

SECTION '2' – Applications meriting special consideration

**Application No :** 13/01557/FULL1

**Ward:**  
**Chelsfield      And      Pratts**  
**Bottom**

**Address :** 140 Worlds End Lane Orpington BR6  
6AS

**OS Grid Ref:** E: 546814 N: 163326

**Applicant :** Ms Melanie Winter

**Objections :** YES

**Description of Development:**

Demolition of existing dwelling and erection of a detached two storey six bedroom house with accommodation in roof space.

Key designations:

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

The application was deferred from Plans Sub-Committee on the 25th July 2013 in order to check that the width of the site is as submitted and that the side space proposed is achievable. This has been checked and confirmed, with the case officer visiting the site and overseeing measurements taken by the applicant's agent. The applicant's agent has submitted revised plans dated 07/08/13 indicating a minor re-siting of the house along with the clear dimensions of the site and side spaces. The application is returned to this corresponding Plans Sub-Committee meeting with the report repeated below, amended where necessary.

**Proposal**

- The proposed dwelling will have a height of approx. 9.1m and a width of approx. 15.4m. The depth will be approx. 15.5m.
- The relationships with the surrounding dwellings and side boundaries will be as follows:

Relationship with No. 138:

Elevation of proposed dwelling closest to Worlds End Lane

- proposed space between dwellings 3165mm (existing 2780mm)

- proposed distance from proposed replacement dwelling to boundary 1800mm (existing 1400mm)

Elevation of proposed dwelling furthest from Worlds End Lane

- proposed space between dwellings 3365mm (existing 2980mm)
- proposed distance from proposed replacement dwelling to boundary 2000mm (existing 1600mm)

Relationship with No. 142:

Boundary perpendicular to houses

- proposed space between dwellings 4500mm (existing 5308mm)
- proposed distance from proposed replacement dwelling to boundary 2850mm (existing 3655mm)

## **Location**

The application site is on the northern side of Worlds End Lane. The site comprises a detached bungalow in an area characterised by similar development and a spacious character. The wider area is residential in character, with ample plot sizes and rear garden areas. At the front of the site is a protected oak tree.

## **Comments from Local Residents**

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

- excessive size and scale
- inappropriate space at front of house
- overlooking and loss of privacy
- loss of trees
- glare from the sun reflecting from the windows.

## **Comments from Consultees**

No technical highways objections are raised subject to conditions.

Environmental Health (Pollution) raises no objection subject to informatives.

No technical drainage objections are raised subject to conditions.

No Thames Water objections are raised subject to informatives.

Environmental Health (Housing) comments have been received indicating technical concerns regarding the internal layout. Additional information has been submitted by the applicant and Environmental Health is satisfied that this information overcomes the concerns raised.

## **Planning Considerations**

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

BE1 Design of New Development  
H7 Housing Density And Design  
H9 Side Space  
T18 Road Safety  
NE7 Development And Trees

The National Planning Policy Framework

London Plan Policy 3.4 Optimising Housing Potential  
London Plan Policy 3.5 Quality and Design of Housing Developments  
London Plan Policy 5.12 Flood Risk Management

## **Planning History**

Planning permission was granted under ref. 08/02834 for the demolition of existing dwelling and erection of a two storey five bedroom detached dwelling with integral double garage.

Planning permission was granted for an extension of time for the implementation of this development under ref. 11/02835.

Planning permission was granted for demolition of existing dwelling and erection of a two storey four bedroom detached house with integral garage and accommodation in roof space under ref. 12/01151.

## **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 the development would have on the amenities of the occupants of the surrounding residential properties. Any highway safety implications of the proposed new development and impact on trees are also a consideration.

The principle of replacing the existing house with a two storey replacement dwelling has been established at the site. The proposed building will have a similar height and depth to the dwelling permitted under ref. 12/01511. The bulk of the proposed dwelling would also be comparable to the previous dwelling, with an eaves height that is similar to the adjacent houses. It is considered that the dwelling would appear in context with surrounding development within the street scene and would not appear conspicuous or dominant.

The roof bulk is considered to be similar to that previously granted, incorporating front gable features and an increase in height to 9.1m. It is considered that the roof bulk results in a dwelling that does not look out of keeping within the street scene

and the dwelling will be flanked on both sides by other two storey residential development of similar heights, retaining an area of space between buildings.

The footprint of the proposed dwelling is sited as to not be in advance of the existing building line.

The proposal would extend to the rear of neighbouring dwellings by a similar amount to the previously permitted dwelling, with a side space of 1.8m - 2.0m retained as a minimum distance to No. 138 and 2.85m to No. 142. It is considered that the roof provides a scale and bulk that would be similar to that previously granted and would not have an impact significantly greater than the scheme previously granted. The north facing rear gardens are considered to mitigate this impact and the proposed house is considered not to result in an overbearing visual impact for the neighbouring properties. The generous separation afforded by the ample side space retained is considered to further reduce the visual impact.

