received on 24.05.2013

RECOMMENDATION: GRANT PERMISSION WITH/WITHOUT CONDITIONS

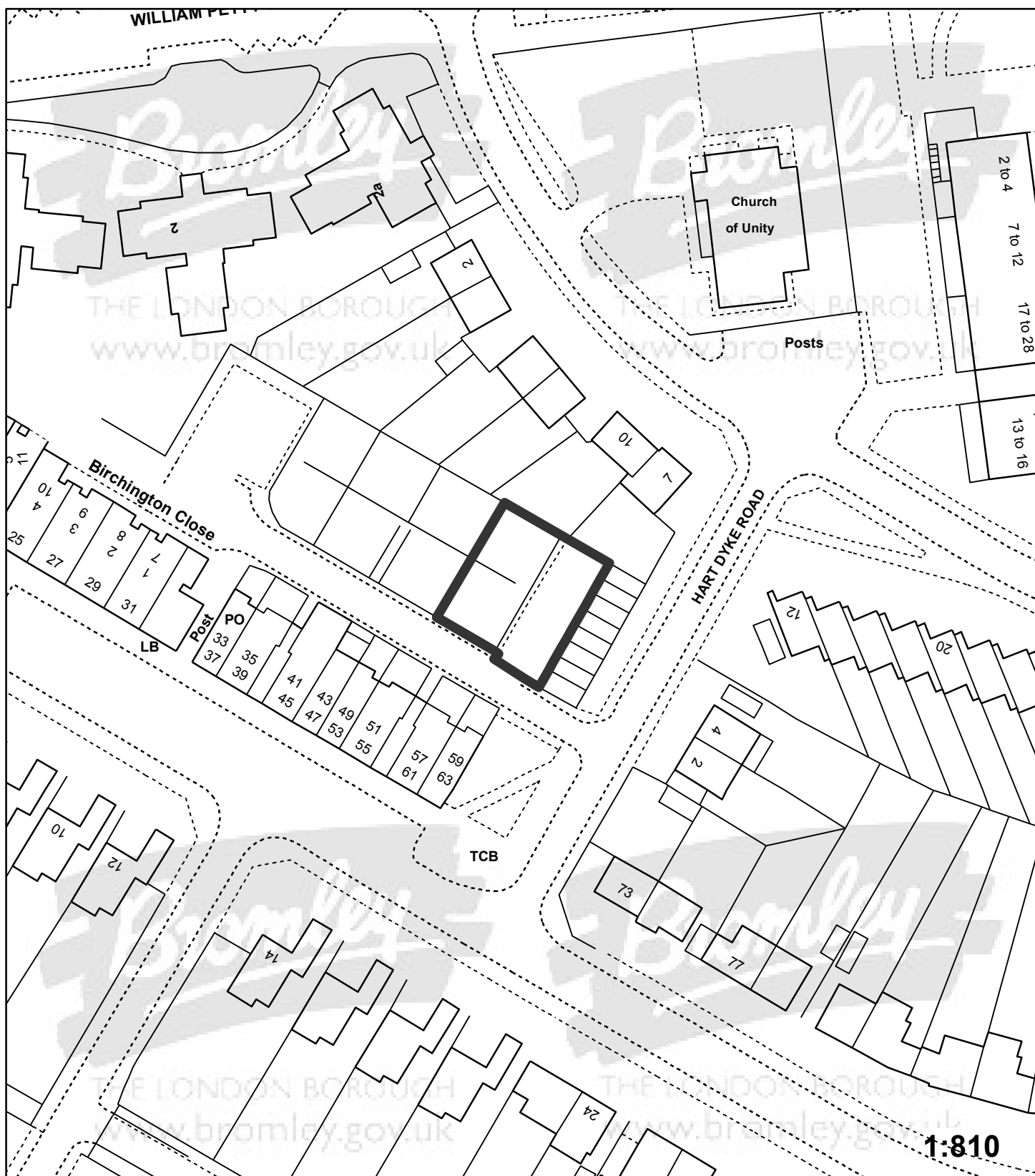
- | | | |
|---|-----------------|--|
| 1 | ACA04
ACA01R | Landscaping Scheme - full app no details
A01 Reason 3 years |
| 2 | ACA08
ACA08R | Boundary enclosures - implementation
Reason A08 |
| 3 | ACB01
ACB01R | Trees to be retained during building op.
Reason B01 |
| 4 | ACB02
ACB02R | Trees - protective fencing
Reason B02 |

- 5 ACB03 Trees - no bonfires
 ACB03R Reason B03
- 6 ACB04 Trees - no trenches, pipelines or drains
 ACB04R Reason B04
- 7 ACC01 Satisfactory materials (ext'n'l surfaces)
 ACC01R Reason C01
- 8 ACC03 Details of windows
 ACC03R Reason C03
- 9 ACD02 Surface water drainage - no det. submitt
 ADD02R Reason D02
- 10 ACD04 Foul water drainage - no details submitt
 ADD04R Reason D04
- 11 ACH02 Satisfactory parking - no details submit
 ACH02R Reason H02
- 12 ACH09 Restriction on height to front and flank
 ACH09R Reason H09
- 13 ACH15 Grad of parking area or space(s) (2 in) parking spaces
 1:10
 ACH15R Reason H15
- 14 The existing access shall be stopped up at the back edge of the highway
 before any development is first commenced in accordance with details of an
 enclosure to be submitted to and approved in writing by the Local Planning
 Authority. The approved enclosure shall be permanently retained as such.
 ACH24R Reason H24
- 15 ACH29 Construction Management Plan
 ACH29R Reason H29
- 16 ACH32 Highway Drainage
 ADH32R Reason H32
- 17 ACI01 Restriction of all "pd" rights
 ACI03R Reason I03
- 18 ACI21 Secured By Design
 ACI21R I21 reason
- 19 ACK01 Compliance with submitted plan
 ACC01R Reason C01

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Address: Land At Birchington Close Orpington

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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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