To the west, No. 138 is separated from the dwelling by approx. 3.15-3.35m. This separation is considered adequate to minimise the impact on this property. A separation of 4.5m exists to No. 142 and this separation will likewise reduce the impact. Due to the separation between the proposed dwelling and neighbouring properties, it is considered that the prospect from and light to the neighbouring properties will not be adversely affected, despite the significant rearward projection of approx. 5m from the rear of No. 138 (which is similar to that previously granted permission) and 4m, beyond the rear of No. 142 (approximately 2m previously permitted). These relationships are considered to be suitable when considering the orientation, fully hipped roof and recent planning history.

There is a mature oak tree at the front of this property which is protected by a Tree Preservation Order. The application is accompanied by an arboricultural report and this originally indicated the felling of the oak tree. It is accepted that the tree is not in top quality condition but it occupies a prominent location at the front of the property and is a character tree in the street scene. The Tree Officer is opposed to the loss of the tree and the scheme has been amended to allow for its retention.

The proposal provides parking to the front of the house with the excavation of part of the front of the site. The existing access onto Worlds End Lane will be retained. Aside from the tree issue, the proposal will provide an area of hardstanding that would be suitable for car parking. Subject to drainage and parking layout conditions, no objections are raised to this aspect of the proposal.

Additional documents have been received indicating the proposed drainage arrangements and the retention of the oak tree.

Having had regard to the above it was considered that the siting, size and design of the proposed replacement dwelling 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. No adverse impact on highway safety or protected trees is considered to result from the proposal. It is therefore recommended that planning permission is granted.

Background papers referred to during production of this report comprise all correspondence on files refs. 08/02834, 11/02835 and 13/01557, excluding exempt information.

as amended by documents received on 03.06.2013 18.06.2013 06.08.2013

## **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 ACB18 Trees-Arboricultural Method Statement  
ACB18R Reason B18
- 4 ACB19 Trees - App'ment of Arboricultural Super  
ACB19R Reason B19
- 5 ACC07 Materials as set out in application  
ACC07R Reason C07
- 6 ACD02 Surface water drainage - no det. submitt  
ADD02R Reason D02
- 7 ACH03 Satisfactory parking - full application  
ACH03R Reason H03
- 8 ACH16 Hardstanding for wash-down facilities  
ACH16R Reason H16
- 9 ACH29 Construction Management Plan  
ACH29R Reason H29
- 10 ACH32 Highway Drainage  
ADH32R Reason H32
- 11 ACI02 Rest of "pd" Rights - Class A, B,C and E

**Reason:** In order to comply with Policies H7 and BE1 of the Unitary Development Plan and to prevent overdevelopment of the site.

- 12 ACI12 Obscure glazing (1 insert) in the first floor flank elevations  
ACI12R I12 reason (1 insert) BE1
- 13 ACI17 No additional windows (2 inserts) first and second floor dwelling  
ACI17R I17 reason (1 insert) BE1
- 14 ACK01 Compliance with submitted plan

**Reason:** In order to comply with Policies BE1 and H7 of the Unitary Development Plan and in the interest of the visual amenities of the area and the amenities of the nearby residential properties.

- 15 ACK05 Slab levels - no details submitted  
ACK05R K05 reason
- 16 A minimum side space of 2.0m and 1.8m shall be provided between the western and eastern flank walls respectively of the dwelling hereby permitted and the corresponding flank boundaries of the property.

**Reason:** In order to comply with Policy H9 of the Unitary Development Plan and in the interest of the visual amenities of the area.

- 17 The surface water drainage design should be implemented in accordance with the submitted and agreed "Proposed Drainage Layout" drawing no. A1833-500 revision P1 Dated 29/05/2013 and shall be permanently retained as such thereafter.

**Reason:** In order to achieve suitable drainage of the development.

#### INFORMATIVE(S)

- 1 In order to check that the proposed storm water system meets our requirements, we require that the following information be provided:
  - o A clearly labelled drainage layout plan showing pipe networks and any attenuation soakaways.
  - o 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.
  - o Calculations should demonstrate how the system operates during the 1 in 30 year critical duration storm event plus climate change. The applicant is advised that if they intend to use the existing soakaways, they would need to demonstrate their full functionality.
- 2 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.
- 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 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.
- 5 The applicant is advised that any works to the protected oak tree at the front of the site would require a separate consent.

- 6 You are advised that this application may 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)).

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.

Further information about Community Infrastructure Levy can be found on attached information note and the Bromley website [www.bromley.gov.uk/CIL](http://www.bromley.gov.uk/CIL)

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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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